

# ANNUAL REPORT

## 2015-16



**GOVERNMENT OF INDIA**

**NATIONAL COMMISSION FOR SCHEDULED CASTES**

**5<sup>th</sup> Floor, Loknayak Bhawan, Khan Market, New Delhi 110 003**

***Telefax: 011-2463 2298, Website: [www.ncsc.nic.in](http://www.ncsc.nic.in)***

# CONTENTS

<b>Chapter</b>	<b>Chapter titles</b>	<b>Page No.</b>
	<b>Overview</b>	<b>i-iv</b>
	<b>Preface</b>	<b>v-vi</b>
<b>I</b>	<b>The Commission, functions &amp; duties</b>	<b>1-4</b>
<b>II</b>	<b>Constitutional safeguards</b>	<b>5-6</b>
<b>III</b>	<b>Meetings of the Commission</b>	<b>7-40</b>
<b>IV</b>	<b>Activities of the Commission</b>	<b>41-194</b>
<b>V</b>	<b>Administration and Coordination</b>	<b>195-204</b>
<b>VI</b>	<b>Service safeguards of SCs</b>	<b>205-226</b>
<b>VII</b>	<b>Socio-economic development of SCs</b>	<b>227-262</b>
<b>VIII</b>	<b>Atrocities on Scheduled Castes</b>	<b>263-290</b>
<b>IX</b>	<b>Recommendations</b>	<b>291-318</b>
	<b>Annexure</b>	<b>319-342</b>

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



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

पाँचवीं मंजिल, लोकनायक भवन,  
खान मार्केट, नई दिल्ली-110003  
5th Floor, Lok Nayak Bhawan,  
Khan Market,  
New Delhi-110003  
Tel. 24620435 Telefax. 24632298

No. 4/1/NCSC/2016-C.Cell

12<sup>th</sup> July, 2016

*Respected Rashtrapati ji,*

It is our great privilege to present to you the Annual Report 2015-16 of the National Commission for Scheduled Castes. The major recommendations on important areas of jurisdiction of National Commission for Scheduled Castes have been highlighted in the Chapter XI of the Report.

One of our major recommendations concerns step to strengthen the NCSC in order that it is able to discharge its mandate more effectively and safeguard the interests of the Scheduled Castes. We solicit your valuable concurrence and endorsement on all the recommendations and more specifically on those to strengthen the NCSC. This is for your kind information and valuable suggestions, if any, on the Report.

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

*with deep regards,*

Yours sincerely,

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

Shri Pranab Mukherjee  
Hon'ble President of India,  
Rashtrapati Bhawan, New Delhi.

## Overview of the activities of NCSC:

During 2015-16 , Commission has:

- Conducted reviews of 8 State Governments<sup>1</sup> and reviews of 15 Central Public Sector Undertakings / Banks and Autonomous Bodies<sup>2</sup>. ( **Paragraphs 4.2 & 4.3**)
- Conducted 61 spot visits in atrocity cases. ( **Paragraph 4.9**)
- Held 17 divisional and district reviews.( **Paragraph 4.4**)
- Visted 2 jails and 16 SC Girls & Boys Hostels in various States. ( **Paragraphs 4.10 & 4.11**)
- Dealt with 39,526 individual cases<sup>3</sup> of deprivation of rights / other grievances and disposed off 9,942 cases. ( **Paragraph 4.5**)
- Rendered advice 7 policy issues , 2 proposals of inclusion / exclusion of castes and on 20 dereservation proposals ( **Paragraphs 4.12, 4.13 & 4.14**)
- Reviewed and monitored the implementation of safeguards and development of Scheduled Castes with Chief Secretaries / DGPs and other officers of 16 State Governments.( **Paragraph 3.4**)

## Impact of direct intervention of the Commission in individual cases :

A part of the mandate of the Commission is to look into individual grievances of atrocity and of deprivation of safeguards extended to Scheduled Castes in the socio economic development sector and in services.

- As a result of the direct intervention of the Commission in 173 cases of grievous atrocities and after 61 spot visits , 202 FIRs were registered , 423 arrests were made and 124 chargesheets were filed. Release of financial compensation of ₹ 3,60,00,410/- to families of victims / victims was also ensured.

---

<sup>1</sup> Assam, Tamil Nadu , Maharashtra, Uttar Pradesh, NCT of Delhi, Karnataka, Tripura and Jharkhand

<sup>2</sup> CPSUs/CPSBs under the following Ministries : Ministry of Finance -10 ,CPSUs . Ministry of Coal 6 2 CPSUs, Ministry of Commerce -1 CPSU, Ministry of Heavy Industries -1 CPSU , Ministry of Space-1 AB

<sup>3</sup> 22,501 cases carried forward from previous year and 17,025 cases received in 2015-16.

- In 17 Divisional review meetings<sup>4</sup>, 981 cases were taken up, 299 FIRs were registered, 44 arrests were made and 223 chargesheets were filed after intervention of the Commission. Release of financial compensation of ₹ 49,59,750/- in 84 cases to families of victims / victims was also ensured.
- In 247 interesting service related cases, the intervention of the Commission resulted in 619 persons getting appointment in services, 15 persons being appointed on compassionate grounds 42 persons receiving their long denied promotions, 18 retired persons receiving their pensions and other pensionary benefits, 8 persons were re-instated in services / suspensions were revoked, 71 other harassment matters were resolved. Apart from 18 persons receiving regular pensions, other financial benefits of ₹ 9,56,613/- were also released.
- In 248 interesting individual cases in the economic and social sector where the Commission intervened directly ₹ 24,38,58,947/- as scholarship of past several years, was released to 1710 students as well as in a further 7 institutes, 35 students were granted admission earlier denied to them, 72 students received education loans, degrees, marksheets etc which had been withheld as well as financial help of ₹ 5,99,316/-, 71 persons received possession of their land along with compensation of ₹ 1,06,198/-, 73 persons received the benefit under SC schemes along with financial benefits of ₹ 39,78,481/-, 8 dependents received financial grants of ₹ 32,50,000/- and 44 persons received other relief like allotments of land / petrol pumps land etc.

### **Some major Recommendations in this report are:**

**Strengthening the effectiveness of NCSC** which include specific recommendations on:

- Making NCSC Recommendations Binding (**Paragraph 9.1.1**)
- Independence of NCSC- in functioning and budget (**Paragraph 9.1.2**)
- Increase of staff strength (**Paragraph 9.1.3**)
- Opening of new offices / up-gradation of existing offices (**Paragraph 9.1.4**)

---

<sup>4</sup> Saharanpur (UP), Basti (UP), Baghpat (UP), Gorakhpur (UP), Mirzapur (UP), Allahabad (UP), Faizabad (UP), Chitrakoot (UP), Azamgarh (UP), Meerut (UP), Lucknow (UP), Devidhan (UP), Ghaziabad district (UP), Ahmednagar (Maharashtra), Nagpur (Maharashtra), Pune (Maharashtra) and East Godavari district (AP)

---

**Recommendations on Service Safeguards** include:

- Recommendations to CPSUs/ CPSBs (**Paragraph 9.3.1**)
- Recommendations on Problems of SC migrant labours (**Paragraph 9.3.2**)
- Reservation in Promotion (**Paragraph 9.3.3**)
- Recommendations regarding Service safeguards issues based on reviews of the State Governments (**Paragraph 9.3.5**)
- Recommendations regarding Reservation in Judiciary (**Paragraph 9.3.6**)

**Recommendations regarding Economic and Social Development** include:

- Recommendations on implementation of Prohibition of Employment on Manual Scavengers & Rehabilitation Act, 2013 ( **Paragraph 9.4.1**)
- Recommendations on SCSP ( **Paragraph 9.4.3**)
- Recommendations on a Central Legislation ( **Paragraph 9.4.4**)
- Recommendation on Educational Development ( **Paragraph 9.4.6**)

**Specific recommendations regarding handling of Atrocity cases** are on :

- Registration of FIRs ( **Paragraph 9.5.1**)
- Police investigation ( **Paragraph 9.5.2**)
- Compensation and Rehabilitation of victims and expenses to witnesses ( **Paragraph 9.5.4**)
- Capacity building measures ( **Paragraph 9.5.5**)
- Holding regular meetings of State and District Level Monitoring Committees (**Paragraph 9.5.6**)
- Setting up a National Vigilance Monitoring Committee (**Paragraph 9.6**)



## PREFACE

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

The fourth and the present National Commission for Scheduled Castes has been constituted with effect from 22 October, 2013 with **Shri P.L. Punia** as **Chairman** and **Shri Raj Kumar Verka** as **Vice Chairman**. **Shri Raju Parmar**, **Shri Ishwar Singh** and **Smt. P.M. Kamamma** are **Members**.

As part of its Constitutional obligations the National Commission for Scheduled Castes has to prepare an Annual Report based on activities undertaken by it during the previous year. The Annual Report 2014-15 of the Commission was submitted to the President of India on 15 December, 2015.

The present report covers the activities of the present (fourth) Commission for the period from April 2015 to March 2016.



## CHAPTER – I

### The Commission , functions and duties

#### **1.1 Introduction**

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

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

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

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

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

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

## **1.2 Functions and duties:**

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

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

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

**Clause 5 (c) of Article 338 of the Constitution** states that, the Commission is required to participate and advise on the planning process of socio-economic development of SCs and evaluate the progress of their development under Union and States /UTs. The role of the Commission in these areas would involve interaction at various levels, i.e., with the Niti Ayog<sup>1</sup>, the Central Ministries and the State / UT Governments. The Commission should participate in formulation of policies and the developmental programs for Scheduled Castes, including Special Component Plan for Scheduled Castes.

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

---

<sup>1</sup> Earlier called the Planning Commission

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

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

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

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

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

**This Annual Report (2015-16) covers the activities of the Commission from April 2015 to March 2016.**



## CHAPTER – II Constitutional Safeguards

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

### **2.1 Safeguards to Scheduled Castes**

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

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

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

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

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

## **2.2 Statutes and Legislations**

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

- The Protection of Civil Rights Act, 1955.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Rules thereof.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015<sup>1</sup> and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amended Rules 2016<sup>2</sup>.
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
- Acts and regulations in force in different States to prevent alienation of land belonging to SCs/STs. In some States such provision exists in the Land Revenue Code.
- Acts in different States for restoration of alienated land to SCs & STs.

---

<sup>1</sup> Notified on 01 January 2016

<sup>2</sup> Notified on 14 April 2016

## CHAPTER III Meetings of the Commission

From the period starting from 1 April 2015 to 31 March 2016, the following meetings were conducted:

Dates of Meetings	
<b>6<sup>th</sup> Meeting</b>	<b>21.07.2015</b>
<b>7<sup>th</sup> Meeting</b>	<b>02.11.2015</b>
<b>8<sup>th</sup> Meeting</b>	<b>11.01.2016</b>

### **BRIEF SUMMARY OF MAJOR DECISIONS:**

#### **3.1 Meeting dated 21.07.2015**

- **Agenda Item : Restriction on forwarding the application of officials of NCSC of all cadres (State Office and Hqrs.) for deputation in ex-cadre posts for the time being.**

**Decision Taken:** In view of the acute shortage of staff in NCSC, the Commission approved the restriction on forwarding applications for deputation etc.

- **Advise/further direction of the Hon'ble Commission on the judgment in Writ Petition (Civil) Nos. 3818 of 2015 & 2855 of 2015 filed by the A.P. Transco Limited against NCSC & Writ Petition (Civil) No.3929/2014 & CM No. 7914/2014 in the matter of Council for Advancement of Peoples Action & Rural Technology (CAPART) Vs. NCSC**

**Decision Taken:** The Commission decided to take the advice of Ministry of Law & Justice regarding the possibility of engagement of a panel of lawyers in order to ensure effective defence on behalf of the Commission.

- **Agenda Item : Seeking post facto approval on the Chairman's approval on the proposal received from the Ministry of Social Justice & Empowerment regarding removal of area restriction in respect of Chain Community in the list of SC in West Bengal regarding.**

**Decision Taken:** The Commission noted & approved the decision.

- **Agenda Item : Proposal to send a project to Ministry of Information & Technology for execution under Digital India Project launched by the Govt. in three phased plan for e-hearings by NCSC.**

**Decision Taken:** After lengthy deliberations the Commission approved the proposal to be sent to the IT Ministry.

- **Agenda Item : Adoption of Vision & Mission Statement of NCSC.**

**Decision Taken:** The Commission adopted the following Vision & Mission Statements:

**Vision Statement -**

öThe National Commission for Scheduled Castes with utmost zeal and dedication shall uphold its mandate as entrusted by Constitution of India.

In doing so, the Commission shall endeavor to bring about equality in the society by protecting the Constitutional, Socio-economic, Legal and Civil Rights of the Scheduled Caste population of the Nation and shall facilitate easy access and effective delivery of justice to the Scheduled Caste and Other Backward Caste(s) population of the country.ö

**Mission Statement-**

- To evaluate process of all round development of the Scheduled Castes.

- To monitor the implementation of the Constitutional and Legal Safeguards given to the members of Scheduled Castes.
- To look into complaints and conduct enquiries in cases of violation and deprivation of rights and socio-economic safeguards of the Scheduled Castes.
- To give recommendations to the Central and State Governments regarding the protection of rights and furtherance of the safeguards of the Scheduled Castes.
- To proactively make recommendations for further empowering the Scheduled Castes.
- To work as an agent of justice and rights-without fear or favour, in the supreme interest of the Scheduled Castes in consonance with constitutional provisions.

Reference to Scheduled Castes shall be construed as including references to other Backward Classes and Anglo Indian Community unless, otherwise modified by orders of the President.

- **Agenda Item : Confirmation of minutes of the meeting organized by NCSC on Monitoring the implementation of Constitutional Safeguards for Scheduled Castes on 24.6.2015 at Vigyan Bhawan, New Delhi.**

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

- **Agenda Item : Status of Pendency/disposal of cases between 01.04.2014 to 31.03.2015 in the State Offices of NCSC and Hqrs.**

**Decisions Taken:**

- After analysis of data the Commission decided that the Members should visit the State Offices to dispose of cases concerning their allotted States.
  - A plan may be chalked out for disposal of old cases in the next six months at Headquarters and State Offices and files after scrutiny may be submitted before the concerned Members for decision. For Atrocity related cases- Members will conduct district wise/division wise reviews for speedy action by authorities.
  - Cases once closed can be re-opened only with the prior approval of the Chairman on file.
  - All efforts will be made for speedy disposal and as far as possible a maximum of 3 hearings to be conducted in cases.
- **Agenda Item : Action Taken Reports on Annual Reports/Special Reports/Committee Reports submitted by the Commission laid in both the House of the Parliament**

**Decision Taken:** Important recommendations with Action Taken Report and comments of the NCSC may be compiled and submitted to the Parliamentary Committee on Scheduled Castes.

- **Agenda Item : Consideration & approval of Commission on “Study Report on cases in NCSC on exploitation of SC workers in Brick Kiln Sector”.**

**Decision Taken:** After analysis of the Report it was decided that the number of affected SC labourers in these cases can be mentioned. Some visits to Brick Kilns (in Bihar, Maharashtra & Madhya Pradesh). Suggestion of Member (RP) to include the recommendation of district administration to ensure proper living conditions for the labourers was agreed to.

- **Agenda Item : Report on the Effective Utilization of Funds under the Scheduled Castes Sub Plan.**

**Decision Taken:** It was decided to obtain inputs from 2-3 NOGs to make the report more comprehensive and exhaustive.

### **3.2 Meeting dated 02.11.2015**

- **Agenda Item : Approval of the draft Annual Report 2014-15.**

**Decision Taken:** Draft Annual Report was discussed. It was approved with minor corrections in language, spacing, graph type (for example in graphs 8.1, 8.2, 8.10 etc.) and addition of the following recommendations :

- recommendation for a constitutional amendment for reservation in promotion
- recommending passing of a bill on reservation in Services,
- recommendation for an All India Judicial Services.
- recommending consultation with NCSC on planning of schemes / expenditure for socio-economic welfare of the Scheduled Castes by Centre and State Governments,
- recommendation of a Legislation on SCSP, on lines of the legislations in Andhra Pradesh & Karnataka,
- expediting amendment to POA Act,
- strengthening National Commission for Backward Classes
- **Agenda Item :**Reporting item regarding correction carried out in minutes held on 04.08.2014 regarding replacement of the existing entry õMalayan (in the areas Comprising the Malabar District) by Malayan (in

the areas comprising Kozhikode, Wayanad, Kannur and Kasaragod)ö in the list of Scheduled Castes of Kerala.

**Decision Taken:** The reporting item was accepted and approved.

- **Agenda Item :** Revised Report on Study of Cases in National Commission for Scheduled Castes on Exploitation of Scheduled Castes Labour in the Brick Kiln Sector:

**Decision :** The Commission discussed the Report and authorized the Chairman to finalize same. It will be submitted as a separate report and also sent to Governors of the concerned States.

- **Agenda Item :** Engagement of staff on contract óThe Commission discussed the acute shortage of staff in the Headquarters & the State Offices .

**Decision :** It was decided that efforts should be made to fill up the posts and engage DEOs on outsourced basis in States Offices & Commission Headquarters. in view of the increased workload, till regular posts are filled. DEOs are to be hired on need basis especially for State Offices at Chennai, Ahmedabad, Lucknow & Commission Headquarters where there are large number of pending cases. The expenditure is to be kept within sanctioned funds in OE.

- **Agenda Item :** Review of JailsóIt was pointed out that the authorities in Punjab & Haryana are reluctant to allow the Commission to visit Jails though review of Jails were carried out in some other States. It was decided that Jail Reviews / Visits should be conducted after obtaining data in questionnaire, including data on ladies prisoners.
- **Agenda Item :** Reopening of cases - It was decided that as a policy such cases where recommendations are issued & ATRs on recommendation are also received may not be reopened.

### **3.3 Meeting dated 11.01.2016**

The heavy inflow and pendency of cases, methods of increasing the rate of disposal of cases , need for immediate spot visits in atrocity cases and preparation of Annual Report 2015-16 were the main items on the agenda of this meeting where all NCSC State Office incharges were present .

- **Inflow and pendency of cases** : Approximately 12483 cases have been received in the 12 State offices in 2015-16 (upto November 2015) , a further 2642 cases have been received and are being dealt in HQs of NCSC , making a total of over 15,000 cases received in approx 9 months of 2015-16.

This is an all-time high intake and the disposal rate cannot match the same especially as there was an opening balance of approx. 13000 cases in State offices and 9107 cases in HQs as on 01.04.2015.

The following decisions were taken:

- Screening of cases to remove duplicate cases received both in Hqs and State Offices.
- Only those cases as per mandate are to be taken up.

This can be done by pre-scrutiny of the petitions before opening of the files, as that will reduce the ineligible petitions that need not to be opened.

- Subjudice cases ie.cases that are either decided or pending in Honøble Courts shall not be taken up.
- General complaints by Associations will not be taken up unless some specific cases are enclosed by the Association.
- Routine cases of transfer and posting requests will not be entertained as they are not in the mandate of the Commission.

- **Speeding up hearings :**
  - in case reply of authorities is received , same is to be sent for rejoinder & simultaneously the date for hearing is to be fixed.
  - no more than 2-3 hearings to be fixed on a particular complaint.
  - once the recommendations of the Commission are issued , NCSC's role ends and the Action taken report need not to be called for & the forwarding letter sending the recommendation should be modified
  - more frequent visits to State Offices should be made by the Member incharge and hearings can be scheduled Division wise at the same time & speed up process. Hearings can also be held in the Divisions during field visits by the Member incharge.
- **Regarding atrocities on SCs:** It was decided that the State Offices will take immediate cognizance of news reports in TV / papers etc on incidents of atrocities and they are to be immediately brought to notice of concerned Members and take orders for spot visits from them.

- **Annual Report 2015-16 :**

It was decided that the following points are to be included in the Annual Report :-

- The data on OBC and SCs like representation of in Services in State/ Central PSUs, number OBC / SC officers in higher posts , like in JS / Secretary level posts etc is to be collected and incorporated.
- An analysis of atrocity cases of 2015, along with the category of the crimes.
- Report on status of SC hostels by spot visits to some hostels
- SCSP data is to be updated for all States.
- The analysis of the recently amended POA Act to be highlighted as a separate section.
- Analysis of economic and caste based census data .

**3.4 Annual meeting to monitor the implementation of Constitutional safeguards for Scheduled Castes on 24.06.2015.**

As per the mandate of the Commission, the annual meeting to monitor the implementation of Constitutional safeguards for Scheduled Castes with the Chief Secretaries, Director General of Police (DGPs)/ Principal Secretaries/ Secretary Social Welfare Departments and Home Departments of 16 Major States was held on 24/06/2015 at Vigyan Bhawan, New Delhi. The Honorable Minister of Social Justice and Empowerment , Government of India inaugurated the meeting.

The Minutes and conclusions/ recommendations of the meeting are as follows.

**Session 1: Monitoring of Prevention of Atrocities on Scheduled Caste Population:**

**The Session was chaired by Shri P.L. Punia, Chairman, NCSC ; Shri Raj Kumar Verka, Vice Chairman, NCSC and Smt. Anita Agnihotri, Secretary, Ministry of Social Justice and Empowerment.**

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

- There is sharp increase in number of incidences of atrocities on SCs (from 33655 in 2012 to 39408 in 2013 and tentative figures of 51,672 cases as per data of 2014 from the 16 states ), rate of crime from increased from 16.7% to 19.6% in 2013. Crime rate was found highest in Rajasthan (52.98%); Bihar (40.57%) and Odisha (36.06%).
- The number of cases pending for investigation with police also increased from 25.9% to 27.6% in 2013 with further increase in 2014.Lowest

pendency is in Chhattisgarh (26), Haryana (35) and HP (39). Highest pendency is in Bihar (3198), AP (2530) & Odisha (1782). In 2014, Bihar (3856), Odisha (1904) and UP (1382) have reported highest pendency.

- Pendency in courts increased to 84.1% in 2013 from 80.4% in 2012. Maximum cases are in UP (22210 in 2013 & 49158 in 2014), Bihar (14888 in 2013 & 11336 in 2014) and Rajasthan (11678 in 2013). Punjab (167), WB (208) & HP (291) have lower pendency.
- There is decrease in conviction rate (29.6% to 23.8%) during the same period. UP has the best conviction rate and WB, Gujarat and Maharashtra have very low conviction rates.
- Meetings of State and District Level Vigilance Monitoring Committee meetings were not regular. In TN and Rajasthan the State level meeting was not held for two years, in Gujarat it was not held for past one & half years.
- Special courts have been set up only in : MP, UP, Maharashtra, Haryana, Bihar, Karnataka, TN & Chattisgarh.
- Atrocity prone areas were identified in only 9 states.
- The increase in number & rate of crime etc are reflected in the sharp increase in complaints filed with the Commission over the years.

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

**Rajasthan:**

- Emphasised the need for a special courts as delay often leads to acquittal.

- ADGP agreed that State Level Vigilance & Monitoring Committee meeting was not held for 2 years and accepted the advice of NCSC to hold it regularly.
- Informed that District Level Vigilance & Monitoring Committee meetings are regular in the districts and will provide dates .
- The investigation of the POA cases to be done by the Dy. S.P. level Officer.
- Sensitization of Police personnel is taken up at regular intervals.

**Bihar:**

- At State level a SC/ST protection Cell under IG (WS) has been set up .
- Cases under POA Act for the year 2014 were 6560, pending cases in court are 11326, and acquittal in the cases are as high as 99%.
- 33 districts are identified as atrocity prone areas.
- Regular sensitisation programme on POA Act were needed to be conducted.
- Details of the TA/DA, given to the victim and witness during the trial, and pension to next of kin is ensured and will be continued.

**Andhra Pradesh:**

- There are large numbers of stay orders regarding investigation by Police given by Courts, which are leading to increase in cases pending with police.
- Agreed that composition of the district monitoring committee is to be reconstituted once in 2 years.
- Delayed reports by the Forensic Labs contribute to the pendency of the cases.
- 13 district special courts are functioning and Special Public Prosecutors appointed.

**Uttar Pradesh:**

- While agreeing with analysis of the data presented by NCSC, stated that there is increase in number of incidences due large population.
- Monitoring atrocity cases under ADGP (PCR) as per the Act.
- 20 districts have been identified as atrocity prone area.
- Sensitization efforts are carried out in districts with highest SC population. and that there are GOs that 20% of the Police personnel should belong to SCs in those districts . The GOs are not implemented in practice.
- 06 Police personnel have been punished in 2014 for dereliction of duties.
- Pendency of the cases has been substantially reduced from 1382 in pending in December 2014. High pendency in courts is monitored.
- Compromise: Under IPC section, the cases may be compoundable, but POA Act cases, are not non-compoundable. Hence cases which are shown as compounded are to be examined.

Officers from the States of Gujarat and Tamil Nadu also expressed their views :

**Gujarat:**

- Conviction rate is low & pendency in courts is high as there are no special courts for trial of POA cases.
- If 50 offences continuously reported in a year then the concerned district is declared as atrocity prone district. There are 11 such districts in Gujarat.
- That the improved economic conditions have widened the divide between the SCs and the other caste people and the SCs are localised in some geographical areas & in certain economic activities. This needs to be tackled at several levels.

**Tamil Nadu:**

- Innovative methods adopted in Tamil Nadu like the suspects of rape are booked under Goonda Act kept in detention to avoid intimidation of the victims.

- suggested focused strategy on investigation and trial of grievous cases .

**Shri Raju Parmar, Member, NCSC** suggested setting up of a National Level High Power Committee headed by Honøble Prime Minister to monitor atrocities on SCs.

**Justice V. Eswaraian, Chairman National Commission for Backward Classes** pointed out that in Andhra Pradesh the offences committed against SCs are not booked under POA Act but only under IPC, which help culprits getting bail from the High Court. Rape cases should include kidnaping and abduction charges. Per lakh calculation of crime is needed to be done.

**Smt Anita Agnihotri, Secretary, Ministry of Social Justice and Empowerment,** in her remarks stated that though there are systems & Acts in place for protection of SCs , these systems do not work at desired level of efficiency . There is need to sensitize the Police and Administration personnel and also analyze reasons for the high rate of compromises, high acquittal rates and high pendency in both police investigations and Courts so that proper corrective strategy can be adopted . There should be focus on setting up & manning special courts and best practices of one state need to be adopted by others. The reasons for marginalization of SCs and increased atrocity cases need to be analysed by all States.

NGOs, academicians etc can be involved in sensitization efforts and the sensitization process should begin in the training academies at National and State levels for both Police and administration inductees. She emphasised the upon states to submit the data required by NCSC .

**Shri P.L. Punia, Chairman, NCSC** in his summing up highlighted the following issues:

- There are delays in lodging FIRs by the SC victims and there are increasing number of cases where directions from the Courts under Section 156(3) of Cr. P.C. are sought to get FIRs registered.

- Cross FIRs are also lodged on POA cases against SCs to harass and compel them for compromise.
- The atrocity cases against SCs are increasing and there disturbing new trends in the crimes which have been outlined in the Agenda notes. There is need to sensitize the machinery to stop such cases from occurring and ensure speedy justice.
- Atrocities against OBCs are also heard by the NCSC as stipulated under Article 338(10).
- He urged the Ministry to expedite the passing of the Bill on amendment of POA Act.

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

**The Session was Chaired by Shri Raj Kumar Verka, Vice Chairman, NCSC and Shri T.R. Meena, Secretary, National Commission for Safai Karamcharis.**

Presentation by the Commission:

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

- The objective of this Act is three fold i.e.:
  - To identify and eliminate the insanitary latrines
  - To prohibit:
    - “ employment as manual scavengers and
    - “ Hazardous manual cleaning of sewer and septic tanks
  - To conduct survey of manual scavengers and their rehabilitation.
- Time limits for implementation of activities under the Act have expired in almost all actions:
  - survey of insanitary latrines - time period is over one year ago.

- either get demolished the insanitary latrine or convert it into a sanitary latrine . time period over on 6.6.2014
- construction of Community latrines - time period is over on 6.9.2014.
- survey of Manual Scavengers - time period is over.
- Municipalities, Cantonment Boards and Railways authorities were also required to construct adequate number of sanitary community latrines, within the period not exceeding three years.
- States are required to frame rules under the Act - time period is over.

Only Chhattisgarh has notified own rules.

- Action taken:

- **Survey of insanitary latrines**

**Urban areas** - 10 States have completed survey & 2 States - Uttar Pradesh & Dadra & Nagar Haveli reported no insanitary latrines.

Total reported: 3,44,603

**Rural areas** - 9 States/UTs, completed survey. Out of these 7 States/UTs have reported no insanitary latrine.

Total reported: 1,56,068

No action appears to have been taken to construct sanitary latrines.

- **Survey of manual scavengers**

**Urban Areas** - 17 States have reported no Manual Scavenger and the remaining 13 States have identified only 5141

**Rural areas** - 7 States only Uttar Pradesh has reported 7612 Manual Scavengers

- **Position of the 16 States in this meeting :**

- **Survey of insanitary latrines**

“ 7 states: AP, Chhattisgarh, Karnataka, Odisha, TN, Telangana & UP - completed - Urban Area.

“ 6 states: Chhattisgarh, Karnataka, Odisha, Tamil Nadu, Uttar Pradesh and West Bengal - rural areas.

- **Survey of manual scavengers**

“ 14 states: AP, Bihar, Chhattisgarh, Gujarat, Haryana, Karnataka, Maharashtra, Odisha, Punjab, Rajasthan, TN, Telangana, UP and WB- completed - Urban areas.

“ 4 states: Chhattisgarh, Karnataka, Odisha and Uttar Pradesh have completed - rural areas.

Thereafter Officers from Chhattisgarh, Gujarat, Odisha and Tamil Nadu, which were shortlisted for the Session, made presentations on the subject:

**CHATTISGARH:**

Surveys conducted by the state:

- For Local Urban Bodies ó 169
- For Gram Panchayat ó 10971

The state has made and implemented own Rules under the Act.

**GUJARAT:**

- 80 Lakh Safai Karmacharis are working in the state. Scavenging free from 1992 and no Manual Scavengers in state. 8, 01,731 individual toilets constructed during 2012-13.
- On 03.02.2014 the State Level Meeting held as per the Manual Scavenging Act. The State Level and District Level Committee constituted on 15.11.2014.
- The state participant requested that the Gujarat Safai karmachari Nigam should work as Commission under State Government.
- District Magistrate is the Nodal Officer / Reviewing Officer and State Level awareness programmes are arranged.

- Gujarat Safai Kamdar Vikas Nigam provides soft loans to the safai karmacharis and since 2001, a large number of such loans ( approx 92,000) have been given by the Nigam.
- If Person dies during cleaning of sewers , septic tanks etc, Rs.10 Lakhs compensation will be given as per direction of Supreme Court.

### **ODISHA**

- State Level Monitoring Committee, State Level Survey Committee & District Level Survey Committee are constituted. Monitoring done by the Chief Secretary.
- 237 manual scavengers are identified and 25 insanitary latrines have been identified.
- Departments have been urged to develop Schemes for manual scavengers and normal schemes like Indira Awaz Yojana, Old Age pension schemes etc are also available.
- For clearance of sewerage, mechanized machines have been provided.

### **TAMIL NADU**

- State Level Committee is constituted.
- Survey completed in 664 urban local bodies & 9117 insanitary latrines demolished.
- There is Zero tolerance on manual scavenging and there is awareness generation through training.
- Mechanised cleaning systems have been introduced and special cleaning equipments like gum boots, gloves etc., have been given to workers.
- Nil death cases due to Sewer/septic tank cleaning..

### **WEST BENGAL** added:

98 manual scavengers are identified in the state and onetime assistance sanctioned. NCSKDC had approved their proposal for their rehabilitation . Surveys for insanitary latrines has started .6 deaths have occurred under manual scavenging , compensation paid to 5 of the victims.

**Shri T.R. Meena, Secretary, National Commission for Safai Karmacharis** highlighted the following issues:

- The reports that are received by the NCSK and the Ministry from the States on the surveys and work done do not match . The NCSK has circulated a 19 points checklist to all states for compliance. Time bound action has to be taken.
- States may adopt Central Rules or can come out with new State Rules.
- Asked State Governments to give copies of the Act to the District Magistrates and the DMs should be asked to complete the activities laid down and conduct regular meetings of the District Vigilance Committees as per the Act. These Vigilance Committees are not Monitoring Committees.
- 2011 census estimated 26 lakhs manual scavengers are present in the Country. But the affidavit given to Supreme Court was wrong .
- Every manual scavenger is SC but not all safai karmacharis are manual scavengers. Identity cards should be issued to Safai Karmacharis.
- Death compensation since the year 1993 is to be provided. Rehabilitation package has to be identified and intimated to the Ministry.
- Derogatory words for the SCs in the State list should be substituted by -Balmikiøetc.
- Organizations like Banks who outsource the services of Safai Karamcharis, also need to be monitored in the District Vigilance and Monitoring Committees.
- The NCSK has been conducting meetings even at district levels to monitor the same.

**Shri Raj Kumar Verka, Vice Chairman, NCSC** in his summing up made the following observations:

- He defined the ground situation and felt that there is lack of awareness on this Act and there is a need for swift action to eliminate this practise.

- All surveys should be completed in a time bound manner and insanitary latrines demolished.
- Rehabilitation process needs to be accelerated to provide alternate livelihood to the Manual Scavengers.

**Session -3 :Economic and Social Development of Scheduled Castes .**

**This Session was chaired by Mrs. P.M. Kamamma, Member, NCSC, Shri Raju Parmar, Member, NCSC and Shri J. Raymond Peter, Principal Secretary, Social Welfare, State of Telengana.**

Presentation by the Commission:

- For Punjab and Chhattisgarh the SCSP allocation is less than the SC population.  
AP, TN, UP & Bihar - allocation proportionate.
- Allocation to SC specific schemes within SCSP is low overall for all states.  
Haryana has done maximum allocation (10.52%) under SC specific schemes.
- Expenditure of SC specific schemes from SCSP for states is maximum for Maharashtra (49.3% ) & Haryana (47.55%)
- Low expenditure in SC specific Schemes from SCSP - CG (0.15%), Odisha (0.41%)
- WB has not furnished any information for SCSP expdt or of SC specific scheme, which is to be provided.

List of some General Schemes are booked under SCSP for the participating states were presented.

- **SC human development indices are as follows:-**
  - Rs 21,306 crores were allocated under SCSP by Department of Social Justice and Empowerment in the 12<sup>th</sup> Five Year Plan and State

Governments were to allocate funds to SCSP in proportion to their SC population.

- Gap between SC and others continues to remain wide despite the SCSP. For eg,
- Literacy rate of SCs (66.1%) is lower than all India (73.0%)
- Infant mortality rate of SCs (50.7) is higher than all India (41.5) (NFHS,2005-06)
- SCs having access to toilet facility is 23.7 % whereas for all India it is 42.3 %
- Electricity access for SCs is 66.4 % whereas for all India it is 75%. Out of households who do not have electricity ( 1.96 lakh) , SC households are 37.24 % (73,293 )
- Employment status 2009-2010 of the SCs :-
  - SCs self employed are 26.2% whereas all India are 34.7%.
  - SCs casual laborers ( 52% % in rural areas & 21% in urban areas ) as compared to other categories (21.6% in rural areas & 5.9% in urban areas )
  - Poverty is higher in case of SCs ( average 38.3% SC as compared to 16% of others)
- Land holding of SCs is 1.37 % as compared to the All India holdings.
- 12.6 % of SC population is deprived of drinking water facility.
- SC population - 58% have pucca houses, others ( 78 % ) have pucca house.
- SC population with kuccha houses : 18.7% ,others with kuchha houses : 6.81%

**Niti Ayog** also gave a brief presentation on SCSP and the guidelines for implementation of SCSP by the States.

Officers from West Bengal, Punjab, & Karnataka which were shortlisted for this Session made the presentations as follows:

**WEST BENGAL:**

- Gave example of SC specific schemes : eg, Uttar Banga Sech Samabay (UBSSP)

Scheme which has given good results. Schemes for self employment training by Central Institute for Plastic Technology have given 100 % placement, it is a special six months course.

- For a ethnic beauty course state has tied with Ms Shanaz Hussain and this course has given better placements. Shikshyashree scheme is good and there is a Mahila Samriddhi Yojana scheme with high recovery. In Education, loans are given at low rates ie, 3% for girls & 4% for boys.
- 44 hostels are sanctioned in the state. The scholarships are paid online.

**PUNJAB:**

- The Plan size is commensurate with the Census population.
- The SCSP implementation is monitored at State & District level regularly.

**KARNATAKA:**

- Passed the Karnataka Scheduled Caste Sub-Plan & Tribal Sub-Plan (Planning, Allocation & Utilisation of Financial Resources) Act, 2013 to make allocated funds non-divertible and spend the money directly benefiting SC/ST Population.
- There is a State Council for Development of SC/ST people headed by Chief Minister to approve the SCSP plan allocation.
- A Nodal Agency under the Social Welfare Minister plans and reviews the SCSP.

**Shri J Raymond Peter** stated that the states have to examine whether mere guidelines can ensure allocation and proper utilization under SCSP , without diversion. There are no problems implementing Tribal Sub Plan as it is area based , however SC population is scattered and targeting is difficult especially in times when State Governments are working on the saturation approach with schemes

like mid day meal for all or health for all. Moreover when the overall plan size reduces due to resource crunch, the SCSP size automatically reduces. The SCSP if unutilized , cannot be carried over to next year as the budget lapses after 31 March each year.

**Smt. P.M.Kamlamma, Member, NCSC** while concluding the session emphasized upon the state governments to spend the SCSP funds on the SC specific schemes for giving direct benefits to the SCs community. She also felt the need for strict monitoring of the expenditure under SCSP.

### **Special Session:**

This Session was chaired by the Hon'ble Minister for Social Justice and Empowerment, Shri Thaawarchand Gehlot accompanied by Shri Vijay Sampla and Shri Krishan Pal Gurjar, Hon'ble Ministers of State. Justice Cyriac Joseph, Hon'ble Chairman National Human Rights Commission , Shri Narseem Ahmed, Hon'ble Chairman National Commission for Minorities, Smt. Anita Agnihotri, Secretary, Ministry of Social Justice and Empowerment were the other distinguished guests present apart from participants and officers from the Ministry of SJE and Planning Commission

**Shri P.L. Punia, Chairman, NCSC** welcomed the dignitaries and outlined the importance and relevance of this meeting which was being held in accordance with the Rules of the Procedure of the Commission, which state that Commission shall , once in a year, convene meeting of all the Chief Secretaries, DGPs, Secretaries (Home), Secretaries (Social Welfare), of the State Governments for monitoring the implementation of safeguards and development for the Scheduled Castes.

This meeting was called to monitor the action taken on on four main agenda points viz ,

- Monitoring of Prevention of Atrocities on Scheduled Caste Population
- Implementation of Prohibition of Employment on Manual Scavengers & Rehabilitation Act.

- Economic and Social Development of Scheduled Castes
- Representation of SCs in the Government Services.

The meeting was necessary as despite the safeguards of the Constitution , Acts for protection and dedicated machinery for the protection of SCs in all States, the crime against SCs were increasing and was at a rate higher than the SC population percentage. There are new trends in the atrocities on SCs and the Commission has also been receiving large number of complaints on inaction by State machinery in atrocity cases. Even FIRs are lodged either after intervention of the Commission or after orders of the Court under section 156(3) of the CrPC. Despite guidelines for development of Scheduled Castes and a number of welfare and development schemes , the human development indices of SCs were lower than that of rest of the population , SCSP allocations by states and expenditure was lower than norms . Manual scavenging still persists and all timeframes of action to be taken have expired without corresponding work by the State Governments. The representation of SCs in Government Services is below the norms. Persons give fake caste certificates and deprive SCs from the benefits meant for them. There should be exemplary action in such cases. He requested the Ministry to consider passing an Act on line of the Act passed by AP on SCSP and to expedite the passing of the Bill on amendment of POA Act.

**Shri Vijay Sampla, Hon'ble Minister of State , SJE** , expressed his concern on increasing atrocities on the Scheduled Castes despite there being 2 Acts namely the PCR and POA Acts to prevent such atrocities.He quoted Dr Babasahab Ambedkar - that Acts are as good or bad as the persons responsible for the implementation of the same . The fact that the number of atrocities & number of complaints are increasing show weak implementation. He urged the seniormost officers of the State Government present in the meeting to ensure proper and effective implementation of the Acts. He also pointed out that in implementing the SCSP schemes there are problems in every stage , there are diversion of funds

allocated for SCSP. The Governments can give the funds but it is the duty of the state government officers to implement the schemes. The officers present today need to introspect and take steps to ensure that the benefits reach the weakest sections of society for whom they are intended. Referring to the Man ki Baat of the the Hon'ble Prime Minister he stated that the PM has emphasised that the eradication of manual scavenging is a priority. However the reports of the States on the issue are incomplete and full details are not given by States . Hence effective action to improve the conditions of Manual Scavengers cannot be taken. There are large backlog of SC employees in State government services and taking jobs on fake certificates is a major problem. Commission's mandate is to monitor the implementation of Government policies to improve the conditions of the weakest sections and we all need to work together for the same.

**Shri Krishan Lal Gurjar, Hon'ble Minister of State, SJE** appreciated the efforts of the Commission in organising this meeting to monitor the implementation of the Constitutional Safeguards for the SCs. He stated that the meeting today is to monitor whether the atrocities on the weakest sections of the society are being reduced and stopped , that the economic development of SCs is ensured and the evil of manual scavenging is eradicated. The protection and development of SCs is joint administrative responsibility of both Central & State Governments and deserves highest priority. He appreciated the high level participation of the seniormost officers responsible for the implementation in states in the meeting. He expressed his concern that desired results in development of SCs are not being achieved despite the Government's priorities towards the same. This shows lack of commitment on the part of the authorities responsible for implementation of these tasks. While India has made progress ,the atrocities on SCs on basis of their birth are increasing and should be contained , manual scavenging needs to be eradicated in a time bound manner and development of SCs ensured. He thanked the Commission for organising this meeting.

**Shri Thaawarchand Gehlot , Hon’able Minister, Social Justice and Empowerment** in his address highlighted the following issues:

- Despite 68 years after Independence much remains to be done as regards the implementation of Constitutional Safeguards for the SCs. There are Constitutional Provisions , Acts ,Rules and duties laid down to prevent atrocities, however the crime against SCs has increased all over and incidents like stopping a SC bridegroom from riding a horse , objection to SC people wearing good clothes etc , show that in certain mind sets concept of untouchability remains, despite all Acts. This needs change so that everyone is treated as equals. Such incidents need to be prevented and sensitization done at all levels including the society at large. The state machinery needs to be geared up and sympathetic towards the grievances of the SCs. Today’s meeting of seniormost officers in the State Government will yeild some results and the same will reach the Ministry through the Report of the Commission . The Chairman , NCSC has raised some vital matters of concern. On the POA , Act Amendment Bill, the recommendations of the Parliament Standing Committee have been received and the Bill with strict provisions is likely to be presented before the Parliament in the coming Monsoon Session.
- There are a large number of schemes for the development of the SCs both individually and for development of areas with high SC population, with funds to be allocated in the ratio of the SC population, but the intended benefits do not reach the beneficiaries as the schemes are not properly funded in the states. MSJE has provision of 15% allocation and is ensuring that all welfare scheme funds are released, however all other ministries are not utilizing the same. He gave the example of diversion of SCSP funds by Delhi Government for Commonwealth Games. States should work to ensure development like AP which has made an Act. MP

too has made a provision for fixing of accountability of the officers concerned. The Ministry has written to all States to make similar Acts. The allocation by Central Government Ministries like Panchayati Raj etc to States has increased after the 14<sup>th</sup> Finance Commission and the States should allocate funds for SC development accordingly.

- There is need to eradicate the evil practise of manual scavenging from the country. There should be sincere and time bound survey to identify manual scavengers . The 2011 census report states that there are 26 lakh insanitary latrines which are serviced by manual scavengers but this data does not match with the reports sent by the 10-12 states regarding the surveys completed by them. The states have given numbers of only 10,000 or so manual scavengers. It appears that there remain many unaccounted for manual scavengers. The Swach Bharat initiative is an extension of the same Act. There is need for States to honestly identify the manual scavengers by involving ground level people and rehabilitate the scavengers including finding them alternative occupations.
- He expressed his satisfaction that the Commission is playing an effective role in monitoring the implementation the Constitutional Safeguards of SCs and that Ministry looks forward to the recommendations of the Commission.

The Commission assists the Ministry by disposing of a large number of complaints of SCs with regard to denial of their rights, excesses committed by the Police and the other public authorities.

**Shri Raj Kumar Verka, Vice Chairman, NCSC** in his vote of thanks expressed gratitude to the Hon'ble Minister SJE, the Hon'ble Ministers of State, SJE and Secretary Ministry of SJE for gracing the meeting. He also thanked the Chairpersons of National Human Rights Commission , National Commission for Minorities, and National Commission for Backward Castes for their presence. He assured the Hon'ble Minister of the commitment of the NCSC for monitoring

effective implementation of the Constitutional Safeguards meant for the Scheduled Castes. Drawing attention to the diversion of SCSP funds, he gave the example of like spending of SCSP funds on Common Wealth Games by Delhi Government. He impressed upon the Senior officers of the State Governments to be very sensitive to the issue of Social and Economic Development of SCs.

**Session 4: Representation of SCs in the Government Services.**

**The Session was chaired by Shri Raju Parmar and Shri Ishwar Singh, Members, NCSC.**

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

- The Commission in its review meetings with the State Governments and PSUs has observed:
  - inadequate representations of Scheduled Castes are there in services/posts
  - backlog of Scheduled Castes vacancies in various cadres/posts.
  - lack of vigorous efforts by authorities is found to clear the pending backlog of reserved vacancies.
  - non / faulty maintenance of reservation rosters.
  - dedicated mechanism for settling Scheduled Castes grievances is not established.
  - On analysis of data given by the 16 states it was seen that:
    - representation of SCs is at par with norms in Gujarat, Andhra Pradesh, Maharashtra and Karnataka.
    - in all other States SC representation is less than norms
    - The representation of SCs in state PSUs is below norms in almost all states.

Thereafter the officers from the four states, namely, Haryana, Himachal Pradesh, Telangana and Madhya Pradesh made their presentations on the subject.

### **MADHYA PRADESH**

- The presentation included the details of SC representation in State Governments service. Representation of SCs in Group A is less than norms. Special drive is under way to fill up the backlog vacancies.

### **HARYANA**

- The presentation included the details of SC representation in State Governments service. Representation of SCs is below norms and state needs to work for this.
- The implementation of 85<sup>th</sup> amendment Act is sub-judice but needs to be defended in right manner before the Court.

**Rajasthan representative** gave the example of his state which had successfully defended a similar case in Honøble Supreme Court.

### **HIMACHAL PRADESH**

- The state has to increase representation as per the SC population of the state and same is currently below the norms.

### **TELENGANA**

- The state cadre strength bifurcation has been done only in the last couple of months and the bifurcation of the government employees between AP & Telengana States is to be done. Once the same is done the actual strength of SC representation will be known across Groups A , B,C & D. He mentioned that there is 33 % reservation for women in the State and roster points are decided accordingly. The data is to be compiled as per the population.

**Shri Raju Parmar, Member, NCSC** in his concluding remarks pointed out that the Commission is in receipt of large number of cases on discrimination with the SCs employees in the matter of promotion, writing of CRs, non-maintenance of Roster Registers and in the matter of posting. He asked the authorities to be more objective and cautious in handling the service matters of the SC employees.

**Concluding session** : While concluding the proceedings of the meeting for the day, the Chairman, NCSC re-capitulated on the issues discussed in the meeting and impressed upon the authorities to adopt the good practices of other states in improving their machinery for imparting the timely and quick justice to the SCs. Referring to the new trends in atrocity cases like preventing SC bridegrooms from riding on horse back, preventing entry of the SCs to temples, denying SCs access to fill water from common water sources, cases of burning of houses and violence after the inter-caste marriages and crime against women especially against the minor girls , he emphasised on the need to prevent such cases. Filing of FIRs should be streamlined and properly monitored by the senior officers. Meeting of the State Level and District Vigilance and Monitoring Committees should be held regularly as per the provision of the Act.

With regard to the Educational and Economic development of the Scheduled Castes, the Chairman emphasised that scholarship of the students, which is stated to made on-line is denied or rejected on very flimsy technical grounds like mistake of digit in the Account number, delay on the part of the Principals of the Colleges to submit the application in time etc. Number of applications for scholarship should not be restricted instead sufficient funds should be earmarked for the purpose. Admission to the professional courses should be done on Zero fee which is not being done now.

Utilization of SCSP funds should be restricted to the SC specific schemes accruing direct benefit to the Scheduled Castes. The Schemes should be requirement based and not as per the will of the State Government. The analysis done by the Commission, which indicates that not more than 8% of the funds have been used on SC Specific Schemes, and in many states it is less than 1% . The analysis which was sent by NCSC to all states has not been contested by any State Government and thus vindicates that conclusions arrived by the Commission are correct. If so this is very serious matter and need to looked into urgently. The

Ministry should also assess the performance of a State Governments for proper utilization of SCSP funds on the parameters on human development of the SCs in respect of poverty, health, education and their economic status.

## **Conclusion:**

### **Agenda 1 : . Monitoring of Prevention of Atrocities on Scheduled Castes**

- There is need for change the strategy in handling the cases of atrocities on Scheduled Castes. The rates of crimes against Scheduled Castes are increasing and stand at percentage which is higher than the SC population , these need to be controlled.
- There are state wide set ups and mechanisms to handle atrocities , but there is need of sensitization of Police and district authorities especially on:
  - ensuring prompt registration of FIR, e-filing of FIRs etc.
  - invoking the correct & proper provisions of PoA Act to prevent the accused from getting bail.
  - timely and proper investigation by the designated Police Officers . POA Act cases are non compoundable hence the increasing trend of compromises needs monitoring.
  - charge sheets to be filed in prescribed time limit ,as delays result in weakening of the case.
  - there is need for finer analysis in respect of cases of compromise and acquittal.
  - swift action against negligent Police Officials .
- There is urgent need of setting up of special Courts & special public prosecutors to deal exclusively with the Atrocity cases as there are large pendency in courts . The Judicial Officers and the Public Prosecutors also need sensitization in handling of the atrocity cases in a time bound manner .

- Disbursement of Financial Relief and Rehabilitation package should be prompt.
- All measures prescribed in the PoA, Rules, 1995 needs to be strictly followed by the State Governments viz.:
  - Holding of meetings of the State and District level Vigilance and Monitoring Committees on the prescribed intervals attended by the designated officers.
  - Nodal Officers must be designated.
  - After assessment of frequent and scale of crime, particular villages/Police Stations should be declared as Atrocity Prone Areas.
- The sensitization process should begin in the training academies at National and State levels for police , administration and judicial inductees.

**Agenda 2 : Implementation of Prohibition of Employment as Manual Scavengers and their Rehabilitation Act :**

- Majority of the time limitations prescribed under the Act have already lapsed. Therefore the State Governments should take action as per the provisions of the Act without any further delay.
- There is a mis-match between the number of insanitary latrines and the number of manual scavengers identified as per the surveys carried out. This needs to be analyzed since the number of dry latrines cannot logically be more than 10 -12 times higher than the number of manual scavengers identified as the identified latrines have to be cleaned .Therefore there is need for objective surveys instead of eye-wash. Demolition and construction of sanitary latrines by all the authorities needs to be taken up on a priority.
- Rehabilitation measures are far from satisfactory. States should make sufficient fund provision and take effective steps to rehabilitate the identified Manual Scavengers to prevent them to going back to the same profession.

- Adequate number of schools should be set up for the children of the persons involved in the unclean profession. Schemes of payment of scholarship to these children should be strictly followed.
- The Progress of Action taken under this Act should be discussed at the District level in the Vigilance and Monitoring Committee set up under the Atrocity Act.
- Appropriate sewage and septic tank management measures should be put in place & provision of adequate health care to sanitation workers need to be made.

**Agenda 3 : Economic and Social Development of Scheduled Castes:**

- States should ensure that allocation of funds under SCSP is equivalent to the percentage of Scheduled Castes in the State.
- Schemes under SCSP should be finalized strictly for the activities as mandated in the instructions of the erstwhile Planning Commission and keeping in view the requirement of the Scheduled Caste Community.
- Funds under SCSP should not be diverted to any other general schemes.
- States should consider passing legislation on the lines of the State of Andhra Pradesh and Karnataka to streamline the utilization of SCSP funds and fix accountability for misuse of these funds.
- Ministry may also consider passing a Central legislation to regulate the utilization of funds in order to ensure that the benefit of schemes under this funds directly reach the SCs.
- Payment of Scholarship should not be restricted and rejected on technical grounds and for deficiency of funds.
- Admission in profession courses should be done on Zero Fee basis and fee directly paid to the Institutes by the State Government.

**Agenda 4 :Representation of SCs in the Government Services.**

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



## CHAPTER-IV Activities of the commission

### **4.1 Activities as per Mandate**

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

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

- a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes;
- c) 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;
- d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those 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 those 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.

3. In order to fulfil the above obligations and mandate, the Commission conducts Review meetings, hearings, spot visits, studies etc. A gist of the activities performed during the year 2014-15 is as below.

## **4.2 State Reviews**

During the year under report, the Commission conducted reviews of the following States:

Sl. No.	Name of State	Date of Review
1.	Assam	29.05.2015
2.	Tamil Nadu	09.06.2015
3.	Maharashtra	12.06.2015
4.	Uttar Pradesh	09.09.2015
5.	NCT Delhi	15.09.2015
6.	Karnataka	16.10.2015
7.	Tripura	06.11.2015
8.	Jharkhand	03.02.2016

### **4.2.1 Assam**

The observations and recommendations of the Commission are :-

- As per statements provided by the State, the SCSP Plan Allocation is merely 1.8% against the required 7.2% (as per SC population percentage) of the total State plan allocation. When it comes to SC exclusive schemes, the percentage is only 0.39% in 2013. There are diversion of funds to non-specific SC benefit oriented schemes (1) Grants to Non-Government Educational Institute, (2) Grants for Cultural Activities, (3) Education Tours, (4) Stipend for Craftsman Training and the like. SCSP schemes should be exclusively benefitting Scheduled Castes and flow to The Assam Government may study the mechanism developed by these States and emulate the same if feel appropriate for the State of Assam.

- There are no schemes which benefit educated Scheduled Castes youth like financial incentive to meritorious students cleared who all India / State level competitive examinations for instance UPSC, IIT, JEE, CAT, AIPMT, APS (Prelim.), etc.
- The target of beneficiaries under pre-matric and post-matric schemes for children of *safaikaramcharis*, have not been achieved. On the contrary, the allocations have been decreased over a period of time.
- The literacy percentage of SCs is in lower side compared to the overall literacy percentage in the State.
- As far as admission of SC students in professional colleges are concern, the State should enter with an agreement with professional colleges / technical institutes to admit SC students on *õzeroö* payment basis. The professional colleges / technical institutes reimbursed directly by the State Govt , so that the SC students do not have to arrange the fees to secure admission.
- Out of 46 hostels in the State, 36 hostels are reported to be non-functional.
- State Government charges 8% interest from all borrowers including SC for loans under Janata Housing Scheme, Indira Awas Yojna etc. The Commission desired that the same should be pegged at 3-4% instead as in other States.
- Rules of Reservation are not followed in cases of promotion. Such practice in Assam is against the model Rules framed by the DoPT and followed by other States. The SCs working in State Government services have legitimate right to get benefit of reservations at appropriate levels.
- There are a number of backlog vacancies which the State to clear in a time frame manner.
- The meetings of Vigilance & Monitoring Committees at both State and District levels are not held regularly.
- There are a large number of false caste certificate holders who are eating up fruits of reservation in jobs, educational institutions etc. Commission urged State to modify the system of issuance of SC certificates, and also

ensure stricter punishment to those who found to be holding false caste certificates.

- The Commission also urged the State Government to conduct a survey for Manual Scavengers in the State and ensure complete elimination of manual scavenging practices in the State.
- There was no budget allocation to the Assam State Development Corporation for SCs during the year 2015-16 whereas their counter parts namely Assam State Development Corporation for OBCs and Assam State Development Corporation for STs have been allotted budgets for the same financial year

#### **4.2.2 Tamil Nadu**

The observations and recommendations of the Commission are as follows:

##### **Adi Dravidar & Tribal Welfare Department**

- There is a committed liability of ₹.353.55 Crores for disbursement of post matric scholarship / waiver of tuition fee to the SC students in Tamil Nadu. Out of the above, only ₹ 254.00 Crores was released by the Central Government and it was requested to release the balance amount to meet out the expenditure for the year 2014-15.
- It was suggested to conduct a survey to (i) assess the quality of education in Tamil Nadu (ii) to ensure the quality of diet for school going children / hostel children in Tamil Nadu. (iii) on the employment of students who had completed their medical studies i.e., after completing M.B.B.S. and engineering studies.
- The Commission advised the Government to ensure admission to the SC students in professional courses with 'Zero' fees and the Colleges / Educational Institutions should be appropriately advised not to insist payment of fees at the time of admission as per G.O 92 of Government of Tamil Nadu as majority of the Colleges are insisting for full tuition fees.

- There is need for creating coaching centres for SCs to ensure their employment especially for SC students pursuing Civil Services.
- The SC population in Tamil Nadu is 20.01% however the Reservation for SCs is pegged at 18% which is an anomaly.

#### **School Education Department**

- There are only 14.6% SC Teachers in Tamil Nadu against the current applicable percentage of 18% .The matter of upgradation /promotion of 283 Teachers recruited in the year 1997 under Special Recruitment Drive who have not been given promotion even after 18 years was taken up.

#### **Rural Development & Panchayat Raj Department**

- The schemes indicated by the Departments were mostly general schemes and only few SC specific schemes are being implemented
- 12,503 cases of SCs are pending for restoration because of encroachment of DC lands .It was suggested that Special Courts should be formed to dispose off these pending cases as in Andhra Pradesh in case.
- SCs have land holding of 10.76% and the area is 6.6% against the SC population of 20.01%.
- Out of 35,32,554 BPL families in the State 11,75,906 families belong to Scheduled Castes which works out to 33.28% against the SC population of 20.01% in the State. The State Government is required to look into if the benefits of the Welfare Schemes actually reach to the SC members to raise their level of living and improve economic condition.
- The Commission observed that allocation of SCSP funds during 2012-13 to 2014-15 is equivalent to the SC population in the State but the expenditure on Scheduled Castes Specific Scheme is only around 2%. State Government is required to work out SC Specific Schemes to be funded through SCSP.

### **Municipal Administration & Water Supplies Department**

- 462 manual scavengers were reported as identified and properly rehabilitated & there are 90,538 in-sanitary latrines . The Commission pointed out that it is not credible that so few Manual scavengers can service such a large number of insanitary latrines and advised a proper survey.

### **Police, Social Justice & Human Rights Unit**

- Tamil Nadu is one of the top most 5 States in the Country in terms of high rate of atrocities committed against the Scheduled Castes. Keeping in view the increasing trend in atrocity on members of the SCs, the police administrations needs to be pro-active to prevent the atrocities.
- FIRs should be registered promptly and under no circumstances an SC person should be made to approach the Honøble Court under Sec.156 (3) Cr. P. C. to get his case registered.
- The rate of conviction in atrocity cases is only 10% and is not satisfactory comparing the national average of 30%. Corrective steps are required to be taken by the State Government to enhance the conviction rate.
- The State Level Vigilance & Monitoring Committee Meeting was held last on 25.6.2013. As per SC/ST (POA) Rules, 1995 such Meeting has to be held twice in a year. The District Level Vigilance & Monitoring Committee should be held 4 times in a year i.e. once in every quarter.
- 504, 392, 205 and 178 Scheduled Caste prisoners are in the jails for more than one year, five years, 10 years and under trial respectively. This needs to be reviewed by the State urgently.
- need to take steps to avoid cases like Gokulraj case ó Namakkal District caused due to inter-caste marriage.

### **Service safeguard matters**

- The backlog of approx. 9600 vacancies assessed by the Government has to be filled by Direct Recruitment in scheduled time frame.
- There are more than 2000 cases of false community certificates pending. Necessary action should be taken to initiate action on all the cases.

### **4.2.3 Maharashtra**

The observations and recommendations of the Commission are as follows :

#### **General issues:**

- The Commission noted that literacy rate of SCs which is 79.7% is very good as it is almost 13% more than the national percentage of literacy of the SCs.
- The Commission also noted the initiative of the State Government that it runs 381 Government Hostels with the capacity of 39500 with free lodging and boarding and other facilities. In addition maintenance allowance of ₹ 500 to ₹ 800 is being paid. During 2013- 14, the Government has spent ₹ 227.57 crore with 39,000 beneficiaries.
- Running of 2388 Aided Hostels with the capacity of 99252. Free lodging and boarding is provided alongwith grant-in-aid of ₹ 900 per months. These hostels are run at full capacity.
- Government has also started 79 Residential Schools out of the 100 sanctioned with 11200 students from 6<sup>th</sup> to 10 classes at the expenditure of ₹ 70.72 crores.
- Under the Maharashtra State Public Services (Reservation for SCs and STs, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward categories, Act, 2001) the State Government has enforcing

provision for implementation of reservation and punishment for intended contravention of the reservation policy.

**Development Issues:**

- 8,40,036 families out of 45,02,385 BPL families belong to SCs, constituting about 18.65% against the SC population of 11.8% in the State. State Government was advised to look into this issue and see if the benefits of the schemes run for the SCs have actually raised their standard of living in terms of poverty, health and human index etc. A report on the review may be provided to the Commission.
- While analysing the status of flow of SCA to SCP, the Commission noted that ₹ 415.5 crore, ₹ 3,182.33 crore and ₹ 2886.33 crore has remained un-utilized during the 2011-12, 2012-13 and 2013-14 respectively.
- SCSP allocation during the three years 2011-12, 2012-13 and 2013-14 shows that allocation of funds is around 10% against the SC population of 11.80% in the State. However, the percentage of expenditure on SC specific schemes to the total State Plan during 2011-12 to 2013-14 is as low as about 7%. The State Government was asked to review the position of each scheme funded under SCSP to see that funds are utilised on the schemes extending direct benefit to the SCs.
- The drop out rate of SCs is almost 10% higher than the General candidates. State Government was advised to look into this issue for reducing the dropout rate of SCs.
- While reviewing the GOI Freeship and Scholarship details provided by the State Government the Commission took a serious note of the fact that from 2011-12 to 2014-15 the State Government had received 19,70,806 applications out of which scholarship was sanctioned to 17,78,401 applicants and remaining 1,92,765 applications were pending/rejected due to various reasons like (i) the Principals of concerned colleges did not forward the application in the given time, (ii) the students did not give the required documents like caste certificate, caste validity and Income certificate of family etc. In the specific time frame and

(iii) Bank details were not provided properly by students well as college. Commission recommended that application for scholarship should not be rejected on such flimsy/technical grounds. Further, the number of applicants should not be restricted and sufficient amount should be kept for this head of account.

**Atrocities:**

- There was sharp increase from 1094 cases in 2012 to 1650 in 2013 to 1744 in 2014. Increase from 2012 to 2014 works out to about 62%.
- 5644 cases at the end of 2014 are pending with the police for investigation. Pendency of cases before the Special Courts i.e. 7134 is also very heavy. Conviction rate of 7.04% is far below from the national conviction rate of 23.80%.
- 102, 108 and 95 cases respectively have been registered under Section 153(3) of the Cr. P.C. during the 2012, 2013 and 2014. This shows the insensitivity of the Police towards handling of the cases of atrocity on SCs.
- Meetings of the State Level Vigilance and Monitoring Committee are not held regularly as the last meeting was held on 11.3.2015 after a gap of more than four years against the prescribed duration of bi-annually. Details of the meeting so the District level Committees have not been provided.

**Manual Scavenging:**

- After 16,81,877 house to house surveys no manual scavengers were identified. In 15,82,867 visits made to the households with insanitary latrines only 3 Manual Scavengers were identified. State Government accepted that the results are not factual and promised that fresh surveys through NGOs will be ordered provisions of the MS Act should also be intimated to the Commission.

**Service Safeguards:**

- There are about 70,000 to 80,000 backlog vacancies reported in the state

by the various SC staff associations. The DGP stated there are about 10000 vacancies in the police force and efforts are being made to fill up these posts.

- Though the prescribed quota of reservation in services for SCs is 13% in direct recruitment and 19% in promotion but percentage of SC employees at Group A, B and C is well below the prescribed percentage. The percentage of Sweepers, is only 9.47% which is surprising.
- State Government was advised to fill up the DR and Promotion quota of posts as per the rosters so that appropriate representation of SCs in services could be maintained.
- 10 cases of false caste certificate are pending at different stages. The State Government was advised to finalise these cases on priority as delay in investigation of these cases defeat the very purpose of punishing the accused.

**Other Issues:**

For issuing Caste Certificate proof of being SC before 1950 is demanded while the state of Maharashtra was created in 1960. The State Government is to look into this anomaly.

Indicating caste of the student in the School leaving certificate hampers the chances of the getting employment in the Private Sector. This aspect should be examined by the State Government for appropriate rectification.

#### **4.2.4 Uttar Pradesh**

The observations and recommendations of the Commission are as follows :

**Scholarships:**

The Commission appreciated State Government for starting the on-line system for fee reimbursement and Pre-matric and Post-matric scholarship. for students who study within and outside the State.

- However there are a large number of SCs students outside the state who have not received the post matric scholarship and fee re-imburement,which is causing them problems and their education is suffering.
- Since SC students are to get admittance on zero fee basis , the State Government is to find a way to ensure that the fee reimbursement can directly be paid by Government to the respective Institutions , rather than the students being initially asked to bear the cost & then being reimbursed.
- In B.Ed courses the State Government reimburses ₹ 51,250/- as fee whereas many institutes charge ₹ 73,000/- as fees, hence the SC students have to spend ₹ 23,000/- approx. from their own resources, whereas their admission is supposed to be on zero fee basis.
- There are cases where the students have not received the scholarship due to Technical reasons. It is for the State Government to find solutions to problems like these being faced by the SC students.

**Scheduled Caste Sub-Plan (SCSP):**

- During 2013-2014, against the amount of ₹ 14,633 crore as outlay under SCSP only Rs 241 crore, was utilized in SC specific schemes and the balance ₹ 11,421 crore was spent on other general schemes . This actual expenditure on SCSP works out to only 0.35 % of the total outlay.
- The Commission emphasized that the amount allotted under SCSP must be utilized in SC specific schemes. This amount can be utilized for small enterprises, hostels for SC girl students and on the pattern of Kasturba Gandhi Mahavidhyaya. Corrective action by State Government on implementation of SCSP is necessary.

**Hostels for SC Boys & Girls :**

- There are only 252 SC Hostels in the State out of which only 87 hostels are for SC girls. The capacity of these hostels is not for more than 10,000 students. Setting up of SC girls hostels is to be given top priority.
- During the District visits, it was found that the conditions of the SC hostels are not satisfactory as the doors and windows are broken, security measures

are inadequate , the bathrooms/ toilets are unclean and unhygienic. Special attention on maintenance of these SC hostels is needed and remedial measures taken after a quick survey.

**Atrocities:**

In cases of atrocities on SCs , the FIRs are not registered in Police stations and in a large number of cases , only after directions of the Honøble Court that FIRs are registered u/s 156(3 ) which causes great agony to the SCs exploited.

- State Government is to give directions to all police officers for prompt FIR registration.
- More than 49,000 cases are pending in courts and there is need of effective action and monitoring of these pending cases .
- There should be an effective control and time bound investigation in atrociy cases.
- Mahila Police Stations must be established in every district and women police must be posted in every Police Station. SC policepersons in every Police Station are needed.
- CCTV cameras must be installed .
- District Level Vigilance Monitoring Committee meetings under the chairmanship of DM must be held 4 times in a year in every district. During 2014 only 116 meeting were held out of 300 and during 2013 only 148 meeting were held out of 300.
- The State Level Vigilance Committee meeting has not been held from 3<sup>rd</sup> June, 2011, whereas it is to be held every six months under the chairmanship of Chief Minister

**Other Observations :**

- The literacy levels of SCs were 6.8% less than that of others in the state which is a cause of concern.
- SC account for 31% of the BPL families in the state , this is a cause of concern as this percentage is much higher than the 20.70 % SC population in the State .

- Land transfer by SCs regulated under section 157 (k) of the UPZALR Act; 1950 has been changed by way of a proposed legislation. The Commission recommended reconsideration on this matter.

**Reservation in services:**

Reversion of the SC officials promoted from 1997 onwards has been carried out on orders of the Honøble Supreme Court. After Honøble Supreme Court judgement on the Indrani Sahni case, the constitutional amendment has already been carried out. Hence, demotion should have been made after the judgment in the M. Nagaraj case ie, from 2006 and not from 1997. The Commission also recommended that a High Level Technical Committee at State Level be constituted to take action on the conditions as mentioned by the judgment in M. Nagaraj case.

The Chief Secretary, U.P assured NCSC that the suggestions given by the Commission on the welfare of SC people, pre-matric and post-matric scholarships, fee re-imburement, improvement in hostels, land reservation of SC people, shall be followed up by effective monitoring and taking effective action.

#### **4.2.5 NCT Delhi**

The observations and recommendations of the Commission are as follows :

**General :**

- Literacy rate of SCs in Delhi is 78.89% is above the All India Literacy rate but still 7.31% less than the General category. Commission desired to make more efforts to bring it at par with the General Category.
- There are about 20 lakh BPL families. It implies that about one crore people of Delhi ( 20 lakh X 5 persons per family) are below the poverty level. Though the percentage of SCs out of this has not been given but majority of these might be SCs. The Commission desired the Government to look into this issue.
- The Commission observed that the proposed Technical Hub Scheme of Delhi Government should be re-looked and improved in view of the failure of the

already existing industrial Training Institutes (ITIs) and other such type of institutes.

### **SCSP**

- There was diversion of funds from SCSP to other Schemes whereas the SCSP funds should be spent exclusively on the welfare schemes for upliftment of the SC persons.
- There is no concept of Divisible and Non-divisible funds and the entire funds under SCSP should be spent on schemes accruing direct benefit to the SCs. For example these funds can be spent for construction of SC hostels in Colleges, setting of working women hostels, Residential Schools for SCs, Development of the identified SC Clusters, Dormitory type accommodation for SC migrant workers.

### **Manual Scavengers**

- While the State Government has stated that there are no Manual Scavengers in Delhi, this is at variance with the 26000 odd insanitary latrines identified by the three Municipal Corporation, which have to be cleaned by someone.
- The State Government should consider a cashless health scheme for Safaikaramcharis.

### **Service safeguards**

Representation of SCs should be increased in the outsourced jobs in Government.

### **Atrocities:**

- There are specific grievances about Delhi Police not lodging FIRs as far as atrocities against SCs are concerned and their insistence on conducting investigation prior to lodging of FIR.
- Under- investigation cases have increased manifold and cases pending trial in courts have also increased.
- There are counter cases filed to and harass the SC complainants.
- Security in weaker section in Jhuggi areas should be increased. Filing of FIRs should not be denied. It should be ensured that the CCTV Camera installed in Delhi are working properly.
-

**SC certificates :**

- The SCs are facing great difficulty in obtaining Caste Certificates, especially the migrated SCs.

**Education:**

- Jawahar Navodaya Vidyalayas should be set up in all the 12 Districts and also hostels for KV students can be constructed.
- No relaxation is given to the SC students in entrance test in the Pratibha Vikas Vidyalayas resulting in less representation of SC students.
- SC students are not getting admission in the schools under EWS quota and on the other hand students from other categories who are even do not come under EWS are getting benefits of EWS Quota.
- No post based rosters have been prepared in Education Department.
- General Category teachers have been granted PGT Section Grade while no SC has been granted this Grade.
- No reservation policy is being implemented in 216 Residential Schools in spite of 90 % grant given by the Government.
- Reservation Policy is not being followed in the appointment of Guest teachers.

#### **4.2.6 Karnataka**

The observations and recommendations of the Commission are as follows :

**SCSP**

- Government of Karnataka has enacted the SCP/TSP Act 2013 and allocates 17.15% of the Plan Budget for SCSP. The allocation under SCSP was to be used only for SC exclusive schemes and there was not be any allocation to general schemes under SCSP. However, from the information supplied by the State only 3 percent is earmarked for exclusive schemes.

- The Govt stated that housing and schemes of Dr Ambedkar SC/ST Corporation such as Land Purchase Scheme, Ganga Kalyana, Loans etc, are all exclusive SC schemes and only 5% of the total allocation under SCSP is being used for non-divisible infrastructure works.
- SC entrepreneur schemes : So far ₹ 369.20 crores has been disbursed to SC entrepreneurs through KSFC at an interest rate of 4%. Under this scheme loan is provided up to ₹ 5.00 crores and the repayment period is 8 years.

### **Education:**

#### **The following initiatives were appreciated :**

- There are 274 Residential Schools for SC children and governed by Karnataka Residential Education Institution Society.
- In the Foreign Studies Scholarships to SC students, 100% assistance is given to students whose Annual Income is below ₹ 6.00 lakhs and 50% assistance to those with income below ₹ 15.00 lakhs.
- ₹ 1.00 lakh assistance is also given to the students to get admission in IITs/IIMs/NITs/IISCs etc.,
- All Scholarships are being given online and the amount directly goes to the Bank Account to the Students.
- Incentive of ₹ 15,000/- is given to the Class-X students who score more than 75% and ₹ 7,000/- to those who score more than 60%.

#### **Actionable points**

- Regularization of the SC Teachers in schools run by the Education Department is required.
- The Department of High Education is to fill up the Backlog vacancies in the College and the Universities.

#### **Manual scavengers :**

Urgent action for survey and rehabilitation of Manual Scavengers in the urban and rural areas is needed.

#### **Atrocities :**

- Atrocity cases on SCs are increasing and Karnataka is among Top-10 states with regard to the Atrocities committed on SCs.
- The Vigilance Committee Meetings and the awareness Programmes are held regularly .
- There are difficulties in lodging FIRs.
- The conviction rate is low; only 8 Districts have Special Courts, Special Courts should be established in all 30 Districts.
- There are complaints about, the SCs not being allowed entry to Temples. SCs are also facing discrimination at the hotels, Saloons, etc.,
- The recent atrocity committed on the Villages in Mandya was discussed and early action is required.

#### **4.2.7 Tripura**

The observations and recommendations of the Commission are as follows :

##### **Literacy:**

- The high level of SC literacy (89.45%) compared to All India status (74.04%), was appreciated.
- The dropout rates at Secondary level, were quite high as 19.16 per 100 boys and 22.61 per 100 girls in 2014.
- There are no Ashram School reported and a large number of SC seats are vacant in SC Hostels are areas for improvement.

##### **SCSP Allocation:**

- The expenditure out of total plan on SC specific schemes is only 0.31% during the year 2012-13 which should have been at least 18 %.
- The Commission has also observed that details of SC specific schemes are not given and no guidelines appeared to be in force to ensure zero default in SCSP allocations and expenditures in the State of Tripura as done by A.P. Government.

### **SC BPL Population**

- The SCs BPL category seemingly in higher side (21.62%) compared with State SC population which is 17.8% as per 2011 census .
- Allotment of land to landless SC people should continue till the State has surplus land to offer.

### **Infrastructure Development of SC Dominated Villages**

- Discontinuation of infrastructure development work in respect of 298 SC dominated villages is wrong and recommended its continuation for bringing such villages at par with other developed villages.

### **Service Safeguards**

- The representation of SCs in both State Government service and State PSUs are not in consonance with the State share of SC population even when literacy percentage is very high. The State may opt for Special Recruitment Drive to fill up all vacant reserved posts for SC and OBC communities.

### **False Caste Certificate**

- There are 800 reported false caste certificate cases, the State should initiate action on a time bound manner and ensure maximum punishment to false caste certificate holders as a deterrent.

### **Atrocity & Awareness:ø**

- The incidence of atrocities is less in Tripura. The State should constituted the State Level / District Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees and that State Government may organize awareness programmes to inform SC communities about their rights & privileges.

### **4.2.8 Jharkhand**

The observations and recommendations of the Commission are as follows :

#### **Literacy and Education :**

- Literacy of SC men and women in Jharkhand is 61.58 and 37.07 respectively. Thus the gap in literacy between SC men and women is 24.51, which is higher than the All India average and needs to be reduced .
- The overall SC literacy percent need to be improved with better quality primary education for poor people especially SCs. SCs need access to free education under RTE.

#### **Hostels**

- There is need to build more hostels especially for SC girls students by using funds under the SC Hostel Scheme of the Government of India.Emphasis should be in increasing hostels for SC students in Naxalite prone areas.
- The bad condition of SC boarding schools, in Gadda, was pointed out and immediate rectification recommended.

#### **Scholarships**

- Scholarship for every eligible student should be released on time including those studying outside the state to prevent hardship and drop outs.
- Admission of the SC students should be made on Zero fee basis and any fees paid by them should be refunded.
- The State Government outlined steps being taken to improve womens education levels viz, free education upto XII class, setting up Kasturba Vidyalayas upto XII standard, and setting up boarding schools for girls upto X class in 57 blocks

#### **Service safe guards**

- The required information of representation of SC employees in State Government and state public sector enterprises was not provided to the Commission. The information should be alongwith the backlog vacancies should be immediately provided to the Commission.

- While as per census , the SC population in the state is 12.08 percent , only 10 percent reservation is provided in services. The percentage representation of SC teachers ( 8.1 percent ) is even below the provided 10 % . Reservation percentage has to be at par with the SC population in the State.
- Government should nominate appropriate level of SC officer in every DPC , the practice of nominating very low ranked SC officers in DPC is to be discontinued.
- Requirement of matric certificate from dependents of Safai Karmcharis for compassionate appointment is not appropriate.
- not promoting qualified SC incumbents in the vacant posts of executive engineer in PH.ED department should be examined and corrective action taken.was discussed in the meeting.

The Government assured that the details about SC and OBC representations in services will be provided and action on filling backlog vacancies will be initiated.

**Atrocities:**

- Incorrect data on atrocity incidents was provided to the Commission, the pendency of cases was found to be increasing, there appears ineffective prosecution as rate of conviction of 2.08 % was much below the National average.
- The State Level Monitoring Committee meeting was last held in 2007 and the District Level Meetings are also not being organized as per rules. All these meetings should be organized timely so that there is effective monitoring.
- Details of financial compensation provided to the SC victims were not provided and should be sent.
- Atrocity prone areas should be identified, effective steps be taken to reduce the atrocity incidents and special courts be set up in each district for fast disposal of atrocity related cases.

### **Scheduled Caste Sub Plan**

- Most of the Schemes/Programmes included under SCSP are general schemes whereas specific and exclusive schemes for benefit of SC persons are to be booked under SCSP.

### **Other Development Schemes**

- Information of SC allottees and general allottees under schemes like Indira Awas Yojana, allotment of land to landless SCs and implementation of Manual Scavenging Act was not provided to the Commission, hence the Commission could not review the same.
- the land for burial used by SC people are being occupied by unsocial elements, the burial ground used by SC people should be protected/cordoned.
- The names of eligible SC beneficiaries are not included in the list under Food Security Act , hence it was suggested that left out SC beneficiary names should be included under Food Security Act by 15 April, 2016.
- Employment oriented programmes are conducted through SC Co-operative Development Corporation, but proper benefits do not reach to the SC people. Commission recommended that the activities of SC Co-operative Development Corporation be investigated and the programmes/Schemes implemented by it should be made transparent and put on fast track mode.
- Streets/Tola of SC residents in State where no basic amenities are available should be identified and basic amenities provided,

### **Other issues:**

- Jharkhand State SC Consulting Committee has been constituted, but no meeting of the Committee was held. The Committee should start working so that expeditious development of SCs could be ensured.
- Constitution of a Jharkhand State Commission for Scheduled Castes was emphasized for fast disposal of grievances of SCs.
- State Government furnished details of only one pending case of false caste certificate.

### **4.3 Review Meetings Of Central Public Undertakings And Banks**

During the year, 2015-2016, the Commission has undertaken Review Meetings with 15 Public Sector Undertakings, under administrative control of various Ministries of Government of India, in order to assess the implementation of the reservation policy for Scheduled Castes and OBCs and CSR initiatives taken for benefits of SCs.

The details of the review meetings, issue of minutes and the status of action taken on the recommendations are as under (Administrative Ministry wise) :-

#### **4.3.1 Ministry of Finance**

<b>Name of PSU &amp; Date of Review</b>	<b>Date of issue of minutes</b>	<b>Action Taken Report /Compliance Reported by PSUs</b>
Indian Overseas Bank, 08.07.2015	23.07.2015	ATR is awaited
Indian Bank, 08.07.2015	23.07.2015	ATR incomplete. Complete ATR is awaited
Oriental Bank of Commerce, 19.08.2015	13.10.2015	ATR incomplete. Complete ATR is awaited
Canara Bank, 14.10.2015	30.11.2015	ATR incomplete. Complete ATR is awaited
Syndicate Bank, 14.10.2015	30.11.2015	ATR incomplete. Complete ATR is awaited
Vijaya Bank, 14.10.2015	30.11.2015	ATR incomplete. Complete ATR is awaited
United Bank of India, 04.11.2015	05.01.2016	ATR incomplete. Complete ATR is awaited
UCO Bank, 04.11.2015	05.01.2016	ATR incomplete. Complete ATR is awaited
Allahabad Bank, 04.11.2015	05.01.2016	ATR incomplete. Complete ATR is awaited
National Insurance Company Ltd., 04.11.2015	05.01.2016	ATR incomplete. Complete ATR is awaited

#### 4.3.2 Ministry of Coal

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
Coal India Ltd. and Eastern Coalfield limited, 04.11.2015	10.12.2015	ATR is awaited
Central Coalfield Ltd., 04.02.2016	21.04.2016	ATR is awaited

#### 4.3.3 Ministry of Commerce & Industry

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
ITPO , 07.04.2015	15.04.2015	ATR incomplete. Complete ATR is awaited

#### 4.3.4 Ministry of Space

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
ISRO, Bangalore, 15.10.2015	27.11.2015	ATR incomplete. Complete ATR is awaited

#### 4.3.5 Ministry of Heavy Industry

Name of PSUs.	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
MECON, 04.02.2016	25.04.2016	ATR is awaited

4.3.5 In all these reviews the Commission has observed common action points which are listed below:

##### Major recommendation of the Commission

- The reservation rosters for various category/posts under Direct Recruitment and Promotion Quota were not maintained as per the DoPT guidelines/instructions O.M. No. 36022/2/1996-Estt.(Res.) dated 02.07.1997. The reservation roster has not been maintained in running account and the reserved points were filled up at latter stage. No summery

was prepared at the end of the roster after every recruitment year so that it could not find out of backlog position of the reserved vacancies. Hence, the respective Organizations/PSUs were advised to prepare/ maintain the reservation roster as per the DoPT guidelines. The rosters were not checked /inspected by the Liaison Officer for SC/ST.

- The Liaison Officer for Scheduled Castes in the respective PSUs was also not aware about discharging of his duties as LO for SC/ST and the instructions / Orders of the Government guidelines on the implementation of the reservation policy. Hence, the Commission has recommended that a training programme on the implementation of the reservation policy for Liaison Officer for SC/ST may be conducted so that they could discharge their duties properly.
- There were backlog of the reserved vacancies in the various category/posts. Further, due to non-maintenance of the reservation rosters as per the DoPT guidelines the calculation of the backlog vacancies could not be ascertained by the by the respective PSUs and these vacancies were remained unfilled. The DoPT guidelines on filling up of the backlog vacancies by undertaken Special Recruitment Drives has not been followed. Therefore, the Commission recommended that the PSUs may calculate the reserved backlog vacancies and fill up such vacancies by launching a Special Recruitment Drives.
- The Government has issued instructions for providing reservation in services to the SCs and OBCs in Direct Recruitment as 15% and 27%. The Commission while reviewing the Public Sector Organizations, it observed that in certain cadre posts, the requisite percentage of reservation for SCs and OBCs were below the prescribed reservation of 15% and 27%. Hence, the Commission has advised to the PSUs to maintain the representation of SCs and OBCs as per the reservation policy of the Government of India. Similarly, in the matter of promotion, the requisite reservation for SCs is not adequate and below the percentage of reservation of 15%.
- The PSUs is not providing the pre-recruitment to the Scheduled Castes and OBC candidate so that their adequate representation in all cadre posts could be full filled. Similarly, it was observed that the pre-promotion training to

the SC incumbents is not being provided. Hence, the Commission has recommended to follow the Government Guidelines / Instructions in the matter.

- Government of India has issued guidelines all Public Sector Undertakings that 10% of the profit should be spent for the welfare of the weaker section including Scheduled Castes under the CSR Scheme/programms. It was observed that the most of the Public undertakings have not allocated funds under the CSR Scheme. Hence, the Commission recommended that the PSUs may consider to allocate the funds for the welfare of Scheduled Castes by launching a specific scheme.

#### **4.4 Divisional and District Level Reviews**

In 17 Divisional and district level reviews<sup>1</sup> a total of 981 cases were taken up. 299 FIRs were lodged,44 arrests were made and in 223 cases chargesheets were filed after intervention of the Commission.

Financial compensation of ₹ 49,59,750/- was also sanctioned to victims / families of victims.

#### **4.5 Complaint Investigation & Resolution in NCSC**

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

---

<sup>1</sup> Saharanpur (UP), Basti (UP), Baghat (UP), Gorakhpur (UP), Mirzapur (UP), Allahabad (UP), Faizabad (UP), Chitrakoot (UP), Azamgarh (UP), Meerut (UP), Lucknow (UP), Devipatan (UP), Ghaziabad district (UP) , Ahmednagar( Maharashtra ) , Nagpur( Maharashtra ) , Pune ( Maharashtra ) and East Godavari district (AP)

response from the Authorities concerned are the defining factors which determine the actual disposal of the complaints.

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

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

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

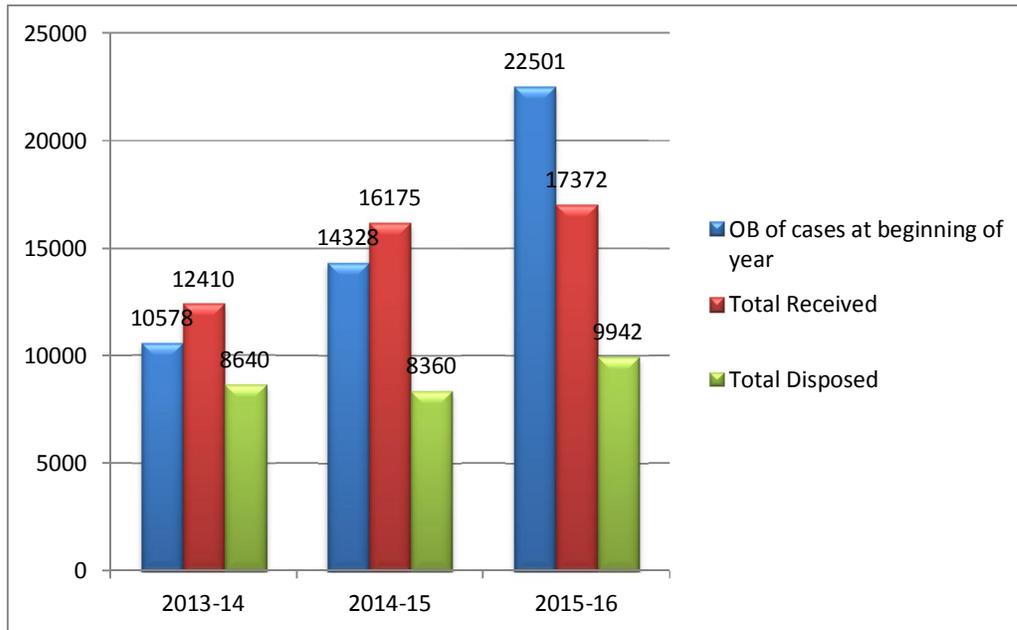
#### **4.5.1 Complaints Handled at the Commission**

**Table 4.1**

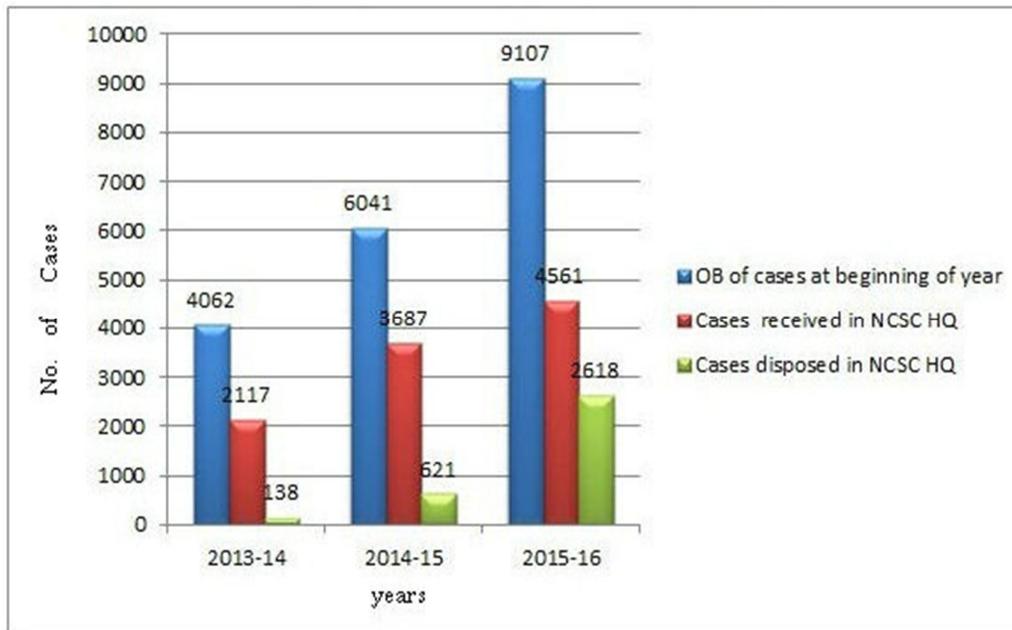
<b>Wing</b>	<b>Total Files as on 01.04.15 including B/F<sup>2</sup> cases</b>	<b>Received during 01.4.2015 to 31.3.2016</b>	<b>Total cases dealt with</b>	<b>No. of cases closed / disposed off during the period</b>	<b>No. of cases / files pending as on 31 March 2016</b>
<b>NCSC HQ</b>	9107	4561	13668	2618	11050
<b>NCSC State offices</b>	13394	12811	26205	7324	18881
<b>Total</b>	<b>22501</b>	<b>17372</b>	<b>39873</b>	<b>9942</b>	<b>29931</b>

<sup>2</sup> B/F : Brought forward from previous year(s)

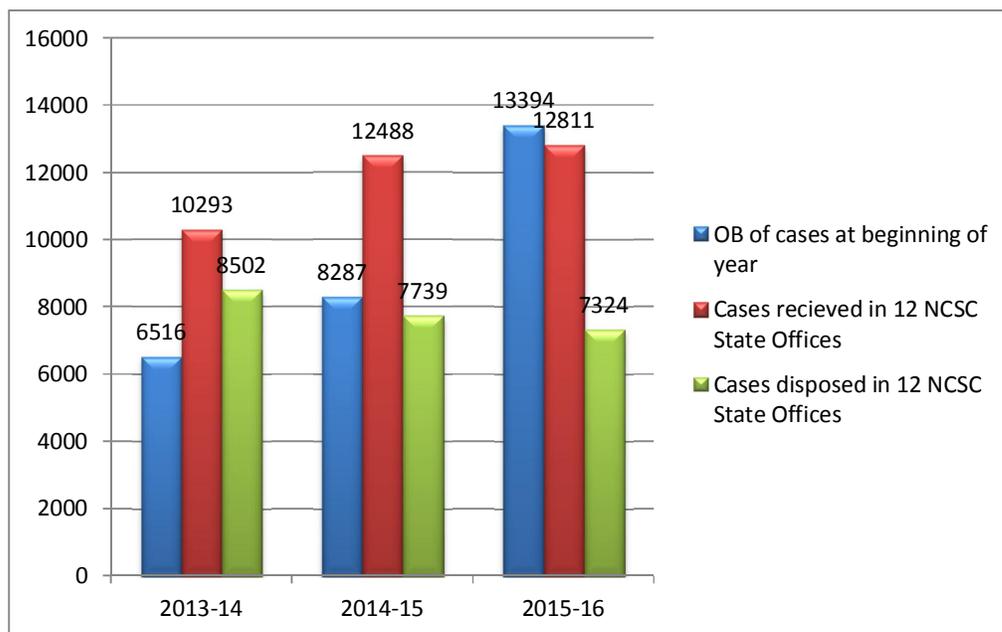
**Graph No. 4.1**  
**Cases received and disposal in NCSC**



**Graph No. 4.2**  
**Cases received and disposed off in NCSC HQ**



**Graph No. 4.3**  
**Cases received and disposed off in 12 NCSC State Offices**



As can be seen the total number of cases disposed off by NCSC has increased from 8360 in 2014-15 to 9942 in 2015-16. However the total number of cases received has increased from 16,175 in 2014-15 to 17,025 in 2015-16.

The Atrocity related cases have increased from 5837 in 2014-15 to 7089 in 2015-16, the economic and social development related cases have increased from 3572 in 2014-15 to 4977 in 2015-16 and service related cases received in 2015-16 are 4352.

**Wing wise breakup of the Complaints in Commission Headquarters**

**Table No. 4.2**

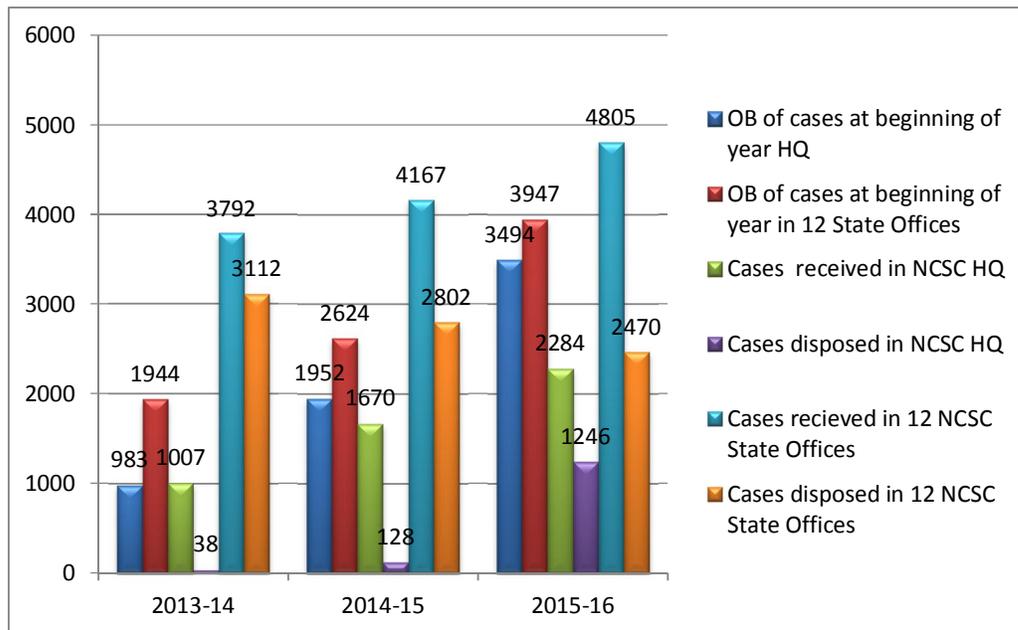
Wing-wise nature of complaints	Total Files as on 01.04.15 including B/F <sup>3</sup> cases	Received during 01.4.2015 to 31.3.2016	Total cases dealt with	No. of cases closed / disposed off during the period	No. of cases / files pending as on 31 March 2016
Atrocity & Harassment Related Matters	3494	2284	5778	1246	4532
On Economic & Social Development issues	1792	1070	2862	644	2218

<sup>3</sup> B/F : Brought forward from previous year(s)

Wing-wise nature of complaints	Total Files as on 01.04.15 including B/F <sup>4</sup> cases	Received during 01.4.2015 to 31.3.2016	Total cases dealt with	No. of cases closed / disposed off during the period	No. of cases / files pending as on 31 March 2016
Service Related Issues	3821	1207	5028	728	4300
<b>Total</b>	<b>9107</b>	<b>4561</b>	<b>13668</b>	<b>2618</b>	<b>11050</b>

**Graph No. 4.4**

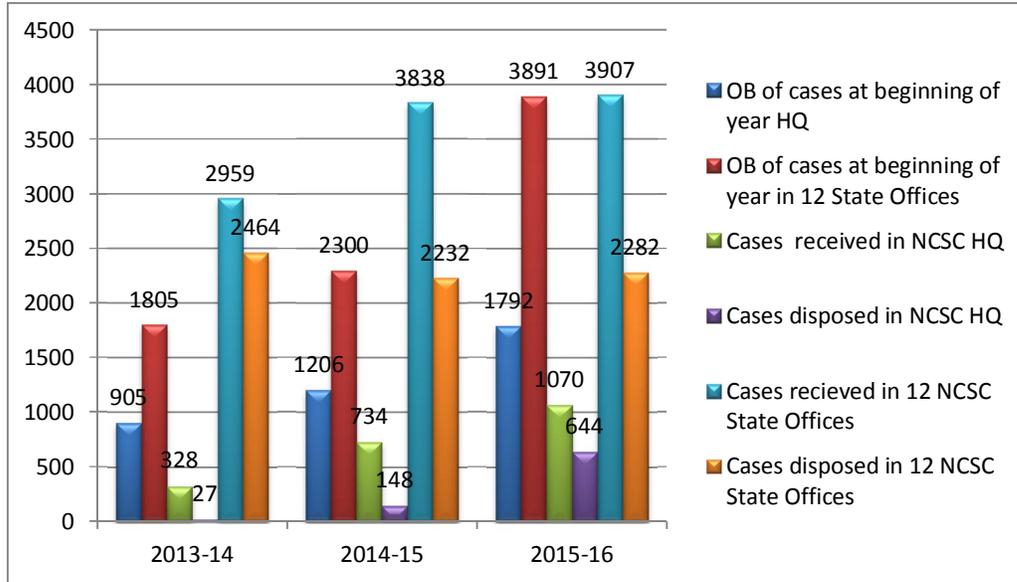
**Atrocity Cases received and disposed off in NCSC HQ and 12 State Offices**



<sup>4</sup> B/F : Brought forward from previous year(s)

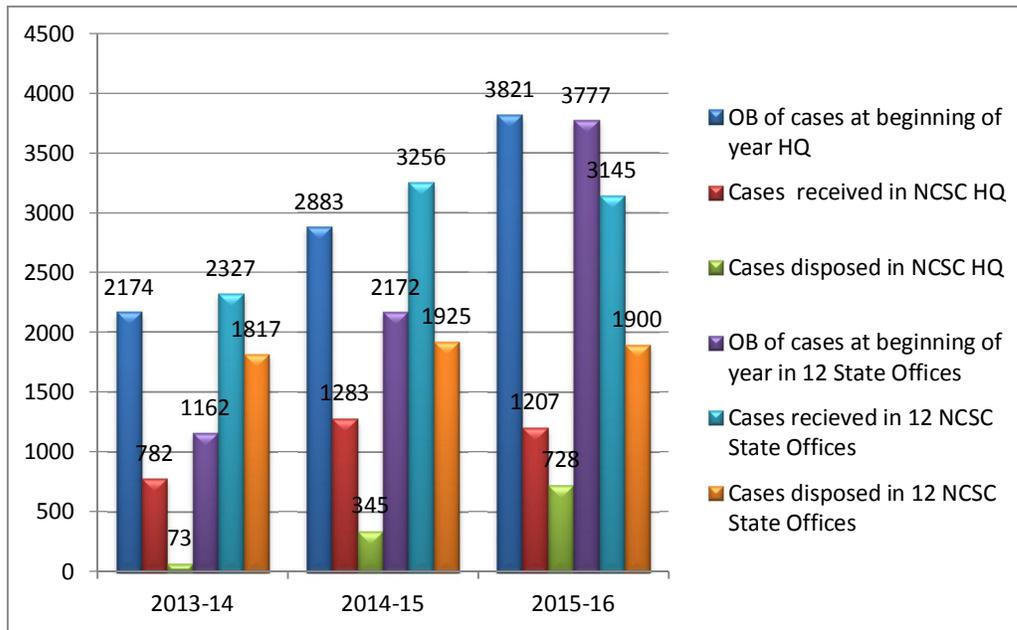
**Graph No. 4.5**

**ESDW Cases received and disposed off in NCSC HQ and 12 State Offices**



**Graph No. 4.6**

**SSW Cases received and disposed off in NCSC HQ and 12 State Offices**



## 4.5.2 Details of the Complaints handled by the State offices of the Commission

### 4.5.2.1 Agartala State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.3**

Jurisdiction :Tripura						
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	1	0	1	1	0
2.	Economic & Social Development	3	9	12	4	8
3.	Service Matters	2	3	5	2	3
4.	Miscellaneous <sup>5</sup>	204	21	225	12	213
	<b>Total</b>	<b>210</b>	<b>33</b>	<b>243</b>	<b>19</b>	<b>224</b>

### 4.5.2.2 Ahmedabad State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.4**

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

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	205	360	565	176	389
2.	Economic & Social Development	158	101	259	39	220
3.	Service Matters	248	199	447	157	290
4.	Miscellaneous <sup>6</sup>	123	36	159	66	93
	<b>Total</b>	<b>734</b>	<b>696</b>	<b>1430</b>	<b>438</b>	<b>992</b>

<sup>5</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

<sup>6</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### 4.5.2.3 Bangalore State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.5**

**Jurisdiction :Karnataka**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	131	82	213	58	155
2.	Economic & Social Development	223	90	313	109	204
3.	Service Matters	204	110	314	137	177
4.	Miscellaneous	190	28	218	106	112
	<b>Total</b>	<b>748</b>	<b>310</b>	<b>1058</b>	<b>410</b>	<b>648</b>

#### 4.5.2.4 Chennai State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.6**

**Jurisdiction : Tamil Nadu, Puducherry**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Tamil Nadu</b>						
1.	Atrocity Matters	1285	999	2284	380	1904
2.	Economic & Social Development	1937	1021	2958	227	2731
3.	Service Matters	1372	632	2004	269	1735
4.	Miscellaneous	494	0	494	0	494
	<b>Total</b>	<b>5088</b>	<b>2652</b>	<b>7740</b>	<b>1370</b>	<b>6864</b>

#### 4.5.2.5 Chandigarh State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.7**

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

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	1000	532	1532	707	825
2.	Economic & Social Development	229	109	338	7	331
3.	Service Matters	450	200	650	196	454
4.	Miscellaneous <sup>7</sup>	349	218	567	7	560
	<b>Total</b>	<b>2028</b>	<b>1059</b>	<b>3087</b>	<b>917</b>	<b>2170</b>

#### 4.5.2.6 Guwahati State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.8**

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

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Assam</b>						
1.	Atrocity Matters	0	0	0	0	0
2.	Economic & Social Development	0	0	0	0	0
3.	Service Matters	4	30	34	0	34
4.	Miscellaneous	2	4	6	0	6
	<b>Total</b>	<b>6</b>	<b>34</b>	<b>40</b>	<b>0</b>	<b>40</b>

#### 4.5.2.7 Hyderabad State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

<sup>7</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

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

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	220	660	880	193	687
2.	Economic & Social Development	412	720	1132	377	755
3.	Service Matters	538	700	1238	501	737
4.	Miscellaneous <sup>8</sup>	0	0	0	0	0
	<b>Total</b>	<b>1170</b>	<b>2080</b>	<b>3250</b>	<b>1071</b>	<b>2179</b>

#### 4.5.2.8 Kolkata State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

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

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	67	140	207	0	207
2.	Economic & Social Development	74	69	143	0	143
3.	Service Matters	72	197	269	0	269
4.	Miscellaneous	61	87	148	0	148
	<b>Total</b>	<b>274</b>	<b>493</b>	<b>767</b>	<b>0</b>	<b>767</b>

#### 4.5.2.9 Lucknow State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.11**  
Jurisdiction :Uttar Pradesh

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	292	1172	1464	866	198
2.	Economic & Social Development	379	1454	1833	1578	255
3.	Service Matters	186	524	710	475	235
4.	Miscellaneous	121	360	481	408	73
	<b>Total</b>	<b>978</b>	<b>3510</b>	<b>4488</b>	<b>3327</b>	<b>761</b>

<sup>8</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### 4.5.2.10 Patna State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.12**  
**Jurisdiction : Bihar and Jharkhand**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Bihar</b>						
1.	Atrocity Matters	370	371	741	188	553
2.	Economic & Social Development	135	161	296	51	245
3.	Service Matters	200	205	405	82	323
4.	Miscellaneous <sup>9</sup>	90	107	197	28	169
	<b>Total</b>	<b>795</b>	<b>844</b>	<b>1639</b>	<b>349</b>	<b>1290</b>

#### 4.5.2.11 Pune State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.13**  
**Jurisdiction :Maharashtra and Goa,**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	249	387	636	0	636
2.	Economic & Social Development	133	121	254	0	254
3.	Service Matters	490	281	771	0	771
4.	Miscellaneous	45	4	49	45	4
	<b>Total</b>	<b>917</b>	<b>793</b>	<b>1710</b>	<b>45</b>	<b>1665</b>

#### 4.5.2.12 Thiruvananthapuram State Office

Statement showing number of cases received, disposed and pending during the year 2015-16.

**Table No. 4.14**  
**Jurisdiction :Kerala and Lakshadweep**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	127	102	229	107	122
2.	Economic & Social Development	208	52	260	5	255

<sup>9</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
3.	Service Matters	11	64	75	23	52
4.	Miscellaneous <sup>10</sup>	100	89	189	96	93
	<b>Total</b>	<b>446</b>	<b>307</b>	<b>753</b>	<b>231</b>	<b>522</b>

#### **4.6 Some important and successful cases on Service Safeguard issues**

A total number of **728** cases dealt in the Commission's Hqs. and 1842 cases dealt in the NCSC State Offices relating to service safeguards issues were closed in the Commission during the year 2015-16. These cases were related to issues like denial of promotion/MACP, denial of appointments, denial of appointment on compassionate grounds, non payment of pension & terminal/pensionary benefits, Dismissal/reinstatement cases, harassment in transfer/posting and other harassment cases on caste grounds etc.

Out of the disposed off cases, briefs of some of the interesting and successful cases (69 in Hqs and 109 in State Offices) are mentioned below:

**Table 4.15**

Sr no	Subject	Number of interesting successful cases at HQ	Number of interesting successful cases at State Offices
1	Promotion matters	20	22
2	Up-gradation of Pay Scales	0	0
3	Appointment matters	08	16
4	Pensionary/Terminal Benefits matters	03	15
5	Transfer and harassment matters	19	52
6	Compassionate appointment matters	14	1
7	Suspension and re-instatement of services matters	05	3
	<b>Total</b>	<b>69</b>	<b>109</b>

<sup>10</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### **4.6.1 In NCSC Headquarters**

##### **Promotion Matters:**

- **File No. R-14/Delhi-42/2014/SSW-I** : The petitioner Shri Rajendra P. Narwaria, Engineer, Emp. No. 27365, Delhi Transco Ltd; New Delhi vide his representation 27.3.2014 had represented to the Commission regarding denial of promotion to the post of Manager (Civil). After NCSC took up the case, the DTL Management vide its letter No. DTL/1010/HR (G)/532 dated 16.6.2015 informed that the petitioner has been promoted to the post of Manager (Civil) vide office order dated-7.5.2015.
- **File No. M-7/Karnataka -1/2014/SSW-I**: The petitioner Dr. Muralidhara B.L. Associate Professor and Coordinator MCA Programme, Bangalore University, Bangalore vide his representation dated-09.07.2014 had represented to the NCSC regarding denial of promotion to the post Professor in Bangalore University. After NCSC took up the case, the Bangalore University vide its letter No. VCP/BoA/MCA/2014 dated-21.07.2015 has informed that the petitioner Dr. B.L. Muralidhara has been promoted as Professor w.e.f. 23.03.2013.
- **File No. D-3/Delhi-21/2014/SSW-I**: The petitioner Shri Dinesh Kumar, MVI, Transport Department, , Delhi vide his representation 18.2.2014 had represented to the Commission regarding denial of promotion to the post of MLO. After NCSC took up this case, the Transport Department of Delhi Govt. vide its letter No. 4 (584)/Tpt./Admn./2014/PGMS/04/1266 dated-29.02.2016 has informed that the petitioner has been promoted to the post of MLO vide office order dated-25.02.2016.
- **File No. V-174/Coal-2/2014/SSW-I**: The petitioner Shri Vivek Tembhurkar, Assistant Director (Drilling), CMPDIL, R-IV, Nagpur vide his representation 18.10.2014 had represented to the Commission regarding denial of promotion from E-3 to E-4 and change of cadre. After NCSC took up this matter the Coal India Ltd. Management vide its letter No. CIL/C5A 9CC)/089/31 dated-5.6.2015 informed that the petitioner has been

promoted to E-4 grade vide order dated-04.05.2015 and after such promotion his cadre has also been changed to E&M.

- **File No. G-9/AP-2/2014/SSW-I:** The petitioner Shri G. Vijay, TGT (P.S.), APSWR School/Junior College, Mallavaram, East Godavari District-(A.P.)vide his representation dated-18.03.2013 had represented to the NCSC regarding denial of promotion to the post PGT. After NCSC took up this case, the Andhra Pradesh Social Welfare Residential Education Institutions Society, Hyderabad vide its letter No, Zone-II/P/0415/2014 dated-03.09.2015 informed that the promotion order to the petitioner promoting him as PGT has been issued vide office order dated-03.09. 2015.
- **File No. S-27/Tele-28/2015/SSW-I:** The petitioner Shri Shiv Swrrop, JTO (WLL & WIMAX) O/o the G.M.(WLL&WIMAX), Telephone Exchange, Building, Lucknow, U.P. vide his representation dated-10.08.2015 had represented to the NCSC regarding denial of promotion to the post JTO with retrospective effect. After NCSC took up this case, the BSNL vide its letter no. 5-21/2016/Estt-IV/Sct. Cell dated-28.03.2016 informed that the petitioner has been promoted alongwith granting of benefits of notional fixation of pay w.e.f. 22.03.2004.
- **File No. J-8/S&P-7/2015/SSW-I:** The petitioner Shri Jagdish Chand, Sr. Statistical Officer, Empl. Code-4417, M/o S & Pro Implementation , New Delhi vide his representation dated-19.02.2015 had represented to the NCSC regarding denial of promotion to the post of SSO . After NCSC took up this case, the M/o Statistics & Programme Implementation vide its letter no. 12016/01/2014-SSS dated-17.04.2015 informed that the promotion order to the petitioner has been issued vide office order dated-06.04.2015.
- **File No. D-9/Raj-4/2014/SSW-I:** The petitioner Shri Durga Lal Jagrat, Office Assistant, Municipal Council, Beawar vide his representation dated-27.02.2013 had represented to the NCSC regarding denial of promotion to the post of Office Assistant. After NCSC took up this case, the Municipal

Corporation Beawar, Rajasthan vide its letter no. Esttt./15-16/3631-44 dated-22.07.2015 informed to the Commission that the petitioner has been promoted to the post of Office Assistant from the year 2010.

- **File No. D-8/Delhi-42/2015/SSW-I:** The petitioner Shri Dharamveer, Section Officer, (HE-II), Emp. Code No.-8749, New Delhi Municipal Council, New Delhi vide his representation dated-27.04.2014 had represented to the NCSC regarding denial of promotion to the post Dy. Director. After NCSC took up this case, the New Delhi Municipal Council, New Delhi (NDMC) vide its letter No. 1219/SO (Estt.)/SA-I dated-12.10.2015 informed that the petitioner has been promoted to the post of Dy. Director vide Office order dated-12.10.2015 .
- **File No. J-13/Commerce-3/2015/SSW-I:** The petitioner Shri Jagdish Prasad, Assistant Director of Tea Development, Tea Board, Regional Office, Club Road, Shelwood, Coonoor, Nilgiris vide his representation dated-25.02.2015 had represented to the NCSC regarding denial of promotion to the post of Dy. Director. After NCSC took up this case, the Tea Board vide its officer letter no. Estt. (PR)/P-135/1527 dated-16.9.2015 informed that the petitioner has been promoted to the post of Dy. Director vide Office order dated-11.09.2015
- **File No. S-23/TN-2/2013/SSW-I:** The petitioner Shri S. Ramesh Kumar, Deputy Tahsildar, Chennai, Tamilnadu vide his representation dated-19.04.2013 had represented to the NCSC regarding denial of promotion to the post Tahsildar. After NCSC took up this case, the Revenue Department, Govt. of Tamilnadu vide its officer letter no. 41459/Ser.4 (2)/2014-13 dated-01.07.2015 informed to the Commission that the punishment orders against the petitioner has since been cancelled and he was promoted to the post of Tahsildar.

- **File No. H-3/Delhi-163/2014/SSW-I:** The petitioner Shri Hari Singh, Head Clerk, Tax Department, Narela Zone, North Delhi Municipal Corporation, Delhi vide his representation dated-15.09.2014 had represented to the NCSC regarding denial of promotion to the post Superintendent and Administration Officer. After NCSC took up this case, the North Delhi Municipal Corporation vide its letter No.-UDC-II/AO/CED/NDMC/2015/1631 dated-22.4.2015 informed that the petitioner has been promoted to the post of Supdt. w.e.f. 31.03.2011, as Admin Officer/Assistant Accessor & Collector w.e.f. 28.07.2014 .
- **File No. B-11/Rly-43/2015/SSW-I:** The petitioner Shri B. Prasad, Sr. GM (Engg.) of CONCOR, C-3, Mathura Road, New Delhi vide his representation dated-20.05.2015 had represented to the NCSC regarding denial of promotion to the post Group General Manager (Engineering) in CONCOR. After NCSC took up this case, the CONCOR vide its letter No.-CONCOR/MS/225/2/2409 dated-16.10.2015 informed that the petitioner Shri B. Prasad has been promoted to the post of Group General Manager (Engineering) in CONCOR, w.e.f. 24.09.2015.
- **File No. N-11/CA-20/2014/SSW-II:** The petitioner Shri N. Sridhar, Manager-Tech, Air India, Airlines Office, Cochin International Airport, Kochi, Kerala vide his representation dated 01.10.2014 had represented regarding injustice in promotion by Air India. After NCSC took up this case, Air India, New Delhi vide its letter dated 21.05.2015 informed that the petitioner has been promoted.

**Appointment matters :**

- **File No. P-11/Raj-8/2015/SSW-I:** The petitioner Shri Prakash Chouhan C/o7-A Syphon, Bedla Road, Udaipur, Rajasthan vide his representation dated-nil had represented to the NCSC regarding denial of appointment and non joining to the post of Lecturer (Commerce). After NCSC took up this case, the Education Department, Govt. of Rajasthan vide its letter No. P. 7 (1) Education-2/S.E./Prakash Chauhan dated-17.12.2015 informed that the

offer of appointment to the post of Lecturer in favour of the petitioner has been issued and the petitioner has also joined the duty on 18.11.2015

- **File No. R-62/CS-3/2015/SSW-I:** The petitioner Shri Raju, H. No.-G, Block-4, Sector-4, D.I.Z. Area, Goal Market, New Delhi vide his representation dated-16.09.2015 had represented to the NCSC regarding denial of appointment as Peon in Rashtrapati Bhawan, New Delhi. After NCSC took up this case, the President Secretariat vide its letter No. A-15011/6/03-Estt. Dated-14.12.2015 has informed that the petitioner Shri Raju has been appointed to the post of MTS w.e.f. 01.09.2015 vide office order dated-21.08.2015 .
- **File No. S-16/Rly-14/2014/SSW-I:** The petitioner Shri Sunil Kumar S/o Shri Ajay Kumar R/o 228 Dr. Ambedkar Basti, Ghonda Delhi vide his representation dated-10.2.2014 had represented to the NCSC regarding harassment in denial of appointment to the post of Apprentice Assistant Loco Pilot. After NCSC took up this case, the South Central Railway vide its letter No. SCR/P-HQ/622/RP/NC SC dated-04.06.2015 informed that the Railway has issued offer of appointment to the petitioner and he has joined as Apprentice Assistant Loco Pilot on Hyderabad Division of South Central Railway.
- **File No. B-13/Rly-45//2015/SSW-I:** The petitioner Shri Bhawar Singh S/o Shri Mahender singh, village Chaupur, Hauj, Dist.-Aligarh, U.P. vide his representation dated-08.06.2015 had represented to the NCSC regarding denial of issuing offer of appointment and joining of the duty as ASM. After NCSC took up this case, the Western Railway vide its letter No. E (R&T) 1136/2/4/1/ASM (RRB-ADI) dated-12.08.2015 informed that the Railway has issued offer of appointment to the petitioner vide office order dated-03.07.2015 and he has joined as Assistant Station Master on 17.08.2015.
- **File No. R-3/Delhi-60/2014/SSW-I:** The petitioner Ms. Rekha Rani C/o Vishesh Kumar, R/o U-5-A, Shakerpur, Delhi vide his representation dated-13.01.2014 had represented to the NCSC regarding denial of appointment to the post of Librarian. After NCSC took up this case, the DSSSB, New Delhi vide its letter dated- 17.02.2015 informed that the petitioner has selected

and her name was recommended to the Directorate of Education, Delhi Govt. for issuance of offer of appointment.

- **File No. T-3/MP-4/2015/SSW-I:** The petitioner Dr. Tej Singh, Ghagare, Ayurveda Medical Officer, Aurvedic Dispensary, Rajouda, Dist.-Morena, M.P. vide his representation dated-30.03.2015 had represented to the NCSC regarding denial of appointment to the post of Lecturer. After NCSC took up this case, the Health Department, Govt. of Madhya Pradesh, vide its letter No. 2178/1414/2015/1/59 dated-04.09.2015 has informed that the petitioner has been appointed as Lecturer in Govt. Aurvedic College, Jabalpur, M.P. vide Office order dated-03.07.2015.
- **File No. R-12/UP-49/2015/SSW-II:** The petitioner Miss. Rinku Lata D/o Shri Yogender Ram, Vill.-Rajmalpur, PO.-Haldharpur, Distt. Mau, U.P. vide her representation 06.05.2015 had represented to NCSC regarding denial of appointment in Basic Education Deptt., Govt. of Uttar Pradesh. After NCSC took up this case, the Basic Education Deptt., Govt. of Uttar Pradesh vide letter dated 22.03.2016 informed that the petitioner has been appointed.
- **File No. N-14/Delhi-198/2014/SSW-I:** The petitioners Ms. Neha Saraswat & others, New Delhi vide representations dated-01.12.2014 and 04.12.2014 had represented to the NCSC regarding denial of issuance of offer of appointment to the post of Staff Nurse and teachers after selection through the DSSSB against the Post Code No. 20/1, 21/13 & 22/13. After commission took up this case, the Health & Family Welfare Department, Govt. of NCT of Delhi vide its letter No.8 (238)/H&FW/TRC/2014/307 dated-20.07.2015 has informed that that the offer of appointment has been issued to 588 candidates including the petitioners.

**Compassionate appointment matters:**

- **File No. B-2/Tele-5/2013/SSW-I:** The petitioner Shri Bittoo S/o Late Shri Badle, Ex. R/M BSNL, Sector-15-A, Village Anangpur, Faridabad, Haryana vide his representation dated-05.02.2013 had represented to the NCSC

regarding denial of compassionate ground appointment in BSNL. After NCSC took up this case, the BSNL vide its letter No. 215-Gen Gorr/2014/Estt-IV dated-03.08.2015 informed that the petitioner has been appointed on compassionate grounds vide office order dated-28.07.2015.

- **File No. S-75/Steel-4/2014/SSW-II:** The petitioner Smt. Shanta Devi w/o Late Shri Bhuvaneshwar Dayal, H.No. 228, Pocket D/17, Sector-3, Rohini, Delhi-110085 vide her representation dated nil had represented regarding denial of appointment of her son on in place of medically invalid her husband by SAIL on compassionate grounds. After NCSC took up this case, the SAIL vide its letter dated 01.05.2015 informed that the petitioner's son Shri Raghuvesh S/o Late Shri Bhuvneshwar Dayal has been appointed on compassionate ground and joined duty.

**Transfer / Posting and harassment matters :**

- **File No. V-8/Agri-13/2014/SSW-I:** The petitioner Smt. Vandana B. Soor, Junior Chemist (M/oEPI), C/703, Vini Residency Phase-I, Hanuman Nagar, Nallasopra (W) Thane, Mumbai vide her representation dated-17.10.2014 had submitted grievances of harassment in transfer on the caste grounds. After NCSC took up the case, the Department of Agriculture & Cooperation vide its letter No.- 48028/5/2008 óM-I dated-01.09.2015 informed the Commission that the petitioner has been transferred at her desired place at Central Agmark Laboratory, Nagpur.
- **File No. G-17/Commerce-7/2014/SSW-I:** The petitioner Shri G. Venu Selvam working in Tea Board, New Delhi had represented before the Commission regarding harassment by way of non clearing of pending medial bills and non regularization of leave. After NCSC took up this case, the Tea Board vide its letter No.-22(Misce)/Med/Estt./76/V/Part-III/2801 dated-16.02.2015 has informed to the Commission that the payment of pending medical bill of ₹ 4396/- was paid to the petitioner and his leave has also been regularized.

- **File No. P-3/Karnataka-1/2015/SSW-I:** The petitioner Dr. B. Ramesh Babu working as Associate Professor in Raichur Institute of Medical Sciences, Raichur had grievances of discrimination and harassment like non clearance of probationary services after joining of duty. After NCSC took up this case, the Raichur Institute of Medical Sciences, Raichur vide its letter no. RIMS/ADM/2015-16/2056 dated-28.09.2015 informed to the Commission that the probationary service of the petitioner has been regularized w.e.f 21.04.2014 vide office order dated-22.09.2015.
- **File No. G-1/Commerce-2/2015/SSW-I:** The petitioner Shri G.D. Parmar (Retd.) Examiner of Trade Marks R/o-Building, P-2 Gokul Garden thakur Complex, Kandivil (E), Mumbai vide his representation dated-27.09.2014 had represented to the NCSC regarding his harassment by way of non payment of arrears. After NCSC took up this case, the CGPDT, Bangalore vide its letter No. CG/F/Exr. (TMR/25015/25 dated-13.04.2015 informed that due arrears amounting ₹ 3,96,448/- has been paid to the petitioner.
- **File No. S-10/Delhi-26/2015/SSW-I:** The petitioner Shri Shiv Kumar, PGT (Eco.), D.C. Arya Sr. Sec. School, Lodhi Colony, New Delhi vide his representation dated-23.03.2015 had represented to the NCSC regarding restoration of post of PGT (Economics) and discrepancy of pay fixation. After NCSC took up this case, the Education Department vide its letter No. D.E.15/Act-II/NCSC/2015/1456 dated-29.06.2015 has informed that the post of PGT (Eco) in Diwan Chand Arya Sr. Sec. School, New Delhi has been restored.
- **File No. R-28/Rly-40/2014/SSW-I:** The petitioner Smt. Rashmi Gautam, Dy. Chief Manager (S &C) South East Central Railway, Bilaspur, Chattisgarh vide her representation dated-10.05.2014 had represented to the NCSC regarding harassment in transfer/posting. After NCSC took up this case, the South Eastern Railway vide its letter No.. P.HQ/GAZ/562/T/550 dated-09.06.2015 informed that as per the Commission's recommendation, the transfer/posting orders in favour of the petitioner at her desired place has been issued vide officer order No.-GAZ/100/2015 dated-02.06.2015

- **File No. M-28/Home-12/2014/SSW-I:** The petitioner Shri Man Singh S/o Shri Bharat Singh, Intelligence Bureau, Tinsukha, Assam vide his representation dated-29.09.2014 had represented to the NCSC regarding harassment in transfer/posting. After NCSC took up this case, the Intelligence Bureau vide its letter No. 7/EST/CV/86/(260)13 dated-01.01.2015 informed that the petitioner transfer request from Guwahati to Delhi has been acceded to.
- **File No. V-13/Rly-35/2015/SSW-I:** The petitioner Shri Vijender Kumar Singh S/o Shri Saudagar Singh, Technician Grade-II, Mech./T.N.-156 Diesel Shed, Tuglukabad, New Delhi vide his representation dated-09.04.2015 had represented to the NCSC regarding harassment in transfer/posting. After NCSC took up this case, the Northern Railway vide its letter No..220-E/1258-17-NCSC/DL/15/RP Cell dated-23.10.2015 informed that the petitioner has been posted at his choice of place.
- **File No. S-83/UP-87/2014/SSW-II:** The petitioner Shri Sant Kumar, Sr. Clerk, Paryag Depot, Allahabad Region, Allahabad vide his representation dated 26.11.2014 has represented regarding harassment in transfer. After NCSC took up this case, the U.P. State Road Transport Corporation, Lucknow vide its letter dated 23.06.2015 informed that the petitioner has been transferred from Allahabad Region to Kanpur Region on his request.
- **File No.: H-10/UP-58/2014/SSW-II:** The petitioner Dr. Hemant Kumar, Medical Officer, Naveen Primary Health Centre, Tundla, U.P. vide his representation dated 28.07.2014 has represented regarding harassment in transfer. After NCSC took up this case, the Health & Family Welfare Deptt, Govt. of Uttar Pradesh vide letter dated 22.08.2014 has informed that the petitioner has been transferred at his desired place.
- **File No. A-8/UP-23/2014/SSW-II:** The petitioner Smt. Anju D/o Shri Bhanwar Pal Singh, R/o Ramnagar, PO-A.D.F., Aligarh vide her representation dated 31.03.2014 has represented regarding harassment in transfer. After NCSC took up this case, the Director of Education Secondary Division, Aligarh, Uttar Pradesh vide its letter dated 13.08.2015 informed that the petitioner's grievances has been resolved.

- **File No. A-7/UP-48/2015/SSW-II:** The petitioner Shri Arun Kumar Singh & Others, Safai Karamchari (Block-Bahadurpur & Jasara) Panchayat Raj Department, Distt.-Allahabad, Uttar Pradesh has represented regarding harassment of Safai Karamcharies, by the Deptt. of Panchayat Raj, Govt. of Uttar Pradesh, Lucknow. After NCSC took up this case, the D/o Panchayat Raj Deptt., Uttar Pradesh vide its letter dated 11.09.2015 informed that the petitioner's grievances has been resolved.

**Pensionary/Terminal Benefits Matters :**

- **File No. O-1/Bank-26/2015/SSW-II:** The petitioner Shri Om Prakash, H.No.163. Block -J Sunder Nagar (Nand Nagri Extn), Delhi vide his representation dated 07.04.2015 has represented regarding non payment of his monetary dues by SBI. After NCSC took up this case, State Bank of India, Mumbai vide its letter dated 18.11.2015 informed that the grievances of the petitioner has been redressed.
- **File No. K-28/UP-80/2014/SSW-II:** The petitioner Shri Krishan Narayan, Vill. Thora, Tehsil-Jevar, Distt. Gautambudh Nagar, U.P. vide his representation dated 16.10.2014 has represented regarding not paying his monetary dues by DPRO and ADO (Panchayat), Gautambudh Nagar. After NCSC took up this case, the Distt. Magistrate, Gautam Buddh Nagar, U.P. informed that the due payment has been paid to the petitioner vide Office order dated 29.05.2015.
- **File No. V-12/Rly-28/2012/SSW-I:** The petitioner Shri Vidhyaram Nagar, Sr. Section Engineer (Retd.), Northern Railway, Haridwar vide his representation dated-05.03.2012 had represented before the Commission regarding denial of pensionary benefits and due payments after retirement. After NCSC took up this case, the Northern Railway Administration vide its letter No.-720-E-15-Pension/SSE(W)/HW/11-11 dated-2.11.2015 informed to the Commission that the petitioner grievances has been resolved by way of payment of due pensionary benefits of ₹ 4,10,453-/- .

- **File No. P-8/Delhi-110/2014/SSW-I:** The petitioner Smt . Phool Devi, R/o-36-X, Chitra Gupta Road, Pahar Ganj, New Delhi vide her representation dated-10.06.2014 had represented to the NCSC regarding denial of family pension. After NCSC took up this case, the PWD Department, Delhi Govt. had informed that the arrears of pension of ₹ 3.50 lakh have been paid to the petitioner.

**Suspension/Dismissal and re-instatement of services :**

- **File No. L-4/Rly-21/2014/SSW-I:** The petitioner Shri Lal Bahadur, The-IR/UMB, Northern Railway, Ambala Division, Ambala Cantt.vide his representation dated-16.04.2014 had represented to the NCSC regarding illegal dismissal from services and reinstatement in services. After NCSC took up this case, the Northern Railway authority vide its letter No. 220-E/1258/23/NCSC/Ambala/14/RP Cell dated-14.07.2015 has informed that as per the Commission's recommendation, the petitioner has been taken back in service vide office order dated-13.04.2015.
- **File No. S-24/Delhi-135/2014/SSW-I:** The petitioner Smt. Savita, Dy. Director (ICDS), Under Suspension, Women & Child Department, GNCT of Delhi vide her representation dated-12.05.2014 had represented to the NCSC regarding revocation of suspension and non payment of salary. After NCSC took up this case, the Deptt. of Women & Child Welfare, Deptt. of Delhi Govt. vide its letter No. 9(5)/DSW/DWCD/Estt./Pt./file/2014/28529-32 dated-13.10.2015 informed that the petitioner's suspension has been revoked vide officer order dated-11.02.2015 and payment of her salary was also made vide office order dated-13.10.2015.
- **File No. S-51/Home-15/2012/SSW-I:** The petitioner Shri Santosh Kumar Choudhary, SA/G PIS-130568, SIB, R/o H. No.-35/1, Old Malancha

Chandipur, PO-Rakhajungle Ward No.-20, Kharagpur, West Bengal vide his representation dated-30.03.2012 had represented to the NCSC regarding appeal for re-instatement in services. After NCSC took up this case, the Intelligence Bureau vide its letter No. 7/C-4/2012 (198) -413 dated-12/2.2016 informed to the Commission that the services of the petitioner has been taken back vide office order dated-13.01.2016.

- **File No.: O-2/UP-14/2015/SSW-II:** The petitioner Shri Om Parkash, Asstt. Teacher, Purv Sec. School Susabali, Block-Mursan, Hathras, U.P. vide his representation dated 12.01.2015 has represented regarding harassment and suspension. After NCSC took up this case, the Distt. Magistrate, Hathras, U.P. vide letter dated 11.06.2015 informed that the petitioner has been reinstated by revocation of his suspension.
- **File No. S-46/S&T-5/2014-SSW-II:** The petitioner Dr. Samar Roychowdhury, Plot. No.67/1/1, HOuse No. 2, Near Sai Residency Baner, Pune vide his representation dated 03.07.2014 has represented regarding reinstatement in services. After NCSC took up this case, the Deptt. of Biotechnology, New Delhi vide letter dated 17.04.2015 informed that the petitioner's service has been reinstated.

#### **4.6.2. NCSC State Offices**

##### **4.6.2.1 State Office, Ahmedabad**

##### **Appointment matters**

- **NCSC/ABAD/4/G/2015-St.G.PSU :-** On 18.04.2015 a representation was received from Miss. Tinkal M. Vaghela, Bharuch regarding appointment. This office took up the matter with the Dakshin Gujarat VijCo.Ltd., Surat on 06.05.2015. The case was successful as the Department appointed her in DGVCL as Junior Assistant (VS).

**Transfer / posting / harassment / miscellaneous matters**

- **NCSC/ABAD/G/36/APCR/15** :-On 26-06-2015 a representation was received from Pravin Makwana, Ahmedabad regarding misbehavior & discrimination against Scheduled Castes artist. This office took up the matter with the Additional Director General(P) Mumbai on 30.06.2015. The case was successful and the Department was advised to be vigilant to see that such incidences do not reoccur.
- **NCSC/ABAD/1/G/2015-SSW-I** :-On 10.06.2015 a representation was received from Shri Ambalal S. Miyatra, Anjar, Kutchch District regarding non payment of revisedpension. This office took up the matter with the Regional Labour Commissioner (Central) Ahmedabad on 29.06.2015. The case was successful and Department paid his revised pension.
- **12/C/02/G/2014-Res** :-On 20.03.2014 a representation was received from S/Shri Harjivan Shankarbhai Makwana & Pravinbhai Somabhai Solanki, Ahmedabad regarding mentall harassment and verbal abuse. This office took up the matter with the Home Guard Commander, Ahmedabad on 24.04.2014. The case was successful and Department has resolved their problems.
- **12/D/14/G/2014-Res** :-On 24.06.2014 a representation was received from Shri Khyati V. Parmar, Ahmedabad regarding harassment by Branch Manager,Indian Overseas Bank. This office took up the matter with the Regional Manager, Indian Overseas Bank, Ahmedabad on 08.07.2014. The case was successful and Department has resolved his problem.
- **12/D/19/G/2014-Res** :-On 10.10.2014 a representation was received from Shri KalpeshIshwerlal Shah, Ahmedabad regarding mentall harassments. This office took up the matter with the Assistant General Manager, Corporation Bank, Ahmedabad on 03.11.2014. The case was successful as the Bank resolved his problem.
- **12/D/26/G/2014-Res** :-On 03.12.2014 a representation was received from Shri KantiChaturbhaiVaghela, Ahmedabad regarding harassment. This office took up the matter with the Divisional Railway Manager, Ahmedabad on 06.01.2015. The case was successful as the Department resolved his problem.

- **12/K/07/G/2014-Res** :-On 05.11.2014 & 27.02.2015 representations were received from Shri Chaganbhai Gorabhai Makwana, Thangadh, District Surendranagar regarding NOC. This office took up the matter with the Chairman & Managing Director, Gujarat State Finance Corporation, Gandhinagar on 16-03-2015. The case was successful as the Department issued him the NOC.
- **12/D/30/G/2014-Res** :-A representation was received from Shri Narsinghbhai Naranbhai Harijan, Dakore Road, Nadiad, regarding /mental harassment. This office took up the matter with the Chairman, Indian Red Cross Society, Ahmedabad on 11.03.2015. The case was successful and Department solved his problem.

#### **Promotion matters**

- **12/B/05/G/2014-Res** :- On 18.10.2013 a representation was received from Ram Budhar Ram, Chief Chemist ,ONGC, Ahmedabad regarding promotion to Dy. G.M. (Chemistry)(E-6). This office took up the matter with the Chairman & Managing Director, ONGC New Delhi on 11.11.2014. The case was successful and he was promoted as Dy. G.M. (Chemistry).
- **NCSC/ABAD/R/15/2015-SSW-I** :-On 21.11.2015 a representation was received from Shri Charan Singh, ZalanaDungri, District Jaipur regarding promotion. This office took up the matter with the Director, Door Darshan Kendra, Jaipur, on 18.08.2015. The case was successful and he was promoted..

#### **4.6.2.2 State Office, Agartala**

##### **Transfer / posting / harassment / miscellaneous matters**

- **File number 54/19/2015-RU**:Shri Subal Kr. Das of Shibnagar, Agartala ,teacher in Dharmanagar, North Tripura District since 2009 sought transfer from Dharmanagar to Agartala or near Agartala. After intervention of the Commission he got transfer from Dharmanagar to Ranirbazar H.S.School, which is near Agartala.

#### **4.6.2.3 State Office, Bangalore**

##### **Promotion matters**

- **File No: 41/08/2012-Ru:** Case of Sri C.K.Gangadhara Murthy, LIC, Shimoga. The petitioner had submitted a representation dated 11.07.2012 regarding enhancement of Duty Hours or elevating his cadre to full time employee of the corporation. The State Office took up the case with the Senior Divisional Manager, LIC, Shimoga. LIC reply dated 28.02.2015 stated that the petitioner had been promoted to Record Clerk on 07.05.2014, petitioner also thanked the Commission.
- **File No: 56/18/2014-Ru:** Shri TejasChalwadi, SBM vide letter dated 20.10.2014 submitted a representation regarding his promotion. This office took up the matter with the E.D, SBM and the case was heard twice. After intervention of the Commission the petitioner got promotion.
- **File No: 43/03/2015-Ru** Shri Hanumanthappa, Sr.Mgr (Mech), Hutti Gold Mines, Raichur regarding promotion. The Petitioner submitted a representation dated 10.04.2015 to this office 16.04.2015 regarding promotion. This office took up the matter with the MD, Hutti Gold Mines Ltd., Bangalore. On 19.06.2015 the reply from management stated that the petitioner has been promoted as Sr.Manager.

##### **Transfer / posting / harassment / miscellaneous matters**

- **File No: 56/4/2015-Ru** – Case of Shri B.Sulochana, Clerk, Canara Bank regarding transfer. The petition was received on 05.03.2015. This office took up the matter with the General Manager (HR), Canara Bank, Bangalore. Canara Bank replied vide letter NO.HRWPM:1417:64:2015 dated 23.05.2015 and stated that she had been posted to her place of choice.
- **File No: 41/35/2014-Ru** Shri N.Narayanappa, Dy.Manager (HR), NTC regarding transfer. The Petitioner submitted a representation dated 26.12.2014 regarding transfer from Bangalore to Coimbatore. This office took up the matter with the CMD, NTC, New Delhi and matter was also

heard. The petitioner informed that he has been posted to his place of request i.e Hassan.

#### **Appointment matters**

- **File No: 44/04/2015-Ru**Dr.Jayanaik, Professor, Department of Poultry Science, Veterinary College, Hebbal submitted a representation dated 04.09.2015 to this office regarding request to cancel the transfer order and appointment as Head of the Department. This office took up the matter with the Registrar, Karnataka Veterinary, Animal & Fisheries Science, Bidar. The Department vide their letter dated 22.12.2015 stated that the petitioner's request have been considered and posted him back.

#### **4.6.2.4 State Office, Chandigarh**

##### **Appointment / reappointment matters**

- **File No. 1-chd/31/2015 & 1-chd/35/2015 :-** On 08.09.2015 a representation was received from Ms Kuldeepkaur & 4 others regarding appointment of JBT teachers and filling the backlog vacancies of SC candidates in the department of DPI (Schools) Chandigarh Administration. This office took up the matter with the DPI (Schools), Chandigarh. The case was successful and these candidates were given appointment.
- **File No. 2-chd/8/2015:-** On 13.04.2015 a representation was received from Dr.Jaswinder Singh Bhatti, SGGS College, Chandigarh regarding discrimination faced in joining the department of Biochemistry, Punjab University under UGC research award scheme. This office took up the matter with the Vice Chancellor, Punjab University Chandigarh on 17.04.2015. After intervention of the State Office, Dr Bhatti has joined the department of Biochemistry as UGC research awardee.
- **File No. 2-chd/11/2013 :-** On 20.06.2013 a representation was received from Shri Susheel Kumar Taank, Trainee Supervisor, Indian Red Cross Society Chandigarh, regarding exploitation and racial remarks by seniors followed by terminated from the service. This office took up the matter with

Deputy Commissioner Chandigarh on 25-07-2013 The case was successful and the petitioner was reappointed.

- **File No. 1-Pb/9/2014 : Shri.** Devinder Kumar s/o Sh. Dewan Chand r/o Gurjarpura, Near. Dargah Baba Pipal Peer, H.No. 1142, Tehsil & District Amritsar , Punjab submitted a representation to this office regarding appointment on compassionate grounds. The matter was taken with FCI, Chandigarh who have informed that the name of the Shri Devinder Kumar has been registered in the roster for the appointment as Class IV employee.

#### **Transfer / posting / harassment / miscellaneous matters**

- **File No. 1-chd/21/2012:-** On 11-03-2013 a representation was received from Dr Neelam R Prakash, Associate Professor, Department of Electronic & Electric Communication, PEC University, Chandigarh regarding promotion to the post of Professor . This office took up the matter with Director, PEC University Chandigarh on 12-03-2013..The case was successful and petitioner was promoted as Professor w.e.f 19-06-2009.
- **File No. 1-hry/38-2015 :-** A representation was received from Shri Vikram S/o Sh. Ajit Singh, District Panipat, Haryana regarding joining of petitioner to the post of Cane Clerk in the Panipat Co-Op Sugar Mills Ltd . The case was taken up with the Managing Director, Panipat Co-Op Sugar Mills Ltd Panipat on 10-09-2015. The petitioner joined the duty on 18-11-2015.
- **File No. 1-Pb/111/2014 :** Shri Kamal Kumar s/o Faqir Chand r/o New Chandan Nagar, Kartarpur, District Jalandhar, Punjab submitted a complaint, alleging that he was serving in DIPS College, Begowal, Jalandhar as Lecturer. He had some problem in his eye and want to operate the same and applied for leave, but College authority did not sanction his leave/salary/security etc. The matter was taken up with the DIPS College, Jalandhar and all issues have been settled by the College.

#### **4.6.2.5 State Office, Chennai**

##### **Appointment / reappointment matters**

- **F.No: 5/58/2015 Rep:** . Shri.S.Ramesh, S/o.Shri.M.Sundaraju, Thuraiyur, Tiruchirapalli District had represented regarding his request for issuance of posting order for the post of -Junior Assistantø in Tamil Nadu State Transport Corporation Kumbakonam Limited, Tiruchirapalli Region. The matter was taken up with the Managing Director, TNSTC, Kumbakonam, Thanjavur District vide this Office letter dated 16.09.2015 and reply dated 19.10.2015 stated that Shri.S.Ramesh was issued appointment order and the petitioner had joined his duty as -Junior Assistantø
- **F.No: 9/38/2015 Rep (Rly) :** Representation was received from Smt. Gnanapranjothi, W/o.(Late) Shri.S.J.Ezhilarasan, Tiruchirapalli, alleging delayed sanction of family pension other monetary benefits due after death of her husband . She also requested appointment on compassionate grounds for her son. The case was taken up with the General Manager, Southern Railway, Chennai on 28.10.2015. Reply has been received from the Deputy Financial Advisor & CAO, Workshop and Stores, Golden Rock, Tiruchirapalli stating that she was sanctioned, PF, DCRG, CELS & CGEGIS to the tune of ₹ 4,14,446/- and the pension payment order, was under process. The case for compassionate grounds appointment is being pursued with Southern Railways .
- **F.No: 9/10/2015 Rep (CGU):** Representation received from Shri.M.Surender, No: 6, Punitha Anthonniyar Residency, Madurai alleging harassment and dismissal from service of United India Insurance Company Limited. The case was taken up with the Chairman & Managing Director, United India Insurance Company Limited, Head Office, Chennai on 20.02.2015, their reply vide letter dated 23.03.2015 stated that the petitioner has been reinstated in service vide Order dated 17.03.2015.

**Transfer / posting / harassment / miscellaneous matters**

- **F.No: 9/274/2014 Rep (SG ):** Shri.A.Durai, S/o.Shri.Arasan, (b) Shri.P.Muniyan, S/o.Shri.Pitchaikaran, (c) Shri.P.Ramalingam, S/o.Shri.Poovan, (d) Shri.E.Govindan, S/o.Shri.Irusan and Shri.S.Shanmugam, S/o.Shri.Subramanian of Kuladeepamangalam village & Post, Thirukoilyalur Taluk, Villupuram District represented for regularization of their services in TANGEDCO. The issue was taken with the Chairman, TANGEDCO, Head Office, Chennai vide letter dated 04.12.2014 and reply dated 23.09.2015 was received stating that the above petitioners were regularized in the services of TANGEDCO .
- **F.No: 9/191/2014 Rep (SG):** Representation was received from Smt.V.Rajarajeshwari, Lecturer, Department of Chemistry, Institute of Road Transport Polytechnic College, Chrompet, Chennai with a request to cancel the transfer order from Chennai to Krishnagiri. The issue was taken up with the Director Incharge, Institute of Road Transport, Chennai vide this Office letter dated 23.09.2014 to consider the plea of Smt.V.Rajarajeshwari for her retention at Chennai and reply was received from the Director Incharge, Institute of Road Transport, Chennai stating that her request was considered and she is posted in Chennai
- **F.No: 9/1/2015 (Bank):** Representation received from Smt.V.Geetha, Officer, Oriental Bank of Commerce, Chennai alleging harassment by way of transfer. The case was taken up with the Deputy General Manager, Oriental Bank of Commerce, Regional Office, Chennai on 06.01.2015 and reply vide letter dated 01.04.2015 informed that keeping in view of the petitioner's health issues, her request was considered favourably and she was transferred to Ambattur Branch on 31.03.2015
- **F.No: 9/299/2015 Rep (SG):** Smt.M.Lalitha, ECG Technician, Government Stanley Hospital & College had represented this Office vide her representation dated 18.09.2015 with a request for transfer to Coimbatore Government Hospital & College. The case was taken up with the Secretary to Government, Health Department, Government of Tamil Nadu, Secretariat, Chennai on 21.09.2015 and reply stated that Smt.M.Lalitha, was

transferred and posted as ECG Technician at Coimbatore Medical College & Hospital, Coimbatore vide letter dated 20.10.2015.

- **F.No: 9/72/2014 Rep. (SG):** Shri.K.Murugan, Madurai has represented alleging that he was meted out harassment and discrimination on caste basis by the Director / Deputy Director of Employees State Insurance Corporation. The issue was taken up with the Regional Director, Employees State Insurance Corporation, Chennai vide this Office letter dated 12.12.2014. The petitioner informed this Office that he got remedy and solace and hence, he withdrew his complaint .
- **F.No: 9/42/2012 Rep (SG):** Dr.P.Saraswathi, Assistant Professor, Department of Hindi, University of Madras, Chennai represented that she was meted out caste based atrocity and harassment by Head of the Department. In this regard, the University of Madras had formed a Committee to enquire into the alleged atrocity. The case was heard by the Member incharge on 06.08.2015. The Registrar, University of Madras attended the hearing and informed that the petitioner had withdrawn the complaint as her grievances were amicably settled.
- **F.No: 9/19/2012 Rep (CG):** Shri.S.Ramalingam, Senior Engineering Assistant, Doordarshan Kendra, Gulbarga via representation dated 08.04.2015 regarding excess deduction made. A hearing was also conducted on 07.08.2015 with the Additional Director General (Engineering), All India Radio and Doordarshan Kendra, Chennai. and vide reply dated 04.09.2015 AIR, Coimbatore, stated that the excess deduction made ₹ 24,000/- was refunded to the petitioner towards the payment of Children Education Allowance.
- **F.No: 9/45-A/2014 Rep (CGU):** Shri.A.Masilamani, Electrical Supervisor, NTC Limited, Mahe has alleged harassment by mill management. The case was taken up with the Managing Director, NTC Limited, Coimbatore on 25.08.2014 and NTC Limited, Southern Regional Office, Coimbatore vide letter dated 05.11.2015 informed that orders were passed on 05.10.2015 to stop the recovery proceedings from salary w.e.f August, 2015 .
- **F.No: 9/305/2015 Rep (SG):** Representation dated 19.09.2015 Shri.P.Srinivasulu, General Secretary, -The Madras Corporation Red Flag

Work@ Chennai alleged there were illegal deductions from salaries of sanitary employees of Chennai Corporation The case was taken up with the Commissioner, Corporation of Chennai and with the Principal Secretary Municipal Administration Department, Government of Tamil Nadu, Chennai vide letter dated 22.09.2015 and reply was received from the Principal Secretary / Commissioner, Chennai Corporation, Chennai stating that the deducted amount of ₹ 35,769/- was returned to the 8 sanitary employees.

- **F.No: 9/195/2014 Rep (SG):** Shri.M.Muruganandam, Physical Education Teacher, GTR School, Petchiparai, Kanniyakumari District represented on 21.08.2014 a request to revoke his suspension order. The case was taken up with the Director, Tribal Welfare Department, Chepauk, Chennai and reply stated that the suspension of Shri.M.Muruganandam has been revoked through the proceedings dated 28.09.2015 of the Director, Adi Dravidar Welfare Department. {
- **F.No: 9/3/2015 Rep (CGU):** Shri.D.Danasekaran, Senior Technician, IIT Madras, Chennai has represented another Senior Technician has harassed him. The case was taken up with the Director, IIT /Madras, Chennai on 09.01.2015. The Registrar, IIT /Madras, Chennai vide his letter dated 12.11.2015 informed that the other Senior Technician has been transferred from Civil Engineering Workshop to Structural Engineering Laboratory as requested by the petitioner

#### **Sanction of Pensionary benefits**

- **File No: 9/179/2014 Rep. (SG):** Shri.C.Annamalai, Thirukoilur, Villupuram District has represented that his retirement benefits like pension, gratuity and other benefits are yet to be settled by the management of Chengalvarayan Co-operative Sugal Mills Limited. The issue was taken up with the Commissioner of Sugar, Chennai vide this Office letter dated 18.09.2014 and the reply stated that the gratuity amount of ₹ 3,16,878 was released

- **F.No: 9/276/2014 Rep. (SG):** Representation dated 29.11.2014 was received from Shri.N.Pitchai, Gardener (Retd.), Pachayappan Women's College, Kancheepuram alleging that his retirement benefits are yet to be settled. The issue was taken up with the Director, Collegiate Education, Chennai vide this Office letter dated 04.12.2014. The petitioner Shri.N.Pitchai has informed that he was sanctioned pension and other benefits.
- **F.No: {9/237/2015 Rep (SG)}:** Representation dated 08.07.2015 of Shri.C.Srinivasan, Vellore District on the issue of alleged non-payment of pension arrears. The case was taken up with the Regional Provident Fund Commissioner, EPF, Regional Office, Chennai reply received stated that the EPF Office has initiated the action to re-credit the arrear pension for the broken period i.e., from January 2011 to November 2013 @ ₹ 550/- per month .
- **F.No: 9/249/2015 Rep (SG)}:** Shri.P.Ashok Kumar, Tiruttani, Thiruvallur District has sent a representation to consider sanction of family pension in lieu of his father's death. The case was taken up with the Chairman, TANGEDCO, Chennai. Accordingly, the case was considered and Shri.Ashok Kumar was accorded family pension since September, 2015.
- **F.No: 9/211/2015 Rep (SG)}:** Shri.G.Ragupathy, Chennai has represented that he was denied provisional pension. The issue was taken up with the Special Commissioner & Commissioner, Stationery & Printing Department, Government of Tamil Nadu, Chennai vide letter dated 15.07.2014. The petitioner Shri.G.Ragupathy visited this Office and informed that he was sanctioned provisional pension and also received pension pay book.

**Promotion :**

- **F.No: 9/30/2014 Rep (CGU):** Shri.M.Kanagaraj, Chief Manager, Madras Fertilizers Limited, Chennai had represented for recruitment as Deputy General Manager (M & D). The case was taken up with the Chairman & Managing Director, Madras Fertilizers Limited, Chennai on 24.07.2014. The General Manager (P & A), Madras Fertilizers Limited, Chennai vide his letter dated 06.03.2014 informed that the petitioner was re-designated as Assistant General Manager (M & D) with monetary benefits
- **F.No: 9/104/2013 Rep. (SG ):** Smt.E.Nalima, B.T Assistant (Maths), Meenatchi Sundereswarar Girls Higher Secondary School, Madurai had sent a representation dated 17.09.2013 alleging that she was denied promotion to the post of P.G (Maths). The issue was taken up with the Special Commissioner & Commissioner, Hindu Religious & Charitable Endowment Department, Chennai. The petitioner Smt.N.Nalima has sent a -Thanks Letterø stating that she was awarded promotion.
- **F.No: 9/52/2014 Rep (CGU):** Shri.Jagdish Prasad, Director, Tea Board, Coonoor has represented on denial of promotion as Deputy Director. The case was taken up with the Secretary, Tea Board, Kolkata on 18.9.2014 who vide their letter dated 16.9.2015 informed that Shri.Jagdish Prasad has been promoted as Deputy Director on 11.9.2015.
- **F.No:9/71/2014 Rep (CG):** Dr.Jeeva Kalaiselvan, Senior Research Officer, Pasteur Institute of India, Coonoor has sent a representation dated 27.02.2015 alleging that she was denied promotion to the post of Assistant Director, which is lying vacant since 01.06.2015. The matter was taken up with the Director, Pasteur Institute of India, Coonoor, the Nilgiris District. Accordingly, Dr.Jeeva Kalaiselvan was promoted to the post of Assistant Director as informed to this Office by the petitioner.
- **F.No: 9/1/2014 Rep (SG):** Shri.V.A.Kumaresan, Special Deputy Tahsildar (SSI), Taluk Office, Ambur, Vellore District had represented on 03.12.2013 with the request to exonerate from the charges and requested for promotion to the post of Tahsildar panel during period 2011-13. The matter was taken up with the Secretary, Revenue Department, Government of Tamil Nadu,

Chennai and reply stated to include the name of Shri.V.A.Kumaresan in the Tahsildar panel for the year 2010 have been issued.

- **F.No: 9/65/2014 Rep (CGU):** The case of Smt.R.Pokkisha Rani for promotion as Senior Manager and posting at Chennai was taken up with the Executive Director, Airport Authority of India, Chennai on 04.12.2014.. The authorities vide their letter dated 11.03.2015 informed that Smt.Pokkisha Rani has been promoted as Senior manager and posted at Chennai and joined duties on 05.03.2015.

#### **4.6.2.6 State Office, Kolkata**

##### **Promotion matters**

- **File No. 6/10/2015-Gen/OR:** A complaint from Shri Benudhar Mahalik, Administrative Officer, CSIR, Bhubaneswar was received regarding not including his name in DPC of CSIR, New Delhi. The CSIR vide their letter dated 25.08.2015 confirmed that the name of petitioner has been included in the DPC list for promotion to the post of US/Admn. Officer.
- **File 6/43/2014-Gen/WB(Census) :** Shri Bimal Kumar Mondal, working in the Directorate of Census Operation, West Bengal alleged that he has been deprived of promotion as Assistant. With the intervention of the Office, the candidate has been promoted notionally in his office w.e.f 16.02.2011, as per communication dated 04.02.2016..
- **File No. 7/12/2015-Gen/WB :** Shri Manotosh Sapui, UDC, O/o the Addl. Director of Agriculture, West Bengal complained that he has been denied of promotion as Administrative Officer. Due to intervention of the Commission, he was promoted to the post on 02.03.2016.

##### **Transfer / posting / harassment / miscellaneous matters**

- **File No.8/12/2015-Gen/WB:**Shri Debashis Das, Senior Officer, Cent Bank Home Finance Ltd., Gwalior Branch that his appointing authority i.e. CENT Bank Home Finance Ltd. is not accepting his resignation and issuing

relieving order. After intervention of the Commission the authority replied that his resignation will be accepted as per Rule and advised the petitioner to join the Bank early so that resignation process can be started. Subsequently Shri Das was released from the Bank.

- **File No.8/21/2015-Gen/WB:** Shri D.L. Naskar of BSNL, Kolkata that in spite of issue transfer order from Nagaland to Calcutta Telephones , the BSNL N.E.-II Circle Office has not relieved him . On receipt of the petition, the matter was taken up with the BSNL, Dimapur and relieving order has been issued.
- **File No.8/9/2015-Gen/OR :** Shri Rahas Bihari Naik of Talcher, District Angul, Odisha alleged that their lands have been acquired by the MCL in the year 1991. They requested the MCL to engage him as security guard. After intervention of the Commission, the MCL requisitioned services of the SC petitioner as security guard from outsourced Security Agencies.

**Payment of dues :**

- **File No.9/8/2015-Gen/OR:**Shri Prafulla Kumar Mallick of Cuttack, Odisha and retired employee of MARKFED alleged that his leave salary has not been released by the management even after lapse of three years of his retirement. After taking up the matter with the authority, released the leave salary after recovery of ₹ 50,060/-.
- **File No.8/13/2015-Gen/WB:** Smt. Anarshi Hari, the ex-Sweeper of Eastern Coalfields Limited that she is being harassed by the CMPF, ECL authority in getting payment from Provident Fund. After intervention of the Commission, the matter has been settled the amount disbursed by the CMPF to the petitioner.
- **File No.9/18/2015-Gen/WB:**Shri Bamapada Khetrupal, Group D staff Junior High School , Burdwan District, West Bengal alleging about non-payment of salary by the School. After intervention of the Commission, the D.I. of Schools informed that the matter has been settled and the Headmaster has been directed to disburse the arrear salary.

#### **4.6.2.7 State Office , Lucknow**

##### **Appointment matters:**

- **File No. 1/82/2015-Gen.** : Shri Rahul Kumar S/o Shri Ganeshi Lal, Village/Post Bhatipura, Thana Kithore, Tehsil Mawana, Meerut, submitted a representation and alleged that in CRPF recruitment of Siphai/GD Bharti 2015, he was wrongly rejected on ground of short height. The case was taken up with CRPF H.Q. New Delhi and after intervention of the Commission the grievance of petitioner solved and he was declared fit in height .

##### **Transfer / miscellaneous matters:**

- **File No. 1/121/2015-Gen.** : Shri Ram Kishore, Principal, Govt. Inter College, Hamirpur submitted a representation regarding denial of his past service of Kendriya Vidyalaya as TGT. The matter was taken up with Commissioner, Kendriya Vidyalaya Sangathan, New Delhi. After intervention of the Commission the technical resignation was accepted w.e.f. 30.05.2005.
- **File No. 2/270/2015-Gen.** : Shri Hanoman Prasad , Village Madarpur, Post/Block ó Masoli, Tehsil Nawabganj, Barabanki working as Safai Karamchari in a Block Barabanki represented to the Commission about his transfer. The matter was taken up with the District Magistrate, Barabanki. After intervention of the Commission the petitioner's grievance has been redressed by way of issuing transfer order dated 18.09.2015.

##### **Payment of Dues**

- **File No. 2/182/2015-Gen.** : Smt. Kaushalya Devi ,working as Principal, Junior High School, Balarpur, Allahabad alleged that she has not been released her arrear benefits. The case was taken up with the Basic Shiksha Adhikari, Allahabad and after intervention of the Commission, all her dues have been paid.
- **File No. 2/259/2015-Gen.** : Smt. Sirtaji Devi ,working as Principal, Govt. Girls Inter College, Jaunpur, submitted a representation and alleged that

Education Department, GoUP, has not released her pensionary benefits after her retirement on 30.06.2015. The case was taken up the Joint Director, Varanasi and after intervention of the Commission, all dues have been paid to the petitioner.

#### **4.6.2.8 State Office, Patna**

##### **Transfer / posting matters:**

- **File No. 9/59/2015-:** Shri Sheo Prasad Paswan, Amin, Chakbandi Office, ArrahSadar Block, Bhojpur represented regarding transfer on the verge of retirement. The Commission took up the matter with the Director, Chankandi, Bihar, Patna. It was informed that petitioner has been transferred to his choice station.
- **File No. 7/22/2015-B:** Shri Kailash Kumar, UDC, Jawahar Navodaya Vidyalaya, Hazaribagh complained regarding harassment by frequent and unmatured transfer. The Commission took up the matter with the Commissioner, NavodayaVidyalaya Committee, Noida. It was informed that the has been posted as per his choice

##### **Appointment matters**

- **File No. 7/36/2015-BA :**Shri Rajnikant s/o Shri Jai Kishore Paswan, Village- KantiKaswa, PS- Kanti, Dist.- Muzaffarpur represented regarding irregularities in selection of Railway Group D post. The Commission took up the matter with the Chairman, RRC, Bilaspur who informed the Commission that the name of petitioner has been published in 2<sup>nd</sup> panel of merit list.

##### **Payment of Dues:**

- **File No. 6/39/2013-:** Shri Umesh Mochi s/o Late Mulji Ghosha, Village Sonardih, P.S. Madhuban, Dhanbad complained regarding ex-gratia payment for his damaged house. The Commission took up the matter with the Managing Director, BCCL, Dhanbad and ₹ 43500/- has been paid to the petitioner for repair of his damaged house .

- **File No. 2/30/2014-B** :Shri Satish Prasad Rajak, Village and P.O Gorawan, , Nalanda complained regarding non-payment of salary as Nyaya Mitra. The Commission took up the matter with the D.M., Nalanda for rectification of grievance of the petitioner, who informed that salary to the petitioner has been sanctioned.
- **File No. 7/9/2015-** : Ms. Rani Kumari d/o Late Thakur Paswan, Bhagichak, P.S Nayaram Nagar, Munger regarding payment of family pensions. The Commission took up the matter with the Divisional Railway Manager, Eastern Railway, Malda for necessary action in the matter. The DRM, Eastern Railway, Malda informed the Commission that family pension has been sanctioned..
- **File No. 9/36/2015-B:** Smt. Malti Devi w/o Late Dinanath Prasad, Ex. Teacher, Karari, Bhojpur represented regarding non-payment of insurance amount. The Commission took up the matter with the District Provident Fund Officer, Arrah for payment of dues amount. The District Provident Fund Officer, Arrah informed the Commission that dues amount ₹ 60000/- has been paid to the petitioner.
- **File No. 7/44/2014-JA** : Shri Anupam Kumar, System Analyst, Jharkhand Central University, Brambe, Ranchi complained regarding payment of amount deducted on false allegation. The Commission took up the matter with the Vice-Chancellor, Central University of Jharkhand, Ranchi for necessary action. It was informed that ₹ 12000/- deducted from the salary of the petitioner has been refunded to him.

#### **Promotion matters**

- **File No. 7/3/2015-B:** Shri Azad Kumar, Stenographer, Zonal Office, East Central Railway, Hajipur represented regarding promotion. The Commission took up the matter with the General Manager, E. C. Railway,

Hajipur for promoting the petitioner on reserved post. The Sr. Personnel Officer, E. C. Railway, Hajipur informed the Commission that the petitioner has been promoted to the post having ₹ 4200/- grade pay.

- **File No. 6/28/2013-J:** Shri Amar Deo Ram, Fitter, B.C.C.L., Dhanbad regarding promotion. The Commission took up the matter with the Managing Director, BCCL, Dhanbad and the petitioner has been promoted to the post of Asstt. Foreman and Supervisor grade :Cø under SC quota.

#### **4.6.2.9 State Office, Pune**

##### **Appointment matters**

- **File No. NCSC/Pune/24/2015/SSW-II:** Shri.C. Rode had submitted a representation on 07.06.2015 for not providing appointment on compassionate grounds. The matter was taken up with the Collector, Beed on 09.07.2015 who intimated vide letter dated 08.09.2015, that petitioner has been appointed.

##### **Transfer / posting / harassment / miscellaneous matters**

- **File No. NCSC/PUNE/1/2015-SSW-II:** Shri L. Kenawadekar, had submitted a representation regarding imposing penalty by MPT, Goa, on 03.02.2015. The matter was taken up with MPT, Goa, on 29.06.2015, who vide their letter dated 11.09.2015 stated that the penalty of stoppage of 4 increments was reduced.
- **File No. NCSC/PUNE/11/2015-SSW-I:** Shri B. S. Tate, Sr. Section Engineer had given a representation on 16.03.2015 regarding non-payment of honorarium. The matter was taken up with the DRM Pune, on 23.03.2015 who vide their letter dated 23.4.2015 had intimated that the due payment is has been made.
- **File No. NCSC/PUNE/10/2015-SSW-III:** Shri. D.B. Urade, had submitted a representation on 25.01.2015. The matter was taken up with CEO, Chandrapur on 04.03.2015 Chandrapur who vide letter dated 29.04.2015 had intimated that the pay fixation was carried out and the difference for the period of 3 years was paid.

- **File No. NCSC/Pune/07/2013/SSW-I:** Shri Pravin Ingole, Cantonment Board, Pune represented regarding harassment by the CEO who converted his leave period into dies-non and therefore he was not paid the salary for the period. The matter was taken up with the CEO, Cantonment Board Pune, who had intimated that the dies-non leave period has been converted to the leave period.
- **File No. NCSC/Pune/02/2016/SSW-III:** Shri. B.U. Dhawale had given a representation on 15.12.2014 regarding harassment by the higher officers and transfer to Navapur, Nandurbar. The matter was taken up with the Commissioner, State Excise Department on 29.01.2015. The petitioner by letter dated 24.02.2015 intimated that his transfer is canceled and posted at Mumbai.

#### **Promotion matters**

- **File No. NCSC/PUNE/10/2015-SSW-III:** Shri D. D. Shewale, had submitted a representation on 23.02.2015 regarding denial of promotion to the post of Sr. Dy. Manager (Welfare) and vigilance officer, by MPT , Mumbai. The matter was taken up with the CMD, MPT, Mumbai on 01.05.2015. The MPT vide their reply dated 14.07.2015 had intimated that he was offered the promotion to the post of Sr. Dy. Manager (Welfare) on adhoc basis.
- **File No. NCSC/Pune/59/2013/SSW-III :**Shri. S. L. Parmar, had submitted a representation on 24.08.2013, stating that Thane Municipal Corporation has not provided him higher post as per his qualifications. The matter was taken up with the Commissioner Municipal Corporation, Thane, on 03.10.2013 whovide his letter dated 15.02.2016 intimated that the petitioner has been given the posting as Lower Division Clerk.

#### **4.5.2.10 State Office, Hyderabad**

##### **Appointment matters**

- **File No. 1/37/14/CG-Ser.:** Shri K.C. Sunhare, Associate Professor of Korba Institute of Engineering gave representation to the commission regarding confirmation as Reader. The matter was taken up with the concerned authorities and after repeated hearings of the case, petitioner was confirmed as Reader .
- **File No. 1/356/14/AP-Ser.:** A group of unemployed SC youngsters who got selected in recruitment in EPFO as SSA (Social Security Assistants) represented that 73 SC candidates were not given appointment orders though orders were issued to other categories. The matter was taken up with Chief Commissioner, EPFO, New Delhi in the month of December 2014. After follow-up EPFO issued appointment orders to the 73 SC category candidates also.

##### **Transfer / posting / harassment / miscellaneous matters**

- **File No. 1/237/13/AP-Ser.:** Shri S. Suresh of NIC represented regarding transfer problem. The State Office took up the matter with NIC and the case was heard and the transfer order was issued as per the desire of the petitioner.
- **File No. 1/71/15/AP-Ser.:** Smt. P.V. Ramanamma, UDC of CPWD, Visakhapatnam complained to the Commission of sexual harassment. After intervention of the State Office she got relief/transfer.
- **File No. 1/134/15/TS-RU:** Shri. G. Ravikumar, Jt. Secretary (Retd) of APGENCO, represented to the commission regarding harassment . The State Office took up the matter with APGENCO and the Petitioner got relief from harassment after intervention by this Commission.

##### **Payments of dues:**

- **File No. 1/178/14-Ser.:** Wife of late E. Suri Babu, MTD, of Airports Authority of India represented that she was not sanctioned family pension.

After the matter was taken up, the Airport Authority of India sanctioned family pension to the Petitioner.

- **File No. 1/76/15/AP-Ser.:** Shri B.N. Ramesh, an employee of Aurobindo PharmaLtd., Hyderabad represented to the Commission regarding non payment of salary. The State Office took up the matter with concerned authorities and the petitioner got his salary.
- **File No. 1/82/15/AP-Ser.:** Smt. Kota Baby, widow of BSNL employee, West Godavari got death gratuity of her husband. Her husband died in 2013 and benefits were released by BSNL only in 2015 after intervention of Commission.
- **File No. 1/82/15/AP-Ser.:** Smt. Kota Baby, w/o.Late Gangachalam of BSNL, West Godavari represented to the Commission regarding not getting pension, gratuity etc. from BSNL. The State Office took up the matter with BSNL and death benefits were given by BSNL.
- **File No. 1/66/15/TS-RU:**Smt.Sreemala of Central Silk Board represented about not settling of arrears towards her husband's pension. The State Office took up the matter with the concerned authorities and the petitioner was provided the arrears.

#### **Promotion matters**

- **File No. 1/92/14/TS-Ser.:** Smt. Shamantha of SE, irrigation circle, Nizamabad complained of not getting promotion. The State Office took up the matter with concerned Authorities and the promotion was done .
- **File No. 1/249/14/AP-Ser.:** Shri K. Ravi Prasad of Cotton Corporation of India represented of not getting got promotion as Senior Assistant.The State Office took up the matter with the concerned authorities and the petitioner was promoted.

- **File No. 1/23/15/TS-Ser:** Shri N. Suresh Babu, JE, South Central Railway represented of not getting got promotion as Senior Assistant. The State Office took up the matter with the concerned authorities and the petitioner was promoted as SEE.

#### **4.6.2.11 State Office, Guwahati**

##### **Transfer / posting / harassment / miscellaneous matters**

- **File No. 6/Rep./S/1/2015-RU :** Petitioner :Shri Sribatsha Das, UDC, Kendriya Vidyalaya, Laitkor Peak, Shillong, Meghalaya gave representation regarding Transfer on medical grounds. Shri Das has been transferred to Guwahati on intervention of this State Office of the Commission.
- **File No. 6/Rep./S/7/2015-RU :-** Petitioner :Shri Padma Lochan Deka, Ex-AGM, FCI, Guwahati, Assam gave representation regarding non-payment of terminal benefits like gratuity etc. Shri Deka retired from the post of AGM in FCI, Guwahati, Assam but his terminal benefits were not paid even after six months of retirement. On intervention of the office, his terminal benefits were released.
- **File No. 6/Rep./S/9/2015-RU :** Petitioner :Shri Michael Saha, Asstt. Teacher, R.B.P.H.S School, Dhubri, Assam represented regarding non-payment of salary. After our intervention, his salary was released.
- **File No. 6/Rep./S/3/2016-RU :** Petitioner :Shri M. Venkateswara Rao, AGM, BSNL, Dimapur, Nagaland gave representation regarding non-relieving after expiry of tenure posting. Shri Rao has been posted in Dimapur, Nagaland on tenure posting of two years and the authority did not release him even after the expiry of his tenure on the ground that the reliever is yet to join in Dimapur. On intervention of this office he was transferred and posted in Andhra Pradesh Circle.
- **File No. 5/Rep./S/5/2016-RU :** Petitioner: Shri Amitava Mondal, A.O., BSNL, Dimapur, Nagaland represented regarding not being relieved even after expiry of tenure posting. Shri Mondal was posted in Dimapur, Nagaland on tenure posting of two years and the authority did not release him even after the expiry of his tenure on the ground that the reliever is yet

to join in Dimapur. On intervention he was transferred and posted in West Bengal Circle.

#### **4.6.2.12 State office, Thiruvanthapuram**

##### **Appointment matters**

- **File No. KL/12/46/2015:** Smt. Simi S Wayanad submitted a representation requesting for necessary action to recruit her as HAS under Special recruitment. The matter was taken up with the Secretary, Education Department for necessary action, who stated that delay in issue of appointment order to petitioner occurred due to non availability of vacancies, since vacancies were now available order will be issued..
- **File No. KL/12/27/2010:-**Shri. P.P Haridasan, Kozhikode submitted a representation regarding not following rules of reservation at the time of appointment. The matter was taken up with the Chief Post Master General, Trivandrum who replied that the Petitioner was selected and appointed as postman against vacancy reserved for SC.
- **File No: KL/12/52/2014:** Shri. K. R. Sekhar, Devikabhavan, Rosapookandam, Kumily P.O, Idukki, requested to take necessary action to regularize his service in forest department as he has been working as watch man since 28.11.1988. The matter was taken up with the Department of Forest. The reply received from the Additional Chief Secretary, Forest and Wild life Department, Trivandrum stated that the petitioner has been regularized as watcher in Kerala Forest Department vide the GO dated 14.05.2015.
- **File No: KL/12/65/2015:** Shri. V Raveendran, part time cleaner, Kerala Khadi Board ,Trivandrum, Kerala submitted a representation, for appointment as part time cleaner as he was working more than ten years on daily wages. The matter was taken up with the Industrial Department. In this regard on 18.12.2015, the petitioner informed that orders were issued regarding his appointment as part time cleaner dated 17.12.2015 of Kerala Khadi Board

### **Promotion matters**

- **File No. KL/12/15/2013:** Shri. K.P.Madhupal, Accountant, Kannur submitted a representation requesting for necessary action as the Panchayath Authority transferred him 50 km away from his native place. The matter was taken up with the Director of Panchayath, Trivandrum for necessary action. In this regard the reply was received that the petitioner was promoted and posted at Thriprangottur Grama Panchayath as Assistant Secretary on 30.04.2014.

### **Transfer / posting / harassment / miscellaneous matters**

- **File No: KL/31/86/2014:** Ms. Radha.K K, Sr, EPFO, Kochi submitted a representation, requesting for necessary action as the Regional PF Commissioner, Kochi misbehaved with her. The matter was taken up with the Regional PF Commissioner, RO, Trivandrum for further action. In this regard a final reply received from the Regional PF Commissioner stated that the accused person will be transferred.
- **File No: KL/12/42/2015:** Shri. B. Anil Kumar, BSNL, Trivandrum submitted a representation that he was humiliated by Divisional Engineer. The matter was taken up with the Chief General Manager, BSNL, Kerala Circle, Trivandrum for necessary action. In this regard a final reply received from the concerned stated that after a detailed enquiry, the competent authority has advised the alleged officer to be more vigilant and careful in future and the transfer order of the petitioner has kept in abeyance as requested.
- **KL/12/53/2014-SLRM:** Shri. C R. Nanukuttan, Trivandrum submitted a representation requesting for necessary action to sanction pension from the P&T Audit Office Trivandrum. The matter was taken up with the Director, P&T Audit Office, Trivandrum for necessary action. In this regard a final reply received from the post and telecommunications Audit Office stated that petitioner is entitled to get the pro-rata retirement benefits for the period of service rendered in P&T Audit Organization.

- **KL/12/55/2014 SLRM:**Shri. N. Raveendran, Trivandrum submitted a representation requesting for necessary action for concession in income tax deduction in respect of physically handicapped. The matter was taken up with the Deputy Director General of Meteorology for necessary action. In this regard a final reply received from the concerned stated that double transport allowance due to the petitioner from September 2008 to February 2015 has been paid to petitioner on 16.03.2015 and also necessary IT exemption are being given to him.
- **KL/12/46/2014:**Shri. Sanjeev Kumar, Trivandrum submitted a representation requesting for necessary action to transfer him at the place of his wife's working place of Hyderabad as he has only 2.5 years service left for retirement. The matter was taken up with the Director General, Survey of India for necessary action. In this regard the reply received from the concerned stated that the petitioner is transferred to Survey of India, Hyderabad on 08.04.2015 as per his request.
- **KL/12/41/2013:**Shri. Sundaran.M, Trivandrum submitted a representation requesting for necessary action to transfer him to Trivandrum on medical grounds. The matter was taken up with the General Manager, SBI, Trivandrum for necessary action. In this regard the reply received from the Chief General Manager, SBI stated that the petitioner was posted as Manager, at RACPC, Trivandrum on 24.05.2014.
- **FILE NO: KL/12/42/2015(HQRS):** -Shri. B Anil Kumar, Senior TOA(G), BSNL, Customer Service Centre, Vellayambalam, Trivandrum submitted a representation, requested to take necessary action as he was humiliated by Divisional Engineer. The matter was taken up with the Chief General Manager, BSNL, Kerala Circle, Trivandrum and reply received from the stated that after an enquiry, the competent authority has suitably advised the alleged officer to be more vigilant and careful in future and the transfer order of the petitioner has been kept in abeyance as requested.

#### **4.7 Economic and Social Development matters**

The Commission received a large number of cases in the economic and social development sector and a total of 644 cases relating to this sector were disposed in

the Commission headquarters and 2397 cases were closed in State Offices. A few interesting and successful cases are enumerated below:-

Sr. No.	Subject	No. of interesting success full cases at NCSC HQ	No. of interesting successful cases at NCSC State Offices
1.	Admission matters	10	13
2.	Scholarship matters	19	73
3.	Land matters	15	19
4.	Benefit under SC Schemes	4	22
5.	Allotment of petrol pump	1	0
6.	Education	8	22
7.	Miscellaneous matters	12	31
	Total	69	180

#### **4.7.1 In NCSC headquarters**

##### **Denial of admission in educational institutes:**

- **File No. 16/253/UP/2015/ESDW:** Shri Prabhishkek Singh S/o Shri Sunder Lal, Kanpur Uttar Pradesh submitted a representation requesting Admission in PhD-IT in the Baba Saheb Bhim Rao Ambedkar University Lucknow. After intervention of the Commission, Registrar of the University has sent a report and inform that concerned student has already been admitted in the Ph.D. programme of Department of Information Technology (IT).
- **File No. 16/175/HR/2015/ESDW:** Miss Meenu and other petitioners submitted a representation and stated that they has taken the admission in the courses of A.N.M and GNM Nursing Bitas College, Mohana, Sonapat in June 2014. The petitioners had deposited the full fees of the courses and have full attendance in the college. From 2015 the Principal of the college not allowed them to mark the attendance and 30 students of ANM Nursing college and 20 SC students GNM nursing college have been rusticated on 27.08.2015 and they were not allowed to appear in the examination. The

pretext was that the number of seats were less and the institute had admitted more students. After intervention of the Commission, Government of Haryana resolved the issue the affected students have been adjusted in Government Institute.

- **File No. 16/109/Delhi/2015/ESDW:** Ms Swatantrata Richa & others, Kondli Delhi submitted a representation regarding non admission in the Delhi Institute of Pharmaceutucial Science & Research New Delhi. On intervention of the Commission, all the eight SC/OBC students have been admitted in the B.Pharma Course.
- **File No. 16/35/Delhi/2015/ESDW:** Shri Nihal Singh, Lodhi Colony New Delhi, submitted a representation regarding non admission of his son in Air Force Bal Bharti School, Lodhi Road New Delhi. The matter was taken up with Director of Education and the son of petitioner was admitted in the school.
- **File No. 16/114/Delhi/2015/ESDW:** Shri Lalta Prasad, Jahangir Puri, New Delhi, submitted a representation regarding readmission of his son in the Kendriya Vidyalaya, Shalimar Bagh Delhi. On intervention of the Commission the student has been readmitted in the school.
- **File No. 16/215/UP/2015/ESDW:** Shri P.N. Chaudhary (f/o Ms Nisha M. Tech), Ghaziabad, Uttar Pradesh submitted a representation regarding harassment of his daughter in allotment of hostel in Delhi Technical University. The matter was taken up with Delhi Technical University. After intervention of the Commission the d/o petitioner has been provided proper hostel accommodation in the University.
- **File No. 13/41/PC/2015/ESDW:** The Commission took suo moto cognizance of a press report published in New Indian Express regarding alleged irregularities in Admission at Maharajhas College Ernalulam and called for a report .. As per the news report two students belonging to OBC and three SC/ST students were denied admission citing overage. They had applied online for under graduate courses and had paid fees. After intervention of the Commission, the Government of Kerela, relaxed the condition of age limit for the students as a result of which the 17 students have been accommodated.

- **File No. 16/47/Delhi/2014/ESDW:** Shri Rajesh Kumar S/o Late Shri Khedu Ram, Sakur Pur J.J. Colony, New Delhi, submitted a representation regarding admission in the Aadhar Shila Vidyapeth Pitampura under EWS Quota. The matter was taken up with Department of Education NCT, Delhi. After intervention of the Commission, the son of petitioner had been admitted in the school in academic year 2015-16 under the EWS.

**Scholarship/ fellowship matters:**

- **File No. 16/277/Raj/2015/ESDW:** Shri Dal Chand Meghwal (Fellow) D/o Commerce & Mangement Mohan Lal Sukhadia University, Udaipur, Rajasthan submitted a representation regarding non payment of Fellowship. The matter was taken up with Vice Chancellor of the University and after intervention of the Commission, his due contingency claim of ₹ 20,480/- has been paid to him on 25.01.2016.
- **File No. 16/284/Karnataka/2015/ESDW:** Ms Pushalatha C/o Manjunatha, District Tumakuru Karnataka, had alleged for the non payment of scholarship for the higher studies for the year 2015-16. After intervention of the Commission, the first semester scholarship of ₹ 13,18,377/- and the second semester scholarship of ₹ 13,24,497/- were released on 14.12.2015 and 16.03.2016 respectively.
- **File No. 16/256/MP/2015/ESDW:** Shri Akhilesh Gautam S/o Shri Govind Gautam, District Bhind Madhya Pradesh, submitted a representation regarding non payment of scholarship by the MP Government. After intervention of the Commission, the Commissioner, Scheduled Caste Development, Government of Madhya Pradesh reported the release of the ₹ 79,570/- scholarship to the petitioner.
- **File No. 16/66/UP/2015/ESDW:** Shri Pankaj & others, District Jhansi, Uttar Pradesh submitted a representation regarding non payment of scholarship under RGNF by the Bundelkhand University ,Jhansi ,Uttar Pradesh. After intervention of the Commission the matter was resolved.
- **File No. 16/6/HR/2015/ESDW:** Shri Hitender Kumar, Village & P.O. Chara Tehsil Bahadurgarh, District Jhajjar, Haryana, submitted a

representation regarding non payment of post matric scholarship by Shri Krishna Academy of Legal Education, Mewat Nagar, Alwar. After intervention of the Commission, the Academy released the Scholarship amount of ₹ 15,210/- to the petitioner.

- **File No. 16/103/Delhi/2014/ESDW:** Ms Chanda D/o Shri Bishan Das, Bhim Basti Jaunapur Mandi Gaon, New Delhi submitted a representation regarding non payment of Scholarship by the Delhi Govt. After intervention of the Commission, the scholarship of ₹ 11,229/- has been released to the petitioner.

*Note: In the above 6 cases ₹ 27,69,360/- as scholarship has been released to 6 Scheduled Caste students of 6 Institutes/Colleges by various State Governments.*

- **File No. 4/15/Scholarship/UP/2015-ESDW:** The Commission received 309 cases regarding non-payment of tuition fee , reimbursement of fees and scholarships to the Scheduled Caste students in various colleges / Universities of Uttar Pradesh. Out of 309 cases, in 79 cases the tuition fee and reimbursement of a total amount of ₹ 22,86,29,602/- has been released to 9457 SC/OBCs students of 72 Institute/Colleges after intervention of NCSC. In 20 other Colleges/Institutes the tuition fee and reimbursement to all the Scheduled Caste and OBC students have also been released.

In 11 cases, admission on zero fees were denied but after intervention of the NCSC, in 11 cases the admissions were subsequently given to all the students on zero fees. Recommendations to the state Government to solve the problems of the remaining students / cases were also issued.

- **F. No 16/19/Bihar /2016- ESDW:** Taking suo moto cognizance of press reports regarding threat of suicide by the 60 SC students, belonging to Bihar, studying at Rajdhani Engineering College, Bhubaneshwar regarding non-release of their scholarship, the matter was taken up by the Commission with the Chief Secretary, Government of Bihar and Chief Secretary, Government of Odisha. Odisha Government was asked not to terminate the students from the Rajdhani Engineering College and they vide their DO No. 9/PRS/SDTE dated 02.02.2016 have intimated that the College has been directed to ensure that the students are allowed to continue their study till

the matter is resolved. Governmentt of Bihar, as reported vide their letter No. 5/Dir.-scholarship-26-05/2005-3127 dated 10.03.2016, have released an amount of ₹ 51,58,830/- of scholarship to 80 students out of total 83 SC students of the said College.

**Land related :**

- **File No. 14/246/HR/2015/ESDW:** Shri Ratan Singh & others, Tehsil Ballabgarh, Faridabad Haryana, submitted a representation regarding possession of 100-100 metre plots . The issue was taken up with Deputy Commissioner, Faridabad and after intervention of the Commission the possession of land has been provided to the petitioners.
- **File No. 14/199/Raj/2015/ESDW:** Smt Jagwati W/o Shri Trilok Chand, Gurgaon, Haryana in her representation has alleged that her land has been encroached by another person. After intervention of the Commission, the Collector, reported that after the demarcation the encroachment of the land has been removed and possession has been given to the petitioner.
- **File No. 14/75/UP/2014/ESDW:** Shri Lokesh & Vipin S/o Shri Gulab, R/o Vilalge Baffar, District Meerut, Uttar Pradesh submitted a representation and stated that the neighbor has encroached their land. The case was taken up with the District Magistrate, Meerut Uttar Pradesh. After intervention of the Commission, the possession of land Khasra No. 710/2 m Rakba 0.379 has been provided to the petitioner and they were satisfied with the action.
- **File No. 14/42/UP/2014/ESDW:** Shri Sobh Nath, Village Khara, Tehsil Tiloi, District Amethi, Uttar Pradesh, submitted a representation regarding encroachment of land. The matter was taken up with District Magistrate, Amethi, Uttar Pradesh. After intervention of the Commission, the unauthorized encroachment alleged by the petitioner has been removed.
- **File No. 14/125/Raj/2013/ESDW:** Shri Payare Lal S/o Shri Shriram, Village Mundawar, Tehsil Mundawar, District Alwar, Rajasthan, submitted a representation regarding dispossession. The matter was taken up with Collector Alwar, Rajasthan. After intervention of the Commission, the possession of the land has been provided to the petitioner.

### **Benefit under SC Schemes**

- **File No. 14/135/HR/2015/ESDW:** Smt Mahindro Devi W/o Shri Guman Singh, Tehsil Guhla, Kaithal, Haryana, submitted a representation requested to the Commission for grant under the scheme of Indra, Avas, Yojna. After the intervention of the Commission, the Additional Deputy Commissioner, Kaithal informed that the first installment of ₹ 35,000/- has been released to the petitioner.
- **File No. 24/333/Misc/HR/2015/ESDW:** Shri Joginder Singh S/o Shri Prakash Singh, Tehsil Guhla Kaithal, Haryana, submitted a representation and requested for release of pension being handicapped person. The matter was taken up with Deputy Commissioner Katihal, Haryana and after intervention of the Commission, the handicapped pension has been sanctioned to the petitioner.
- **File No. 14/132/HR/2015/ESDW:** Shri Rajesh & others, District Jind, Haryana, has submitted a report regarding allotment of 100 metre plot under the Indra Avas Yojna. After intervention of the Commission the possession of a 100 metre plot have been given to the petitioner under the scheme.
- **File No. 14/216/HR/2015/ESDW:** Shri Rajesh Kumar & others, Tehsil & District Panipat, Haryana, submitted a representation regarding non allotment of 100 mtr plot under the Mahatma Gandhi Gramin Basti Yojna. On intervention of the Commission the possession of 100 sq mtr plots have been provided to them.
- **File No. 14/59/HR/2015/ESDW:** Shri Mehar Chand & others, Tehsil Thanesar, District Kurukshetra, Haryana submitted a representation regarding non allotment of 100 sq,yrd plot under the Mahatma Gandhi Gramin Basti,yojna. On intervention of the Commission, the possession of 100 sq yrd residential plots have been provided to the petitioners under the scheme.

### **Allotment of Petrol Pump**

- **File No. 19/20/UP/2015/ESDW:** Shri Chander Bhan S/o Shri Shyam Lal, Village Madhupur, Faizabad, Uttar Pradesh, submitted a representation regarding non allotment of petrol pump. After intervention of the Commission, the possession of the retail outlet at Tappal has been handed over to the petitioner by the Indian Oil Corporation.

### **Education**

- **File No.16/134/UP/2015/ESDW:** Shri Neeraj Kumar, Research Scholar Pt. Deen Dayal Upadhyay University, Gorakhpur, Uttar Pradesh, submitted a representation regarding non award of Ph.D Degree by the University. After intervention of the Commission, the Registrar of the University reported that the Ph.D Degree has been awarded to the petitioner on 09.05.2015.
- **File No. 16/172/Har/2015/ESDW:** Ms Rinku D/o Shri Subey Singh, Tehsil Guhla ,District Kaithal, Haryana, submitted a representation regarding denial of marksheet due to non payment of fee. The matter was taken up with Deputy Commissioner Kaithal, Haryana. After intervention of the Commission, the matter was resolved and the Certificate of 10<sup>th</sup> and 12<sup>th</sup> class has been provided to the petitioner.

### **Miscellaneous matters**

- **File No. 24/289/Misc/Har/2015/ESDW:** Shri Bishan Das Pradhan, Bhagwan Balmiki Ashram Sudhar, Samiti, Lal Darwaja, Sonapat, Haryana, submitted a representation and alleged that Municipal Corporation want to acquire shops situated in their Ashram. After intervention of the Commission the Haryana Government inaugurated a community center for Scheduled Caste person on the land.
- **File No. 24/170/Misc/UP/2015/ESDW:** Shri Vijay Pal Gutam, Mohala Lukh Peda Bagh Near Baba Girdhari Das Kutiya, Barabanki, submitted a representation for the removal of unsafe high power electricity line . The matter was taken up with the MD, Madhyanchal Electricity Distribution Corporation, U.P. After intervention of the Commission the unsafe high power electricity line has been removed.
- **File No. 24/168/Misc/Raj/2015/ESDW:** Shri Yogesh Atre, SC/ST Welfare & Development Society, R/o RZH-330 B, Street No 11, Palam Colony,

New Delhi submitted a representation and stated that Schedule Caste families were living at village Mohladia NH 8 Tehsil- Nimrana, Alwar for the last 50 years. The Administration has destroyed the houses of SC families on 9 & 10 May, 2015 for widening the road at NH-8, but has not rehabilitated the SC families till date and financial assistance has also not been given. The matter was taken up with the Chief Secretary, Government of Rajasthan, Distt Collector, Alwar, & NHA and after intervention of the Commission, the compensation of ₹ 10,30,657/- and 44 & 60 square mtr plots have been provided to the affected SC persons.

- **File No. 24/136/Misc/HR/2015/ESDW:** Shri Dalbir Singh S/o Shri Ajeet Singh & others, Tehsil Pehawa, District Kurukshetra, Haryana submitted a representation, alleging that persons have been elected as Sarpanch on False Caste Certificate. On the intervention of the Commission, an FIR has been lodged and Charge sheet has been also filed before the Honøble High Court.
- **File No.16/32/HR/2015-ESDW:** The President, Mahavir College of Education for Women Kurukshetra, Haryana submitted a representation regarding recognition of M.Ed Course in the Institute. The matter was taken up with National Council for Teacher Education, New Delhi. On intervention of the Commission, the order of recognition for the M.Ed Course has been issued for the College.
- **File No. 24/306/Misc/HR/2015/ESDW:** Shri Subhash Chand S/o Shri Tulsidas, Village Paulad Tehsil Sewan, District Kaithal, Haryana submitted a representation regarding non payment of labour charge of ₹ 63,000/-. The matter was taken up with Deputy Commissioner, Kaithal Haryana. After intervention of the Commission, all dues have been given to the petitioner.
- **File No. 15/4/UP/2014/ESDW:** Smt Anju Bala, R/o 6/229 Vipul Khand, Gomti Nagar, Lucknow, Uttar Pradesh submitted a representation and stated that she was allotted a DDA Flat Pocket D of Yamuna Block in Vasant Kunj. But DDA has charged excess amount of ₹ 31,2823/- of interest and ₹ 50,000/- stamp duty in registry of flat etc. The matter was taken up with DDA and after intervention of the Commission, the excess amount of ₹ 3.12 lakh (approx) has been transferred to the account of petitioner.

#### **4.7.2 In NCSC State offices**

##### **4.7.2.1 State Office, Agartala**

- **File No. 54/26/2015:** Shri Rampal Singh, Bhalukiatilla, Kunjaban, Agartala alleged that his neighbors were creating nuisance by throwing garbage, dirty water in front of his gate despite several requests to stop such activities. After intervention of the Commission the Agartala Municipal Corporation took necessary action in this regard and settled the issue.
- **File No. 54/17/2015-RU** Shri Jiban Lal Sarkar of Dhaleswar, Agartala alleged that his neighbor Shri Nalini Kanta Ghosh forcefully occupied half part of his entrance road of his house with bamboo and tins.. After intervention of the Commission the local P.S. enquired and solved the matter.
- **File No. 54/16/2015-RU:** Shri Biplab Ch. Sarkar, General Secretary of Tripura Tapasili Jati Suraksha Samiti, Agartala alleged that in Prachhya Bharati H.S. School, Agartala SC/ST students were not getting pre/post metric scholarship in time. After intervention of the Commission petitioner informed that the problem of the scholarship has been solved .

##### **4.7.2.2 State Office , Ahmedabad**

- **File No. NCSC/ABAD/G/16/ESDW/2015 :-** On 10-04-2015 a representation was received from Shri Vijay Govindbhai Vaghdlia, Ahmedabad regarding admission in Kendriya Vidyalaya. This office took up the matter with the Principal, Kendriya Vidhyalaya ,Ahmedabad. The case was successful and the boy was given admission.

##### **4.7.2.3 State Office, Bangalore**

- **File No. 48/09/2012-Ru** Dr.Ganga, BUMS, Raichur submitted a representation dated 18.10.2012 to this office through email regarding admission into M.D. (Unani). This office took up the case with the Director, National Institute of Unani Medicine, Bangalore and a reply received on 17.03.2015 states that petitioner is now pursuing a three year MD programme at the institute.
- **File No. 46/17/2012-Ru** Smt. InduDama submitted a representation regarding permission for converting her land to non agricultural purpose.

The Revenue Department has reported that the Govt. has given permission to the petitioner to sell the land.

- **File No. 48/01/2014-Ru** ShriIndhudar H.S., Mandya represented on 27.05.2014 regarding selection to FDA post. This office took up the case with the Director, Department of Technical Education and Principal Secretary, Education Department, Bangalore. On 29.05.2015 the petitioner informed this office that he had been selected for the post FDA and requested to close his case.
- **File No.46/20/2014-Ru** Smt. Basamma represented this office vide letter dated 16.07.2014 regarding atrocities on land dispute. This office took up the case with Tahsildar & TSWO, Kunigal. The DSWO, Tumkur vide letter dated 11.01.2016 stated that the petitioner has received monetary compensation for ₹ 1,06,198.

#### **4.7.2.4 State Office Chandigarh**

- **File No. 4-uk/4-2015 :-** On 31-10-2015 a representation was received from Shri Vijay Kumar Haldwani, Uttarakhand regarding the non payment of subsidy under Prime Minister Employment Scheme. This office took up the matter with State Bank of India, Haldwani on 23-02-2016. The case was successful and the subsidy with interest was credited to the account of the petitioner.
- **File No. 4-hry/30-2014 :-** On 31-07-2014 a representation was received from Sh. Ramniwas s/o Sh. Nafe Singh, Village Deohra, Dist Kaithal, Haryana regarding renewal of 70% physically disabled certificate and not 55%. The case was taken up with the Chief Medical Officer, Kaithal on 14-08-2014. The new certificate was issued on 17-04-2015.
- **File No. 4-hry/37-2014 :-** On 28-08-2014 a representation was received from all residents of SC basti, Village Bhagal, Dist Kaithal, Haryana regarding non availability of water facility. The case was taken up with the DC Kaithal on 08-09-2014. The water problem was resolved by putting separate pipeline.

- **File No. 4-hry/38-2014** :- On 03-09-2014 a representation was received from Smt. Mewa w/o Daler Village Bagal, Dist Kaithal, Haryana regarding non disbursement under Priyadarshini Scheme . The case was taken up with the Additional Deputy Commissioner, Kaithal on 09-09-2014.. The first installment of the Scheme was sanctioned of ₹ 25000/- on 20-11-2014.
- **File No. 4-hry/47-2014** :- On 06-09-2014 a representation was received from Smt. Kamala Devi, w/o Karansingh Village Pai, Dist Kaithal, Reminders were written on 11-11-2014 regarding non disbursement under Priyadarshini Scheme . The case was taken up with the Additional Deputy Commissioner Kaithal on 30-09-2014. and the first installment of the Scheme of ₹ 25000/- was sanctioned.
- **File No. 5-hry/4-2015** :- On 04-01-2015 a representation was received from Ms Madhubala d/o Sh. Diwan Singh, Dist Kaithal,Haryana, regarding renewal of 75% physically disabled certificate. The case was taken up with the Chief Medical Officer, Kaithal on 08-01-2014 .The new Certificate was issued.
- **File No. 4-hry/1-2015** :- On 22-01-2015 a representation was received from Sh. Narender Kumar, Ambedkar Nagar, Dist Karnal, Haryana, regarding non payment of amount for deputing on a exam duty in March 2013.. The case was taken up with the Secretary Haryana School Education Board, Bhiwani on 28-01-2015.The payment was made to the petitioner on 01-06-2015.
- **File No. 4-Pb/22/2014:** Ex. Hav. Hakam Singh s/o Sh. Ruldu Singh r/o Baba Ajit Singh Nagar, Zero Point, Nr. Air Force Station, Barnala, District Barnala, Punjab, submitted a representation to this office regarding charging of fee etc. from his ward by not treating his ward as SC candidate. The matter was taken up with the Deputy Commissioner, Kendriya Vidyalaya Sangthan. The authority of KVS informed this office that necessary changes have been made in the record in respect of ward of the petitioner and also excess fee charged has been refunded to him. Petitioner also submitted his satisfaction after settlement of the matter.
- **File No. 4-hry/24-2014** :- On 18-07-2014 a representation was received from Sh. Subhash Chand, Village Nara, District Panipat, Haryana regarding

relief to victim as per SC & ST (POA) Act 1989 . The case was taken up with the Deputy Commissioner Panipat on 18-07-2014. The relief of ₹ 3.75 lakh was paid to the victim.

#### **4.7.2.5 State Office, Chennai**

- **File No. 8/21/2015 Rep** Shri A. Jeyakumar, Villupuram District represented regarding request for sanction of Scholarship was referred to the Secretary & MD, T.N Power Finance & Infrastructure Development Corporation, Chennai vide this Office letter dated 9.2.2015 The petitioner informed that he has been sanctioned ₹ 6027/- as Scholarship from TUFIDCO, Chennai
- **File No.10/6/2015 Rep:** Smt.V.Sasikala, Chennai, represented regarding request for sanction of handicapped pension. It was referred to the District Collector, Kancheepuram District and the Secretary, Differently Abled Welfare Department, Petitioner informed that she was sanctioned the due pension.
- **File No.8/166/2014 Rep.**Shri. A.Thiyagarajan, Chennai represented regarding denial of TAHDCO loan by SBI .The matter was referred to the CGM, SBI, Local Head Office, Chennai and AGM, SBI, LHO, Chennai informed that TAHDCO loan of ₹ 4,32,000/- was sanctioned to the Petitioner.
- **File No.8/70/2014 Rep** Shri. M. Ezhumalai and Shri.S. Jeyapal, Chennai represented regarding denial of TAHDCO loan by Corporation Bank. The matter was referred to the Zonal Manager, Corporation Bank, Chennai vide letter dated 1.5.15 and DGM, Corporation Bank, Chennai informed that the TAHDCO loan was sanctioned to the petitioners.
- **File No. 8/182/2014 Rep:** Shri.K. Radhakrishnan, Cuddalore District represented regarding delay in sanction of education loan to his daughter by SBI. The matter was referred to the CGM, SBI, Local Head Office, Chennai vide letter dated 27.11.14 and the Chief Manager, SBI, Panrutti Branch reported that ₹ 3,67,500/- was sanctioned as education loan to the daughter of the petitioner.
- **File No. 8/75/2015 Rep:** Shri. M. Azhagarsamy, Thanjavur District represented regarding delay in sanction of education loan to his

daughter. The matter was referred to the Chairman & Managing Director, Indian Bank, Chennai vide letter dated 5.5.2015 and DGM, Indian Bank, Chennai informed that ₹ 1,20,660/- was sanctioned as education loan to the daughter of the petitioner.

- **File No. 10/43/2015** Rep Smt. Chitra Selvi, Vellore District represented regarding delay in sanction of marriage assistance to her daughter. The matter was referred to the District Collector, Vellore District. Petitioner informed that marriage assistance has been granted to her daughter
- **File No. 10/33/2014** Rep Shri. P. Kumar, Karur District represented regarding no supply of drinking water to SCs area. The matter was referred to the District Collector, Karur District vide letter dated 25.6.2014. The Assistant Director (Rural Development), Karur District informed that the water supply to the SCs area has been restored.
- **File No. 8/22/2014** Rep: Shri. M. Ravi, Thiruvannamalai District represented regarding delay in sanction of TAHDCO loan. The matter was referred to the Chairman & Managing Director, Indian Bank, Chennai vide letter dated 09.02.2015 and DGM, Indian Bank, Chennai informed that TAHDCO loan was sanctioned to the petitioner.
- **File No. 8/125/2015** Rep Shri. Girijapathi, Vellore District represented regarding non sanction of education loan to his daughter, The matter was referred to the Chairman & Managing Director, Indian Bank, Chennai vide letter dated 05.05.2015 and DGM, Indian Bank, Chennai informed that ₹ 96,000/- was sanctioned as education loan to the daughter of the petitioner
- **File No. 6/64/2015** Rep Smt.M. Kaleeswari, Dindigul District represented regarding issue of house site /patta, The matter was referred to the District Collector, Dindigul District vide letter dated 23.06.2015, who has informed that the patta has been issued to the petitioner.
- **File No. 6/62/2015** Rep Smt. Parasakthi, Thiruvannamalai District, represented regarding issue of house site patta. The matter was referred to the District Collector, Thiruvannamalai vide letter dated 23.06.2015 who informed that the patta has been issued to the petitioner.
- **File No. 10/60/2015** Rep Shri.S. Murugan, Thiruvannamalai District, District represented regarding non issue of ration card. The case was

referred to the District Collector, Thiruvannamalai vide letter dated 19.05.2015 who has informed that the ration card has been issued to the petitioner.

- **File No. 10/69/2015 Rep** Smt. Usha, Vellore District, District represented regarding renewal of ID card for 100 days job scheme. The matter was referred to the District Collector, Vellore vide letter dated 22.06.2015 & petitioner informed that all her grievances were solved by the District Administration.
- **File No. 4/88/2015 Rep** Shri. Yuvanesh Kannan, Theni District, represented regarding non-issue of education certificates by JKK Nataraja Engineering College, Namakkal District. The case was referred to the Principal of the College vide letter dated 09.09.2015 who informed that the original certificates were issued back to the petitioner.
- **File No. 10/110/2015 Rep** Smt.A.vJaya, Namakkal District represented regarding non-inclusion of her name in the legal heir certificate. Case was referred to the District Collector, Namakkal District vide letter dated 13.07.2015 and Tahsildar, Rasipuram informed that the petitioner was issued legal heir certificate.
- **File No.8/166/2015 Rep** Smt. Allirani, Vellore, represented regarding waiver of loan by Union Bank of India. Case was referred to the General Manager, Union Bank of India, Regional Office, Chennai on 25.08.2015 and AGM, Union Bank of India, Chennai informed that the loan of the petitioner has been settled under Special Settlement Scheme.
- **File No.8/157/2015 Rep** Shri.A. Sarangapani, Thiruvannamalai District represented regarding sanction of TAHDCO loan. Case was referred to the CGM, SBI, Local Head Office, Chennai vide letter dated 21.08.15 and SBI, Regional Office, Thiruvannamalai stated that the TAHDCO loan was sanctioned to the petitioner.
- **File No.10/150/2015 Rep** Smt. Vimala, Thiruvarur District represented regarding alleged malpractice in her S.B account by SBI, Case was referred to the CGM, SBI, Local Head Office, Chennai vide letter dated 25.08.15 and reply received from SBI, Regional Office, Thanjavur that the

petitioner's account was set right and the petitioner has withdrawn her complaint.

- **File No.5/58/2015 Rep** Shri.S. Ramesh, Tiruchirapalli District represented regarding posting order in TN State Transport Corporation. The issue was referred to the Managing Director, TNSTC, Kumbakonam, Thanjavur District vide this Office letter dated 16.09.2015 and TNSTC, informed NCSC that the petitioner has joined his duty as Junior Assistant
- **File No.8/181/2015 Rep** Shri. M. Rajasekar, Thiruvannamalai District, represented regarding delay in sanction of education loan by Bank of India. Matter was referred to the Zonal Manager, Bank of India, Zonal Office, Chennai on 21.09.2015 and Zonal Manager, Bank of India, Chennai informed that the loan has been approved.
- **File No.4/63/2015 Rep** Shri. E. Surendiran, Chennai represented regarding exorbitant school fees. The matter was referred to the Principal, Adarsh Matriculation School, Ponneri vide letter dated 08.06.2015. The petitioner informed that the school fees was reduced from ₹ 17,150/- to ₹ 2,000/- for his daughter.
- **File No.6/52/2015 Rep** : Shri.,A.,Thangavelu, the Nilgiris District, represented regarding discrimination in approval of housing plan. Case was referred to the District Collector, vide letter dated 11.06.2015 who informed that the building plan for the house of the petitioner has been approved by the Executive Officer of the concerned Panchayat.
- **File No.4/87/2015 Rep** Shri. R. Munusamy, Chennai, represented regarding request for issuance of attendance certificate to his daughter. The case was referred to the Principal, Srimath Sigagnana Balayya Swamigal, Tamil Arts & Science College, Mylam, Villupuram District vide letter dated 22.07.2015. Reply received from the Principal stated that the attendance certificate has been issued to the petitioner's daughter.
- **File No.10/11/2015 Rep** : Shri. T. Arivukarasan, Thiruvallur District, represented regarding non-issue of training completion certificate by TANGEDCO. Case referred to the Chairman, TANGEDCO, Chennai vide letter dated 03.07.2015 and reply was received from the Chief Engineer,

TANGEDCO, Chennai informing that the petitioner was issued with Apprenticeship Completion Certificate.

- **File No.8/67/2013 Rep** Shri. V. Rajesh, Vellore District , represented regarding alleged denial of TAHDCO loan by Indian Bank. Case was referred to the Chairman & Managing Director, Indian Bank, Chennai vide letter dated 27.09.2013 and DGM, Indian Bank, Chennai informed that TAHDCO loan of ₹ 5.50 lakh was sanctioned to the petitioner.
- **File No.7/174/2015 Rep:** Shri. S. Arumugam, Tirunelveli, represented regarding request for compensation for agricultural lands. Matter was referred to the Superintendent of Police, Tirunelveli District vide letter dated 30.10.2015 who informed that India Cements has agreed to pay ₹ 2.00 lakh as compensation to the aggrieved parties.
- **F. No. 10/99/2015 Rep:** Smt. S. Vasantha, Kanniyakumari District , represented regarding sanction of Old Age pension . Case was referred to the District Collector, Kanniyakumari District vide letter dated 27.10.2015 , who informed that the petitioner has been sanctioned Old Age Pension.

#### **4.7.2.6 State Office, Hyderabad**

- **F. No. 5/5/15/TS-RU:** Kum. Vandana Balanagar, Hyderabad got her original certificates after the intervention by this office.
- **F. No. 5/2/14/CG-RU:** Petition of Shri Prabhudas Meshram, student of Pandit Ravisankar University was resolved on 22.04.2015.
- **F. No. 5/3/14/CG-RU:**State Bank of India waived off ₹ 1,90,454/- from the tractor loan of Shri Baisakhuram, S/o Kahru, Umargaon Village, Kondagaon District, Chhattisgarh following intervention of the Office on 24.07.2015.
- **F. No. 5/13/15/AP-RU:**Shri N.S. Praveen Kumar, West Godavari got Ph.D. seat in ANGRU, Bapatla.
- **F. No. 5/10/15/TS-RU:**After intervention by this office Shri Bhalesh, Usirikapally, Medak District, got fee waiver for his two children studying in Kendriya Vidyalaya, Uppal under BPL quota.

#### **4.7.2.7 State Office, Kolkata**

- **File No. 4/1/2015-Gen/WB:** Shri Mahesh Choudhary ,P.O. Garulia, District North 24 Parganas, West Bengal, an OBC category candidate alleged that the joint CSIR-UGC exams are considering the OBC candidates as General candidate in regards to qualifying marks. After taking up the matter with the CSIR , report was received that, CSIR has started giving relaxation in cut off marks in qualifying examination to OBCs.
- **File No. 4/11/2015-Gen/WB:** Kumari Satardu Poddar of Habra, District North Parganas,, the petitioner studying for MBA in Hyderabad that he was being harassed by the P.O. cum D.W.O., B.C.W. Department, Barasat regarding submission of application form to P.O.cum DWO for scholarship. After intervention of the Commission, P.O. cum DWO advised the petitioner to submit the application form along with all enclosures immediately.
- **File No. 11/16/2015-Gen/WBA :** Kumari Disha Biswas of Bongaon subdivision, District North 24 Parganas, West Bengal represented that caste certificate is not being issued by the SDO, Bongaon even after lapse of more than two years. After intervention of the Commission, the SDO issued the certificate and informed the Commission.
- **File No. 11/17/2015-Gen/WB :** Petitioner Kumari Tina Biswas of Bongaon subdivision, District North 24 Parganas, West Bengal, stated that the SDO, Bongaon did not issue SC caste certificate . After intervention of the Commission, the SDO issued the SC caste certificate to the petitioner and informed the Commission.
- **File No. 11/24/2015-Gen/WB:** - Petitioner Shri Bikash Bala of Bongaon subdivision, District North 24 Parganas, West Bengal, alleged that the SDO, Bongaon was not issuing duplicate caste certificate as his caste certificate has been lost. After intervention of the Commission, the SDO, Bongaon issued duplicate caste certificate in favour of the petitioner.

**4.7.2.8 State Office , Lucknow :**

- **File No. 4/257/2015-Gen. :** Shri Shivcharan & others, R/o village Narayanpur, Post Harivanshpur, Tahsil Harriya, Basti represented regarding encroachment on their land. District Administration, Basti took action against the encroachers under Section 115C.
- **File No. 4/267/2015-Gen. L** Shri Kaloo S/o Shri Jurakhan, R/o Village Baghari, Majra Bholi, Tahsil Hasanganj, Unnao represented regarding possession of land. DM, Unnao reported that the possession of land has been given to petitioner after demarcation.
- **File No. 4/352/2015-Gen. :** Shri Ramsevak S/o Late Shri Manbodh, R/o Village Patna Mubarakpur, Post Ahti Bidhar, Tahsil Aalapur, Ambedkar Nagar represented regarding possession of land. DM, Ambedkar Nagar reported that the possession of land was given to petitioner after demarcation.
- **File No. 4/452/2015-Gen. :** Shri Kailash Nath S/o Shri Sukhvasi Lal, R/o Village Bheekdev, Post Kahijari, District Kanpur Dehat reported. According to DM, Kanpur Dehat report dated 14.08.2015 the possession of land has been given to petitioner after demarcation.
- **File No. 4/493/2015-Gen. :** Shri Ramu S/o Shri Fakire Pasi, R/o Village Behlva, Tahsil Bhinga, Shravasti represented regarding possession of land. DM Shravasti report dated 18.08.2015 stated the possession was given to petitioner after demarcation.
- **File No. 4/516/2015-Gen. :** Smt. Manju and others, R/o Village Gajari, Thana Jansa, Varanasi represented regarding possession of land. DM, Varanasi report dated 03.08.2015 stated that the possession was given to the allottees.
- **File No. 4/563/2015-Gen. :** Shri. Ram Gautam S/o Late Shri Medairam, R/o Village Palia, Post Eesapur, Thana Sarpatha, Jaunpur represented regarding allotment of land. DM, Jaunpur report dated 09.10.2015 stated that the possession was given to the allottees.
- **File No. 4/583/2015-Gen. :** Smt. Jagpata W/o Shri Nanelal, Sakin Gouria, Post Piperia, Tahsil Kaiserganj, Bahraich represented regarding possession

of land. DM, Bahraich report dated 24.09.2015 stated the possession was given to petitioner after demarcation.

- **File No. 4/625/2015-Gen.** : Shri Jaiveer & others, R/o Village Dehna Manihar, Thana Allahganj, Shahjahnpur represented regarding allotment of land . According to report of DM, Shahjahnpur dated 08.10.2015 the possession was given to allottees after demarcation.
- **File No. 4/257/2015-Gen.** : Shri. Ram Gautam S/o Late Shri Medairam, R/o Village Palia, Post Eesapur, Thana Sarpatha, Jaunpur represented regarding allotment of land. According to report of DM, Jaunpur dated 09.10.2015 the possession was given to the allottees.

**On receipt of representations from dependents in 8 cases of death of SC persons, these cases were also taken up by the NCSC State Office, Lucknow. Additional financial assistance of ₹ 32.50 lakh, was sanctioned by the Government from the Chief Ministers Relief Fund, to the families of the deceased ,after the cases were followed up by the NCSC at the district level.**

- **File No. 3/1153/2015-Gen.** : Case of Smt. Arti Gujar W/o Late Shri Anil Kumra, Inspector, Police Pratapgarh. Compensation of ₹ 20,00,000/- given to family from CM Relief Fund.
- **File No. 4/559/2015-Gen.** : Case of Smt. Madhu W/o Shri Viredra Pasi, R/o Budu Babu ka hata Fajalganj, Near Petrolpump, Kanpur. Compensation of ₹ 2,00,000/- given to family from CM Relief Fund.
- **File No. 5/146/2015-Gen.** : Representation of Smt. Bhullar Devi W/o Late Shri Rajesh Sonkar, R/o village Nai Bajar, Tahsil Chunar, Mirzapur. Compensation of ₹ 5,00,000/- given to dependents from CM Relief Fund.
- **File No. 5/256/2015-Gen.** : Representation of Smt. Sampat W/o Late Shri Rajul, R/o Village and Post Pachkhura Bugurg, Thana Sumerpur, Hamirpur. Compensation of ₹ 1,00,000/- given to dependents from CM Relief Fund.
- **File No. 5/264/2015-Gen.** : Representation of Smt. Kailashi Devi W/o Late Shri Lalji, R/o Village and Post Pachkhura Bugurg, Thana Sumerpur,

Hamirpur. Compensation of ₹ 1,00,000/- given to dependents from CM Relief Fund.

- **File No. 5/284/2015-Gen.** : Representation of Smt. Anita W/o Late Shri Baloo Kori, R/o Village and Post Tera, Thana Sumerpur, Hamirpur, Compensation of ₹ 1,00,000/- given to dependents from CM Relief Fund.
- **File No. 5/314/2015-Gen.** : Representation of Smt. Madhuri W/o Late Shri Manoj Kumar, R/o Village Bade Amiliya, Ward No. 3, Kasba Sumerpur, Hamirpur, Compensation of ₹ 50,000/- given to dependents from CM Relief Fund.
- **File No. 7/88/2015-Gen.** : Representation of Smt. Prabha Devi W/o Late Shri Rakesh Kumar, R/o Village and Post Pachkhura Bugurg, Thana Sumerpur, Hamirpur. Compensation of ₹ 2,00,000/- given to dependents from CM Relief Fund.

#### **4.7.2.9 State Office, Patna**

- **File No. 1/7/2015-B** : Shri Jai Kishore Paswan, Village Kanti Kaswan, P.S Kanti, District Muzaffarpur, Bihar, represented regarding rectification of his name on the certificate issued by the Intermediate Council, Bihar, Patna. The Commission took up the matter with the Secretary, Bihar School Examination Board, Patna for necessary action. The Bihar School Examination Board, Patna issued the correct certificate.
- **File No. 1/18/2015-B**: Shri Surjit Mandal, Scientist, ICAR, Patna represented regarding sanction of study leave. The Commission took up the matter with the Director, ICAR, Patna for necessary action in the matter. It was informed that the petitioner has been relieved on study leave.
- **File No. 1/15/2015-J**: Shri Umashankar Das, Village Lohianagar, Distt. Godda, Jharkhand, represented regarding non payment of scholarship. The Commission took up the matter with the Secretary, Jharkhand Intermediate Education Council, Ranchi for necessary action in the matter. It was informed that the case has already been referred to Ambedkar Foundation, New Delhi for payment of scholarship.
- **File No. 1/27/2015-B** :Shri Chandan Kumar, Village and post Kako, District Jahanabad, Bihar represented regarding denial of returning the

original educational certificates by Institute. The Commission took up the matter with the management of the related institute. It was informed by the petitioner that he has got his certificates.

- **File No. 3/27/2014-B :** Shri Ramdeo Paswan, village Manikpur, PS Kanti, District Muzaffarpur, Bihar represented regarding illegal possession of land. The Commission took up the matter with the SSP, Muzaffarpur. The SSP, Muzaffarpur informed the Commission that problem of petitioner has been sorted out.

#### **4.7.2.10 State Office Pune**

- **File No. NCSC/Pune/06/2014/ESDW :** Shri. Deepak Sute had submitted a representation on 11/01/2014, regarding non-refund of admission amount and admission papers by the college authorities. The matter was taken up on 29.01.2014 with Secretary of the Institute and the Assistant Commissioner Social Welfare, Nagpur who had intimated the documents were returned and the amount is also refunded.
- **File No. NCSC/Pune/24/2015-ESDW:** Shri Sanjay Vhavale had submitted a representation to the commission regarding non-payment bill amount by the CEO. The matter was taken up with the CEO ,Parali Vaijnath, on 20/3/2015. CEO vide his letter dated 13/5/2015 had intimated that the due amount is paid to the petitioner.

#### **4.7.2.11 State Office, Thiruvananthapuram**

- **File No. KL/15/O/Misc/13/2015** Shri. Ratheesan, Kottayam submitted a representation requesting for necessary action on polluting of his drinking water source. The matter was taken up with the Director of Panchayath for necessary action, the reply states that the opposite party was given notice to stop all further works in construction of toilet as they had not maintained stipulated distance in toilet construction from petitioner's well,.
- **File No. KL/15/O/Misc/28/2015:** Smt. P.K. Sharadha, Alppuzha submitted a representation requesting for necessary action in connection with financial assistance for housing, drinking water facility and waiver of the loan

amount. The matter was taken up with the District Collector, Alappuzha and Director, SC Department and reply received states that petitioner's son was allotted land during 2014-15. Also action has been initiated to install common tap nearby petitioner's house. During 2015-16 the petitioner was included for domestic drinking water project and also included her name in waive off loan scheme.

- **File No. KL/15/O/Misc/45/2015** : Shri. Shanmugan, Pattambi submitted a representation requesting for necessary action to waive off the loan amount taken from Agricultural Co-Operative Bank. The matter was taken up with the Registrar, Co-Operative Societies and reply received from the concerned they have decided to stop the revenue recovery process and all other further proceedings in this regard.
- **File No. KL/15/O/Misc/58/2015**: Shri. G.R. Reghunathan, Trivandrum submitted a representation requesting for necessary action as the medical engineering result of his son was withheld for want of Caste Certificate. The matter was taken up with the Entrance Commissioner, Trivandrum for necessary action and reply received states that after anthropological enquiry KIRTADS recommended to allow SC status to petitioner. He has been admitted to professional course in 2015.
- **File No. KL/15/10/2014(HQRS)**: Shri. Sajeev Soman & Samkutty, Idukki submitted a representation requesting for necessary action as the accused person hindered pathway of habitants of Anappallam, SC Colony. The matter was taken up with the District Collector, Idukki for necessary action and reply received stated that hindrance to access to road in the SC Colony is solved.

#### **4.8 Atrocity related matters**

The Commission received a large number of cases in the APCR and a total of 1246 cases relating to this sector were disposed in the Commission headquarters and 2676 cases were closed in State Offices. A few interesting and successful cases are enumerated below:-

Sr no	Subject	No. of Successful cases at HQ	No. of Successful cases at State Offices
1	Harassment	12	66
2	Rape	6	15
3	Greivious Hurt	2	5
4	Land Conflict	6	2
5	Temple entry/Social Byocott	1	2
	Murder	10	15
	Arson/Robbery	4	5
	<b>Total</b>	<b>41</b>	<b>110</b>

#### 4.8.1 In NCSC Headquarters

- **File No. Har/423/2015-APCR:** Shri Balwant, Kaithal, Haryana had complained that on 23.12.2015 his son was humiliated and harassed by Police. Later on, his son was found dead. Due to intervention of the Commission compensation of ₹ 5,67,500/- was paid.
- **File No. UP/292/2015-APCR:** News clipping appearing in "Amar Ujala" reporting rape with minor SC girl in Badaun. Due to intervention of the Commission, all the accused were arrested, charge sheet was filed in the Court and compensation of ₹1,80,000/-was sanctioned.
- **File No. UP/311/2015-APCR:** Shri Raj Bahadur and others, Etah, UP had complained of rape and murder of an SC girl. Due to intervention of the Commission, a case u/s 366/ 302/ 354/ 376 D of IPC and 3(2) 5 of POA Act was registered, 4 accused were arrested charge-sheet was filed and financial relief of ₹ 2, 81,250 was provided.
- **File No. Har/414/2015-APCR:** Shri Salinder Kumar, Karnal, Haryana had complained of caste abuse and police harassment. Due to intervention of the Commission action under POA Act was taken and the accused were arrested.
- **File No. Har/207/2015-APCR:** Smt. Kavita, Hisar, Haryana had complained of forgery in case of land, caste abuse and threats to be killed. Due to intervention of the Commission the petitioner got the possession of her land and the matter was resolved successfully.

- **File No. Har/298/2015-APCR** Shri Jai Narain, Mahendergarh, Haryana had complained of illegal encroachment on his land. Due to intervention of the Commission the petitioner got the possession of his land and the matter was resolved successfully.
- **File No. Har/28/2015-APCR** Ms. Dulari Devi, Palwal, Haryana had complained of illegal encroachment on land. Due to intervention of the Commission, sale deed was executed, the petitioner got the possession of her land and the matter was resolved successfully.
- **File No. Har/54/2015-APCR** Smt. Sunita, Mewat, Haryana had complained of kidnapping and rape of her minor daughter. Due to intervention of the Commission, all the accused were arrested and the matter was resolved successfully.
- **File No. UP/599/2015-APCR** Sh. Kewal Ram, Azamgarh, UP had complained of illegal encroachment on land. Due to intervention of the Commission, the encroachers were evacuated from land and the petitioner got the possession of his disputed land and the matter was resolved successfully.
- **File No. UP/120/2015-APCR** : Sh. Charan Singh, Gautam Budh Nagar, UP had complained of illegal encroachment on land. Due to intervention of the Commission, all the three disputed plots were demarcated in the presence of the petitioner and the matter was resolved successfully.
- **File No. Delhi/14/2014-APCR:** Smt. Labang Lata Sahana, Uttam Nagar, Delhi had complained of illegal encroachment on land. Due to intervention of the Commission, a case u/s 3 of POA Act was registered, charge-sheet was filed and the matter was resolved successfully.
- **File No. UP/293/2015-APCR:** Shri Satpal, Gautam Budh Nagar, UP had complained of beating and humiliation by use of caste based derogatory words. Due to intervention of the Commission, a case u/s 147/148/149/323/336 IPC and 3(1)10 of POA Act was registered, charge-sheet was filed and the matter was resolved successfully.
- **File No. Delhi/487/2014-APCR:** Shri Avinash B Dhargave, Chief Physiotherapist, AIIMS, New Delhi had complained of caste based

discrimination and harassment. Due to intervention of the Commission, his grievances were redressed and the matter was resolved successfully.

- **File No. UP/142/2014-APCR:** Shri Subhash, Shamli, UP, had complained of rape of his wife and threats being given to her to be killed. Due to intervention of the Commission, a case u/s 376/506 IPC and 3(2)5 of POA Act was registered, accused was arrested, charge-sheet was filed and the matter was resolved successfully.
- **File No. UP/394/2014-APCR:** Shri Hariram, Ghaziabad, UP had complained of harassment and kidnapping of both his daughters. Due to intervention of the Commission, both the girls were recovered and the matter was resolved successfully.
- **File No. Delhi/157/2015-APCR:** Ms. Manju and Others, Gokalpuri, Delhi had complained of humiliation and harassment by use of caste based derogatory words. Due to intervention of the Commission, the matter was resolved amicably and successfully between both the parties.
- **File No. Delhi/115/2015-APCR:** Shri Beg Ram Singh, Kondli, Delhi had complained of beating, and humiliation. Due to intervention of the Commission, case u/s 323/341/34 IPC was registered, the main accused was arrested and the matter was resolved amicably and successfully.
- **File No. Delhi/110/2015-APCR:** Shri Jage Ram Singh, Hiran Kunda, Delhi had complained of beating and humiliation by use of caste based derogatory words. Due to intervention of the Commission, case u/s 107/1167,150 Cr PC was registered, local irritants were removed and the matter was resolved successfully.
- **File No. UP/308/2014-APCR:** Dr. Govind Babu, Baghpat, UP had complained of beating and humiliation by use of caste based derogatory words. Due to intervention of the Commission, the petitioner's suspension order was revoked, his grievances were redressed and the matter was resolved successfully.
- **File No. UP/633/2015-APCR:** Sh. Chaman, Amroha, UP, had complained of beating and humiliation by use of caste based derogatory words. Due to intervention of the Commission, the matter was resolved amicably and successfully between both the parties.

- **File No. UP/370/2015-APCR:** Sh. Brij Bansh Nath Anchal, Baghpat, UP had complained of humiliation and harassment of his wife working in PNB, Bansi Branch, Lalitpur, UP, by her manager. Due to intervention of the Commission, the petitioner's wife was transferred to another branch, her grievances were redressed and the matter was resolved successfully.

#### **4.8.2 In NCSC State offices**

##### **4.8.2 .1 State office Ahmedabad**

- **12/F/24/G/2013-Res :-** On 05-08-2013 suo moto cognizance was taken of a press clipping from Gujarat Samachar, Ahmedabad regarding murder of youth. This office took up the matter with the Commissioner of Police, Ahmedabad on 07-08-2013. FIR with POA Act was lodged.
- **12/F/27/G/2014-Res :-** On 03-05-2014 a representation was received from Shri Mahesh Kanjibhai Sonara, Ahmedabad regarding attack by Bharwad communities. This office took up the matter with the Commissioner of Police, Ahmedabad on 13-05-2014. The case was successful as the legal action was taken.
- **12/F/96/G/2014-Res :-** On 12-11-2014 a representation was received from Shri Mukesh Khodabhai Solanki, Village Malika, District Surendranagar requesting police protection. This office took up the matter with the Collector, DSP and District Backward Class Welfare Officer, Surendranagar on 20-11-2014. The petitioner was given police protection.
- **NCSC/ABAD/G/83/2015-APCR :-** On 18-08-2015 a representation was received from Smt. Silpaben Vaghela, Ahmedabad regarding abusing of words and threaten to kill on caste basis. This office took up the matter with the Commissioner of Police, Ahmedabad on 19-11-2015. After intervention by the Commission the legal action was taken.

##### **4.8.2.2 State Office, Bangalore:**

- **File No: 23/1/2014-Ru:** Suo moto cognizance was taken of press clipping regarding boycott at Kagganahalli village.Kolar district. and matter was

taken up with the Principal Secretary and the Commissioner, Social Welfare Department. The State Government had replied that spot visit had been conducted by the DSWO and took necessary remedial action by providing groceries for a month and FIRs lodged against the accused.

- **File No: 49/23/2014-Ru:** Smt.Sarojamma, Mandya submitted a representation dated 28.05.2014 to this office regarding atrocity by upper caste people. This office took up the case with ADGP.The culprits were arrested and compensation had been paid to Smt. Sarojamma.
- **File No: 23/03/2011-Ru:** Suo moto cognizance was taken of press reports regarding dalits living in constant fear in Tumkur . The matter was taken up with district authorities. The DSWO replied that compensation had been paid.
- **File No: 49/34/2015-Ru:** Shri M.Nithya, BE, KGF regarding delay in issue of 2<sup>nd</sup> class manager certificate from Mining Department. This office took up the matter with concerned authorities.The petitioner vide letter dated 3.08.2015 stated that after the intervention of NCSC he got his certificate.

#### **4.8.2.3 State Office, Chandigarh**

- **File No. 2-chd/23/2015:-** On 25-08-2015 a representation was received from Aadwanchi Veer Sena, Delhi regarding Police action and arrest of the murder case of Shri Rohtash kumar. This office took up the case with the SSP, UT Chandigarh on 14-09-2015. After NCSC's intervention IPC 302 and POA Act 1989 were added in the FIR number 355.
- **File No. 2-hry/93-2014 :-** On 04-07-2014 a representation was received from Sh. Chandaram r/o Dodakhedi, Dist Kurukshetra regarding abuse on caste basis . The case was taken up with the SP, Kurukshetra on 09-07-2014. The FIR no 63 dated 13-03-2015 under POA Act 1989 was registered.
- **File No. 2-hry/183-2014 :-** On 16-10-2014 a representation was received from Smt Suman w/o Sh. Sampat village Atela, Dist Bhiwani regarding attempt to rape and attack on family of victim . The case was taken up with

the SP, Bhiwani on 17-11-2014. In the FIR IPC 452, 325, and POA Act 1989 were added and the accused were arrested.

- **File No. 2-hry/220-2014** :- On 13-12-2014 a representation was received from Shri Sandeep Singh, village Tigarana, Dist Bhiwani regarding cheating on the name of providing job by taking ₹ 20000/- . The case was taken up with the SP, Bhiwani on 12-01-2015 and the ₹ 20000/- was returned back to the petitioner.
- **File No. 2-hry/16-2015** :- On 18-02-2015 a representation was received from Sh. Ashok Kumar, village Batod, Dist Panchkula regarding caste based humiliation and beating. The case was taken up with the Dy CP Panchkula on 26-02-2015 , case was registered under the POA , Act.
- **File No. 2-Pb/154/2014** : On 13-11-2014 Ms. Reeta Kumari d/o Sh. Shriram Ram SCF-10, G.F. Phase-III, Mohali submitted a complaint in which she stated that she is being harassed by abuse on caste basis and threats. The matter was taken up with SSP, Mohali. The police informed to this office that the matter has been settled and petitioner does not want any further action and now she is satisfied with the police enquiry.
- **File No. 2-Pb/137/2015** : Ms. Satya r/o Panaam, Tehsil Garhshankar, District Hoshiarpur submitted a representation regarding cheating and sexual harassment. The matter was taken up with SSP, Hoshiarpur. Police informed that the matter had been settled amicably and petitioner does not want any further action.
- **File No. 2-Pb/49/2014** :- Shri Gulzar Singh s/o Sh. Kala Singh r/o Vill. Jaspal, Tehsil Baba Bakala, District Amritsar gave an application about the litter in front of the residences of SCs. The matter was taken up with the Deputy Commissioner, Amritsar who replied that garbage has been removed and the petitioners are satisfied..
- **File No. 2-Pb/72/2014** :- Shri Ajaib Singh, Mandi Supervisor, Market Committee, Mansa submitted an application regarding abuse on caste basis by his colleague. The matter was taken up with SSP, Mansa. Police informed to this office the complainant do not want any enquiry, the matter has been settled amicably.

#### **4.8.2.4 State Office, Chennai**

- **File No. 1/301/2014 Rep ;** Shri.P.Anbazhagan, Karur District alleged atrocity which was referred to the SP Karur District vide letter dated 28.5.2014 who replied ₹ 15000/- has been paid to the victim as financial compensation , FIR under POA Act & IPC filed, 3 accused arrested and chargesheet filed.
- **File No. 1/313/2011 Rep:** Denial of Temple entry at Uthamapalayam, Tiruppur District was taken up with the SP, Tiruppur District and was continuously followed up State Office, Chennai The District Collector, Tiruppur District informed that ₹ 12,500/- has been paid to each of the 143 victims. Total ₹ 17,87,500/-, paid as financial compensation , FIR under POA Act & IPC sections filed,11 accused arrested and chargesheet filed.
- **File No. 3/18-A/Theni/2014 Res.:** In the case of torching of 7 SC houses and injuring of 5 in Theni District. ₹ 5000/- was paid to each of 2 families and ₹ 2,500/- was paid to each of the 7 families as immediate relief. Further, the District Collector, Theni District informed that ₹ 15,000/- has been paid to each of 5 victims (amounting to ₹ 75,000) and a further amount of ₹ 1,31,360/- was paid to the victims for the damage done to their houses, FIR under POA Act & IPC sections filed, 14 accused arrested and chargesheet filed.
- **File No. 3/30/Tirunelveli/2014 Res.:** In the case of 3 SCs were killed due to denial of pathway to grave yard. On pursuance , the District Collector, Tirunelveli District replied that immediate monetary relief ₹ 3.75 lakhs for each of the 3 families. Total ₹ 11.25 lakh paid as financial compensation , FIR under POA Act & IPC sections filed, 3 accused arrested and chargesheet filed.
- **File No. 3/39/Karur/2014 Res.:** In the case of the rape and murder of an SC girl., K.Pitchampatti Village, Karur District. ₹ 1,87,500 was paid to the victim's family as monetary relief by the District Administration, FIR under POA Act & IPC sections filed.
- **File No. 3/56/Tirunelveli/2014 Res.** In the case of the murder of 2 SCs at Kommanthanallur Village, Tirunelveli District. It was informed that

₹ 5.60 Lakhs each was paid to the families of 2 SC victims .Total ₹ 11.20 lakh was paid as financial compensation , FIR under POA Act & IPC sections filed, 8 accused arrested and chargesheet filed.

- **File No. 3/2/Dindigul/2015 Res:** In the case of the alleged rape of minor SC girl at Nadumangalam village, Dindigul District. Financial relief of ₹ 1.80 lakh was paid as financial compensation , FIR under POA Act, POSCO Act & IPC sections filed, 1 accused arrested and chargesheet filed.
- **File No. 3/8/Krishnagiri/2015 Res.:** In the case of the atrocity on 2 SC youths where allegedly group urinated in the SC youths mouths at Karuvanur village, Krishnagiri District .It was informed by the District Collector, Krishnagiri District that an amount of ₹ 22,500/- was paid to each of the two victims who were injured in the incident, FIR under POA Act & IPC sections filed, 6 accused arrested and chargesheet filed.
- **File No. 1/301/2015 Rep:** In the case of Shri.P. Anbazhagan, Karur District in alleged atrocity by non-SCs. Matter was referred to the SP, Karur District on 28.05.2014. It was informed by the District Adi Dravidar & Tribal Welfare Officer, Karur District that the victim was paid ₹ 15,000 /-as monetary relief.
- **File No. 1/183/2014 Rep:** Representation of Smt. Chellammal, Namakkal District , on alleged atrocity and abuse on caste basis. Matter was referred to the SP, Namakkal District vide on 16.4.2014 who informed that ₹ 15,000 /- paid as financial compensation , FIR under POA Act & IPC sections filed, 1 accused arrested and chargesheet filed.
- **File No. 3/32/Tiruppur/2015 Res:** Case of the rape of an SC girl by the Mill manager was referred to the District Collector/ SP and Commissioner of Police, Tiruppur District on 01.09.2015. Letter received from the District Collector, Tiruppur District informing that the victim was paid ₹ 90,000/- as monetary compensation , FIR under POA Act , POSCO Act & IPC sections filed,1 accused arrested and chargesheet filed.

#### **4.8.2.5 State Office, Hyderabad:**

- **F. No. 3/98/14/AP-RU:** Kum. Sujatha, rape victim from Visakhapatnam was sanctioned ₹ 90000/- as monetary compensation by Collector & Dist.

Magistrate, Ranga Reddy District , FIR including provisions of POA Act was registered and accused arrested after the intervention by the office.

- **F. No. 3/48/15/AP-RU:** Shri Degala Ramesh ,Macherla, Guntur was sanctioned ₹ 5,62,500/- as monetary compensation for murder of his father, FIR including provisions of POA Act was registered and accused arrested after the intervention by the office.
- **F. No. 3/55/15/TS-RU:** On representation by the victim's brother , the Commission took up the case with DM Medak. After intervention of this office, ₹ 2,81,250/- as compensation to children of murder victim Smt. V. Bharatamma, r/o Kallakal village, Toopran Mandal was sanctioned on 03.03.2016.
- **F. No. 7/11/15/TS-RU:** Police investigated, arrested accused and chargesheeted the case in Cr. No. 223/2015 of PS Suryapet after victim Shri Perumalla Siva approached this office.

#### **4.8.2.6 State Office, Kolkata:**

- **File No. 2/8/2015-Gen/WB :** Shri Dulal Das , Santoshpur, Kolkata had complained regarding mischief played by other flat owners on his motor cycle which is parked in the premises of his flat. After intervention of the Commission, the matter was sorted out and the petitioner expressed his satisfaction on action taken by the NCSC.
- **File No. 2/30/2014-Gen/WB :** Shri Bamapada Khetrapal and others ,Devipur, District Burdwan, West Bengal complained about preventing cultivation by them and forcible taking of paddy by the non-SC neighbours. Due to intervention of local office of the Commission, a case under POA Act is being registered .

#### **4.8.2.7 State Office Lucknow**

- **File No. 3/379/2015-Gen. :**Sri Raghwan S/o Tulsi Ram, Village Purabhuwal Patti, Post Patti Chakesar, PS Kotwali, ,Jaunpur submitted a representation on 30.03.2015 alleging that he was beaten up by some

person. This office forwarded his representation to SP Jaunpur on 15.04.2015. As result of that FIR under POA Act was lodged and charge sheet was submitted against accused. Financial compensation of ₹ 22,500 was given to victim through e-payment.

- **File No. 3/403/2015-Gen** Smt. Meeta Jatav w/o Sri Posaki Lal, Village Nayi Bast Upper Para Sunder Nagar Lalpur, PS Kotwali, Badaun submitted a representation on 20.20.2015 alleging that her daughter was abducted and raped. This office forwarded his representation to SSP Badaun. As result of which FIR under POA Act and POSCO Act was lodged & charge sheet was submitted against accused. Financial compensation of ₹ 90,000 was given to victim through e-payment.
- **File No. 3/444/2015-Gen** :Shri Rajan Kumar S/o Late Hardev Gautam, Village Tripurarapur PS Mahrajganj, Azamgarh submitted a representation on 13.04.2015 alleging that he was beaten up and derogatory remarks against him and his family passed by accused. This office forwarded his representation to SP Azamgarh. FIR under POA Act has been lodged and charge sheet was submitted against accused. Financial compensation of ₹ 15000 was given to victim through e-payment on 01.09.2015
- **File No. 3/446/2015-Gen**: Tara Devi D/o Sri Ramswaroom Mahor, H.N.-54 Katra Balsing PS Kotwali. Etawah submitted a representation on 13.04.2015 alleging that her daughter was beaten up and raped. This office forwarded his representation to SSP Etawah. As a result of which FIR under POA Act was lodged & charge sheet was submitted against accused. Financial compensation of ₹ 50,000 was given to victim through E-Payment
- **File No. 3/470/2015-Gen** :Smt Rita Devi W/o Sri Vijay Kumar, Village Bhaluhia PS Kotwali Dehat, Balrampur submitted a representation on 07.05.2015 alleging beating and arson in her house. This office forwarded her representation to DIG, Devi Patan Mandal, Gonda. As a result of which FIR under POA Act was lodged & charge sheet was submitted against accused. Financial compensation of ₹ 90,000 to each victim (₹ 1, 80,000) was given.

- **File No. 3/616/2015-Gen:** Smt. Sribhawati W/o Sri Ram Daur, Village Mathura Nagar PS Farenda, Mahrajganj submitted a representation on 04.06.2015 alleging that she was beaten up and derogatory remarks passed against her. This office forwarded her representation to SP, Mahrajganj. As a result of which FIR under POA Act was lodged & charge sheet was submitted against accused. Financial compensation of ₹ 22,500 to victim was given on 13.08.2015 through e-payment.
- **File No. 3/630/2015-Gen:** Sri Hausila Prasad S/o Sri Hari Ram, Village Nasirpur Kaithi PS Malipur, Ambedkar Nagar submitted a representation on 02.06.2015 alleging that he and others were beaten up. This office forwarded his representation to SP, Ambedkar Nagar. As a result of which FIR under POA Act was lodged & charge sheet was submitted against accused. Financial compensation of ₹ 22,500 to each 09 victims (total ₹ 2,02,500) was given through e-payment.
- **File No. 3/743/2015-Gen :** Smt. Shyamkali W/o Sri Chhote Lal, Village Sarai Daud PS Phoolpur, Allahabad submitted a representation on 19.06.2015 alleging that she was beaten up and derogatory remarks passed against her. This office forwarded his representation to SSP, Allahabad. As a result of which FIR under POA Act was lodged & charge sheet was submitted against accused. Financial compensation of ₹ 22,500 was given through e-payment.
- **File No. 3/763/2015-Gen:** Smt. Sita Devi W/o Jagat Pal Jatav, Village Jattipur PS Jahanbad, Pilibhit submitted a representation on 09.07.2015 alleging that she was beaten up and derogatory remarks passed against her. This office forwarded her representation to SP Pilibhit. As a result of which FIR under POA Act was lodged & chargesheet was submitted against accused. Financial compensation of ₹ 1,87,500 to victim's family was given.
- **File No. 3/961/2015-Gen :**Sri Satish Kumar Gautam, Ex. MLA Secretary UP Congress Committee, Lucknow submitted a representation on 10.09.2015 alleging that in Afzalgarh Area Bijnaur District,a scheduled girl was molested in her school. This office forwarded his representation to SP Bijnaur. As a result of which FIR under POA Act and POSCO Act was

lodged & chargesheet was submitted against accused. Financial compensation of ₹ 90,000 was given to victim.

- **File No. 3/1008/2015-Gen** Smt. Munni Devi D/o Sri Guru Dayal, Village Dev Gaon PS Safipur Unnao submitted a representation on 29.09.2015 alleging that her daughter was molested. This office forwarded her representation to SP Unnao. As a result of which FIR under POA Act was lodged & chargesheet was submitted against accused. Financial compensation of ₹ 22,500 was given to victim through e-payment.
- **File No. 3/1044/2015-Gen** Sri Ram Asare, Lekhpal, Village Methitikur PS Safipur Unnao submitted a representation on 13.10.2015 alleging that he was beaten and derogatory remarks passed against him. This office forwarded his representation to SP Unnao. As a result of which FIR under POA Act was lodged & chargesheet was submitted against accused. Financial compensation of ₹ 15,000 was given to victim through e-payment.

#### **4.8.2.8 State Office, Patna**

- **File No. 11/74/2012-B:** A complaint dated 02-02-2012 was received from Ms. Guriya Kumari d/o Shri Satya Narayan village- Gorai, P.S.- Chakmahesi, Dist.- Samastipur regarding non action of police in the incident of gangrape and atrocity against her. The Commission took up the matter with the DM/SP, Samastipur. The SP, Samastipur informed that action has been taken against the accused person under POA Act and compensation of ₹ 50000/- paid to the victim.
- **File No. 14/52/2014-B:** A news report was published in the daily newspaper on 17-12-2014 that a SC person was murdered in Ganeshdih village under Fatehpur P.S. of Gaya district. The Commission suo moto took up the matter with the DM/SSP, Gaya. The SSP, Gaya informed that action against accused persons has been taken and financial relief amounting to ₹ 5,62,500/- has been paid to the deceased family.

- **File No. 14/2/2016-B:** Taking suo moto cognizance of news report dated 28-01-2016 regarding acid attack on three SC girls in Fatehpur village under Narpatpur P.S. of Araria district, the Commission took up the matter with the DM/SP, Araria. The SP, Araria informed that chargesheet against the accused has been submitted and financial relief amounting to ₹. 5,40,000/- @ ₹. 1,80,000/- each was paid to the victims..
- **File No. 14/3/2015-B:** Taking suo moto cognizance of news report dated 04-01-2015 regarding incident of rape of SC female child in Haziapur village under Nagar P.S. of Gopalganj district, the Commission took up the matter with the DM/SP, Gopalganj. The SP, Gopalganj informed that chargesheet against the accused has been submitted and financial relief amounting to ₹ 90,000/- was paid to the victim.
- **File No. 14/17/2013-B:** Taking suo moto cognizance of news report dated 04-05-2013 regarding incident of rape of minor SC girl in Kochas village under Kochas P.S. of Rohtas district, the Commission took up the matter with the DM/SP, Rohtas. On intervention of the Commission chargesheet has been submitted against the accused and financial relief amounting to ₹ 60,000/- was paid to the victim.
- **File No. 14/78/2015-B:** Taking suo moto cognizance of news report dated 11-11-2015 regarding incident of rape of minor SC girl in Collectorate campus of Patna, the Commission took up the matter with the DM/SSP, Patna. The SSP, Patna informed the chargesheet has been submitted against the accused and financial relief amounting to ₹ 90, 000/- was paid to the victim.
- **File No. 11/152/2014-B:** A complaint was received from Shri Sanjay Paswan, regarding inaction by police in incident of gang rape of Ms. Guriya Kumari d/o Shri Satya Narayan village- Gorai, P.S.- Chakmahesi, Dist.- Samastipur. The Commission took up the matter with the DM/SP, Samastipur. The SP, Samastipur informed that action has been taken against the accused person under the POA Act and compensation of ₹ 50,000/- was paid to the victim.

- **File No. 11/149/2014-B:** A complaint dated 27-06-2014 was received on 27-06-2014 from Shri Akhilesh Paswan S/o Shri Ganesh Paswan, Village-Birhara, P.S.- Haspura, Distt.- Aurangabad regarding non action of police in the incident of murder of his brother. The Commission took up the matter with the S.P., Aurangabad for necessary action under PoA Act, 1989. The S.P., Aurangabad informed the Commission that chargesheet against the accused has been submitted and all necessary action taken for payment of financial relief.
- **File No. 11/215/2015-B:** A complaint was received on 12-10-2015 from Shri Sanjay Ram S/o Shri Jhulo Ram, Village- Nawabganj, PS- Suryagarha, Distt- Lakhisarai regarding non action of police in Suryagarha PS case No. 170/15 registered in kidnapping of daughter. The Commission took up the matter with the SP, Lakhisarai. The SP, Lakhisarai informed the Commission that chargesheet has been submitted against the accused.
- **File No. 14/84/2015-B:** The Commission took suo moto cognizance of news report in Hindustan daily newspaper dated 22-11-2015 regarding incident of murder of SC person in Bharain Musahari village under Tilkeshwar OP in Darbhanga district. The DM/SSP, Darbhanga informed that chargesheet has been submitted and financial relief amounting to ₹ 5,62,500/- has been paid and pension of ₹ 4500/-pm has also been sanctioned.
- **In 29 cases of atrocities<sup>11</sup>** ( 7 cases of Patna District, 3 cases each of Gopalganj, Bhagalpur & Muzaffarpur Districts, 2 cases each of Saran & Aurangabad Districts and 1 each of Samastipur, West Champaran, Ranchi, Saharsa, Madhepura, Rohtas, Banka, Gaya, Araria, Kaimur & Lakhisarai ), the cases were taken up and followed up. After intervention of the NCSC,

---

<sup>11</sup> The relevant case file numbers are:- 11/227/2014-B, 14/23/2015-B, 11/307/2014-B, 11/297/2014-B, 11/232/2014-B, 11/17/2015-B , 11/30/2015-B, 11/97/2013-B, 11/23/2015-B, 11/126/2015-B, 11/118/2015-B, 11/108/2015-B, 11/115/2015-B, 11/64/2015-B, 11/311/2014-B, 11/96/2015-B , 11/239/2015-B, 11/135/2015-B, 11/61/2015-B, 11/170/2015-B, 11/75/2015-B, 11/185/2015-B, 11/117/2015-B, 11/187/2015-B, 11/153/2015-B, 11/201/2015-B, 11/220/2015-B, 11/285/2015-B, 11/6/2016-B

State Office, Patna, the following actions were taken by the District/Police authorities in all the cases:

- relevant Section of POA Act was applied.
- FIR lodged & accused arrested.
- charge sheet filed.

Financial compensation was also paid to the victims in 2 cases. (total ₹ 1,05,000/- )

- **File No. 11/240/2015-B:** A complaint dated 28-09-2015 received on 29-09-2015 from Smt. Parvati Devi w/o Late Shyamdeo Ram, Village- Sunduari Gajsingh, PS- Motipur, Dist.- Muzaffarpur regarding irregularities in supervision of SC/ST Muz. PS Case No. 33/15 instituted in murder of petitioner husband. The Commission took up the matter with the SSP, Muzaffarpur for necessary action against the accused. The SSP, Muzaffarpur informed the Commission that chargesheet has been submitted against the accused.

#### **4.8.2.9 State Office, Pune:**

- **File No. NCSC/PUNE/67/2015-APCR-I** Shri. Rajendra Chavhan had submitted a representation nonpayment of financial assistance by the Social Welfare department. The matter was taken up with the Assistant Commissioner Social Welfare on 11/09/2015 vide letter dated 11/09/2015 who vide his letter dated 20/11/2015 had intimated that the amount is paid to the victim.
- **File No. NCSC/Pune/50/2014/APCR-I:** Shri. Tukaram Danane, had submitted a representation regarding murder of his son and non investigation by the police. The matter was taken up with the DG (P) and Registrar High Court, Mumbai on 15.07.2010. The reply stated that the charge sheet in the case is filed on 05/06/2015, financial assistance was provided to the family, 2 kids were rehabilitated in ashram schools and the proposal of providing 2 acres of agricultural land is under Swabhiman Yojana is under consideration.

#### **4.8.2.10 State Office, Thiruvananthapuram:**

- **File No. : KL/31/19/2014** : Shri. N.P. Raman and others, Nayaruparambil veedu, Valayam Moochi, Marayamangalam, Palakkad, submitted a representation stating that some persons threatened to kill them, assaulted and verbally abused the women. The matter was taken up with the District Police Chief Palakkad for necessary and the reply stated that a case was registered under Section 3(1)(X) of POA Act and charge sheet submitted.
- **File No. : KL/31/85/2014-SLRM** :Smt. Suseela P P, Malappuram submitted a representation, that a person assaulted her and abused caste wise. The matter was taken up with the Police Chief, Trivandrum for necessary action and reply received states that the case has been registered under section 3(1)(XI) of POA Act along with IPC sections, investigation completed, culprits arrested and charge sheeted.
- **File No. : KL/31/43/2015** : Taking suo moto cognizance of new item in Mathrubhoomi dated 11 June 2015 regarding a 16 year SC girl being sexually exploited , the matter was taken up with the District Police Chief, Idukki for necessary action. The matter was investigated through DSP Kattappana , case was registered under section 3(1)(XI) and 3(2)(V) of POA Act.
- **File No. : KL/31/89/2014:** Smt. Leela, Kollam submitted a representation that some persons cheated her by not completing the construction and abused by calling her caste name. The matter was taken up with the District Police Chief Kollam for necessary action. The case was registered under section 3(1)(X)(X) of POA Act.
- **File No. : KL/31/88/2014:** Smt. P.Ambika, Kallara submitted a representation that some person encroached her property and abused her by calling her caste name. The matter was taken up with the District Police Chief, Trivandrum (Rural) for necessary action. The case was registered under POA Act.
- **File No. : KL/31/42/2014(HQRS):** Shri. A.V Ramyesh, Kasargode submitted a representation that some person abused him by calling in his caste name. The matter was taken up with the District Police Chief, Kasargode for necessary action. The case has been registered under section 3(1)(x) of POA Act.

- **File No. : KL/31/33/2015:** Smt. Reena, Trivandrum submitted a representation requesting for necessary action as the accused person abused her calling caste name and harassing at workplace. The matter was taken up with the Commissioner of Police, Trivandrum. The atrocity was proved and case booked under relevant section of POA Act.
- **File No. : KL/31/73/2014** Shri. Vasudevan & Smt. Sandhya, Kilimanoor, Trivandrum submitted a representation that persons assaulted him brutally when he questioned them about their misbehavior towards another SC women (sexual abuse). The matter was taken up with the District Police Chief, Trivandrum (Rural) for necessary action. The case was registered under section 3(1)(X) of POA Act and chargesheet filed.
- **File No. : KL/31/78/2014:** Smt. K. Rajani, Kollam submitted a representation as the accused persons assaulted her and her husband brutally. The matter was taken up with the District Police Chief, Kollam for necessary action. The case was registered under section 3(1)(x) of POA Act, investigation completed and chargesheet filed.
- **File No. : KL/31/4/2016:** Smt. Asha Baiju, Vrindavan, (SANRA)-B-6), Perukavu, Trivandrum submitted a representation that the accused person abused her by caste and disturbs her by using abusive words. The matter was taken up with the District Police Chief, Rural Trivandrum. The case was registered under section 3(1)(x) of POA act and investigation is on.
- **File No. : KL/31/13/2016:** Smt. Shenitha S R, Indraprastham, Santhi nagar, Sasthavattom PO, Mangalapuram Police Station submitted a representation, requested to take necessary action as the accused persons abused her by caste and assaulted in connection with pathway dispute. The matter was taken up with the District Police Chief, Rural Trivandrum . The case was registered under section 3(1)(x) of POA Act and the accused person was arrested .
- **File No. : KL/31/22/2014:** Smt. Sunija R Y, Suni house, Nellivilakam, Chemboor, Ottasekharamangalam PO, Trivandrum submitted a representation, against person who abused her and threatened to kill her as a revenge against the petitioner in connection with the atrocity case registered

with Aryankad Police Station his son. The matter was taken up with the District Police Chief, Rural Trivandrum and reply received stated that the case is registered under Section 3(1)(x) of POA Act and chargesheet filed.

- **File No. : KL/31/85/2014-SLRM** Smt.Susheela P.P, Nellikottu Poyilil, Malikaparambu, Thrikalangodu, Eranadu Taluk, Malappuram submitted a representation, against the person who assaulted her and abused caste words. The matter was taken up with the State Police Chief, Trivandrum and reply received stated that the case was registered under Section 3(1)(x) of POA Act along with IPC sections, investigation completed, culprits arrested and charge sheeted.
- **File No. : KL/31/88/2015:** Suo moto cognizance of press reports that two SC school girls were kidnapped and raped by a group of boys in Pathanamthitta was taken and the matter was taken up with the District Collector and District Police Chief , Pathanamthitta. The reply stated that the case was registered under Section 3(1)(x) of POA Act and charge sheet filed.

#### **4.9 Spot Visits On Atrocity Matters**

Spot visits in atrocity matters were conducted in 20 cases by the Commission's HQ and 41 cases by State Offices. After the visits and intervention of the Commission, registration of 55 FIRs have been ensured under POA Act, 355 arrests made and 27 chargesheets filed. Total financial compensation of Rs **2,29,91,550/-** was also released to the SC victims.

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

Sr no	Subject	No. of Spot visit at HQ	No of Successful cases at State Offices
1	Rape	03	5
2	Grievous Hurt	00	3
3	Murder	07	24

4	Arson/Robbery	03	4
5	Templeentry/Social Boycott/ Kidnap/ Harassment	06	5
6.	Misc.	01	00
	Total	20	41

#### 4.9.1 By NCSC Headquarters

- **File No. Odisha/14/2015-APCR:** Vice-Chairman<sup>12</sup>, NCSC conducted a spot visit to Sargipalli village on 18.06.2015 in the incident of rape and murder of a SC girl in district Balangir, Odisha. It was only after this visit, action to add section 3(2)(v) of POA Act in the FIR registered in the case at PS Khaprakhhol was taken. Two persons were arrested and sent to jail and ₹ 2.81 lakh were sanctioned as compensation to the victim's family.
- **File No. Bihar/13/2016/APCR:** The Commission took suomoto notice of the incidence of devastation of 125 Huts of Maha Dalit Families due to fire, in Nawada, Bihar. ,Member<sup>13</sup>, NCSC conducted a spot investigation of the case on 14-03-16. At the instance of the Commission the District Administration, added section 436/437 IPC, 3 (2) (iv) and 3(1)(x) of POA Act to the FIR registered and compensation of ₹ 72,000/- @ ₹ 3000 per family was provided to the each of the 24 affected SC people. Deputy Collector Land Reforms was to prepare a proposal for the landless affected people.
- **File No. UP/648/2015-APCR:** The Commission took cognizance of news item that appeared in Hindustan Times, Delhi which reported stripping and parading naked members of a Scheduled Caste family, on the road, at P.S. Dankaur, District Gautam Budhh Nagar, UP. A team of officers of the

---

<sup>12</sup> Shri Raj Kumar Verka

<sup>13</sup> Shri Raju Parmar

Commission conducted spot investigation of the case, on 09-10-2015. The team observed that no action had been taken against the culprits named in the FIR. On the other hand, strong action was taken against the members of SC family who were arrested and sent to jail. Following the spot visit, all the members of the SC family have been released.

- **File No. UP/435/2015-APCR:** The Commission took suo moto notice of the incidence of rape of a minor SC girl studying in class IXth, D/o Shri Ram Bharose, R/o Avas Vikas Colony, Civil Lines, Badaun, Uttar Pradesh and Chairman<sup>14</sup>, NCSC, conducted a spot investigation of the case on 03-07-2015. Following the spot visit, both the accused have been arrested, financial assistance of ₹ 90,000/- has been given.
- **File No. Raj./40/2015-APCR:** The Commission took suo moto notice of the incidence of physical assault on RTI Activist of Ramgarh, District Jaisalmer, Rajasthan and Member, NCSC conducted a spot investigation of the case on 15-07-2015. Consequent to the spot visit, the following actions were taken by the District Administration viz, registration of FIR number 77 dated 11.07.2015, in PS Ramgarh under IPC 147, 148, 341, 323, 365, 379, 307, 149 and section 3 (1)(i), 3(2)(v) of POA Act 1989, 4 accused arrested, compensation of ₹ 1.80 lakh provided and protection to the victim and his family provided.
- **File No. UP/447/2015-APCR :**The Commission took suo moto notice of the incidence of rape of SC girl at Village Kinhawar, PS Vichhawa, District Mainpuri, Uttar Pradesh and conducted a spot investigation of the case on 22-07-2015. Following the spot visit of a team of officers of the Commission, the following actions were taken by the District Administration viz, charge sheet No. 21/15 dated 06.08.2015 filed in the Court, compensation of ₹ 1,80,000/- has been sanctioned to the victims father and adequate security has been provided to the victim and her family.
- **File No. AP/2/2016-APCR:** The Commission took suo moto notice of the incidence of news report in the daily newspaper Hindu (Hyderabad Edition)

---

<sup>14</sup> Shri P.L Punia

reporting that a Dalit research scholar of the University of Hyderabad allegedly hanged himself to death, 15 days after he was expelled from his hostel along with four other researchers. Chairman<sup>15</sup> NCSC conducted a spot investigation of the case on 18.01.16. Following actions have been taken by the District Administration: ,section 3(2) (v) of POA Act was added to CR No. 20/2016 u/s 306 IPC and Section 3(1) (ix) (x)n (2) (vii) of POA Act, suspension orders against the four scholars were withdrawn subject to the decision of the Court, the pending arrears of fellowship amount were paid to Rohit's mother, the matter regarding employment to one of the family member was referred to the Ministry of HRD, an Enquiry Commission has been appointed to enquire into the circumstances leading to the death of Rohit Verma and also to recommend steps to be taken so that such incidents do not take place in future.

- **File No.UP/518/2015/APCR:** NCSC took Suo-Moto notice of the incidence regarding preventing an SC student from singing a song in the praise of Dr. B.R. Ambedkar followed by rustication from the School in Saharanpur District of UP. Officers of NCSC conducted a spot investigation of the case on 27.08.2015. Following the spot visit, the DM was advised to ensure proper education to the boy Sumit, Present situation : The Court has given stay on the arrest of the 3 alleged accused, and the Writ Petition filed by the petitioner against Principal Secretary, Government of Uttar Pradesh and 9 others, is pending in Hon'ble Court.
- **File No. Raj/20/2015-APCR:**The case of atrocity on 13 Dalits of village Dangawas, in Nagaur, Rajasthan, due to an altercation emanating from a land dispute. Chairman, NCSC conducted a spot visit on 16-05-2015. Due to intervention of the Commission, the case has been referred to CBI, and compensation of ₹ 39,62,500/-was paid to the victims.
- **File No. Punjab-12/2015/APCR:** Smt. Chinder Kaur, along with her minor daughter was pushed out from a moving bus by the conductor and two other men, in Moga, Punjab. While the mother sustained Chairman & Vice

---

<sup>15</sup> Shri P.L Punia

Chairman<sup>16</sup> , NCSC conducted a spot investigation of the case. All the accused were arrested, charge sheet was filed in the Court and compensation of ₹ 29,55,000/-was paid.

- **File No. Har/165/2014-APCR:** Chairman and Member<sup>17</sup> , NCSC conducted a spot investigation on 20.10.15, in the incident of burning of house of SC family causing death of two children at village Sunped, P.S. Ballabhgarh,, Faridabad, Haryana.. 7 culprits have been arrested,the case has been transferred to CBI as per the demand of the victim's family , the 2 ASI, 2 Constables of PCR and (the then SHO Police Station Sadar, Ballabhgarh) , who were deputed for the security of the victim have been suspended and departmental enquiry is under way . Financial compensation of ₹ 15,62,500/-was paid.
- **File No. TN/31/2015-APCR:**NCSC, State Office Chennai conducted a spot visit on 15/08/2015 in the incidence at Mariamman Temple Car Festival ,where seven houses of SCs including all their belongings were completely burnt in a fire in Seshasamudiram village District Villupuram, Tamil Nadu.. Due to intervention of the Commission, 88 accused in the case were arrested and remanded District Collector ordered construction of houses for 7 victims within 3 months under Indira Awas Yojana / Green House Scheme, temporary houses were constructed in the common place of the village for the victims, monthly pension ₹ 1,000/- for each has been sanctioned to the eligible 6 widows and compensation of ₹ 13,08,000/-was paid.
- **FileNo. UP/321/2015-APCR:** Chairman, NCSC conducted a spot investigation on 19-05-15, in the incidence of parading naked five Scheduled Castes women in village Hareva of Jalalabad, Shahjahanpur (UP). Due to intervention of the Commission compensation of ₹ 9,50,000/- was paid and action u/s 107/116 Cr.PC was taken against the

---

<sup>16</sup> Shri P.L Punia & Shri Raj Kumar Verka

<sup>17</sup> Shri P.L Punia and Shri Ishwar Singh

culprits, fire arms licenses were suspended and charge-sheet was filed in the Court on 18.06.2015, also sufficient police force was positioned in the village.

- **File No. UP/804/2015-APCR:** Chairman, NCSC conducted a spot visit on 18/11/2015 regarding a case relating to the death Dinesh alias Chitu and Atish alias Ghurra due to drowning in the river in Bareilly, Uttar Pradesh. Due to intervention of the Commission, compensation of ₹ 6,00,000/-was paid.
- **File No. Tamil Nadu/29/2015-APCR:** An SC Engineering Graduate was found dead on the railway track in Pallipalayam District, Tamil Nadu. NCSC, State Office Chennai conducted a spot visit on 27/06/2015. Due to intervention of the Commission, the case was registered on the complaint of victim's mother on 24.06.2015 under section. 363 of IPC and Section 3(2)(v) of POA Act, 1989 was added to the case and compensation of ₹ 5,62,500/-was paid.
- **File No. UP/469/2015-APCR:** Chairman,<sup>18</sup> NCSC conducted a spot visit on 30/07/2015 in the case relating to setting on fire the house of ShriShyoraj Singh, in Sambhal district in Uttar Pradesh. Due to intervention of the Commission, compensation of ₹ 5,62,500/-was immediately paid to victims.
- **File No. Har/423/2015-APCR:** Shri Balwant, Kaithal, Haryana had complained that on 23.12.2015 his son was humiliated and harassed by Police. Later on, his son was found dead. After the spot investigation of the Commission compensation of ₹ 5,67,500/- was immediately paid to the victim's family.
- **File No. Raj/14/2015-APCR:** Chairman, NCSC conducted a spot visit on 16/05/2015 in the incidence of death of 3 Dalits, who were burnt alive in village Baswadi, Nagaur Rajasthan.. Due to intervention of the

---

<sup>18</sup> Shri P.L Punia

Commission, all the five accused were arrested, adequate treatment was provided to the victims in the government hospital and compensation of ₹ 4,61,250/- was paid.

- **File No:- 16/119/UP/2015-ESDW:-** A group of SC students of B.Ed in Chet Ram Sharma College of Education, Noida complained that they were not permitted to appear in Practical Examination and mark sheets /Degree certificates of earlier batch was not issued by the management of the College and the college demanded enhanced fee. Spot visit was made by a team from Commission on 30.07.2015 district authorities also were present and the issues were sorted out and an agreement reached. The following were the action points :

College Authorities will send no objection to the University and ensure that the practical examination is conducted by the University within a month's time Immediately on receipt of agreed amount and undertakings by the students. Marks sheets/Degrees should be provided to them without any further hitch.

In respect of the students of 2012-13 batch, the College will take action to obtain Degrees/mark sheets of those students after the complete the formalities as per the agreement.

The Department of Social Welfare, (GoUP), which is a party in the Writ Petitions on fees issue should suitably contest or seek the directions of Honorable High Court in order to protect the rights of the Scheduled Caste students who are as per the rules entitled to free (fully reimbursable fee) education.

The students appeared in the examinations.

- **File No:- 24/02/Misc/TN/2016-ESDW. :** Taking suo moto cognisance of reports of denial of cremation to the 2 deceased SC persons by not allowing the funeral procession in Nagapattinam, the Chairman, NCSC conducted a spot visit to Thirunalkondacherry village , Myladudurai, Nagapattinam, TN on 16.01.2016 . The traditional road leading to the cremation ground was

inaccessible to SCs and the couple could be cremated only several days after their death. The Commission made several recommendations in the issue after the visit to the District authorities. District Administration has complied and removed encroachments from the road , constructed the road leading to the burial ground , culvert was also constructed, the SC families have access to the cremation ground, latrines in houses of the 20 SC families were made, arrestts were made of 15 persons of persons who denied right of passage . The recommendations of the Commission have been complied with except withdrawal of FIR against relatives of the deceased SCs, which has been sent for legal opinion.

#### **4.9.2 By NCSC State Offices**

##### **4.9.2.1 State office Ahmadabad**

- **File No:- 7/1/2015-RES** :- Murder case of Sarpanch, Village Bharasar, Bhuj (Gujarat): Director, State Office Ahmedabad conducted a spot visit on 03-01-2016, in the case of murder of a SC Sarpanch ,Shri Mayabhai Sivji Chavda,. It was observed that FIR was lodged without POA Act provisions, challan not submitted even after 1 year and no arrest made , investigation was faulty as witness was not properly included in Police enquiry, the phone call details were of the victim/accused/witness etc were not checked thoroughly. The Commission recommended that State Crime Branch to investigate the case.
- **File No:- 7/1/2015-RES** : Director, State Office Ahmedabad conducted a spot visit on 03-01-2016, in the case harassment and land matter of Shri Rajesh Lohiya, Bidar, Churu (Rajasthan), Police had given a Final Report after enquiry in the harassment case. In the land matter new Pemaish of the land is being done by the District Authorities.
- **File No:- 7/1/2015-RES** :- On receipt of a petition regarding murder of a SC social activist Shri Govind Bhai Gohil, Administrator, Sarvodaya Ashram, Village Gundi. Ahmadabad , Member <sup>19</sup> and Director, State Office, Ahmedabad visited the village on 17/07/2015. It was seen that Police

---

<sup>19</sup> Shri Raju Parmar

enquiry was not complete and no arrest was made, no compensation was paid. Commission recommended conduct of speedy and thorough investigation and include provisions of POA Act in FIR.

- **File No:- 7/1/2015-RES :- Taking suo moto cognisance of new reports regarding murder of a SC farmer at Bhilwara,Rajasthan** a spot visit was made by the Director, State Office Ahmedabad on 14/10/2015 . The victim was found to be from OBC hence action under POA Act & Rules was not taken.

#### **4.9.2.2 State Office Banglore**

- **File No. :23/2/2014-RU** : Director ,State Office Bangalore conducted spot visit to **Kalburgi** Gulbarga , Karnataka on 17/2/2016 in case of murder of Shri Kirthi Kumar, SC on 21/1/2016 . The compensation amount ₹ 5,62 500/- was handed over to the mother of victim. The mother requested for providing suitable job for the sister of the victim who is a degree holder. FIR was registered, u/s 143,147,148,109,302 of IPC and 3(i)(ii)(v) of POA Act 1989.The accused were arrested and are in police custody.
- **File No. : 57/1/2012/admn : Director** ,State Office Bangalore visited **Dharward**, in connection with murder of Shri Maruthi Venkatesh Talakkal, on 09/08/2015.. The Case was registered under sections 143.147,148,302 of IPC and 3(I)(x),3(II)(v) of POA Act, 4 accused arrested and financial. compensation amount ₹ 5,62,000/- was given to the mother of the victim.
- **File No. :23/2/2014-RU : Halebeedu., Hassan District** : Director, Banglore State Office visited the house of murder victim Shri Manu on 21/3/2016. The murder occurred on 05.09.2015. The accused was identified and arrested. FIR no. 192/2015 u/s 302 IPC and 3(i)(x)of POA Act was lodged.The accused was arrested and trial on going.
- **File No. :23/2/2014-RU** : Harehalli, Hassan District : On 23/12/2016 in the evening victim Shri Bhyriah was called to a remote area and was beaten repeatedly with stone till died. The accused was arrested and FIR U/s 302,201 and 3(i)(x)of POA Act was lodged.

- **File No. :23/2/2014-RU : Spot visit at Kodagu District :** The Director, Bangalore., conducted spot visit on 22/3/2016 , in connection of murder of Shri H P Ganesh aged 31 of Madikeritaluk on 4/10/2016 The accused was arrested FIR no 74/2015 u/s 302 of IPC and 3(2)(5) of POA Act was lodged . Compensation amount ₹ 5,65,000/- paid to the wife of the victim.

#### **4.9.2.3 State Office Chandigarh**

- **File No. 24/ 33 /2015 –Res :- Taking suo moto cognisance of new reports regarding Gang rape & dacoity ,** a spot visit at Ropar , Punjab, was made by the Director, State Office, Chandigarh on 22-07-2015 . It was found that the news reports were incorrect and victims were not SC. No arrests were made.
- **File No. 3-Pb/6/2015:-:** On 24-07-2015 a spot visit was conducted by Director, State Office Chandigarh, on the case of threat to life & of Nazool land grabbing of Smt. Ananti Devi w/o Sh. Bakhshishsingh r/o Mohalla Mehtabgarh, District Kapurthala , Punjab. During the visit it was found that the accused was illegally occupying the land, hence FIR was lodged incorporating POA Act.
- **File No. 24-05-2016-Res :-** Taking suo moto cognisance of new reports regarding rape of a SC minor girl and denial of entry in school to her by Principal on grounds of being a rape victim, a spot visit was conducted by Director, State Office Chandigarh, on 28-02-2016. The FIR was found lodged, statement of victim under section 164 of CrPC was recorded , medical test which confirmed rape were completed. The accused was also found to be SC hence POA Act was not incorporated in FIR. After the visit, arrest was made , POSCO Act was added in FIR , security to victim was provided and education of the girl was restored.

#### **4.9.2.4 State Office, Chennai**

- **File No. 3/9/Tuticorin/2015 Res.:** Based on the news reported in the Hindu dated 4.4.2015 on the murder of one person in Navaladiyar village, Tuticorin District, the NCSC State Office, Chennai conducted an on-the-spot enquiry on the atrocity incident and visited Tuticorin District on 7.4.2015. Due to the visit of NCSC State Office, Chennai, the monetary relief amount of ₹ 5,62,500/- was paid to the mother of the deceased on the day of visit lakh paid as financial compensation , FIR under POA Act & IPC sections filed, 3 accused arrested and chargesheet filed.
- **File No. 3/12/Dharmapuri/2015 Res.**Based on the news reported in The Hindu dated 16.4.2015 on the gang rape of an SC girl in Gopinathampatti village, Dharmapuri District, the NCSC State Office, Chennai conducted an on-the-spot enquiry into the atrocity incident on 18.04.2015. Due to the visit of NCSC State Office, Chennai the monetary relief of ₹ 1,80,000/- was paid to the victim on the day of visit lakh paid as financial compensation , FIR under POA Act & IPC sections filed, 5 accused arrested and chargesheet filed.
- **File No. 3/13/Tiruchirapalli/2015 Res** As reported in the New Indian Express dated 28.4.2015 on the murder of an SC person in Kannudaiyamkatti village, Tiruchirapalli District, a spot enquiry was conducted by NCSC State Office Chennai on 30.4.2015. Due to the spot enquiry of NCSC State Office, Chennai the monetary relief amount of ₹ 5,62,500/- was paid to the victim's family on the day of visit lakh paid as financial compensation , FIR under POA Act & IPC sections filed, 4 accused arrested and chargesheet filed.
- **File No. 3/14/Perambalur/2015 :** Caste clash and arson was reported in Pasumpalur village in Perambalur District in the New Indian Express dated 05.05.2015. Taking suo moto cognizance an spot enquiry was conducted by NCSC State Office, Chennai on 06.05.2015. Due to the visit of NCSC,

State Office, Chennai new house was allotted to the victims. FIR under POA Act & IPC sections filed, 30 accused arrested and chargesheet filed.

- **File No: 3/21-A/Namakkal/2015 Res :** Taking suo moto cognizance of news reports dated 26.06.2016 on the murder of SC youth Shri.V.Gokulraj of Pallipalayam, Namakkal District the NCSC team conducted an on-the-spot enquiry into the atrocity incident on 27.06.2015. Due to the visit of NCSC State Office, the monetary relief amount of ₹ 5,62,500/- was immediately paid to the victim's family. FIR under POA Act & IPC sections filed, 1 accused arrested and chargesheet filed.
- **File No. 3/26/Salem/2015 Res.:** Taking suo moto cognizance of news reports dated 15.7.2015 on the murder of an SC person in Belur Village, Salem District, the NCSC, State Office, Chennai team conducted an on-the-spot enquiry on the atrocity incident on 16.07.2015 (forenoon). Due to the spot-visit by ,the monetary relief of ₹ 5,62,500/- was immediately paid to the victim's family. FIR under POA Act & IPC sections filed, 1 accused arrested and chargesheet filed.
- **File No. 3/27/Tiruppur/2015Res.:** Taking suo moto cognizance of news reports dated 15.7.2015 on the alleged brutal attack on an SC person in Chinnabommansalai village, Tiruppur District, a spot visit was conducted 16.07.2015 (A/N.) into the atrocity incident. Due to the visit of NCSC State Office team , the immediate monetary relief of ₹ 22,500/- was paid to the victim. FIR under POA Act & IPC sections filed, 2 accused arrested and chargesheet filed.
- **File No. 3/30/Villupuram/2015 Res.:** Taking suo moto cognizance of news reports dated 17.08.2015 on the burning of houses at Sheshasamudiram village in Villupuram District, the NCSC State Office, Chennai conducted an on-the-spot enquiry on 18.08.2015. Due to the visit monetary relief of ₹ 90,000/- each ie total amount of relief paid is ₹ 6,30,000/- was released

immediately to the 7 SC families. FIR under POA Act & IPC sections filed, 88 accused arrested and chargesheet filed.

- **File No. 3/28/Dindigul/2015 Res.:** Taking suo moto cognizance of news reports dated 05.08.2015 on the death of an SC youth in Chattisgarh, The youth belonged to Dindigul District of Tamil Nadu.. The NCSC, State Office, Chennai team visited Dindigul District on 02.09.2015 and conducted an on-the-spot enquiry. Fir has been filed and a Police Investigation Team has been deputed to visit Chattisgarh State for further investigation.
- **File No. 3/34/Cuddalore/2015 Res.:** A spot enquiry was conducted on the alleged suicide of Ms. Vishnupriya, Deputy Superintendent of Police at Cuddalore on 05.10.2015 and recoomendations issued. As per reports received investigation is being conducted..
- **File No. 3/38/Coimbatore/2015 Res.:** Taking suo moto cognizance of news reports dated 19.11.2015 on the grievous hurt of one SC person at Karayampalayam village of Coimbatore, a spot enquiry was conducted by NCSC, State Office, Chennai on 23.11.2015. Due to the visit the immediate monetary relief amount of ₹ 1,80,000/- was paid to the victim on the date of visit. FIR under POA Act & IPC sections filed, 2 accused arrested and chargesheet filed.
- **File No. 3/5/Kancheepuram/2016 Res.:** Taking suo moto cognizance of news reports dated 20.01.2016 of the death of 3 SC manual scavengers at Okkiyam Thuraipakkam, Kancheepuram District, a spot enquiry was conducted by NCSC, State Office, Chennai on 20.01.2016. FIR under POA Act & IPC sections filed, 3 accused arrested and chargesheet filed.
- **File No. 3/6/Madurai/2016 Res.:** Taking suo moto cognizance of news reports dated 20.01.2016 on the attack on SCs at Kurivithurai village, Madurai District, an on-the-spot enquiry was conducted on 23.01.2016 by the NCSC State Office, Chennai. Action taken on the recommendations of

NCSC State Office, Chennai is awaited. FIR under POA Act & IPC sections filed, 28 accused arrested and chargesheet filed.

- **File No. 3/7/Madurai/2016 Res.:** Taking suo moto cognizance of news reports dated 22.1.2016 on the murder of an SC person at Odaipatti Village in Madurai District, the NCSC State Office, Chennai conducted an on-the-spot enquiry in the atrocity incident on 23.01.2016. Due to the spot enquiry of NCSC State Office, Chennai the immediate monetary relief amount of ₹ 5,62,500/- was paid to the victim's family. FIR under POA Act & IPC sections filed, 3 accused arrested and chargesheet filed.
- **File No. 3/14/Namakkal/2016 Res.:** Taking suo moto cognizance of news reports dated 7.3.2016 on the killing of SC school boy in a fight with his classmate at Kozhikalnatham village of Namakkal District, a spot enquiry was made by the NCSC, State Office, Chennai on 09.03.2016 and due to the spot enquiry of NCSC State Office, Chennai an amount of ₹ 2,81,250/- was paid to the victim's family. FIR under POA Act & IPC sections filed, 2 accused arrested and chargesheet filed.
- **File No. 3/17/Tiruppur/2016 Res :** Taking suo moto cognizance of news reports dated 14.03.2016 on the murder of an SC youth at Kumaralingam village, Tiruppur District due to inter-caste marriage, the NCSC State Office, Chennai made an on-the-spot enquiry in the atrocity incident at Tiruppur District on 16.03.2016. Due to the same, immediate monetary relief of ₹ 5,62,500/- was paid to the victim's family. FIR under POA Act & IPC sections filed, 13 accused arrested and chargesheet filed.

#### **4.9.2.5 State Office, Lucknow**

- **File No. 16/1/2015/RU:** Taking suo moto cognizance of news reports of murder of two SC youth on 12.06.2015 in the Village Mohiunddinpur P.S. Ghurpur Dist. Allahabad, Chairman , NCSC conducted a spot visit on 13 &

14.06.2015. As a result F.I.R. No.354/15 U.S. 147/148/149/307/302/504/506 IPC & 3(2)5 of POA Act has been registered at PS Ghurpur, 4 accused arrested and compensation of ₹ 2, 81,250/- each was paid to families of victims.

- **File No.14/1/(2)/2015/RU** : Taking suo moto cognizance of news reports of rape & murder of minor SC girl on 19.08.2015 in the Village Luktana PS Sursa , Hardoi, Asst Director,NCSC State Office, Lucknow conducted a spot visit on 28.08.2015. As a result F.I.R. No.343/15 U.S. 302/201/376 IPC & POSCO Act has been registered at PS Sursa. Two accused have been arrested on 21.08.2015.
- **File No.14/(2)/2015/RU** : Taking suo moto cognizance of news reports of rape & murder of minor SC girl on 18.08.2015 in the Village Durjanpur Noorpur Hathoda, PS Bilgram, Hardoi. Asst Director, NCSC State Office, Lucknow conducted a spot visit on 28.08.2015. As a result F.I.R. No.295/15 under section. 302/376 IPC & 3/6 POSCO Act has been registered at PS Bilgram. One accused has been arrested on 21.08.2015 and charge sheet filed.
- **File No.14/1/(2)/2015/RU** : Taking suo moto cognizance of news reports of rape of minor SC girl on 18.08.2015 in Village Sikhwapur PS Kotwali Dist. Kannauj. Asst Director,NCSC State Office, Lucknow conducted a spot visit on 28.08.2015. The F.I.R. No.792/15 U.S. 376D/458/379 IPC & 3(2)5 POA Act & POSCO Act has been registered at PS Kotwali. Five accused arrested and charge sheet.No.374/15 filed on 08.09.15. Financial compensation of ₹ 1,00,000/- was paid to victim's family.
- **File No.14/1 (1)/2015 RU** : Taking suo moto cognizance of news reports of murder of SC minor girl on 24.10.2015 in the Village Sonawa Manpur Sikri PS Reusa, Sitapur , Asst Director,NCSC State Office, Lucknow conducted a spot visit on 27.10.2015. The F.I.R. No.216/15, u/s 302/201 IPC & 3(2)5 of POA Act has been registered at PS Reusa. One accused has been arrested on 29.10.2015 and charge sheet no 43/15 filed on 22.11.15. A compensation of ₹ 2,85,000/- was paid to victim's family.

- **File No.3/1230/2015** : On basis of a representation regarding an atrocity case on SC youth in the Village Gajepur, PS Kapseti ,Varanasi, Asst Director, NCSC State Office, Lucknow conducted a spot visit on 12.02.2016. An FIR has been registered & ₹ 15000/- was paid to victim.
- **File No.16/2/2016/ RU** : Taking suo moto cognizance of news reports of an arson case in the Village Hasnapur, PS Krishna Nagar, Lucknow, Asst Director, NCSC State Office, Lucknow conducted a spot visit on 31-03-2016. FIR has been registered two accused have been arrested on 02.04.2016 & sanction of compensation is under process.

#### **4.9.2.6 State Office Patna**

- **File No. 14/84/2015-B**: Taking suomoto cognizance of news report regarding incident of murder of a SC youth Sajjan Paswan in Bahain Mushahari village, Tilkeshwar P.S. of Darbhanga, a team from the NCSC State Office , Patna conducted a spot visit in the village on 18-12-2015. Due to the visit , ₹ 5,62,500/- financial compensation was sanctioned to the deceased family and pension at the rate of ₹ 4500/- pm was also sanctioned to the father. ! Accused out of 3 named in FIR was arrested.
- **File No. 14/16/2015-B** : Taking suomoto cognizance of news report regarding gangrape with a Scheduled Caste minor girl in Pannuchak village under Sabour P.S. of Bhagalpur , a team of NCSC State Office , Patna conducted a spot visit in the village on 30-09-2015. Due to intervention of the Commission all accused were arrested and financial relief amounting to ₹ 90,000/- has been paid to the victim.
- **File No. 11/236/2015-B** : A complaint was received from Smt. Pramila Devi w/o Late ShyamBihari Ram of village Vasudeva under Nawanagar P.S. of Buxar regarding inaction against the accused of murder of her husband and non payment of financial relief. The team from NCSC State Office , Patna conducted a spot visit in the village on 11-03-2016. Due to intervention of the Commission charge sheet submitted against all 4

accused, who were arrested and financial relief amounting to ₹ 5,62,500/- paid to the family, pension at the rate of ₹ 4500/- was also sanctioned to the widow.

- **File No. 14/51/2015-B** : Taking suomoto cognizance of news report regarding gangrape with Scheduled Caste two minor girls in Chandan Shahid Pahari under Muffasil P.S. of Rohtas, Member <sup>20</sup> and team from NCSC State Office , Patna conducted a spot visit at the village on 23-07-2015. Due to intervention of the Commission all five accused were arrested and the victim girls were paid ₹ 90,000/- each.
- **File No. 11/22/2014-B** : A complaint regarding abuse, assault and obstructions in use of way to the house by the high caste landlords by Shri Gulab Ram of village Maheshwara under Gayaghat P.S. of Muzaffarpur was received . NCSC State Office , Patna conducted a spot visit to the village on 06-04-2015. Due to intervention of the Commission the grievances of the petitioner were rectified and financial relief amounting to ₹ 15000/- was paid to the petitioner.

#### **4.9.2.7 State office Trivandram**

- Taking suomoto cognizance of news report of 11/07/2015 regarding alleged custodial death of Shri. Siby (40) son of Shri Viswambharan, Marangattupilli, Pala Kottayam. Director, NCSC State Office, Trivandrum conducted a spot visit on 15/07/2015 . Shri. Siby was taken to custody by the Marangattupilli Police on the night of 29/06/2015 following a scuffle with a teenager, in an inebriated state.. He succumbed to the injuries after 12 days at the Govt. Medical College Hospital, Kottayam. Immediate financial relief of ₹ 5,00,000/- was announced by the government for the family of the victim.

## **4.10 Jail Visits**

### **4.10.1 State Office, Ahmedabad**

---

<sup>20</sup> Shri Ishwar Singh

- **Central Jail, Bhilwara (Rajasthan) :** Director , NCSC State Office Ahmedabad visited at Central Jail, Bhilwara (Rajasthan), on 16/10/2015. Following were the observations during the Jail visit:
  - Jail capacity : 225, inmates : 350 (males), capacity : 20 , inmates :18 ( female)
  - There is overcrowding in the male section of jail. No details of SC prisoners were available.
  - The prisoners stated satisfaction with with the facilities, despite the overcrowding
  - There was a doctor present there and medical register had entries of the prisoners health. Dental treatment of a lady prisoner was going on and the prisoner confirmed the.
  - Food was being cooked by the prisoners only.
  - The toilets were informed to be cleaned by prisoners in rotation, hence the possibility of some being forced to clean the toilets cannot be ruled out as there was no rotation register. .
  - A centre of IGNOU was opened for education of the prisoners were present like library and a learning centre and also one prayer room was present..
  - The entertainment and grooming salon facility ( in collaboration with an NGO) was provided to them.
  - The lady prisoner were in separate barracks with lady prison officials and there appeared no problems / issues.
  
- **Central Jail , Churu (Rajasthan) :** Director, NCSC State Office, Ahmedabad visited at Central Jail, Churu (Rajasthan), on 01/02/2016. Following were the observations during the Jail visit:
  - Jail capacity : 125, inmates : 180 (males), capacity : 5 , inmates :9 ( female)
  - There is overcrowding in the jail. No details of SC prisoners were available.
  - The prisoners stated satisfaction with with the facilities despite overcrowding.
  - The video conferencing facility for e-court was under installation.

- The toilets were informed to be cleaned by prisoners in rotation , hence the possibility of some being forced to clean the toilets cannot be ruled out as there was no rotation register.
- The medical facilities were present , but more SOS medicines like for asthma etc need to be kept in stock
- The food quality was tested and found satisfactory and prisoners were satisfied.
- The lady prisoner were in separate barracks with lady prison officials and there appeared no problems / issues

## **4.11 Hostel Visits**

### **4.11.1 State Office Ahmedabad**

**Government SC boys hostel, Bhilwara (Rajasthan ) . :** Director , NCSC State Office Ahmedabad visited Government SC boys hostel , Bhilwara (Rajasthan), on 16/10/2015. Following were the observations during the visit:

- Capacity 25 , students : 14, underutilized capacity.
- It was newly constructed hostel with new furniture etc.
- There was a wall surrounding the hostel for security for the hostel wall.
- students were satisfied with the facilities like drinking water, room, mess etc. and there were no complaints .
- The quality of food observed was tested and it was found satisfactory.

### **4.11.2 State office Chandigarh**

- **SC Hostel at Government College, Mohali (Pb).** Director , NCSC State Office Ahmedabad visited Government SC boys hostel and SC Girls hostel Govt college, Phase 6, Opp govt hospital, Mohali (Punjab), on 13/08/2015. Following were the observations during the visit:

**SC boys hostel :**

- Capacity 42 , students : 1

- There was only 1 occupant of the entire boys hostel, thus facility was grossly underutilized.
- No Water filter was available , there was no security
- There was no provision for warden residence.

**SC Girls Hostel :**

capacity : 42 , Nil occupancy

- There was no boundary wall for security of girl students.
- There was no provision a warden to stay in Hostel premises.
- The buildings were incomplete and there was no approach road.

**4.11.3 State Office Patna**

**SC/ST Women Welfare Hostel, S.M. College Campus, Bhagalpur, Bihar :**

Director incharge , NCSC State Office Patna and team visited SC/ST Women Welfare Hostel, S.M. College Campus, Bhagalpur on 05-07-2015. The following observations were made :

- Capacity : 150 ( SC: 50), occupied : 2 ( due to vacation)
- No reading and writing material was provided to the students.
- Computers were not available & there was no room.
- No provision of emergency medical facilities was made.
- Good quality of food was provided by mess, but no proper dining hall.
- Toilets were sufficient in number and in good condition were available.
- Indoor games facilities were provided.

**Dr. Ambedkar SC Residential School, Kampanibagh, Bhagalpur, Bihar :**

Director incharge , NCSC State Office Patna and team visited Dr.Ambedkar SC Residential School, Kampanibagh, Bhagalpur on 06-07-2015. The following observations were made :

- Capacity : 720, occupied :354
- Only 100 beds were available for the students, 2-3 students were occupying one bed.
- There was no security arrangement.
- Medical facilities were not available.

- The food facilities were being provided to the students free of cost by the government.
- Sanitation was satisfactory as toilets and bathrooms were found clean at the time of inspection.
- There were arrangements for newspaper/ magazines, TV, computers were also installed. Students could play volleyball, football, athletic, cricket etc..

**Govt. Welfare SC Boys Residential High School, Govindpur, Dhanbad, Jharkhand** : Director incharge , NCSC State Office Patna and team visited Govt. Welfare SC Boys Residential High School, Govindpur, Dhanbad on 11-07-2015. The following observations were made :

- Capacity : 248, occupied : 261. There were 6-7 students per room against capacity of 4 students / room as only 37 rooms were being used by hostel.
- Toilets were not in good condition and the residents were using the outdoors to answer nature's call.
- The 3 computers available were out of order.
- No common room , no dining hall and no medical facilities were available.,
- 2 footballs, 4 volley balls and one cricket-kit were available but the school did not have a play ground.
- Students stated that good quality of food as per weekly menu is provided.

**Govt. Welfare SC Girls Hostels, Near Combined Building, Dhanbad, Jharkhand** : Director incharge , NCSC State Office Patna and team visited Govt. Welfare SC Girls Hostels, Near Combined Building, Dhanbad on 11-07-2015. The following observations were made :

- Capacity : 48, occupied : 37
- Water pump were not functioning properly and there was no alternative arrangement.
- Inadequate lighting as bulbs / lights were insufficient in number .
- There was no security and no medical facilities.
- The students cook their food themselves.

- There is a Manager who charges ₹ 1000/- per month per student for arranging the mess and to keep the hostel premises clean including toilets and bathrooms.
- Welfare Department, Government of Jharkhand , has not posted any staff in the hostel.
- The 8 toilets and 5 bathrooms were found clean at the time of inspection.

**SC/ST Welfare Hostel, Godda College ,Jharkhand** : Director incharge , NCSC State Office Patna and team visited SC/ST Welfare Hostel, Godda College on 06-11-2015. The following observations were made :

- Capacity :75 Beds , bed and beddings inadequate , 2-3 students occupy 1 bed.
- Physical condition of building was dilapidated, roof in very dangerous condition ,no proper electricity. No security ,
- Kitchen in very bad condition , no cook
- Toilets were found in bad condition.
- Reading and writing material not provided to the students.
- Computers, sports materials and medical facilities were also not available.
- **District School SC/ST Welfare Hostel, Godda ,Jharkhand** : Director incharge , NCSC State Office Patna and team visited District school SC/ST Welfare Hostel, Godda on 06-11-2015. The following observations were made :
- Capacity :25 Beds , bed and beddings inadequate , 2 students occupy 1 bed.
- Physical condition of building was dilapidated, roof in very dangerous condition ,no proper electricity. No security .
- Kitchen in very bad condition .
- Toilets were found in bad condition.
- Reading and writing material not provided to the students.
- Computers, sports materials and medical facilities were also not available.
- **Govt. Welfare Hostel, Buxar , Bihar** : Director incharge , NCSC State Office Patna and team visited **Govt. Welfare Hostel, Buxar** on 12-03-

2016. The hostel building was found under renovation hence there were no students.

#### **4.11.4 NCSC,State Office ,Trivandrum**

- **Scheduled Castes Boys and Girls Hostels , Trivandrum on 11/08/2015.** Director, NCSC State Office,Thiruvananthapuram and team visited Pre-matric hostel in Neyattinkara Municipality on 11-08-2015. The following observations were made :
  - The hostel is situated in a SC colony of about 60 households in a corner of the main municipality & building is constructed in government owned land.
  - capacity: 30 , occupied : 16.
  - A middle aged woman, a part time Cook along with a sweeper, all regular employees of SC department were available at the time of inspection.
  - The campus is big but not maintained properly due to growth of shrubs as a result of continuous rain & premises are cleaned once in six months .
  - Breakfast , lunch ,tea and snacks are provided everyday. The fridge kept near the dining hall was not working.
  - A tutor comes by around 4.30 pm to give tuitions
  - Beds were found arranged neatly,
  - ground floor alone is used for accommodating the children and the upper floor is used mainly for study purpose.
  
- **Post matric hostels , Thiruvananthapuram:** Director incharge , NCSC State Office Thiruvananthapuram and team visited three post matric hostels , two for boys and one for girls situated at the heart of Trivandrum city. The following observations were made :
  - **Post matric hostel for college girls :**
  - Has 400 students, there are two blocks, one old and 1 new
  - The warden and clerk of the hostel was available, both are female permanent employees.
  - The provision items for the hostel are purchased from departmental shops of Kerala government.

- The complaints registered by the inmates are looked into by higher officials. The SC department officers visit the hostel frequently and settle the issues.
- For the convenience of tamil students hailing from Idukki district instruction are found pasted in Tamil language as well.
- Kitchen was found properly maintained and female cooks prepare food on shifts. The building blocks are spacious.
- Tutors are employed for tuition in the evenings.
- **Two post matric hostels for boys:**
- These hostels are multi storied and the building is constructed in 70ø.
- The infrastructure provided to the office is insufficient and there are delays in sanction for purchasing food items and warden and staff have to wait for at least six months for getting the reimbursements .
- For two separate hostels only one computer is provided.
- The inmates hail from different parts of Kerala, with students doing post graduation courses and M tech courses in different colleges under Kerala University.

**Recommendations:**

- More staff like LDC,UDC and supervisors need to be appointed.
- Computers ,printers and Aqua guards for clean water to be provided.
- Funds for purchase of food items be provided.

**Post Matric Girls' Hostel, Kanayannur Taluk ,Ernakulam district:** On 19/12/2015 Director NCSC , State Office , Thiruvananthapuram, visited a Post Matric SC Girlsøhostel at Kanayannur , Ernakulam.

- The female Steward along with one security personnel was available .
- The hostel was closed on that day for Christmas vacation , hence inmates were not available.
- The total strength : 56 , occupancy : 38.
- Among the inmates six are from general category.
- The admission is based on marks obtained , distance from residence and income.

- Three Cooks who are permanent employees work in rotation , one sweeper and one partime scavenger are the other employees.
- There is no post of Warden as the honorarium paid to the Warden/Resident Tutor is fixed at ₹ 2000/- .
- Night security is available but none during day
- There is no water connection and the borewell in the premise is not put into use.
- Recommendations:
- A regular lady Warden needs to be appointed .
- Water problem to be sorted out.
- **Post Matric Boys' hostel, Ernakulam**
- On 19/12/2015 , Director NCSC , State Office , Thiruvananthapuram visited Post matric boys' hostel at Ernakulam.
- Steward was available at the time of visit, some inmates were also available
- strength : 51 , occupancy : 46.
- This hostel is also provided with three Cooks who work on rotation, night security , one part-time sweeper and scavenger
- Most of the inmates are pursuing degree courses ,
- The rooms are spacious.
- The main entrance of the hostel is not maintained properly& though the building appeared to be new, there was lack of upkeep .
- No complaint from the boys regarding food,
- Filtered water cannot be provided due to lack of water purifier.
- The Deputy Director of SC Development visits the hostel on regular intervals.

**Recommendations :**

- The building to be renovated and kept clean.
- Regular warden needs to be appointed .
- Funds for purchase of food items be provided.

**4.12 Proposals seeking view of Commission on Policy matters**

According to the Clause 9 of the Article 338 of the Constitution, "The Union and every State Govt. shall consult the Commission on all major policy matters effecting Scheduled Castes".

Two Ministries<sup>21</sup> had consulted the Commission on 6 policy matters during 2015-16. Details in brief are:

#### **4.12.1 Ministry of Social Justice & Empowerment**

**4.12.1.1 Subject:** Memorandum EFC revised Proposal for Enhancement of Authorized Share Capital of National Scheduled Finance and Development Corporation (NSFDC) from ₹ 1,000 Crore to ₹ 2,000 Crore.

- The Commission supported the revised proposal of memo to EFC.

**4.12.1.2 Subject:** Draft note for the Cabinet regarding enhancement of the Authorised Share Capital of National Scheduled Castes Finance and Development Corporation (NSFDC) from ₹ 1,000 Crore to ₹ 2,000 Crore.

- The Commission supported the proposal in the Cabinet note.

**4.12.1.3 Subject:-**Draft Note for the Cabinet for extension in tenure of the National Commission for Safai Karamcharis beyond 31.03.2016 for the three years.

- The Commission supported Cabinet note.

**4.12.1.4 Subject:** Memorandum for Standing Finance Committee (SFC) for the modification and eligibility condition of scheme of Venture Capital Fund for Scheduled Castes Entrepreneurs.

The National Commission for Scheduled Castes (NCSC) supported the proposal with following comments:-

- Due representation should be given to the SC Women Entrepreneurs.
- A Central Level Committee should be constituted to select the SC Entrepreneurs. A representative from National Commission for Scheduled Castes may be one of the Member of that Committee.

**4.12.1.5 Subject:** Comments of the National Commission for Scheduled Castes on the Memorandum for Standing Finance Committee (SFC) for the modification in

---

<sup>21</sup> Ministry of Social Justice & Empowerment & Ministry of Overseas Indian Affairs

eligibility condition of Scheme of Credit Enhancement Guarantee Scheme for Young and Start-Up Entrepreneurs belonging to Scheduled Castes.

- The Commission supported the modification proposal for SFC.

**4.12.1.6 Subject :** Amendment of the Scheduled Castes and Scheduled Tribes

(Prevention of Atrocities) Rules, consequent to the passing of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act , 2015.

- NCSC furnished its comments on draft rules sent by the Ministry of Social Justice and Empowerment regarding the amendment in Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 on 11/02/2016 and 08/03/2016. Some of the comments of the NCSC were incorporated. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 came into force on 14/04/2016.

**4.12.2 Ministry of Overseas Indian Affairs**

**4.12.2.1 Subject:** Draft note for Cabinet- on Memorandum of Understanding (MoU) between GOI and Kingdom of Jordan, for promotion of manpower deployment, protection of workers and joint committee for implementation of bilateral cooperatio

- The Commission supported Cabinet note.

**4.13 Proposals relating to Inclusion /Exclusion of communities as Scheduled Castes**

**Proposals relating to Inclusion /Exclusion of communities as Scheduled**

The Commission received two proposals, the first regarding inclusion/exclusion of entries in the SC Lists and the second for amendment to the list of Authorities empowered to issue caste/community certificates for the State of Bihar & West Bengal. The details are as under:

- Inclusion of Sualgiri/Swalgiri as Synonym of Sabakhia (at SL. No.-79) in the SC list of Odisha.
- Amendment to the list of Authorities empowered to issue caste/community certificates for the State of Bihar & West Bengal.

The Commission after due consideration, approved of the proposal and sent its concurrence to the M/o Social Justice & Empowerment.

#### 4.14 De-reservation Proposals

##### De-reservation Proposals

During the year 2015-16, the NCSC received 33 de-reservation proposals for advice, they included 18 proposals from CAG, 5 proposals from M/o Defence, 2 proposals from D/o. of Electronics and Tele Communication, 1 proposal from M/o Agriculture, 1 proposal from M/o Culture, 1 proposal from M/o Power, 1 proposal from Deptt. of Official Language, 1 proposal from DoNER, 1 proposal from Government of U.T. of Puducherry, 1 proposal from M/o Consumer Affairs & Food and 1 proposal from M/o Finance.

The Commission had given its advice in 20 cases and further details have been sought in remaining 13 cases which were incomplete. The details of are as under:

##### 4.14.1 : 20 cases in which advice has been given :-

Sr. No.	File No.	Proposals received for De-reservation	Commission's view and date when communicated
1	38/De-reservation-4/2015/SSW-I	<b>Deptt. of Electronics and I.T.</b> De-reservation proposal of filling up the post of the Dy. Director, in PB-3 150039, 100 pumps Grade Pay of Rs. 6600 of regular basis.	The Commission vide its letter dated-21/7/2015 has advised to fill up the reserved vacancy by deputation basis on short term basis and fill up the post by modifying the recruitment rules

			through direct recruitment.
2	39/De-reservation-4/2016/SSW-I	<p><b>M/o Tele Communication &amp; I.T.</b></p> <p>De-reservation proposal for filling up of one post of Personal Assistant in PB-2 Rs. 9300 -34800 Plus grade pay Rs. 4600/- reserved for SCs in Department of Electronics &amp; IT.</p>	<p>The Commission vide its letter dated-4/5/2016 has advised to fill up the reserved vacancy by the mode of recruitment rules Limited Departmental Promotional Examination among the eligible SC candidates.</p>
3	38/De-reservation-6/2015/SSW-I	<p><b>M/o Defence</b></p> <p>De-reservation of one vacancy received for Scheduled Castes in the grade of Store Assistant-B in ARDE, Pune, in promotion.</p>	<p>The Commission vide its letter dated-21/7/2015 has advised to fill up the reserved vacancy by direct recruitment through modifying the recruitment rules or through deputation on short term basis.</p>
4	38/De-reservation-8/2015/SSW-I	<p><b>M/o Defence</b></p> <p>Proposal for de-reservation of one vacancy reserved for SC category in the grade of Assistant Library and</p>	<p>The Commission vide its letter dated-7/8/2015 has advised to fill up the reserved</p>

		information Officer (ALIO) in AFHQ/ISOs, M/o Defence.	vacancy by mode of direct recruitment by launching Special recruitment drive.
5	38/De-reservation-9/2015/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for de-reservation of 01 SC vacancy pertaining to theyear 01/04/2015 to 31.3.2016 for the post of Assistant Accounts Officer in the O/o the Accountant General (Accounts & Audit), Chhattisgarh, Raipur.	The Commission vide its letter dated-17/112015 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated 03.10.2000.
6	38/De-reservation-11/2015/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for 01 SC vacancy in the cadre of Assistant Accounts Officer for the panel period from 01/4/2015 to 31/3/2016 in the office of the Principal Accountant General (A&E), Karnataka, Bangalore.	The Commission vide its letter dated-16/11/2015 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated 03.10.2000

7	38/De-reservation-13/2015/SSW-I	<p><b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for de-reservation of 04 SC vacancy in the cadre of Assistant Accounts Officer for the panel period 01-4-2015 to 31-3-2016 in the on the Principal Accountant General (A&amp;E), Uttarakhand, Dehradun</p>	The Commission vide its letter dated-16/2/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-03.10.2000
8	38/De-reservation-15/2015/SSW-I	<p><b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for de-reservation of 02 SC vacancies pertaining to the year 01/04/2015 to 31.3.2016 for the post of Assistant Accounts Officer in the O/o the Accountant General (A &amp;E), Uttrakhand, Dehradun.</p>	The Commission vide its letter dated-11/1/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-03.10.2000
9	38/De-reservation-16/2015/SSW-I	<p><b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for de-reservation of 01 SC vacancy pertaining to the year 01/04/2015 to 31.3.2016</p>	The Commission vide its letter dated-11/1/2016 has advised to fill up the reserved vacancy by relaxing

		for the post of Assistant Accounts Officer in the O/o the Accountant General (A &E), Himachal Pradesh, Shimla.	the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-03.10.2000
10	38/De-reservation-17/2015/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for de-reservation of 02 SC vacancies pertaining to the year 01/04/2015 to 31.3.2016 for the post of Assistant Accounts Officer in the O/o the Principal Accountant General (Accounts & Audit), Chhattisgarh, Raipur.	The Commission vide its letter dated-12/1/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-3.10.2000
11	38/De-reservation-19/2015/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Auditor reserved for SC during the panel year 01.4.2015 to 31.3.2016 in O/of the Director General, Central Expenditure.	The Commission vide its letter dated-12/1/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-

			3.10.2000
12	38/De-reservation-20/2015/SSW-I	<p><b>Comptroller and Auditor General of India(CAG)</b></p> <p>De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Assistant Audit Officer reserved for SC during the panel year 01.4.2015 to 31.3.2016 in O/of the Accountant General (Audit), Bihar, Patna.</p>	<p>The Commission vide its letter dated-12/1/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&amp;T guidelines dated-3.10.2000</p>
13	39/De-reservation-2/2016/SSW-I	<p><b>Comptroller and Auditor General of India(CAG)</b></p> <p>De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Auditor to be filled up by promotion during the panel year 1.4.2015 to 31.3.2016. In the office of the Principal Accountant General, Auditor (G &amp;SSA).</p>	<p>The Commission vide its letter dated-9/2/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&amp;T guidelines dated-3.10.2000</p>
14	39/De-reservation-3/2016/SSW-I	<p><b>Comptroller and Auditor General of India(CAG)</b></p> <p>De-reservation proposal received from the CAG regarding de-reservation of</p>	<p>The Commission vide its letter dated-16/2/2016 has advised to fill up the reserved</p>

		SC vacancy for the post of Senior Audit Officer to be filled up by promotion during the panel year 1.4.2015 to 31.3.2016. In the office of the Director General (Audit) P&T Audit Organization, New Delhi.	vacancy by deputation on short term basis.
15	39/De-reservation-5/2016/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Audit Officer to be filled up by promotion during the panel year 1.4.2016 to 31.3.2017. In the office of the Accountant General, (Audit), Uttrakhand.	The Commission vide its letter dated-8/3/2016 has advised to fill up the reserved vacancy by deputation on short term basis.
16	39/De-reservation-7/2016/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Assistant Accounts Officer to be filled up by promotion during the panel year 1.4.2016 to 31.3.2017. In the office of the Accountant General (A&E), West Bengal	The Commission vide its letter dated-30/3/2016 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T

			guidelines dated-3.10.2000
17	38/De-reservation-10/2015/SSW-I	<b>Govt. of U.T. of Puducherry.</b> Proposal for De-reservation in respect of SC vacancies in Sr. Draftsman cadre in Dte. of Survey and Land Records, Govt. of U.T. of Puducherry.	The Commission vide its letter dated-17/11/2015 has advised to fill up the reserved vacancy by relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-3.10.2000.
18	38/De-reservation-12/2015/SSW-I	<b>M/o DoNER.</b> De-reservation of vacancies falling in the promotion quota.	The Commission vide its letter dated-25/1/2016 has advised to fill up the reserved vacancy by direct recruitment through modifying the existing recruitment rules for the post of Assistant.
19	42/De-reservation-1/2015/SSW-II	<b>Ministry of Consumer Affairs,</b> Proposal for De-reservation of one vacant post of Assistant Director (S&R) reserved for Scheduled Castes and filling up by Unreserved	The Commission views that the Department may be advised to fill up the reserved post by direct recruitment

		candidates received the Under Secretary, Food and Public Distribution, Department of Food & Public Distribution, New Delhi vide their letter No. A-12025/1/2015-SRA dated 07.07.2015.	by modifying the recruitment rules.
20	42/De-reservation-2/2015/SSW-II	<b>Ministry of Finance</b> Proposal for de-reservation of vacancies reserved for Scheduled Castes in posts filled up by promotion for the post of Junior Accounts Officer in PB-2, 9300-34800+Grade Pay ₹ 4800/- received the Under Secretary, Ministry of Finance, Deptt. of Economic Affairs, New Delhi vide their letter No. A.12011/12/2014-Ad I-A dated 07.09.2015.	The Commission views that the Department may be advised to fill up the reserved post by direct recruitment by modifying the recruitment rules instead of seeking of de-reservation proposal.

**4.14.2 In 13 cases the proposals were incomplete hence further details have been sought:-**

Sr. No.	File No.	Proposals received for De-reservation	Status
1	38/De-	<b>Ministry of</b>	The Commission vide its

	reservation-5/2015/SSW-I	<p><b>Agriculture</b></p> <p>Proposal of ex-post-facto approval of National Commission for Scheduled Castes of one de-reserved post of UDC reserved for SC with regard to ratifying the action of de-reservation done by DASD, Deptt. Of Agriculture and Cooperation, Calicut in respect of the vacancy meant for SC candidate for replacement No.3.</p>	<p>letter dated-01/9/2015 has sought some clarification and justification about present implication of the de-reserving of SC vacancy from the Deptt. of Agriculture and Cooperation, M/o Agriculture and the same is awaited.</p>
2	38/De-reservation-7/2015/SSW-I	<p><b>M/o Defence</b></p> <p>De-reservation of one vacancy received for Scheduled Castes in the grade of Sr. Admin. Assistant in ARDE, Pune by promotion.</p>	<p>The Commission vide its letter dated-16/7/2015 &amp; 12.2.2016 have sought certain information/documents from the M/o Defence and the same is awaited.</p>
3	38/De-reservation-18/2015/SSW-I	<p><b>M/o Defence</b></p> <p>Proposal for De-reservation of 01 SC vacancy for the post of Millwright (High Skilled Grade-II to filled by promotion in Industrial Establishment of</p>	<p>The Commission vide its letter dated-5/1/2016 and followed up reminder dated-12.2.2016 have sought certain information/relevant document from the M/o Defence and the same is awaited</p>

		Ordinance Factory, Pune, Ministry of Defence.	
4	39/De- reservation- 13/2016/SSW-I	<b>M/o Defence</b> Proposal for de- reservation of one SC vacancy in the grade of Private Secretary in Directorate General of Aeronautical Quality Assurance in the Ministry of Defence, Department of Defence Production.	The Commission vide its letter dated-29.3.2016 has sought certain information/relevant document from the M/o Defence and the same is awaited
5	38/De- reservation- 14/2015/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal for de-reservation of 01 SC vacancy in the cadre of Supervisor for the panel period 01-4-2015 to 31-3-2016 in the office of the Accountant General, (A&E), Odisha, Bhuwenshwer	The Commission vide its letter dated-3/3/2016 has sought certain information/clarification from the CAG office and the same is awaited.
6	39/De- reservation- 11/2016/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-	The Commission vide its letter dated-30.3.2016 has sought clarification about justification of de- reservation as there is a

		reservation of SC vacancy for the post of Senior Audit Officer to be filled up by promotion during the panel year 1.4.2016 to 31.3.2017. In the office of the Principal Accountant General. (Audit), Haryana, Chandigarh.	provision of filling up of the post through deputation as per the RRs. The reply is awaited
7	39/De-reservation-12/2016/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Accounts Officer to be filled up by promotion during the panel year 1.4.2016 to 31.3.2017. In the office of the Accountant General. (A&E), Gujarat, Rajkot.	The Commission vide its letter dated-30.3.2016 has sought clarification about justification of de-reservation as there is a provision of filling up of the post through deputation as per the RRs. The reply is awaited
8	39/De-reservation-8/2016/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of	The Commission vide its letter dated-30/3/2016 has sought clarification about justification of de-reservation as there is already SC candidate available in the feeder

		Auditor Officer to be filled up by promotion during the panel year 1.4.2016 to 31.3.2017. In the office of the Principal Accountant General (General & Social Sector Audit), Karnataka, Bangalore.	cadre. The reply is awaited
9	39/De-reservation-9/2016/SSW-I	<b>Comptroller and Auditor General of India(CAG)</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Senior Audit Officer to be filled up by promotion during the panel year 1.4.2016 to 31.3.2017. In the office of the Principal Accountant General. (General & Social Sector Audit), Karnataka, Bangalore	The Commission vide its letter dated-30/3/2016 has sought clarification about justification of de-reservation as there is already SC candidate available in the feeder cadre. The reply is awaited
10	39/De-reservation-1/2016/SSW-I	<b>M/o Power.</b> Proposal for de-reservation of posts reserved for SCs & STs to be filled up by promotion in Executive	The Commission vide its letter dated-11/2/2016 has sought certain information/relevant document from the M/o Power and the same is

		Cadre (E-2) in Power Finance Corporation (PFC)	awaited
11	38/De-reservation-21/2015/SSW-I	<b>M/o Culture</b> Proposal for de-reservation of the post of Sr. clerk (UDC) in the IGRMS, Bhopal, M/o Culture	The Commission vide its letter dated-15/1/2016 and followed up reminder dated-12.2.2016 have sought certain information/relevant document from the M/o Culture and the same is awaited.
12	39/De-reservation-6/2016/SSW-I	<b>Ministry of Railway</b> De-reservation proposal received from the CAG regarding de-reservation of SC vacancy for the post of Supervisor Audit Officer to be filled up by promotion during the panel year 1.4.2015 to 31.3.2016. In the office of the Principal Director (Audit), Eastern Railway.	The Commission vide its letter dated-8/3/2016 has sought clarification about justification of de-reservation as there is already SC candidate available in the feeder cadre. The reply is awaited
13	39/De-reservation-10/2016/SSW-I	<b>M/o Home Affairs</b> De-reservation proposal received from Raj bhasha Vibhag, MHA regarding de-	The Commission vide its letter dated-4.4.2016 has sought certain information/documents from the Department of Official Language which

		reservation 04 SC posts in cadre of Assistant Director (Language) in the O/o the Central Hindi Training Institute/Hindi Education Scheme.	is awaited.
--	--	---	-------------



## CHAPTER –V Administration and Coordination

### 5.1 The Mandate<sup>1</sup>

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

The present National Commission for Scheduled Castes<sup>2</sup> is headed by Chairperson, Dr. P.L.Punia. There is a Vice Chairman, three Members and officials<sup>3</sup>.

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

- (i) The Protection of Civil Rights (PCR) Act, 1955
- (ii) The PCR Rules, 1977
- (iii) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015<sup>4</sup>.

---

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

<sup>2</sup> See Annexure 1 for NCSC Organization Chart

<sup>3</sup> Dr. Raj Kumar Verka - Vice-Chairperson

Shri Raju Parmar - Member

Shri Ishwar Singh - Member

Smt.P. M. Kamamma - Member

Shri. Arun Jha, IAS, Secretary

Dr Smita S Chaudhri, Joint Secretary

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

<sup>4</sup>Notified on 01 January 2016

(iv) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amendment Rules 2016<sup>5</sup>.

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

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

- Implementation of Reservations for Scheduled Castes / OBCs in the Central, State and UT Governments and their Public Sector Undertakings..
- Monitoring the welfare schemes for development of Scheduled Castes through SCSP<sup>6</sup> funds.

## **5.2 Offices**

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

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

**Table No. 5.1**

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

<sup>5</sup>Notified on 14 April 2016

<sup>6</sup>SCSP : Scheduled Caste Sub Plan

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

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

### **5.2.1 Proposal for opening new offices**

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

**Table No. 5.2**

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

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

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

### **5.2.2 Up gradation of Offices**

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

**Table No. 5.3**

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

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

## **5.3 Issues related to staffing**

### **5.3.1 Staffing at the Headquarters<sup>7</sup>**

The NCSC headquarters has the following Wings/Divisions:

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

---

<sup>7</sup> Please see Annexure-2 for incumbency position at the NCSC headquarters (As on 31<sup>st</sup> March, 2016)

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

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

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

State Offices for the purpose of administration 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<sup>8</sup> of the Commission. In the State Offices, only 95 positions are filled, out of the 156 sanctioned positions as on 31 March, 2016. Process is on to fill up these vacant posts both by the Ministry of Social Justice & Empowerment (for Group A level posts) and the Commission.

### **5.3.2 Other Vacant Positions**

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

## **5.4 Accommodation**

The office of the Commission is located at 5th Floor, Loknaya Bhawan, Khan Market, New Delhi. The State Offices of the Commission are located in different

---

<sup>8</sup>See Annexure-3 for incumbency position at the NCSC State Offices

States. The location of the State Offices and their jurisdiction is given in Annexure – IV.

## **5.5 Use of Technology for Administrative purposes**

### **5.5.1 E-governance**

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

### **5.5.2 Complaint Monitoring Information System (CMIS)**

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

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

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

## **5.6 Compliance with other Mandates**

### **5.6.1 Use of Hindi**

The NCSC strictly followed the instructions on official language and issued all important orders/notifications bilingually. Hindi Fortnight was observed from the 01 to 15 September, 2015. Several competitions were organized during the week and prizes were also distributed to promote use of Hindi in official working. The Unit is headed by one Assistant Director (OL). Use of Hindi is monitored through holding monthly meeting and inspections.

### **5.6.2 National Integration Week**

The NCSC observed the Quami Ekta Week (National Integration Week) from 19 to 25 November, 2015 to foster the spirit of patriotism, communal harmony and national integration.

### **5.6.3 Vigilance Unit**

The Joint Secretary is appointed as part-time Chief Vigilance Officer (CVO) with approval of CVC. She was assisted by a U.S./Vigilance Officer, who discharges these functions, in addition his normal duties. The NCSC observed the Vigilance Awareness Week from 26 to 31 October, 2015 and banners are put up at different places. Lecture on Preventive Vigilance as a tool of Good Governance was arranged on 27.10.2015 by inviting faculty from ISTM, New Delhi.

### **5.6.4 Right to Information Act, 2005**

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

During the period from April, 2015 to March, 2016, 1755 applications under the RTI Act were received and 1687 were disposed off. The details of RTI cases received and disposed, appeals received and disposed and CIC cases are given in table below:

**RTI Cases dealt by the Commission**

**Table No. 5.4**

Name of Office	RTI Cases		RTI Appeals		CIC Cases	
	No. of cases received	No. of replies sent	No. of appeals received	No. of appeals disposed of	No. of hearing in CIC	No. of cases closed
Head Quarter	1319	1282	120	95	31	25
Agartala	0	0	0	0	0	0
Ahmedabad	3	3	1	1	1	1
Bangalore	20	20	2	2	0	0
Chennai	58	58	6	6	0	0
Chandigarh	64	60	4	4	0	0
Guwahati	0	0	0	0	0	0
Hyderabad	46	46	2	2	0	0
Kolkata	33	33	5	5	0	0
Lucknow	70	70	2	2	0	0
Patna	23	23	1	1	1	1
Pune	103	85	15	15	2	2
Trivandrum	16	16	02	02	0	0
<b>Total</b>	<b>1755</b>	<b>1687</b>	<b>160</b>	<b>135</b>	<b>35</b>	<b>29</b>

**5.7 Court Cases Dealt by NCSC Hqrs. & State Offices**

A total of 44 Court cases where NCSC has been made a party have been received during the year. The details of all pending court cases are appended as below :

**Court cases handled during 2015-16 at Commission**

**Table No. 5.5**

Name of Office	No. of Court Cases received	No of cases finally decided	No of cases pending
Head Quarter	36	1	35
State Offices	52	0	52
<b>Total</b>	<b>88</b>	<b>1</b>	<b>87</b>

State Office-wise details of court cases handled during 2015-16 :

Table No. 5.6

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	0	0	0
Ahmedabad	2	0	2
Bangalore	10	0	10
Chennai	11	0	11
Chandigarh	4	0	4
Guwahati	0	0	0
Hyderabad	13	0	13
Kolkata	3	0	3
Lucknow	2	0	2
Patna	2	0	2
Pune	2	0	2
Trivandrum	3	0	3
<b>Total</b>	<b>52</b>	<b>0</b>	<b>52</b>

## 5.8 Budget

The NCSC has a Non-Plan budget of ₹ 14.90 crore for the year 2015-16. A statement is given at **Annexure – VI**. Out of the ₹ 14.90 crore budget, approximately ₹ 11.60 crore is spent on salaries and other committed expenditure.



## CHAPTER – VI

### Service Safeguards

Various provisions have been made under the Constitution to eradicate untouchability in any form and special provisions were also made for Scheduled Castes and Scheduled Tribes to secure their adequate representation in public services. Reservation is a form of affirmative action designed to improve the well-being of backward and underprivileged communities defined primarily by their caste wherein a certain percentage of total available vacancies in educational institutes and government jobs are reserved for people from Scheduled Castes (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC). The 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 persons belonging to these communities but also its basically aims at empowering them and ensuring their participation in the decision making process of the State. Public Employment also gives a certain status and power, besides the means of livelihood.

The main objective of the reservation system is to increase the 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.

#### 6.1 Constitutional Provisions for Reservation

The Constitution of India in Article 15(4) states : ~~All~~ citizens shall have equal opportunities of receiving education. Noting 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 favor 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 come into force on 19.08.1995 vide the Constitution (77<sup>th</sup> Amendment) Act, 1995 and Article 16 (4B) which has been incorporated in the Constitution vide the Constitution (81<sup>st</sup> 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 was extended by successive governments. The Honorable Supreme Court of India has ruled that reservations cannot exceed 50 per cent.

## **6.2 Reservation in services**

After Independence, instructions were issued on 21.09.1947 providing for reservation of 12 ½ per cent of vacancies of SCs in respect of recruitment made by open competition. In case of recruitment other than by open competition this percentage was fixed at 16 and 2/3 per cent. After the Constitution was

promulgated on 13.09.1950, five *per cent* reservation was provided for STs apart from the percentage fixed for SCs already in force.

### **6.3 Reservation in Direct Recruitment**

The percentage of reservation in direct recruitment on all India basis by open competition for SCs and STs in 15% and 7.5% respectively was fixed on 25.03.1970. Direct recruitment on all India basis otherwise than by open competition reservation for SCs and STs is 16.66% and 7.5% respectively. In respect of direct recruitment to Group C and D posts which normally attract candidates from a locally or 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.

### **6.4 Relaxations available for SCs/STs in Direct Recruitment**

Other relaxations like those of upper age limit by five years, exemption from payment of examination/application fees, separate interview for SC/ST, standards of suitability, payment of TA and relaxation in experience at discretion of UPSC/Competent Authority are available for the SCs/STs in direct recruitment.

The Government in 1993 introduced 27% reservation for Other Backward Classes in direct recruitment. 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 judgment 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 the promotion 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 per cent and total reservation for SCs, STs and OBCs should not exceed 50 per cent.

## **6.5 Reservation in Promotion**

In 1957, reservation was provided for SCs and STs in departmental competitive examinations by the Government of India. 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. In the year 1968 when reservation in limited department examination to Class II, III, and IV and promotion by selection to Class II, III and Class IV were subjected to a condition that element of direct recruitment should not exceed 50 percent. The percentage of reservation for SCs and STs was increased from 12 ½ % to 15% and 5% to 7 ½ % respectively from 25.02.1970. 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%. The limitation of the direct recruitment for exceeding 50 percent was raised to 66 and 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, @ 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 ₹18,300 (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.

## **6.6 Relaxations available to SCs in promotion**

- The zone of consideration is extended to five times against the number of vacancies in case suitable SC/ST candidates are not available within the normal zone of consideration;
- Minimum qualifying marks/standards of evaluation are relaxable;
- Upper age limit to be relaxed by five years where upper age limit for promotion is prescribed not exceeding fifty years, etc.

Reservation till 01.0.1997 was computed on the basis of number of vacancies filled. After that post based reservation was introduced w.e.f. 02.07.1997. 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.

## **6.7 Revised instructions on reservation roster for implementation of reservation in small cadre.**

The Department of Personnel & Training has sent a proposal regarding revised instructions on reservation roster for implementation of reservation in small cadre for the comments of the National Commission for SCs as per following points:

Department of Personnel and Training vide OM No. 36012/2/96-Estt (Res.), dated 02.07.1997, in implementation of the Supreme Court judgment in the case of R.K. Sabharwal Vs. State of Punjab, introduced post-based reservation rosters by replacing vacancy based roster, Two rosters were devised. One for cadre having more than 13 posts and another less than 14 points L shaped roster for cadres having 2 to 13 points. In 14 point reservation roster, Scheduled Castes and Scheduled Tribes have been allotted one point each i.e. point No. 07 and point No. 14 respectively. It was observed that despite having the 15% share in reservation, Scheduled Caste is getting only one slot i.e. point No. 7 in L-shaped

roster, while Scheduled Tribe having 7.5% reservation also gets one point i.e. point No. 14. To rectify the lacunae it was proposed to prescribe a 200 point-roster for cadre having 2 to 13 posts. In a 200 point roster STs will get 15 points (i.e. 7.5%) and SCs will get 30 points (i.e. 15%).

Reservation for Scheduled Castes and Scheduled Tribes is provided at the rate of 15% and 7.5% respectively. The instructions contained in O.M. No. 36012/2/1996-Estt.(Res) dated 02.07.1997 provide that while drawing model roster, the method for making a roster is to multiply each post by the prescribed percentage of reservation for the different reserved categories. The point at which the multiple for a community gets a complete number or oversteps the number will be reserved for that community. Thus in 14 point L-shaped roster [SC-14x15%=2.10] [ST-14x7.5%=1.05] there should be two points earmarked reserved for SCs instead of one as provided in the present L-shaped roster.

The issue that as to how one more point be earmarked to SCs in L-shaped 14 point roster. For the purpose the following two options were proposed for consideration:-

- 14 point L-shaped roster be extended to 15 point and point 15<sup>th</sup> may be earmarked to SC candidate, or
- The L-shaped roster may be done away with and 200 point post based roster be operated for cadres having 13 or less than 13 points. The reservation to be provided on rotation basis as is already being done in case of L-shaped roster.

The Commission has recommended with the option No. (ii) of DoPT proposal to replace L-Shaped Roster with 200 point post based roster be operated for cadres having 13 or less than 13 points also but as a running vacancy roster. The reservation to be provided on rotation basis as is already being done in case of L-Shaped roster.

## 6.8 Representation of SCs & OBCs in the Central Government/ CPSUs/ CPSBs

### 6.8.1 Representation of SCs & OBCs, in the Central Government :

As per information furnished by 52 Ministries / Departments , out of 18,00,620 Central Government Employees, 3,09,933 employees are SCs and 3,23,612 are OBCs. The details are as follows:

**Table 6.1**

#### Statement Showing the Representation of SCs in the Central Government<sup>1</sup>

Group	Total Employees	No. of SCs in position	Percentage of SC employees	No. of OBCs in position	Percentage of OBC employees
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
A	50007	6129	12.26	5428	10.85
B	110333	17587	15.94	11388	10.32
C (Excluding Safai Karamchari)	1774167	301079	16.97	363379	20.48
D Safai Karamchari	42340	17366	41.02	5472	12.92
Total	1976847	342161	17.31	385667	19.51

*Note: The information in Higher Posts like Joint Secretary/Secretary level Posts is still awaited from the Department of Personnel & Training.*

<sup>1</sup> under different Ministries/Departments as on 01.01.2015 (uploaded by 45 Ministries/Depts.) sent to NCSC vide M/o Personnel, P.G. and Pension, DoPT's letter No. 36027/01/2014-Estt.(Res.) dated 20.05.2016.

It was observed that the SC & OBC employees have not reached the prescribed percentage of 15 per cent and 27 per cent respectively in the Group A posts despite a number of Special Recruitment Drives conducted by the various Departments of Government of India. The percentage of OBCs employees is very low in the Group B and C also. The Commission once again recommends that Special Recruitment Drives may be conducted to fill up all backlog posts in the Government of India.

**6.8.2 Representation of SCs & OBCs in the Central Public Sector Undertakings:**

Of the 12,89,161 employees of the CPSUs , 2,21,293 are SCs and 2,01,329 are OBCs. The details are given in the following table :

**Table 6.2**

Statement Showing the Representation of SCs, in the Central Public Enterprises<sup>2</sup>

Groups	Total Employees	SCs employees in position	OBC employees in position	Percentage of SC employees	Percentage of OBC employees
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
A (Managerial/Executive Level)	262911	38539	34944	14.66	13.29
B (Supervisory Level)	129996	14282	13984	10.99	10.76
C (Workers skilled)	647511	127839	113863	19.74	17.58
D (Unskilled)	248743	40633	38538	16.33	15.49
Total	1289161	221293	201329	17.16	15.62

<sup>2</sup> under different Ministries/Departments as on 31.03.2015 received by NCSC vide letter No. DPE-GM/0043/2014-GM-FTS-1899 dated 27.04.2016.

It can be seen that the percentage of SC employees in Managerial level (Group-A) and Supervisor Level (Group-B) are below the prescribed percentage and similarly, percentage of OBC in all cadre posts are less than the prescribed percentage. The Commission in its review of the safeguards extended by various CPSUs has recommended that special efforts be made to fill up the backlog vacancies and the percentage of SCs & OBCs be brought at par with the prescribed percentage in all levels especially senior managerial levels.

### **6.8.3 Representation of SCs & OBCs in the Central Public Sector Banks:**

Of the 10,82,713 employees of CPSBs , 2,22,333 are SCs and 1,90,927 are OBCs. The details are given below:

**Table 6.3**

Statement Showing the Representation of SCs, in the Banks/Insurance and Financial Institutions<sup>3</sup>

Groups	Total Employees	SCs employees in position	OBC employees in position	Percentage of SC employees	Percentage of OBC employees
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
A (Managerial/Executive Level)	458308	81035	72357	17.68	15.79
B (Supervisory Level)	30524	4433	4180	14.52	13.69
C (Workers skilled)	412633	75859	77600	18.38	18.81
D (Excluding Safai Karamchari)	135754	40336	27072	29.71	19.94
D(Safai Karamchari)	45494	20670	9718	45.43	21.36
Total	1082713	222333	190927	20.53	17.63

---

<sup>3</sup> under Ministry of Finance, Department of Financial Services as on 31.12.2015 vide letter No. 5.19.2015-Welfare dated 10.05.2016.

## **6.9 Reservation scenario in the State Governments**

The Commission requested information on representation of SCs in State/ UT Governments and Public Sector Undertakings under control of State / UT Governments as on 31 March, 2015. Fifteen States / UTs have responded but the details are not as on as on 31 March, 2015 The summary of the representation of SCs in State/UT Government & Public Sector Undertakings is given below:-

**Table 6.4**  
**Representation of Scheduled Castes in State Governments**  
**(States where representation is less than norms)**

<b>State name</b>	<b>Norms<sup>4</sup></b>	<b>Group A</b>	<b>Group B</b>	<b>Group C</b>	<b>Group D</b>
Punjab	31.9	17.03	17.52	22.4	34.14
Himachal Pradesh	25.2	12.4	16.9	17.96	25.77
West Bengal	23	12.86	15.05	21	22.21
Uttar Pradesh	20.7	12.17	15.03	17.77	37.95
Tamil Nadu	20.01	7.4	13.43	15.79	29.87
Haryana	18.9	8.66	10.69	12.52	23.76
Rajasthan	17.16	7.64	8.24	8.26	17.21
Odisha	17.13	6.33	12.38	12.85	18.28
Chattisgarh	12.82	11.02	12.58	13.35	22.11

<sup>4</sup> % of the SCs in the State

**Table 6.5**  
**Representation of SCs in services (%)**  
**(representation near the norms)**

State	Norms	Group A	Group B	Group C	Group D
Karnataka	17.15	18.17	15.31	15.72	24.41
Madhya Pradesh	15.62	12.31	16.19	15.91	24.03
Andhra Pradesh	15	14.83	0	15.87	28
Maharashtra	10.2	15.33	14.06	13.16	16.47
Bihar	8.58	18.21	13.72	16.83	14.48
Gujarat	7.09	8.24	8.26	17.21	80.91

**Table 6.6**  
**Representation of Scheduled Castes State PSUs (%)**

State	Norm	% of SC PIP
Karnataka	17.15	41
Uttar Pradesh	20.7	22.64
Andhra Pradesh	15	17.98
Himachal Pradesh	25.2	16.08
Gujarat	7.09	14.28
Haryana	18.9	10.7
Odisha	17.13	9.79
Bihar	8.58	6.66

### 6.10 Cases in the Commission on Service safeguard Matters

The Commission has received 1207 cases during the year on service safeguard related issues and 4300 cases were pending as on 31-03-2016. The details of the cases are as shown below;

**Table 6.6**

**Cases received in the Commission related with the Service Safeguard**

Nature of cases	As on 01.04.2015 b/f	Received during April, 2015 to March, 2016	Disposed of between April, 2015 to March, 2016	Total pending cases till 31.03.2016
Total SSW	3821	1207	728	4300

**6.11 Important issues regarding Service Safeguards of the Scheduled Castes**

**6.11.1 Non implementation of orders of MHA / DoPT, GOI by DSSSB in recruitment**

The NCSC had received representations from the SC candidates against non implementation of rules of reservation by DSSSB<sup>5</sup> in appointment of SC candidates who have qualified for the post of Staff Nurses and Primary Teachers advertised by the DSSSB and subsequent non issue of offer of appointment. The Commission examined the matter and also took up the case with the DSSSB. During the investigation the Commission has observed that the Services Department, Government of NCT of Delhi vide the letter no. F.19 (6)/2012/S/IV-/883 Dated-10.05.2013, has clarified that all SC/ST candidates regardless of their nativity will be given the benefits of reservation in post of Delhi Government. The same has also been clarified by M/o Home Affairs, Government of India vide their letter no. 14012/09/2012-Delhi-I dated-03.04.2013 to the Chief Secretary, Government of NCT of Delhi, in which the approval of the M/o Law & Justice,

---

<sup>5</sup>DSSSB : Delhi Subordinate Services Selection Board

Govt. of India was also attached. The Honøble Minister of State for Home vide his letter dated-19.09.2014 to the Lt. Governor of NCT of Delhi, on the same issue had reiterated the MHA clarification and also requested that the DSSSB may be instructed to follow the MHA/DoPT Orders. Despite all this, the SC candidates were denied of the right of the reservation and not issued offer of appointment in the case mentioned above. Thereafter, the Commission conducted hearings and finally issued its recommendation/findings<sup>6</sup>to the Lt. Governor of NCT of Delhi who, through the Chief Secretary, Govt. of NCT of Delhi, was to ensure that the right of reservation as enshrined in the Constitution are extended to the Scheduled Caste for appointment to posts of in the Government of NCT of Delhi. The recommendations were communicated to the LG vide DO no M-35/Delhi-202/2014/SSW-1 dated 03.02.2015 and also the Chief Secretary, Government of NCT of Delhi vide DO no M-35/Delhi-202/2014/SSW-1 dated 03.02.2015. It was only after Commission's recommendation, that the Department of Health & Family Welfare, Govt., of NCT of Delhi vide its letter No.8 (238)/H&FW/TRC/2014/307 dated-20.7.2015 informed the Commission that the offers of appointment have been issued to 588 candidates belonging to SC/ST category. These were specific isolated cases, which came to the notice of the Commission and due to the follow up by the Commission, the DSSSB/ Government took the correct decision as per rules. Since there was non implementation of existing orders of MHA by Government Recruitment board ie DSSSB itself , it cannot be denied that many other Departments / organizations under the Government of NCT of Delhi too may not be following the rules and thus denying SC candidates of their due reservation in recruitment. This has serious implications on various meritorious qualified SC candidates being adversely affected due to them not getting the benefit of reservation.

**Recommendation:**

The Commission again recommends that the Chief Secretary, Government of NCT of Delhi may conduct a time bound review of the recruitments done by

---

<sup>6</sup>in case no M-35/Delhi-202/2014 SSW-I , NCSC

various Departments / organizations under Government of NCT of Delhi since 10.05.2013 and ensure that the orders of MHA/DoPT, GOI vide letter no. F.19 (6)/2012/S/IV-/883 Dated-10.05.2013 are followed. The necessary the corrective measures may also be taken in the interest of Scheduled Castes if rules are not found followed. MHA / DoPT , Government of India may also follow up and ensure that the correct implementation is done and SC candidates not deprived of their due rights.

#### **6.11.2 Non implementation of 85th Amendment Act, 2001 by Government of Punjab:**

The NCSC had received representations regarding non implementation of 85th Amendment Act, 2001 in the matter of seniority of SC/ST government servants on promotion by virtue of rules of reservation, maintenance of rosters by Government of Punjab. During the investigation of the matter, the Commission has observed<sup>7</sup> that there were already instructions/orders on maintaining seniority of the SCs who were promoted by virtue of reservation and also the Honøble Supreme Courts judgments on the same. Commission has observed however, that the Government of Punjab is not implementing the Government instructions on seniority of SCs promoted as per rosters. The DoPT order dated 21.02.2002 provides that "The Government have now decided to negate the effects of the DoPT OM dated 30.1.1997 by amending Article 16(4A) of the Constitution right from the date of its inclusion in the Constitution i.e. 17.06.1995 with a view to allow the Government servants belonging to SCs/STs to retain the seniority in the case of promotion by virtue of rule of reservation. The SC/ST Government servant In other words, the candidate belonging to General /OBC category promoted later will be placed junior to the SC/ST Government Servants promoted earlier even though by virtue of the rule of reservation." The SC/ST Government servants shall, on their promotion by virtue of rule of reservation/roster be entitled to consequential seniority and further promotions. The Commission has also observed that the Government of Punjab is not providing reservations in

---

promotions to the SCs in various cadre/posts. It is also observed that the Government of Punjab has not issued orders for implementation of DoPT orders on seniority of SCs as per the 85<sup>th</sup> Amendment Act, 2001. On other hand the Government of Punjab issued O.M. No. 4/40/13-3 P.P.I/855 dated 10.10.2014, which is not as per the lines of DoPT guidelines. Similarly, the Government of Punjab (Department of Personnel) vide its Order No. 3/34/99/3PPI/12565 dated 22.10.1999 had issued directions i.e. Roster point promotee cannot claim seniority on the basis of the date of continuous officiating which is also against the DoPT Guidelines on the seniority of SCs. The recommendations of the Commission were communicated to the Government of Punjab vide letter no K-10/Punjab-8/2014/SSW-1 dated 06.01.2015.

**Recommendations:**

The Commission recommends the Government of Punjab may revise and correct its orders on seniority as per the DoPT guidelines dated 22.01.2002 and implement the same by providing benefit of seniority to the SC employees who are promoted by virtue of reservation / roster.

**6.11.3 Hon'ble Supreme Court Judgment in CA no. 2608/2011 dated 27.04.2012 :**

The NCSC had received several representations<sup>8</sup> regarding the issue of large scale demotion of SC employees of Government of Uttar Pradesh in compliance of the Honøble Supreme Court Judgment in CA no. 2608/2011 (UP Power Corporation Ltd vs Rajesh Kumar & others) dated 27.04.2012. During the investigation of the matter, the Commission observed that the Honøble Supreme Court in C.A. no. 2608/2011 vide order dated 27.04.2012 had concluded that section 3(7) of UP Public Servants ( Reservation for SCs / STs and OBCs) Act 1994 and rule 8A of the UP Government Servants Seniority Rules 1991 , (brought in force in 2007), were ultra-virus as they run counter the dictum in M.Nagraj (Supra). However any promotion that has been given on the dictum of

---

<sup>8</sup>Dealt in file no V-2/UP-36/2015/SSW II

Indra Sawhney (Supra) and without the aid of assistance of section 3(7) and rule 8A shall remain undisturbed. The Honøble Supreme Court judgement in the case of M. Nagraj Vs. Union of India in 2006 had stated that the main issue concerns the extent of reservation and that the State concerned will have to show in each case the existence of the compelling reasons, namely, backwardness, inadequacy of representation and overall administrative efficiency before making provision for reservation. The states are not bound to make reservation for SCs/STs in matter of promotions. However, if a State wishes to exercise their discretion and make such provision, the State has to collect quantifiable data showing backwardness of the class and inadequacy of representation of that class in public employment in addition to compliance with Article 335. It was made clear that even if the State has compelling reasons, as stated above, the State will have to see that its reservation provision does not lead to excessiveness so as to breach the ceiling-limit of 50% or obliterate the creamy layer or extend the reservation indefinitely. The Government of Uttar Pradesh, without implementing the actions as defined in the Honøble Supreme Court's judgement in M. Nagraj case, i.e collect quantifiable data showing backwardness of the class and inadequacy of representation of that class in public employment in addition to compliance with Article 335, and show in each case the existence of the compelling reasons, namely, backwardness, inadequacy of representation and overall administrative efficiency before making provision for reservation etc , framed the UP Government Servants Seniority Rules 1991 , (brought in force in 2007). Hence the same were declared ultra vires by the Honøble Supreme Court in its judgement dated 27.04.2012 . Hence, in the light of the judgment passed by the Honøble Supreme Court in C.A. no. 2608/2011 vide order dated 27.04.201 , the Government of Uttar Pradesh had to demote all SC officials who have been given promotion under the reservation policy after 15.11.1997 and upto 28.04.2012. In this regard, the Commission also observed that the Constitutional 77<sup>th</sup> Amendment Act, 1995 and 85<sup>th</sup> Amendment Act, 2001 were subsequent to the Indra Sawhney case judgement of 1992, the issue covered in the said Indra Sawhney case have been taken care of by the Govt. of India in

said amendments by insertion of sub clause 4A to Article 16 of the Constitution of India. Both amendments are effective from 17 June 1995. Hence, there appears no logic to the Government of Uttar Pradesh reverting all its SC employees who have been given promotion under the reservation policy after 15.11.1997 and upto 28.04.2012. At best the reversion could be effective from the date of the judgement in 2006 in case of M. Nagraj judgement. Recommendations of the Commission were communicated to the Chief Minister , Uttar Pradesh vide DO letter no R-18/UP-92/2015 / SSW-II dated 14.09.2015.

**Recommendation:**

The Commission recommends that all State Governments including Government of Uttar Pradesh implement the Honøble Supreme Court judgement in the M.Nagraj case and take the decision based on submission of quantifiable data of backwardness, inadequacy of representations and overall administrative efficiency for determining reservation and promotion and also consider to continue reservation in promotion for SCs.

**6.11.4 Reservation to SC/ST category persons in promotion in the officer's category in Central Public Sector Banks:**

The Honøble Supreme Court of India, in the judgment dated 09.01.2015, had directed the appellate Public Sector Banksø to provide for reservations while carrying out promotions from Scale-1 to Scale-II and upwards upto Scale-VI in the Officer grade/scale, in line with the provisions contained in the OM dated 13.08.1997 of the DoPT. A number of Public Sector Banks<sup>2</sup> have filed Review Petitions in the case and the Honøble Supreme Court , in its judgement dated 08.01.2016 allowed review petitions by deleting paragraph Nos. 33 to 36 of its earlier judgment and has further held that it would be open to the concerned authority, namely, Government and the Banks to consider whether their demand is justified and it is feasible to provide reservation to SC/ST category persons in the matter of promotion in the officerø category and if so, up to which scale/level.

## **6.12 Recommendations on service safeguard issues**

### **Major recommendations:**

#### **6.12.1 During the review meetings of the CPSUs / CPSBs held by the Commission , it was seen that :**

- The reservation rosters for various category/posts under Direct Recruitment and Promotion Quota were not maintained as per the DoPT guidelines/instructions O.M. No. 36022/2/1996-Estt.(Res.) dated 02.07.1997. The reservation roster has not been maintained in running account and the reserved points were filled up at latter stage. No summary was prepared at the end of the roster after every recruitment year so that it could not find out of backlog position of the reserved vacancies. The rosters were not checked /inspected by the Liaison Officer for SC/S. Hence, the respective Organizations/PSUs were advised to prepare/ maintain the reservation roster as per the DoPT guidelines. The Liaison Officers for Scheduled Castes in the respective PSUs were also not found aware about discharging of their duties as LO for SC/ST and the instructions / orders of the Government guidelines on the implementation of the reservation policy.

Hence, the Commission has recommended that a training programme on the implementation of the reservation policy for Liaison Officers for SC/ST may be conducted so that they could discharge their duties properly.

- There were backlogs of the reserved vacancies in the various category/posts. Further, due to non-maintenance of the reservation rosters as per the DoPT guidelines the calculation of the backlog vacancies could not be ascertained by the by the respective PSUs and these vacancies were remained unfilled. The DoPT guidelines on filling up of the backlog vacancies by launching or special Recruitment Drives were not found followed.

Therefore, the Commission recommended that the PSUs may calculate the reserved backlog vacancies and fill up such vacancies by launching a Special Recruitment Drives.

- The Government has issued instructions for providing reservation in services to the SCs and OBCs in Direct Recruitment as 15% and 27%. The Commission while reviewing the Public Sector Organizations, observed that in certain cadre posts, the requisite percentage of reservation for SCs and OBCs were below the prescribed reservation of 15% and 27%. Hence, the Commission has advised to the PSUs to maintain the representation of SCs and OBCs as per the reservation policy of the Govt. of India. Similarly, in the matter of promotion, the requisite reservation for SCs is not adequate and below the percentage of reservation of 15%.
- The PSUs were not found providing the pre-recruitment to the Scheduled Castes and OBC candidates so that their adequate representation in all cadre posts could be fulfilled. Similarly, it was observed that the pre-promotion training to the SC incumbents is not being provided. Hence, the Commission has recommended to follow the Government Guidelines /Instructions in the matter.
- Government of India has issued guidelines all Public Sector Undertakings that 10% of the profit should be spent for the welfare of the weaker sections including Scheduled Castes under the CSR Scheme/programmes. It was observed that the most of the Public undertakings have not allocated funds under the CSR schemes. Hence, the Commission recommended that the PSUs may consider allocating the funds for the welfare of Scheduled Castes by launching specific schemes.

#### **6.12.2 Non implementation of orders of MHA / DoPT, GOI by DSSSB in recruitment :**

The Commission again recommended that the Chief Secretary, Government of NCT of Delhi may conduct a time bound review of the recruitments done by

various Departments / organizations under Government of NCT of Delhi since 10.05.2013 and ensure that the orders of MHA/DOP&T, GOI vide letter no. F.19 (6)/2012/S/IV-/883 Dated-10.05.2013 are followed. The necessary the corrective measures may also be taken in the interest of Scheduled Castes if rules are not found followed. MHA / DoPT , Government of India may also follow up and ensure that the correct implementation is done and SC candidates not deprived of their due rights.

#### **6.12.3 Hon'ble Supreme Court's judgement in M. Nagraj case :**

The Commission recommends that all State Governments including Government of Uttar Pradesh implement the Hon'ble Supreme Court judgement in the M.Nagraj case and take decision based on submission of quantifiable data of backwardness, inadequacy of representations and overall administrative efficiency for determining reservation and promotion and also consider to continue reservation in promotion for SCs.

#### **6.12.4 Non implementation of 85th Amendment Act, 2001 by Government of Punjab :**

The Commission recommends the Government of Punjab may revise and correct its orders on seniority as per the DoPT guidelines dated 22.01.2002 and implement the same by providing benefit of seniority to the SC employees who are promoted by virtue of reservation / roster.

#### **6.12.5 Recommendations of the Commission regarding Service issues of State/ Union Governments are :**

- Reservation in Government posts should be equivalent to the percentage of SC population in the State.
- Reservation rosters should be maintained and followed strictly to ensure adequate representation of the SCs in services.
- Backlog vacancies should be filled through Special Recruitment Drives.

- Necessary infrastructure like appointment of Liaison Officers, setting up grievances cells for SCs etc. should be strictly followed.
- As the Governments are resorting to engagement of large number of Consultants, Research Associates, Young Professionals, Interns and Data Entry Operators, rules of reservation should be followed in such engagements also.



## CHAPTER –VII

### Socio Economic Development

The Scheduled Castes constitute about 16.2 *per cent* ( 20.138 crore) of the total population as per the 2011 census. Despite 68 years after Independence, the Scheduled Castes are still subjected to practices like untouchability and social discrimination by some sections of society. This has resulted in denial of education, as well as economic, social, political and cultural deprivation. In order to bridge this gap the founding fathers of the Constitution added the Article 46 of the Constitution for enabling the economic empowerment of Scheduled Castes and Scheduled Tribes. This Article states “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”.

At the time of Independence about 95 per cent of Scheduled Caste population was below the poverty line. Hence the government had shown concern and commitment for the socio economic development of the Scheduled Castes by bringing in special schemes and later the Scheduled Caste Sub Plan (SCSP) for the development.. While the figure-wise allocations of the funds for welfare look handsome, but actual allocation to this sector is not sufficient to cater to the needs of the scheduled caste population. As a result, the social and economic development of the Scheduled Castes has not improved as per expectation since Independence.

As per details available 1263 castes are specified as SCs in the country. The details ( as on 31.12.2014) are :

**Table 7.1**

**State/UT-wise number of castes specified as Scheduled Castes <sup>1</sup>**  
**(as on 31.12.2014)**

Sl.No.	State/UT	Number of Castes
1	Andhra Pradesh	59
2	Arunachal Pradesh	0
3	Assam	16
4	Bihar	23
5	Chhattisgarh	44
6	Goa	05
7	Gujarat	36
8	Haryana	37
9	Himachal Pradesh	57
10	Jammu & Kashmir	13
11	Jharkhand	22
12	Karnataka	101
13	Kerala	53
14	Madhya Pradesh	48
15	Maharashtra	59
16	Manipur	07
17	Meghalaya	16

<sup>1</sup>Source : Handbook on Social Welfare statistics 2016 of Ministry of Social Justice & Empowerment.

Sl.No.	State/UT	Number of Castes
18	Mizoram	16
19	Nagaland	0
20	Odisha	93
21	Punjab	39
22	Rajasthan	59
23	Sikkim	03
24	Tamil Nadu	76
25	Telengana	59
26	Tripura	34
27	Uttar Pradesh	66
28	Uttarakhand	65
29	West Bengal	60
30	A & N Islands	0
31	Chandigarh	36
32	D & N Haveli	04
33	Daman & Diu	05
34	NCT of Delhi	36
35	Lakshadweep	0
	Puducherry	16
	<b>INDIA</b>	<b>1263</b>

Karnataka (101) has maximum number of castes specified as SCs followed by Odisha (93) and Tamil Nadu (76).

## **7.1 Socio Economic status of Scheduled Castes**

The prime objective of Scheduled Caste Sub Plan is to channelize funds and benefits through identified schemes, for which the States/UTs and Union Ministries have to earmark funds in proportion to the SC population in the State/UTs and the country respectively. The Scheduled Castes Sub Plan which contains details of financial and physical targets is expected to form an integral part of Plan documents of States/UTs and Center. Some of these schemes are envisaged to help the poor SC families through composite income generating programs covering all major occupational groups amongst Scheduled Caste such as agricultural labourers, small and marginal farmers, share croppers, fishermen, sweepers and scavengers, urban unorganized labourers below the poverty line, and so on.

In addition, the Special Component Plan seeks to improve the living conditions of Scheduled Castes through provision of drinking water supply, link roads, house-site and housing improvements, establishment of such services as primary schools, health centers, veterinary centers, panchayat ghars, community halls, nutrition centers, extension of electricity, common work places, common facility centers and so on.

The broad objectives of the Special Component Plan which is the present nomenclature used for Scheduled Castes Sub Plan are:-

- Earmarking of funds for SCSP in the total Plan at least in proportion to the SC population.
- Placing the earmarked funds under a separate budget head.
- Making the Department concerned with SC welfare in State the nodal Department for formulation and implementation of SCSP.
- Making the SCSP funds non-divertible and non-lapsable.
- Emphases on beneficiary oriented schemes and only those community schemes which are exclusively for the benefit of Scheduled Castes.

The indicators in the table above show that despite a number of specific schemes implemented for the SCs & SCSP by the State Governments, the condition of SCs on the human development index remain below that of the rest of the population.

The latest guidelines of the then Planning Commission vide OM No.N-11016/14(1)/2010-PC dated 11.02.2014 has emphasized the followings:

ó í í all Ministries/Departments identified for earmarking outlays for SCSP and TSP may estimate gaps, prioritise development needs; of the SCs/STs and orient the schemes to bridge the gaps. The schemes designed under SCSP and TSP; should yield; direct and quantifiable benefits to SC/ST individuals, SC/ST households and/or SC/ST habitations. In the outlays to be earmarked for SCSP/TSP, the percentages indicated should be considered only the minimum and as a floor. For earmarking outlays for SCSP/TSP, Central Ministries/Departments may propose allocations beyond the minimum/floor percentages required. The funds so earmarked shall be non-divertible.ö

Despite Constitutional directives and a number of legislative and executive measures taken by the Government since independence, there remain huge gaps between the human development indicators of the general population and those of Scheduled Castes. Successive Five Year Plans have attempted to reduce these gaps and while there is some evidence of convergence, the gaps still remain at a huge level. In the XII Five year Plan ₹ 21,306 crore were allocated under SCSP by Department of Social Justice and Empowerment and State Governments were to allocate funds to SCSP in proportion to their SC population.

However as can be seen from the data below the gaps between SC and others remain:

## **7.2 Data on the socio-economic status of Scheduled Castes**

### **7.2.1. Employment:**

- **Government / Public Sector Jobs<sup>2</sup>:**

Of the total SC households in India, only 0.73 % and 0.17% of the SC households have government and Public sector jobs respectively

---

<sup>2</sup> Socio economic Caste Census 2011 ó SECC 2011

whereas 4.98 % and 1.11% of the of total households have government and Public sector jobs respectively.

- **Jobs in Private Sector<sup>3</sup>:**

The Scheduled Castes in India have *negligible* presence in private sector in India as only 0.45% of SC households have jobs in private sector whereas 3.56 % of the total households have jobs in private sector.

8 States/UTs <sup>4</sup> have 1 to 2 % participation of SC households in private jobs, while the remaining States/UTs have less than 1 % SC participation in private sector jobs.

- **MNREGA<sup>5</sup>:**

Tamil Nadu has generated maximum number of SC persondays ( 607.07 ) in MNREGA followed by West Bengal (407) and Andhra Pradesh (302.86) .

The total employment generated in persondays is lowest in Haryana (44.45 days), followed by Punjab (50.43 days) and Gujarat (136.32 days). The details are:

---

<sup>3</sup> Socio Economic Caste Census 2011 ó SECC 2011

<sup>4</sup>States : Himachal Pradesh, Punjab, Tamil Nadu, Uttarakhan, Chandigarh, NCT Delhi, Daman & Diu, Puduchery.

<sup>5</sup> MNREGA :Mahatama Gandhi National Rural Employment Guarantee scheme

**Table 7.2**  
**State/UT-wise number & percentage distribution of SCs<sup>6</sup>**  
**in MNREGA during 2014-15**

(in Lakh)

Sl.No.	States/UT	Employment Generated Persondays		
		Total	SCs	% age of SCs participation
1	Andhra Pradesh	1271.47	302.86	23.82
2	Arunachal Pradesh	6.58	0.00	0.03
3	Assam	141.92	8.36	5.89
4	Bihar	326.79	92.84	28.41
5	Chhattisgarh	550.46	59.63	10.83
6	Goa	1.34	0.05	3.51
7	Gujarat	136.32	9.45	6.93
8	Haryana	44.45	19.84	44.64
9	Himachal Pradesh	132.62	36.44	27.48
10	Jammu and Kashmir	38.64	1.51	3.90
11	Jharkhand	307.68	42.15	13.70
12	Karnataka	290.03	45.39	15.65
13	Kerala	299.32	53.49	17.87
14	Madhya Pradesh	1099.62	177.00	16.10
15	Maharashtra	399.39	39.58	9.91
16	Manipur	74.89	1.96	2.62
17	Meghalaya	54.91	0.31	0.57
18	Mizoram	23.54	0.00	0.02
19	Nagaland	48.29	0.15	0.30
20	Odisha	358.36	56.05	15.64
21	Punjab	50.43	38.67	76.67
22	Rajasthan	1326.04	260.78	19.67
23	Sikkim	15.08	0.62	4.11
24	Tamil Nadu	2105.06	607.07	28.84
25	Telangana	835.93	197.03	23.57
26	Tripura	206.40	34.79	16.85
27	Uttar Pradesh	737.03	247.00	33.51

<sup>6</sup>Source : Handbook on Social Welfare statistics 2016 of Ministry of Social Justice &Empowerment.

Sl.No.	States/UT	Employment Generated Persondays		
		Total	SCs	% age of SCs participation
28	Uttarakhand	47.77	9.17	19.19
29	West Bengal	1190.40	407.85	34.26
30	A & N Islands	2.63	0.00	0.003
31	Chandigarh	NR	NR	NR
32	D & N Haveli	NR	NR	NR
33	Daman & Diu	NR	NR	NR
34	NCT of Delhi	-	-	-
35	Lakshadweep	0.02	0.00	0.00
36	Puducherry	1.86	0.79	42.40
<b>Total</b>		<b>12125.27</b>	<b>2750.84</b>	<b>22.69</b>

\* NR: Not Reported

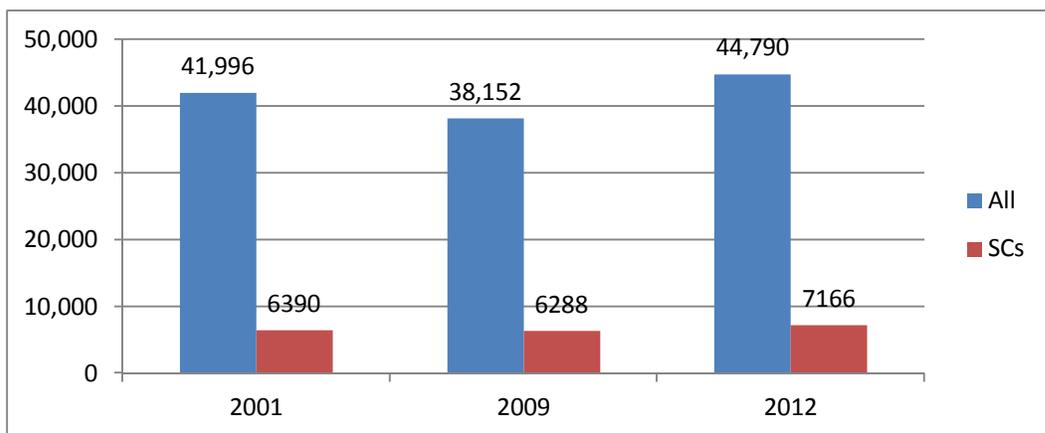
Commission recommends that states should generate more employment in total person days with increased participation of SCs under MNREGA.

- **Registration in Employment Exchanges:**
- While the number of persons registered in Employment exchnges has risen from 4,19,96,000 in 2001 to 4,47,91,000 in 2012, the increase of SCs registered has been only from 63,89,600 in 2001 to 71,66,300 in 2012. The placement percentage of SCs remains almost static. The details are in the following graph:

**Graph No. 7.1**

**Number of persons on live register of Employment Exchanges,<sup>7</sup>**

( in thousands)



### **7.2.2 Monthly Income of SC Households<sup>8</sup>:**

The average monthly per capita consumer expenditure of SCs in both rural & urban areas is well below the average of the general categories. Details of the All India average monthly per capita consumer expenditure by household income type and social groups is detailed in table below:

---

<sup>7</sup> Employment Exchange Statistics, 2014, Directorate General of Employment & Training, Ministry of Labour & Employment, New Delhi.

<sup>8</sup> Source: Handbook on Social Welfare Statistics 2016 of Ministry of Social Justice & Empowerment. & NSSO Report No. 562: Household Consumer Expenditure across Socio Economic Groups, 2011-12

Table 7.3

**All India average monthly per capita consumer expenditure (₹)  
by household type and social groups -2011-12**

**Rural**

Household Type	Social Group				
	SCs	STs	OBCs	Others	All Groups
Self-empl. In agriculture	1218	1108	1395	1761	1436
Self-empl. In non-agriculture	1314	1260	1506	1694	1509
Regular wages/salary earning	1803	1735	1984	2240	2002
Casual labour in agriculture	1131	964	1241	1179	1159
Casual labour in non-agriculture	1181	1010	1303	1366	1238
Other	1445	1307	1879	2346	1893
<b>All</b>	<b>1252</b>	<b>1122</b>	<b>1439</b>	<b>1719</b>	<b>1430</b>

**Urban**

Household Type	Social Group				
	SCs	STs	OBCs	Others	All Groups
Self employed	1770	1814	2088	2936	2415
Regular wage/Salary earning	2493	2762	2700	3582	3062
Casual labour	1403	1283	1538	1650	1514
Other labour	2499	2704	3263	4565	3734
<b>All</b>	<b>2028</b>	<b>2193</b>	<b>2275</b>	<b>3242</b>	<b>2630</b>

**7.2.3 Education :**

- **Literacy rate<sup>9</sup>:** The literacy rate of SCs has risen from 2001 but is still below the total literacy rate for both urban and rural areas. The literacy rate of SC women is even lower. Details are in the table below :

<sup>9</sup>Socio Economic Caste Census 2011 & SECC 2011 & MHRD

**Table 7.4**  
Literacy rate of SCs v/s Total Literacy rate<sup>10</sup>

Indicator	Effective Literacy Rate	
	2001	2011
<b>Total Population</b>		
Total	64.8	73
Rural	58.7	67.8
Urban	79.9	84.1
<b>Scheduled Castes</b>		
Total	54.7	66.1
Rural	51.2	62.8
Urban	68.1	76.2

**Table 7.5**  
Literacy rate gender wise is as given below<sup>11</sup>

Indicator	Literacy Rate ( Males)		Literacy Rate (Females)		Gender Gap	
	2001	2011	2001	2011	2001	2011
<b>Total Population</b>						
Total	75.3	80.9	53.7	64.6	21.6	16.3
Rural	70.7	77.2	46.1	57.9	24.6	19.3
Urban	86.3	88.8	72.9	79.1	13.4	9.7
<b>Scheduled Castes</b>						
Total	66.6	75.2	41.9	56.5	24.7	18.7
Rural	63.7	72.6	37.8	52.6	25.9	20.0
Urban	77.9	83.3	57.5	68.6	20.4	14.7

<sup>10</sup> Census of India 2011

<sup>11</sup> Census of India 2011

- **Enrollment Ratio** : The enrollment among Scheduled Caste students decreases sharply as we move from primary education towards higher education. The details are given in tables below:

**Table 7.6**  
**Enrolment of all categories and SCs in**  
**school & higher education in India<sup>12</sup>**

**(in thousand)**

Level	All Categories			Scheduled Castes			% SC of total
	Boys	Girls	Total	Boys	Girls	Total	
<b>Primary (I-V)</b>	6722 3	62769	129992	13469	12614	26083	20.07
<b>Upper Primary (VI-VIII)</b>	3374 6	32035	65780	6568	6257	12825	19.50
<b>Secondary (IX-X)</b>	1948 4	17477	36961	3589	3231	6820	18.45
<b>Senior Secondary (XI-XII)</b>	1174 7	10406	22153	2036	1815	3851	17.38
<b>Ph.D</b>	50	34	84	NA	NA		NA
<b>MPhil</b>	16	19	35	NA	NA	NA	NA
<b>Post Graduate</b>	1744	1631	3374	NA	NA	NA	NA
<b>Under Graduate</b>	1272 3	10815	23538	NA	NA	NA	NA
<b>PG Diploma</b>	164	51	215	NA	NA	NA	NA
<b>Diploma</b>	1500	624	2124	NA	NA	NA	NA
<b>Certificate</b>	81	95	176	NA	NA	NA	NA
<b>Integrated</b>	51	32	83	NA	NA	NA	NA
<b>Higher Education (Total)</b>	<b>1632 9</b>	<b>13301</b>	<b>29629</b>	<b>2005</b>	<b>1632</b>	<b>3637</b>	12.28

<sup>12</sup> Source: Handbook on Social Welfare Statistics 2016 of Ministry of Social Justice & Empowerment. & U-DISE-2013-2014(Provisional), AISHE-2012-13(Provisional) Reports

It is recommended to take necessary steps to encourage the SC students to study in higher studies.

**Table 7.7**

**State/UT-wise gross enrollment ratio in higher education (18-23 years) in India<sup>13</sup> -2012-13**

Sl. No.	State/UT	All Categories			SC Students		
		Male	Female	Total	Male	Female	Total
1	Andhra Pradesh	32.7	25.4	29.1	27.7	22.0	24.9
2	Arunachal Pradesh	20.3	18.2	19.3	-	-	-
3	Assam	12.8	12.8	12.8	11.3	10.5	10.9
4	Bihar	12.4	9.9	11.2	8.3	5.5	6.9
5	Chhattisgarh	12.4	11.2	11.8	9.9	8.1	9.0
6	Goa	21.2	25.6	23.2	20.8	24.1	22.4
7	Gujarat	19.5	15.5	17.6	19.8	15.9	18.0
8	Haryana	29.1	28.1	28.7	18.8	16.8	17.9
9	Himachal Pradesh	23.5	24.0	23.8	13.3	13.3	13.3
10	Jammu & Kashmir	23.7	24.5	24.1	9.7	12.4	11.0
11	Jharkhand	10.3	9.8	10.1	6.6	5.1	5.9
12	Karnataka	26.3	24.6	25.5	18.4	15.4	16.9
13	Kerala	18.9	26.9	22.9	12.7	22.9	17.8
14	Madhya Pradesh	23.3	15.2	19.5	14.6	11.3	13.1
15	Maharashtra	27.2	23.8	25.6	24.8	21.6	23.3
16	Manipur	30.5	30.2	30.3	--	-	-
17	Meghalaya	17.0	17.5	17.3	-	-	-
18	Mizoram	21.5	21.0	21.3	-	-	-
19	Nagaland	16.2	11.5	13.9	-	-	-
20	Odisha	16.7	14.1	15.4	9.2	7.9	8.5
21	Punjab	21.8	23.8	22.7	7.8	8.9	8.3

<sup>13</sup> Source: Handbook on Social Welfare Statistics 2016 of Ministry of Social Justice & Empowerment.

Sl. No.	State/UT	All Categories			SC Students		
		Male	Female	Total	Male	Female	Total
22	<b>Rajasthan</b>	20.1	16.2	18.2	13.7	9.7	11.8
23	<b>Sikkim</b>	21.4	25.9	23.6	21.4	25.2	23.3
24	<b>Tamil Nadu</b>	45.4	38.7	42.0	31.8	28.1	29.9
25	<b>Tripura</b>	16.4	11.6	14.0	14.2	9.7	11.9
26	<b>Uttar Pradesh</b>	18.1	18.2	18.1	13.0	13.9	13.4
27	<b>Uttarakhand</b>	32.3	34.0	33.1	18.4	18.1	18.3
28	<b>West Bengal</b>	16.8	13.2	15.0	11.2	8.5	9.9
29	<b>A &amp; N Islands</b>	14.4	17.5	15.9	-	-	-
30	<b>Chandigarh</b>	48.5	55.2	51.3	22.3	22.8	22.5
31	<b>D &amp; N Haveli</b>	5.7	7.4	6.3	5.8	6.9	6.3
32	<b>Daman &amp; Diu</b>	3.3	6.9	4.3	13.1	20.5	16.5
33	<b>NCT of Delhi</b>	37.9	39.2	38.5	19.3	17.1	18.2
34	<b>Lakshadweep</b>	6.3	17.7	11.8	-	-	-
35	<b>Puducherry</b>	45.3	39.1	42.1	35.1	28.7	31.8
<b>INDIA</b>		<b>22.3</b>	<b>19.8</b>	<b>21.1</b>	<b>16.0</b>	<b>14.2</b>	<b>15.1</b>

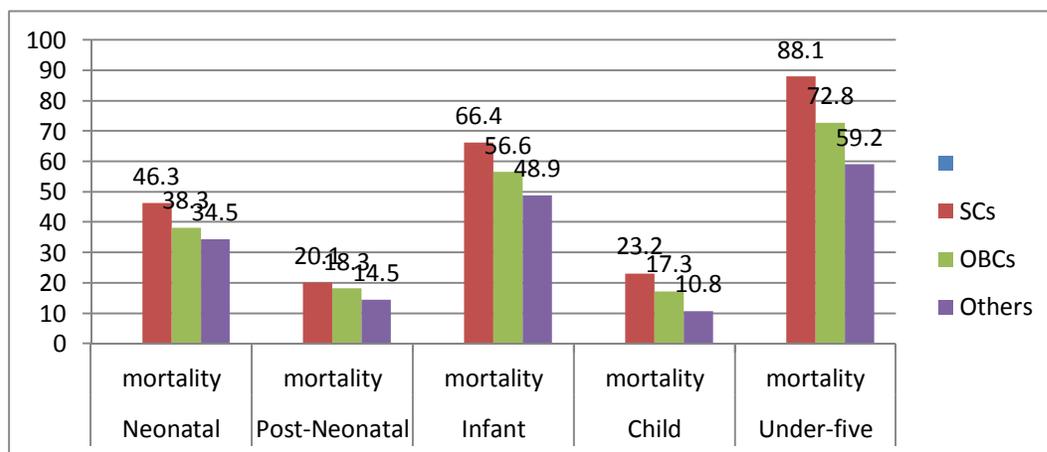
Gross enrollment ratio of SCs is highest in Puducherry (31.8) followed by Tamil Nadu (29.9) and Andhra Pradesh (24.9)

#### **7.2.4 Health :**

As per available data, SC Children have higher mortality rates from neonatal to under five years age. More SC children are found to be anemic. The details are in the graphs below:

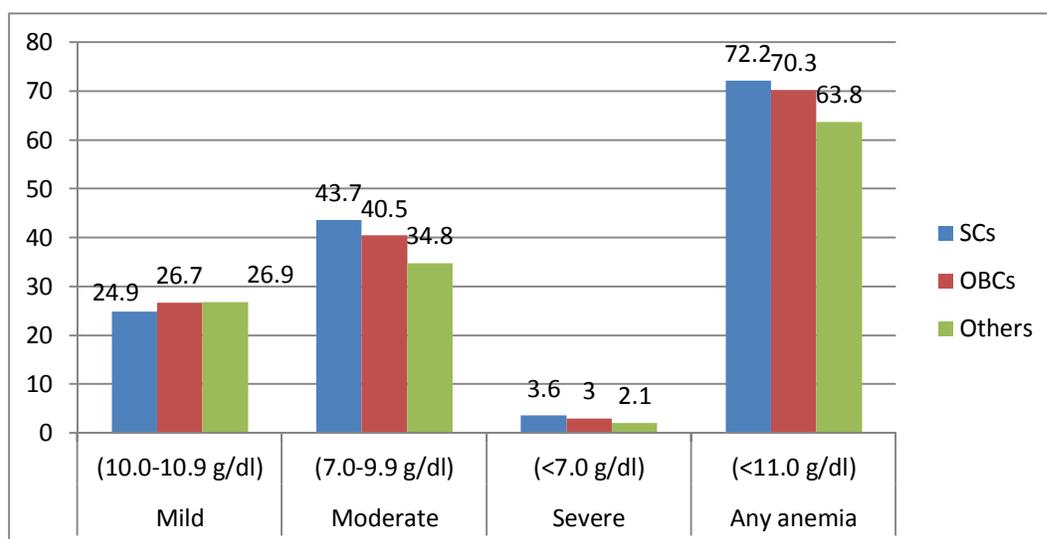
Graph No. 7.2

Early childhood Mortality rates per 1000 live births by social groups in India-2005-06<sup>14</sup>



Graph No. 7.3

Percentage prevalence of anemia in children age 6-59 months by social groups in India-2005-06



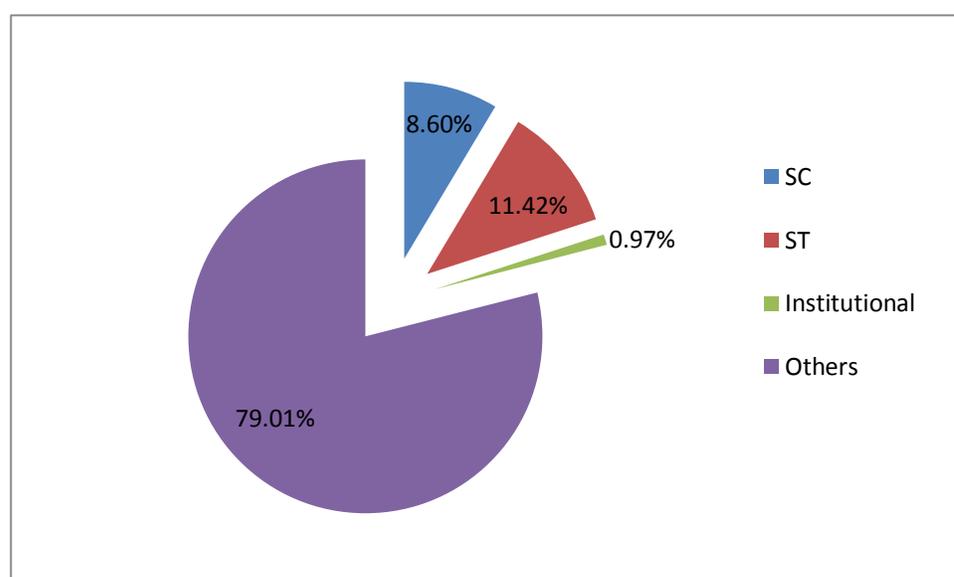
<sup>14</sup> National Family Health Survey, 2005-06, Ministry of Health & Family Welfare.& Handbook on Social Welfare Statistics 2016 of Ministry of Social Justice & Empowerment.

### **7.2.5 Land Holdings:**

Scheduled Castes, which form 16.2% of the total population of the country, holds only 8.6 % of the land holdings and the average size of these holdings is also much lower. Moreover 54.71% of SC households are landless<sup>15</sup> and derive their earning from manual casual labor , when compared to 38.36% of all households in the country.

**Graph No. 7.4**

**Percentage share of different social groups in Area operated by holdings<sup>16</sup>**



### **7.3 : Analysis of achievement of Indira Awas Yojana:**

Data available on Indira Awas Yojana (IAY ) a major flagship program of the Ministry of Rural Development to construct houses for BPL population in the villages shows that only 65.61% of the target<sup>17</sup> was completed and of the 8,09,743 SC houses sanctioned under the scheme, 6,50,833 SC houses were completed during 2014-15.

*It is recommended to complete the target under IAY schemes so as to ensure the target population gets minimum housing.*

---

<sup>15</sup> Socio Economic Caste Census 2011 ó SECC 2011

<sup>16</sup> Agriculture Census 2010-11

<sup>17</sup> Source : IAY data in website ( [www.rural.nic.in](http://www.rural.nic.in) ) of Ministry of Rural Development.

Table 7.8

State/UT-wise target and achievement of IAY -2014-15

Sl.No	State Name	Annual Target	Houses Sanctioned during the year for		Houses Completed	
			SCs	Total Col.	SCs	Total Col.
1	2	3	4	5	6	7
1	ANDHRA PRADESH	78258	24346	76330	15666	46722
2	ARUNACHAL PRADESH	2017	2	227	2	110
3	ASSAM	183171	22139	157688	18798	99704
4	BIHAR	280255	163631	287094	232541	493874
5	CHATTISGARH	42889	4503	27751	4613	27274
6	GOA	586	15	305	33	1093
7	GUJARAT	34105	3571	31567	6454	65355
8	HARYANA	34771	15928	26889	5097	7196
9	HIMACHAL PRADESH	4688	3742	4688	1181	1620
10	JAMMU & KASHMIR	13484	0	74	0	1736
11	JHARKHAND	49701	3637	20649	7159	30681
12	KARNATAKA	94995	43523	102962	40491	104098
13	KERALA	59060	15013	50129	17867	46448
14	MADHYA PRADESH	115186	15010	78813	9715	45465
15	MAHARASHTRA	188319	42951	170923	8818	45082
16	MANIPUR	4658	37	927	94	1248
17	MEGHALAYA	8433	27	7418	0	10076
18	MIZORAM	1293	0	279	0	276
19	NAGALAND	1480	0	1332	14	1114
20	ORISSA	160610	3863	18831	2993	11474
21	PUNJAB	56750	1859	2782	1307	1911

Sl.No	State Name	Annual Target	Houses Sanctioned during the year for		Houses Completed	
			SCs	Total Col.	SCs	Total Col.
22	RAJASTHAN	101015	14316	96980	18021	92069
23	SIKKIM	1834	556	2286	441	1538
24	TAMIL NADU	53429	28630	44796	18247	28869
25	TELANGANA	67312	17207	65149	15213	57437
26	TRIPURA	9550	2078	9445	4778	23056
27	UTTAR PRADESH	425299	223092	372176	145041	220739
28	UTTARAK HAND	11443	5738	9186	2217	4196
29	WEST BENGAL	432803	154229	386486	74032	182128
30	ANDAMA N& NICOBAR	867	0	78	0	148
31	DADRA &NAGAR HAVELI	223	0	0	0	0
32	DAMAN & DIU	60	0	0	0	0
33	LAKSHA DWEEP	22	0	0	0	0
34	PUDUCHERRY	412	0	0	0	0
Total >>>		2518978	809643	2054240	650833	1652737

### **7.3 Scheduled Castes Sub-Plan (SCSP)**

The prime objective of Scheduled Caste Sub Plan is to channelize funds and benefits through identified schemes, for which the States/UTs and Union Ministries have to earmark funds in proportion to the SC population in the State/UTs and the country respectively. The scheduled castes sub plan which contains details of financial and physical targets is expected to form an integral part of Plan documents of States/UTs and Center. Some of these schemes are envisaged to help the poor SC families through composite income generating

programmes covering all major occupational groups amongst Scheduled Caste such as agricultural labourers, small and marginal farmers, share croppers, fisherman, sweepers and scavengers, urban unorganized labourers below the poverty line, and so on.

In addition, the Special Component Plan seeks to improve the living conditions of Scheduled Castes through provision of drinking water supply, link roads, house-site and housing improvements, establishment of such services as primary schools, health centers, veterinary centers, panchayat ghars, community halls, nutrition centers, extension of electricity, common work places, common facility centers and so on.

The broad objectives of the Special Component Plan which is the present nomenclature used for Scheduled Castes Sub Plan are:-

- Earmarking of funds for SCSP in the total Plan at least in proportion to the SC population.
- Placing the earmarked funds under a separate budget head.
- Making the Department concerned with SC welfare in State the nodal Department for formulation and implementation of SCSP.
- Making the SCSP funds non-divertible and non-lapsable.
- Emphases on beneficiary oriented schemes and only those community schemes which are exclusively for the benefit of Scheduled Castes.

The indicators in the table above show that despite a number of specific schemes implemented for the SCs persons & SCSP by the State Governments, the condition of SCs on the human development index remain below that of the rest of the population.

### **7.3.1 Ministry/Department-wise total Plan allocation ( BE/RE) SCSP for the Annual Plan 2015-16.**

At par SCSP allocation was noticed by the following Ministries / departments :

- Department of Animal Husbandry, Dairying and Fisheries,
- Ministry of Drinking Water & Sanitation,

- Department of Health and Family Welfare
- Department of School Education and Literacy, & Department of Higher Education
- Department of Land Resources
- Ministry of Social Justice and Empowerment
- Ministry of Women Child Development
- Ministry of Youth Affairs and Sports

while the other Ministries/ Departments show lower percentage of SCSP allocation. Details are in table below :

**Table 7.9**  
**For the year 2015-16 following is the data Ministry wise<sup>18</sup>**  
 (₹ In Crores)

S. No.	Ministry/Department		Obligation %	2015-16		
				Total Plan Allocation	SCSP	
					Allocation	SCSP %
1	2	3	4	5	6	
	Ministry of Agriculture					
1		Department of Agriculture and Cooperation	16.20	16646.00	1967.71	11.82
2		Department of Animal Husbandry, Dairying and Fisheries	16.20	1491.14	230.84	15.48
	Ministry of Commerce and Industry					
3		Department of Commerce	4.50	1425.15	65.00	4.56

<sup>18</sup> Source: Govt. of India, Expenditure Budget Vol. II, SCSP Statement-21 from 2011-12, 2012-13, 2013-14, 2014-15 & 2015-16

4		Department of Industrial Policy and Promotion		2264.50	0.00	0.00
	Ministry of Communications and Information Technology					
5		Department of Information Technology	2.00	2568.00	51.00	1.99
6	Ministry of Drinking Water & Sanitation		22.00	6236.00	1372.00	22.00
7	Ministry of Environment and Forests		2.20	1446.60	34.00	2.35
	Ministry of Health and Family Welfare					
8		Department of Health and Family Welfare	15.20	24549.00	3731.45	15.20
9		Department of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	5.00	1008.00	50.40	5.00
10		Department of AIDS Control		1397.00	0.00	0.00
11	Ministry of Housing and Urban Poverty Alleviation		22.50	5625.30	0.00	0.00
	Ministry of Human Resource Development					
12		Department of School Education and Literacy	20.00	39038.50	7816.40	20.02
13		Department of Higher Education	15.00	15855.26	2378.30	15.00
14	Ministry of Labour and Employment		16.20	2153.02	348.79	16.20

15	Ministry of Micro, Small and Medium Enterprises		12.00	2612.51	313.61	12.00
16	Ministry of New and Renewable Energy		3.50	287.67	10.00	3.48
17	Ministry of Panchayati Raj		16.20	94.00	0.00	0.00
18	Ministry of Power		8.30	6799.74	564.37	8.30
	Ministry of Rural Development					
19		Department of Rural Development	25.00	71642.00	3865.36	5.40
20		Department of Land Resources	16.20	1627.77	258.83	15.90
	Ministry of Science and Technology					
21		Department of Science and Technology	2.50	3401.50	85.04	2.50
	Ministry of Social Justice and Empowerment					
22		Department of Social Justice and Empowerment	72.50	6467.00	5128.50	79.30
23		Department of Disability Affairs		565.40	102.49	18.13
24	Ministry of Textiles		5.00	3523.32	176.17	5.00
25	Ministry of Women and Child Development		20.00	10286.73	2057.35	20.00
26	Ministry of Youth Affairs and Sports		16.20	1389.48	217.00	15.62
		<b>Total</b>		<b>230400.59</b>	<b>30824.61</b>	<b>13.38</b>

27	UTs					
		Chandigarh			24.58	
		Daman & Diu			1.69	
		<b>Grand Total</b>		<b>230400.59</b>	<b>30850.88</b>	<b>13.39</b>
		<b>All Ministry Total</b>		<b>465277.04</b>	<b>30850.88</b>	<b>6.63</b>

### 7.3.3 Analysis of State wise SCSP allocation:

- States with SCSP outlay less than % SC population ( between 2013-14 to 2015-16) :
  - AP, Assam , Goa , Gujarat , Himachal Pradesh, Jharkhand, Odisha, Rajasthan, Uttarakhand .
- States with SCSP at par with SC population :
  - Bihar, Chattisgarh ( 2013-14 & 2014-15), Kerala, Punjab ( 2013-14 & 2014-15), Rajasthan (2015-16) ,Tamil Nadu (2013-14 to 2015-16), Uttar Pradesh ( 2013-14 & 2014-15), Uttarakhand ( 2014-15), Chandigarh ,Daman & Diu , Delhi , West Bengal
- There is reduced allocation from 2013-14 to 2015-16 in case of AP , Assam , Goa , Haryana, HP , Jharkhand, Odisha, Puducherry
- States which show an increase in allocation over 2013-14 are Karnataka ( 2014-15) , MP (2014-15) , Maharashtra ( 2014-15), Manipur ( 2014-15), Rajasthan ( 2014-15
- The information of percentage expenditure to SCSP outlay is not available during the Annual plan 2014-15 and 2015-16, therefore no comments can be given.
- The information above the SC specific schemes to the total State plan allocation is not available.

#### **7.4 Prohibition of Employment on Manual Scavengers & Rehabilitation Act, 2013.**

##### **The Commission during the state level reviews has noticed that:**

- Majority of the time limitations prescribed under the Act has already lapsed and the State Governments are lax in taking action as per the provisions of the Act.
- There is mis-match between the number of dry latrines and the Manual Scavengers identified by most States and such mismatches have been specifically pointed out by the Commission in the State reviews of Maharashtra , UP and Delhi. Therefore there is need for objective surveys instead of eye-wash.
- Rehabilitation measures are far from satisfactory. States should make sufficient fund provision to rehabilitate the identified Manual Scavengers to prevent them to going back to the same profession.

##### **Recommendations :**

- The State Level Vigilance & Monitoring Committee should be immediately constituted and meetings shall be held as per the Manual Scavenging Act.
- The District Magistrate should be declared as the Nodal Officer / Reviewing Officer and State Level awareness programmes are to be arranged.
- If a person dies during cleaning of sewers, septic tanks etc., ₹ 10 Lakhs compensation need to be given as per direction of Supreme Court.
- Welfare departments in States / UTs should develop Schemes for manual scavengers and normal schemes like Indira Awas Yojana, Old Age pension schemes etc. should also be made available.
- For clearance of sewerage, mechanized machines have to be provided.
- States may adopt Central Rules or can come out with new State Rules.
- *Safai Karmacharis* are manual scavengers. Therefore, identity cards should be issued to *Safai Karmacharis*.

- Derogatory words for the SCs in the State list should be substituted by -Balmikiøetc.
- Organizations like Banks who outsource the services of *Safai Karamcharis*, also need to be monitored by the District Level Vigilance & Monitoring Committees.

## **7.5 Recommendations on Socio – economic development**

### **7.5.1 Planning Process**

Article 338(5) of the Constitution of India mandates NCSC

- To investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes and to evaluate the working of such safeguards.
- To inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes.
- To participate and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development.

In 2015-16 no proposal for advice on planning process of socio- economic development of SCs was received by NCSC from any State Government and no advice of NCSC was sought on planning SCSP expenditure by any Ministry / Department of the Union or of the States.

Hence NCSC reiterates its recommendation that:

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

### **7.5.2 Recommendations on SCSP**

The Inter-Ministerial Committee<sup>19</sup> has taken note of the detailed guidelines relating to the Scheduled Caste Sub Plan (SCSP) for the Scheduled Castes, issued by the Central Government from time to time. The basic objective of the SCSP has been to channelize the flow of outlays and benefits from the general sectors in the Plan of States for the development of Scheduled Castes, at least in proportion to their population, both in physical and financial terms. It has been observed that several State Governments have not been earmarking adequate funds to SCSP, proportionate to the share of SCs in the population. It is therefore reiterated that Scheduled Caste Sub-Plans should be an integral part of Annual Plans as well as Five Year Plans, making provisions therein non-divertible and non-lapsable, with the objective of substantial reduction in poverty and unemployment among SCs and for bridging the gaps in their socio-economic development.

The Commission has noted that the Committee report states that there has been poor utilization of the allocated funds for the welfare of SCs and STs. In some cases, it has been reported that funds meant for SCSP have been diverted and/or used in sectors not benefiting SC population directly. In some instances the line departments have been allocating funds for the schemes/projects meant for SCs but they do not have enough scope for tailor made projects and schemes suitable to their specific needs. There is no focus on entrepreneurship, employment and skill development projects.

The Commission therefore, strongly favours the formulation of such specific schemes for the benefit of the SCs which will increase employability of the beneficiaries. The SCSP should include only such existing schemes or new schemes which full-fill the following norms:-

The schemes which have the potential to accelerate the pace of development of the SCs and to bridge the socio-economic development indicators between SCs as compared to the advanced sections of the society.

---

<sup>19</sup>(No.M-11012/03/2013-SJ&SW) Planning Commission (SJ & E Division) : Revised Guidelines for Implementation of Scheduled Castes Sub-Plan (SCSP) by the States/UT

The schemes should secure quantifiable benefits to the scheduled caste households or are as majorly inhabited by the scheduled castes.

Those schemes should be included in the SCSP that enhance the incomes of the target group and lead to the development of assets such as those related to sectors like agriculture, animal husbandry, dairy development, fisheries, and Agriculture/allied sectors.

The States should give priority to schemes which provide basic minimum services like primary education, health, drinking water, nutrition, rural housing, and link roads and electrification to SC villages.

Social Audit of the expenditure of the SCSP may be done in each district.

**Legislation :**

As the basic objective of SCSP is to channelize the flow of outlays and benefits from Plans of States for development of Scheduled Castes, in proportion to their population, the Commission recommends that a Central Legislation should be considered on the same to regulate allocation of funds for SCSP, preparation of Scheduled Castes specific schemes and monitor the expenditure with the Scheduled Castes population of 2011 census as base. Such legislation can be on lines of the legislations passed the State of Andhra Pradesh and Karnataka.

The States/UTs having SC population may fix clearly defined targets, based on parameters like educational status, enrolment, occupation, health indicators, per capita income, access to basic amenities like drinking water, housing etc. taking into account the national targets. Efforts should be made to achieve the assigned targets and *not to spend funds from SCSP head on general schemes* like road construction, electrification, rural telephone connection as it done by many States<sup>20</sup> and Union Territories<sup>21</sup>.

---

<sup>20</sup>Punjab, West Bengal, Haryana, Odisha, Kerala, Delhi etc.

<sup>21</sup> UTs of Chandigarh, Puducherry

### **7.5.3 Recommendation on Educational Development:**

#### **7.5.3.1 Recommendation of the Commission regarding non-payment of Scholarship to SC students of Uttar Pradesh**

The Commission and its State Offices have been receiving a large number of cases of non-payment of Scholarship & tuition fee reimbursement to the Scheduled Caste students. The Commission has taken up all the cases with the concerned Principal Secretaries, Social Welfare Department of State Government / District Magistrates and District Social Welfare Officers.

It was seen that the Scheduled Castes students could not get fee & reimbursement ,data for scholarships i.e. tuition fee and reimbursement to the Scheduled Caste students were not uploaded on the last date of application, District Scholarship Committees rejected the case due to non-availability of Caste Certificates and income certificate etc. of the SCs Students , cases where the scholarships were released by the Social Welfare Department but due to error in the bank a/c or IFSC code, the scholarship could not be given to the students and in some cases the data could not be uploaded due to technical problems, therefore, the scholarship was not released to the SC-students etc .

In this respect the Commission took up such 309 specific cases pertaining to GoUP<sup>22</sup> and after examining the same made following recommendations.

- Since the students are suffering despite no fault of theirs, to mitigate their suffering one time relaxation may be provided by GoUP to all the SC students whose data are not uploaded and after completing the forms for tuition fee and scholarship through their educational institutions and accordingly more demand of grant may be made to the Ministry of Social Justice & Empowerment Government of India so that payments of Scholarship could be made to the SC students.

---

<sup>22</sup> GoUP : Government of Uttar Pradesh

- The GoUP is advised to improve their online Scholarship/Tuition fee application system by incorporating timely reminders to the institutions which have not uploaded data or uploaded incomplete data and including further checks to balances in the system to ensure complete data entry to ensure timely & accurate data feeding so that Scheduled Castes Students donot suffer.
- After admission of the students, the college/ institutes /DIOS may ensure that all these studentø applications may be checked / verified before uploading the data so that their applications are not rejected. If, any shortcomings are found then, there may be warnings/ reminders to ensure rectifications/ corrections in time.
- If the Colleges/Institutes have not uploaded the data, then the software of the online system may be modified so that reminder may be issued to all such Institutions to upload data before 15 days of closing date. The list of Students may be generated /uploaded and send to the concerned Institutes for time bound rectification. If any minor shortcomings are found in the applications, the same can be rectified.
- The cases which were rejected by the District Scholarship Committees may again be checked for minor rectifications/verifications and their scholarships may be released if found as per rules after scrutiny.
- Due to error in bank IFSC code or wrong account no. the scholarship were not released in 85 cases. In such cases, the account no./IFSC code may be confirmed from the students and the institutions so that the scholarship may be released after grant of one time exemption.
- The GoUP may ensure that all the SC students as per their eligibility may get the admission in the colleges/institutes on zero fee basis. For this necessary instructions may be issued to all the Colleges and Institutions.

The SC students may not be deprived of their marksheets and degrees so that they can apply for higher studies and careers. This is a general recommendation for future.

**7.5.3.2 Other recommendations regarding Education :**

- There should be a quality education by providing Aganwadi in each and every habitation of SCs/STs, residential schools at every block level and centre of excellence in every District Headquarter. The expenses should be met out of Scheduled Castes Sub Plan.
- Free and compulsory education in Hindi, English and Mother Tongue upto Class XII.
- Twenty-five *per cent* of budgetary allocation of education Primary, Secondary and Higher education shall be reserved for the educational advancement of Scheduled Castes students
- Cent per cent Grant-in-aid shall be extended to the NGOs of scheduled castes for the educational advancement of Scheduled Castes students including school/college buildings
- More hostel buildings with better infrastructure should be built in every *talukas*.
- On the lines of Ashram Schools, Residential Schools should be opened where 50 *per cent* seats should be reserved for children of *Safai Karamcharis / Manual Scavengers* and the students should be given preference in the same.
- Hostels for Scheduled Caste women should be built around the Education Hubs in the Country.
- It is recommended to put more emphasis on the education of SCs especially on female education.
- The Commission further recommends that income ceiling from existing ₹ 2.50 lakhs to ₹ 4.00 lakhs may be increased due to price rise so as to enable the SC students to avail scholarship facilities to pursue higher studies.

### **7.5.3.3 Recommendations on improving the SC Hostels**

**The Commission visited 13 SC Hostels<sup>23</sup> and following are the recommendations :**

- **Capacity utilization :**
  - hostels are either underutilized or overcrowded . Sanctioned capacity of the hostel should be maintained .
- **Safety and security :**
  - proper boundary walls are needed to be constructed .
  - The Girls hostels should be especially well guarded ó better walls and security guards needed.
  - A movement register may br maintained to record incoming and outgoing of visitors and also students.
  - CCTV should be installed at the entry points to record movement of the people especially in Girls hostels.
  - Hostels should be given phone connectivity in reception area.
  - Each hostel should have a dedicated warden with support staff .
  - Each girls hostel should have a dedicated Lady Warden with supportive staff to ensure safety and security of the girls students.
- **Hygine and cleanliness :**
  - Toilet & bathrooms need renovation , running water , installation of solar water heaters and arrangement for regular cleaning.
  - Kitchen renovations with installation of modern equipment like water filters / RO machines , dishwashers , gas lines ,solar cookers & solar water heaters , chimneys, fridge and freezers etc. Cleanliness of kitchens needs to be improved and storage rooms need renovation.
  - The quality of food items should be good and efforts should be made to provide adequate and whole some fresh food every day to the children.

---

<sup>23</sup> in Bihar (2 Hostels ) , Jharkhand (4 Hostels), Rajasthan (1 hostel ) , Punjab (1 Hostel) , Karnataka (2 Hostels) , Kerela (3 Hostels)

- Water filters / RO machines and water coolers need to be installed and water quality regularly tested.
- Regular health check ups, arrangements for emergency care should be made.
- **Infrastructure and basic facilities:**
  - In many hostels, minimum facilities in hostel rooms like a bed chair, table and book self for each student, ceiling fans, night lamp etc were found either not available or in dilapidated and unusable condition. These should be ensured.
  - Rooms were found dilapidated , with broken windows , damaged doors, missing electrical fittings , the same should be renovated and rooms properly maintained .
  - Hostels should have attached computer labs with net connectivity.
  - Electrical points are to be checked up periodically to avoid accidents, regular electricity supply to be ensured and alternate arrangements like solar panels used.
  - Arrangement be made special coaching classes in hostels for SC students so as to enable them to compete in classes.
  - The hostels should have outdoor and indoor game arrangements like, cricket, football, volleyball, basketball, badminton, kabadi, khokho, chess etc. to ensure overall growth of the SC students.
- **Miscellaneous issues:**
  - Though Integrated Hostels are housed in one campus, there is lack of administrative coordination due to budgetary control by different departments, such as BC Welfare, Tribal Welfare and SCs Welfare, such hostels should be brought under single administrative set

#### **7.5.4 Recommendations on Business Development**

- There should be relaxation for SCs for establishment of business centre.
- It should be free of taxes including Service Tax.
- Setting up of an exclusive bank for SC/ST can be considered by the Government to galvanise the SC/ST entrepreneurs.

- The Government should provide the collateral security to SC loan seekers.
- For industrial growth in the State, land is given to the corporate groups under SEZ concept. The interest of SCs and other marginalized societies should be taken care of.
- Lead bank should be directed to protect the interest of SCs .
- Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.

### **7.5.5 Recommendations on improving conditions of Jails**

**The Commission visited jails<sup>24</sup> and following are the recommendations :**

- Steps are needed to be taken to increase the capacity of the Jails to overcome overcrowding in jails.
- No details of SC prisoners was made available and prison officials state that such records are not maintained, however, NCRB data contains SC prisoners details , hence there appears a discrepancy on this issue, which needs clarification by State Government.
- The toilets were informed to be cleaned by prisoners in rotation, hence the possibility of some being forced to clean the toilets cannot be ruled out as there was no rotation register for the cleaning of the toilets.
- **Welfare measures :**
  - A centre of IGNOU/ other distant learning programmes can be opened for education of the prisoners.
  - The entertainment and grooming salon facility ( in collaboration with some NGO) can be provided as in Bhilwara jail.
  - Quality of food that has been provided to the inmates needs improvement.
  - Regular health check ups and better health care facilities are needed.

---

<sup>24</sup> Churu & Bhilwara in Rajasthan

- Families of SC prisoners need economic support schemes, while their bread winners are in jail. State Governments Departments may be sensitized to design economic development scheme for SC prisoners through SC Finance Corporations.
- **Legal support :**
  - Legal support at Government level for Scheduled Castes under trial inmates seen to be minimal and inadequate. Quality of legal assistance at trial level also not satisfactory as many cases seen to be on going for years together.
  - legal clinics working in prisons may be strengthened ,
  - NGO involvement for legal assistance to the Scheduled Castes prisoners is recommended.

#### **7.5.6 Miscellaneous Recommendations :**

- The Commission recommends that State Governments may formulate schemes for allotment of land to landless SC people / or should continue such existing schemes.
- It is recommended to start suitable schemes to improve the health conditions of SCs

**Chapter – VII :Socio-Economic Development**

Sl. No.	States/UT	% of SC Population (2011 Census)	Annual Plan 2013-14					Annual Plan 2014-15					Annual Plan 2015-16				
			Total State Plan Outlay	SCSP Outlay	% SCSP to Total Plan Outlay	SCSP Actual Expdt.	% Expdt to SCSP outlay	Total State Plan Outlay	SCSP Outlay	% SCSP to Total Plan Outlay	SCSP Anticipated Expdt	% Expdt to SCSP outlay	Total State Plan Outlay	SCSP Outlay	% SCSP to Total Plan Outlay	SCSP Actual Expdt	% Expdt to SCSP outlay
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
1	Andhra Pradesh	16.41	48935.00	8378.18	<b>16.20</b>	4900.21	57.08	26672.86	4280.00	<b>16.05</b>	3475.04	81.19	34412.47	5470.13	<b>15.90</b>	15.9	0.29
2	Assam	7.15	10500.00	191.00	<b>1.74</b>	175.82	80.72	14029.00	236.40	<b>1.69</b>	NA		15278.01		<b>0.00</b>	NA	NA
3	Bihar	15.19	28000.00	5446.17	<b>18.41</b>	5347.60	85.42	52937.29	5429.58	<b>10.26</b>	4209.40	77.53	63039.50	9335.49	<b>14.81</b>	14.81	0.16
4	Chhattisgarh	12.82	23480.00	2219.20	<b>11.13</b>	2004.93	71.32	26615.00	3185.71	<b>11.97</b>	NA	NA	NA	NA	NA	NA	NA
5	Goa	1.74	2884.29	36.45	<b>1.29</b>	10.78	29.50	2924.03	32.27	<b>1.10</b>	10.72	33.22	4129.73	34.88	<b>0.84</b>	NA	0.00
6	Gujarat	6.74	50599.00	2849.32	<b>4.51</b>	2182.43	82.75	71330.44	3473.87	<b>4.87</b>	2683.43	77.25	79295.11	3915.22	<b>4.94</b>	819.04	20.92
7	Haryana	20.17	14500.00	2843.34	<b>21.01</b>	2401.65	63.49	21327.66	4215.21	<b>19.76</b>	3374.00	80.04	25745.65	4448.94	<b>17.28</b>	432.32	9.72
8	Himachal Pradesh	25.19	3700.00	914.64	<b>24.72</b>	953.46	94.07	4400.00	1032.80	<b>23.47</b>	981.39	95.02	NA	NA	NA	NA	NA
9	Jammu & Kashmir	7.38	7300.00	732.14	<b>7.41</b>	NR	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
10	Jharkhand	12.08	16300.00	1714.53	<b>11.22</b>	1049.68	55.68	26250.00	2559.53	<b>9.75</b>	NA	0.00	NA	NA	NA	NA	NA
11	Karnataka	17.15	42030.01	5125.00	<b>12.39</b>	5253.31	90.20	65599.78	11518.73	<b>17.56</b>		0.00		11773.54		NA	0.00
12	Kerala	9.1	14010.00	1452.91	<b>9.81</b>	1791.87	107.45	20000.00	1962.00	<b>9.81</b>	1511.93	77.06	20000.00	1968.50	<b>9.84</b>	NA	0.00
13	Madhya Pradesh	15.62	28000.00	4284.00	<b>13.80</b>	4360.15	89.00	53512.64	8378.50	<b>15.66</b>	NA	0.00	NA	NA	NA	NA	NA

**Annual Report of the National Commission for Scheduled Castes for the year 2015-16**

14	Maharashtra	11.81	45000.00	4590.00	<b>10.20</b>	3799.48	76.02	51222.54	6044.26	<b>11.80</b>	NA	0.00	NA	NA	NA	NA	NA
15	Manipur	3.78	3500.00	79.71	<b>2.43</b>	91.20	102.92	4520.48	224.38	<b>4.96</b>	NA	0.00	NA	NA	NA	NA	NA
16	Odisha	17.13	18839.17	2847.80	<b>16.61</b>	3507.88	87.86	37529.28	5335.49	<b>14.22</b>	4053.43	75.97	44150.00	7108.24	<b>16.10</b>	2717.14	38.23
17	Punjab	31.94	14000.00	4039.00	<b>28.86</b>	3371.74	72.46	20099.83	6432.00	<b>32.00</b>	NA	0.00	NA	NA	NA	NA	NA
18	Rajasthan	17.83	37382.13	6286.64	<b>16.95</b>	6906.20	95.87	66064.52	11244.10	<b>17.02</b>	8399.90	74.70	71405.78	12785.19	<b>17.90</b>	NA	0.00
19	Sikkim	4.63	1877.00	35.05		NR		3905.00	NA				NA	NA	NA	NA	NA
20	Tamil Nadu	20.01	28000.00	6108.61	<b>20.21</b>	7430.79	99.38	42185.00	10001.07	<b>23.71</b>	9062.72	90.62	55100	11274.16	<b>20.46</b>	NA	0.00
21	Telangana						NA	48648.47	7579.45	<b>15.58</b>	2936.26	38.74	52374.55	8089.24	<b>15.44</b>	NA	0.00
22	Tripura	17.83	2250.00	352.95		NR	NA	3125.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
23	Uttar Pradesh	20.7	57800.00	12223.00	<b>21.15</b>	7625.41	52.11	113500.00	24005.25	<b>21.15</b>	NA	0.00	NA	NA	NA	NA	NA
24	Uttarakhand	18.76	8200.00	1476.00	<b>18.00</b>	614.90	40.19	10600.00	2014.00	<b>19.00</b>	NA	0.00	NA	1282.74	NA	206.31	16.08
25	West Bengal	23.51	28000.00	5966.69	<b>23.05</b>	6987.37	100.00	46290.35	10669.92	<b>23.05</b>	NA	0.00	NA	NA	NA	NA	NA
26	Chandigarh	18.86	620.00	106.65	<b>22.19</b>	132.08	100.00	613.05	158.18	<b>25.80</b>	158.18	100.00	860.00	165.62	<b>19.26</b>	NA	0.00
27	Daman & Diu	0.02	568.25	17.38	<b>3.11</b>	19.59	100.00	1171.70	150.00	<b>12.80</b>		0.00	NA	NA	NA	NA	NA
28	Delhi	16.75	15000.00	2760.46	<b>20.43</b>	2737.13	91.14	15450.00	2797.25	<b>18.11</b>		0.00	NA	NA	NA	NA	NA
29	Pondicherry	15.73	3000.00	485.70	<b>15.73</b>	277.74	88.28	2400.00	262.59	<b>10.94</b>	249.59	95.05	2700	339.65	<b>12.58</b>	110.58	32.56
	Total	16.63	554274.85	83562.52	<b>15.00</b>	73933.40	77.67	852923.92	133222.54	<b>15.62</b>	41105.99		468490.80	77991.54		4316.10	

## CHAPTER – VIII Atrocities on Scheduled Castes

### 8.1 Relevant Acts

#### 8.1.1 PCR Act

The Government of India has enacted two special acts viz, the Protection of Civil Rights Act, 1955 (PCR Act) and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989 (PoA Act) and corresponding rules thereof, to provide an equal treatment and justice to the Scheduled Castes and Scheduled Tribes. The objective of both these Acts was affirmative action to empowerment of the SC/ST communities in the country by eradicating the discriminatory practices against these communities embedded in the caste system. The Parliament initially passed the **Untouchability (Offences) Act, 1955**,<sup>1</sup> in order to give effect to the declaration made in Article 17 of the Constitution. 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."

Although the untouchability (Offences) Act, 1955 had helped the process of eradication of untouchability, it was that there was still enough scope and reasons to amend the same. The Parliament amended the Act of 1955 in November, 1976, renaming it as the Protection of Civil Rights Act<sup>2</sup>, 1955. In the Act, Civil Rights have 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 considerably enhanced.

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

---

<sup>1</sup>came into force on 01.06.1955

<sup>2</sup>Protection of Civil Rights Act came into force from 19.11.1976.

PCR Act, though was broad-based as an expressed charter of civil rights for all citizens, and not focused exclusively on the Scheduled Castes and Scheduled Tribes. The PCR Act, 1955 provides for exemplary punishment for practices of untouchability, in various forms, that have been declared unconstitutional 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.

Section 15-A of the PCR Act, 1955 imposes the statutory duty on the State Governments. to ensure that the rights for the benefit of the discriminated/weaker sections of the society are implemented and social, economic and political discrimination by branding them as untouchables ends. 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 suffer from various discriminations due to the practice of untouchability.

### **8.1.2 POA Act**

The PCR Act, 1955 was not effective enough to reduce the atrocities on Scheduled Castes due to low punishments ranging between 1 month and up to six months imprisonment. These were the major reasons why another Act with stricter punishment provisions was needed. Accordingly, the SCs & STs (POA) Act<sup>3</sup> was passed in 1989.

The POA Act, 1989 defined atrocity as an offence punishable under section 3(1) and (2) of the Act and lists 22 criminal offences relating to various patterns of behavior inflicting 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, envisaged exemplary punishment at a scale higher than under the Indian Penal Code (IPC) for atrocities on SCs and STs, except for the offence of rape where the level of punishment under IPC is higher than those in the POA Act. Apart from

---

<sup>3</sup>Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

penal measures, the act also endeavored to ensure prevention of atrocities and seeks to provide legally justifiable 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 POA Rules<sup>4</sup>, 1995, apart from various steps like provision of legal aid to the victims, maintenance allowance during investigation and trial, identification of atrocity prone areas, etc. 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 Act,. Under the POA Rules, 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 Deputy 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 to be achieved through the precautionary and preventive measures, rehabilitative measures, punitive measures enacted for the purpose.

The present SC/ST (POA) Act 1989 was not stringent enough and many areas / offenses were undefined , it was a long pending recommendation of NCSC and also a demand of the SC/ST people that the Act be revised . The SC & ST (POA) Amendment Act 2015, came into force on 26.01.2016 and the SC & ST (POA) Amendment Rules 2016 came into force on 14.04.2016.

There are conflicting views about the impact of these Acts on the overall crime scenario of the country. At the level of ideology, caste as a system has considerably weakened but perhaps has assumed newer forms particularly in the wake of implementation of the Report of Mandal Commission in the nineties. It cannot be denied that older forms and practices of untouchability have waned but perhaps assumed newer/more subtle form however atrocities committed on SCs & STs by local dominant groups of castes/people, have, increased in absolute number. The reason behind this apparent reality lies in the tensions within the

---

<sup>4</sup>Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

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.

### **8.1.3 Salient features of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015<sup>5</sup>**

The new Act has been made more stringent with new offences being defined as atrocities and specific provisions with regards to crime against SC/ST women have been defined.

Section wise addition in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and corresponding financial relief to the victims as per the Amended (POA) Rules 2016 are as under:-

#### **8.1.3.1 New sections :**

##### **Definitions :**

- Section 2 (1) (b) (bb) to (bg) : to define 'dependent', 'economic boycott', 'Exclusive special court', 'forest rights', 'manual scavenger', 'public servant' etc.
- Section 2 (1) (e) (eb) to (ed) : to define 'social boycott', 'victim', 'witness'

##### **Offences:**

- **Section 3 (I) (a)** puts any inedible or obnoxious substance into the mouth of a member of a Scheduled Caste or a Scheduled Tribe or forces such member to drink or eat such inedible or obnoxious substance;
- **Section 3 (I) (b)** dumps excreta, sewage, carcasses or any other obnoxious substance in premises, or at the entrance of the premises, occupied by a member of a Scheduled Caste or a Scheduled Tribe;

---

<sup>5</sup>came into force on 26/01/2016 .

- **Section 3 (I) (c)** with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe, dumps excreta, waste matter, carcasses or any other obnoxious substance in his neighborhood;
- **Section 3 (I) (d)**:-garlanding with footwear/ chappals or parades naked or semi naked a member of Scheduled Castes and Scheduled Tribes.
- **Section 3 (I) (e)**:-tonsuring of head, moustache , removing clothes from person similar acts which are derogatory to the dignity of members of Scheduled Castes and Scheduled Tribes.
- **Section 3 : (f)** wrongfully occupies or cultivates any land, owned by, or in the possession of or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe, or gets such land transferred;
- **Section 3 (I) (g)**:-disposses from land or premises or denying access to irrigation facilities or forest rights .
- **Section 3 (I) (h)**:-makes a member of a Scheduled Caste or a Scheduled Tribe to do *õbegarö* or other forms of forced or bonded labor other than any compulsory service for public purposes imposed by the Government;
- **Section 3 (I) (i)**:-Dispose or carry human or animal carcasses, or to dig graves, using or permitting manual scavenging.
- **Section 3 (I) (k)**:-Dedicating a Scheduled Caste or a Scheduled Tribe woman as devadasi, abusing in caste name, perpetrating witchcraft atrocities, imposing social or economic boycott.
- **Section 3 (I) (l)**:-Preventing Scheduled Castes and Scheduled Tribes persons from exercising free vote , candidates from filing of nomination to contest elections, prevent from proposing the names of SC / ST candidates.
- **Section 3 (I) (z)**:-Forcing a member of Scheduled Caste/Scheduled Tribe to leave house, village or residence.
- **Section 3 (I) (t)**:-Defiling objects sacred to members of Scheduled Castes and Scheduled Tribe .

- **Section 3 (I) (w) (i) & (ii):**-Touching or using words, acts or gestures of a sexual nature against members of Scheduled Castes and Scheduled Tribe.
- **Section 3(I) (za):**-obstructs or prevents a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to use of common property resources / areas, mounting or riding bicycles / motorcycles, wearing footwear or new clothes, entering places of worship , educational institution , hospital dispensary , PHC, shop or public place, practicing any profession etc.
- **Section 3(I) (z c):**-imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Caste or a Scheduled Tribe,

**Other sections :**

- **Section 4 (1) & (2) :** defines a public servant and their duties ,In order to make the concerned Police and District authorities more responsive and accountable the duties of public servants have been defined for all levels and prosecution under the Act for "willful negligence" has been added.
- **Section 6 (ii) (c ):**-If the accused was acquainted with the victim or his family, the court will presume that the accused was aware of the caste or tribal identity of the victim unless proved otherwise.

**Time frames:**

- **Section 14 (1 to 4):** specifies the establishment of Exclusive Special Courts, lays down time frame for cases under this as a period of two months from date of filing of charge sheet and provision of day to day trial.
- **Section 14 A (1 to 4):** specifies the time frame for filing and disposal of appeals in the High Court.

**Exclusive Courts & Prosecutors:**

- **Section (15) (1):**-The Government shall specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than 7 years as a Special Public Prosecutor for the purpose of conducting cases in the court.

- **Section (15) (2) :-** Justice delayed is justice denied so the Act has also specified establishment of Exclusive Special Courts and specification of Exclusive Special Public Prosecutors also, to exclusively try the offences under the POA Act to enable speedy and expeditious disposal of cases and enhanced their powers to take direct cognizance of offences.

**Rights of victims and witnesses:**

- **Section 15A (Chapter IV A):-**A special Chapter has been added on the Rights of victims and witnesses so that intimidation of the victims and witnesses can be reduced, they are compensated for loss of earning wherein attending Court hearings and in special cases can be relocated and rehabilitated if Court feels it fit.
- **Section 23:-**The Amendment Act has added certain IPC offences like hurt, grievous hurt, intimidation, kidnapping etc., attracting less than ten years of imprisonment, committed against members of Scheduled Caste/Scheduled Tribe, as offences punishable under the POA Act. Presently, only those offences listed in IPC as attracting punishment of 10 years or more and committed on members of Scheduled Caste/Scheduled Tribe are accepted as offences falling under the POA Act.

**Schedule :**

- A schedule has been inserted after Section 23 , with the IPC section name and nature of offences under IPC

**8.1.3.2 Salient features of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016<sup>6</sup>**

The Govt. has moved swiftly to amend and notify the Rules under this Act with the following highlights :

- **Defines specific responsibilities of the State Governments for :**
  - preparing and specifying panels of eminent senior advocates who have been in practice for not less than seven years, as it may deem

---

<sup>6</sup>came into force on 14.04.2016

necessary for conducting cases in the Special Courts and Exclusive Special Courts,

- review of cases by DM, Secretary of Home & SC / ST development departments and performances of the special public prosecutors, review of actions by DM in providing relief and rehabilitation facilities.
- making necessary provision in annual budget for providing relief and rehabilitation facilities.
- implementing an appropriate scheme for or the rights and entitlements of victims and witnesses in accessing justice.
- categorizing a nodal officer and the role of the nodal officer especially with regard to the rights of victims and witnesses.
- defines a time frame for the DM to provide administrative arrangements to provide immediate relief ( in cash and kind, including shelter etc) to the victims, special provisions to withdraw from treasury to provide the financial relief as specified for victims under these rules etc
- **Amendments in amount of relief payable :**
  - defined the offences and the minimum amount of relief payable to victims.
  - enhanced the minimum amount of relief payable to victims of various offences of atrocities.
  - rationalized of the phasing of payment of relief amount.
  - delinked any part of relief amount with the requirement of medical examination for certain offences against women like sexual harassment, gestures or acts intended to insult the modesty, assault or use of criminal force with intent to disrobe, voyeurism, stalking etc.

- prescribed relief for new offences of atrocities as well as for rephrased/expanded offences like , preventing from entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural processions including jatras, victimization at the hands of a public servant, imposing or threatening a social or economic boycott, giving or fabricating false evidence etc
- provided for additional relief to victims of murder, death, massacre, rape, gang rape, permanent incapacitation and dacoity.

The increase in the existing quantum of financial relief amount i.e. between ₹ 75,000/- to ₹ 7, 50,000/-, depending upon the nature of the offence, by around 10%, as rounded of i.e. between ₹ 85,000/- to ₹ 8, 25,000/-, depending upon the nature of the offence.

The relief has been linked with the Consumer Price Index for Industrial Workers for the month of January, 2016 so that the same can be automatically revised.

## **8.2 Crime against Scheduled Castes**

The data on crimes against SCs/STs is available only upto 2014 at the NCRB<sup>7</sup>. Data from the year 2010 onwards have also been taken into consideration for doing an analysis on crime against Scheduled Castes. Besides, pendency of cases as compiled by the NCRB both at the end of police and judiciary also has been discussed. Reasons of high acquittal rate vis-à-vis low conviction rate have also been suitably discussed.

### **8.2.1 Fact Sheet of crimes against Scheduled Castes**

For the purpose of analyzing crime against Scheduled Castes, data provided by NCRB has been relied upon. Going by the available statistics, the number of crimes registered under the PCR Act are reducing as the cases of atrocities on SCs

---

<sup>7</sup>National Crime Records Bureau

& STs are being increasingly booked under the POA Act, 1989 and less and less under the PCR Act after January 1990.

The analysis of crimes against SCs <sup>8</sup> show an increase in the number of crimes and the rate of crime in 2014 as compared to 2013 details. The total number of cases has increased to 47064 in 2014 from 39408 in 2013 and the rate of crime has increased to 23.4 % from 19.6% in 2013. The state wise figures are given in the table below:

**Table No. 8.1  
Incidence and rate of crimes committed against Scheduled Castes during 2014<sup>9</sup>**

Sl. No.	State / Union Territories	SC Population as of 2011 (In lakhs)	Incidences	Percentage Contribution to All-India Total	Rate of Total Cognizable crimes
(1)	(2)	(5)	(3)	(4)	(6)
<b>STATES:</b>					
1	Andhra Pradesh	84.5	4114	8.7	48.7
2	Arunachal Pradesh	0.00	0	0.0	-
3	Assam	22.3	2	0.0	0.1
4	Bihar	165.7	7893	16.8	47.6
5	Chhattisgarh	32.7	1066	2.3	32.6
6	Goa	0.3	17	0.0	66.8
7	Gujarat	40.7	1130	2.4	27.7
8	Haryana	51.1	830	1.8	16.2
9	Himachal Pradesh	17.3	122	0.3	7.1
10	Jammu & Kashmir	9.2	0	0.0	0.0
11	Jharkhand	39.9	903	1.9	22.7
12	Karnataka	104.7	2138	4.5	20.4
13	Kerala	30.4	816	1.7	26.8
14	Madhya Pradesh	113.4	4151	8.8	36.6
15	Maharashtra	132.8	1768	3.8	13.3
16	Manipur	1.0	1	0.0	1.0
17	Meghalaya	0.2	0	0.0	0.0
18	Mizoram	0.0	0	0.0	0.0
19	Nagaland	0.0	0	0.0	-
20	Odisha	71.9	2266	4.8	31.5
21	Punjab	88.6	123	0.3	1.4
22	Rajasthan	122.2	8028	17.1	65.7
23	Sikkim	0.3	10	0.0	35.4
24	Tamil Nadu	144.4	1546	3.3	10.7
25	Telengana	54.3	1694	3.6	31.2

<sup>8</sup> As per National Crime Records Bureau Report, 2014

<sup>9</sup> National Crime Records Bureau Report, 2014

Sl. No.	State / Union Territories	SC Population as of 2011 (In lakhs)	Incidences	Percentage Contribution to All-India Total	Rate of Total Cognizable crimes
26	Tripura	6.5	49	0.1	7.5
27	Uttar Pradesh	413.6	8075	17.2	19.5
28	Uttarakhand	18.9	61	0.1	3.2
29	West Bengal	214.6	159	0.3	0.7
	<b>Total (States)</b>	<b>1981.6</b>	<b>46962</b>	<b>99.8</b>	<b>23.7</b>
<b>UNION TERRITORIES:</b>					
30	A&N Islands	0.00	0	0.0	-
31	Chandigarh	2.0	1	0.0	0.5
32	D&N Haveli	0.1	0	0.0	0.0
33	Daman & Diu	0.1	0	0.0	0.0
34	Delhi UT	28.1	87	0.2	3.1
35	Lakshdweep	0.0	0	0.0	-
36	Puducherry	2.0	14	0.0	7.1
	<b>Total (UTs)</b>	<b>32.2</b>	<b>102</b>	<b>0.2</b>	<b>3.2</b>
	<b>TOTAL (ALLINDIA)</b>	<b>2013.8</b>	<b>47064</b>	<b>100.00</b>	<b>23.4</b>

The total number of crimes against Scheduled Castes is very high in Uttar Pradesh followed by Rajasthan and Bihar. As far as rate of crime<sup>10</sup> is concerned, the major States are Rajasthan (65.7%), Andhra Pradesh (48.7%), Bihar (47.6%), Madhya Pradesh (36.6%), Chhattisgarh (32.6%) Odisha (31.5%), Telengana (31.2%), Gujarat (27.7%), Kerala(26.8%) , which have rate of crime above the national average ( 23.4%) .

### 8.2.2 Trend Analysis on Crime against Scheduled Castes

The scheduled caste population in the decade of 2001 to 2011 has risen by 20.8 *per cent*, while the crime against Scheduled Castes increased by approximately 0.7 *per cent*. For the purpose of data analysis, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar,

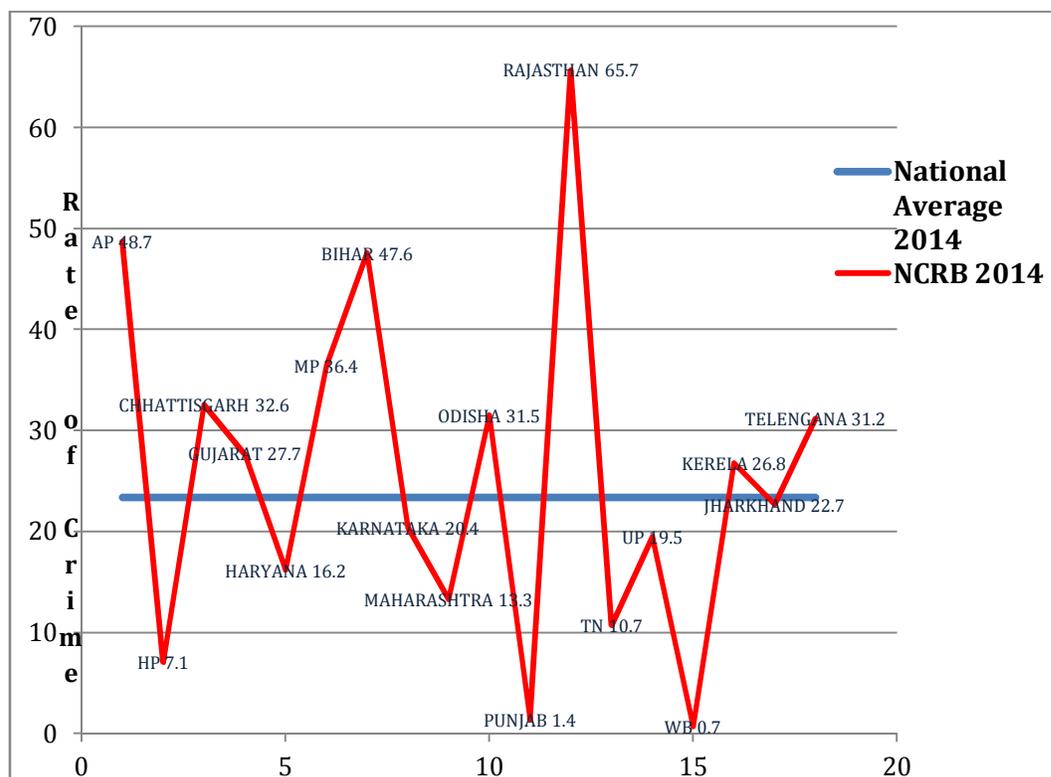
<sup>10</sup>Rateofcrime= Number of crime incidence against Scheduled Castes in the state/Total Scheduled Caste population in the state

Tamil Nadu, Telengana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand.

The state wise comparison of rate of crime against SCs, vis a vis the national average is as follows :

**Graph 8.1**

Rate of crime against SCs (2014) vis a vis National Average



### 8.2.3 Disposal of cases by Courts

The rate of conviction<sup>11</sup> (28.8 per cent) is very low vis-à-vis acquittal rate (71.2 per cent) out of total cases which came to trial. A large number of cases (1,25,952) are pending in courts across the country.

<sup>11</sup> Rate of Conviction = (Convicted/Total)\*100; i.e. {Column (6)/Column (8)}\*100

**Table No. 8.3**  
**Disposal of cases by Courts for crimes committed against Scheduled Castes**  
**during 2014<sup>12</sup>**

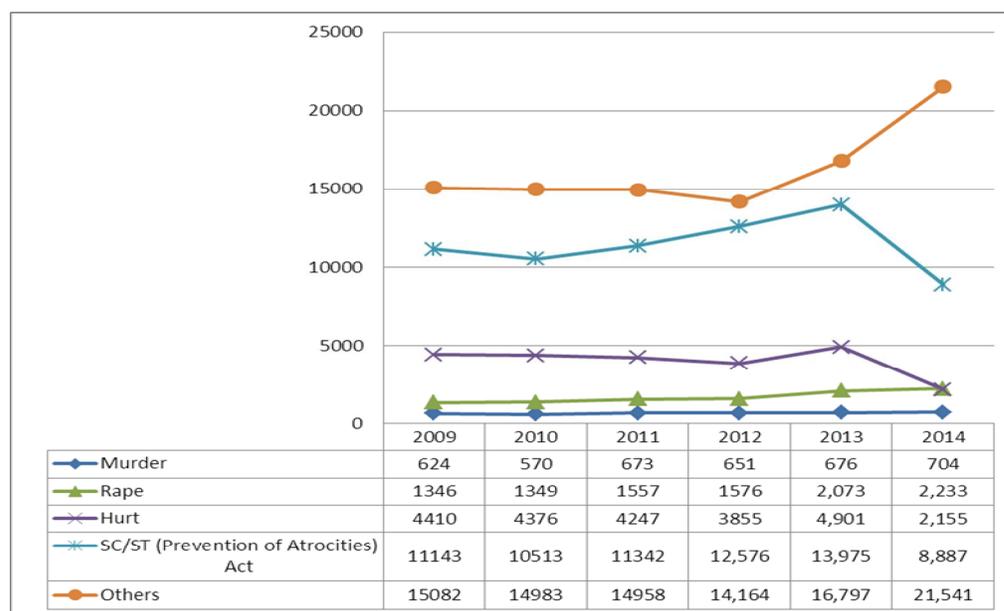
Sl. No.	Crime Head	Total No. of Cases For Trial Including Pending Cases from previous year	Cases Withdrawn by Govt.	No. of Cases				Pending Trial at the end of the year
				Compounded Or Withdrawn	In which Convicted	Trials Completed or Discharged	Total {(6)+(7)}	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	MURDER (Sec. 302 IPC)	3015	0	1	189	206	395	2619
2	RAPE (Sec. 376 IPC)	6528	0	1	418	781	1199	5328
3	KIDNAPPING & ABDUCTION (Sec. 363-369, 371-373 IPC)	1879	0	0	102	177	279	1600
4	DACOITY (Sec. 395-398 IPC)	168	0	0	3	16	19	149
5	ROBBERY (Sec. 363-369, 371-373 IPC)	289	0	0	6	19	25	264
6	ARSON (Sec. 435, 436, 438 IPC)	789	0	2	24	73	97	690
7	GRIEVOUS HURT (Sec. 323-333, 335-338 IPC)	8418	0	115	451	980	1431	6872
8	PCR ACT, 1955 FOR SCs	609	0	0	3	55	58	551
9	SC/ST PREV. OF ATROCITIES ACT, 1989 FOR SCs	119526	2	691	4716	11911	16627	102206
10	OTHER IPC CRIMES AGAINST SCs	6928	1	278	354	622	976	5673
11,	MANUAL SCAVENGERS & CONSTRUCTION OF DRY LATRINES PREVENTION ACT, 1993	0	0	0	0	0	0	0
	<b>TOTAL</b>	<b>148149</b>	<b>3</b>	<b>1088</b>	<b>6266</b>	<b>14840</b>	<b>21106</b>	<b>125952</b>

<sup>12</sup> National Crime Records Bureau Report, 2014

### 8.2.4 Analysis of the types of crimes:

Analyzing the crimes, a decline of 36.4 *per cent* has been witnessed in terms of cases registered under SC/ST (Prevention of Atrocities) Act, 1989 only during the year 2014 compared the year 2013 although there has been an increase of 7.7 *per cent* in rape cases during the same period. The cases on murder, kidnapping & abduction and other crimes against Scheduled Castes have increased although the cases of hurt has shown a lower percentage rate<sup>13</sup> between 2013 and 2014. The details are as under:

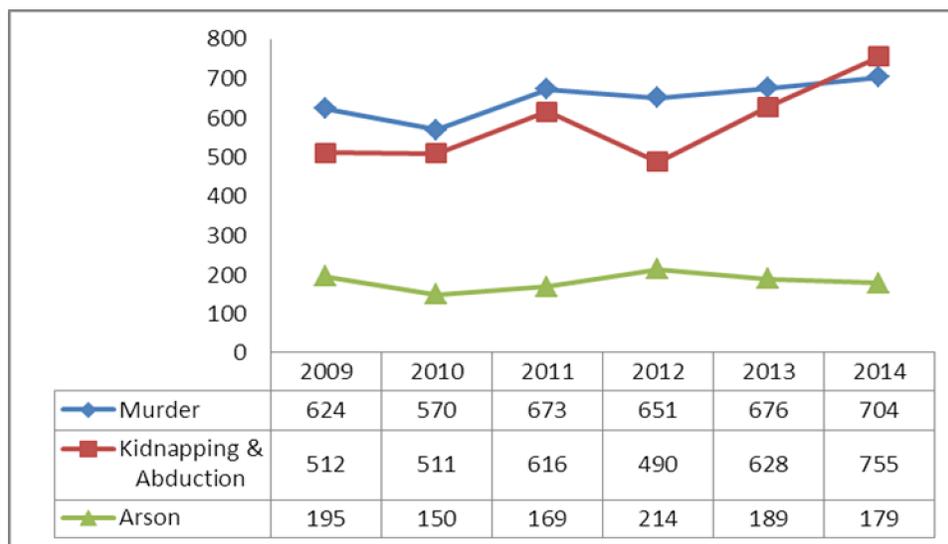
**Graph No. 8.2  
Incidence of crimes on Scheduled Castes<sup>14</sup>**



<sup>13</sup> Murder (+) 4.1 *per cent*, kidnapping and abduction (+) 20.2 *per cent*, other crimes (+) 28.24 *per cent*, hurt (ó) 56.02 *per cent* have been decrease / increase from 2013 to 2014

<sup>14</sup> National Crime Records Bureau Report, 2010-2014

**Graph No. 8.3**  
**Incidence of crimes on Scheduled Castes<sup>15</sup>**



### 8.2.5 Rate of crime<sup>16</sup>

As far as rate of crimes against Scheduled Caste population are concerned, Rajasthan, Bihar and Orissa are states (from among the 15 states with highest number of Scheduled Caste population<sup>17</sup>) with the highest crime rates against the Scheduled Castes. The following table shows the states with the highest crime rates against Scheduled Castes<sup>18</sup>:

<sup>15</sup>National Crime Records Bureau Report, 2010-2014

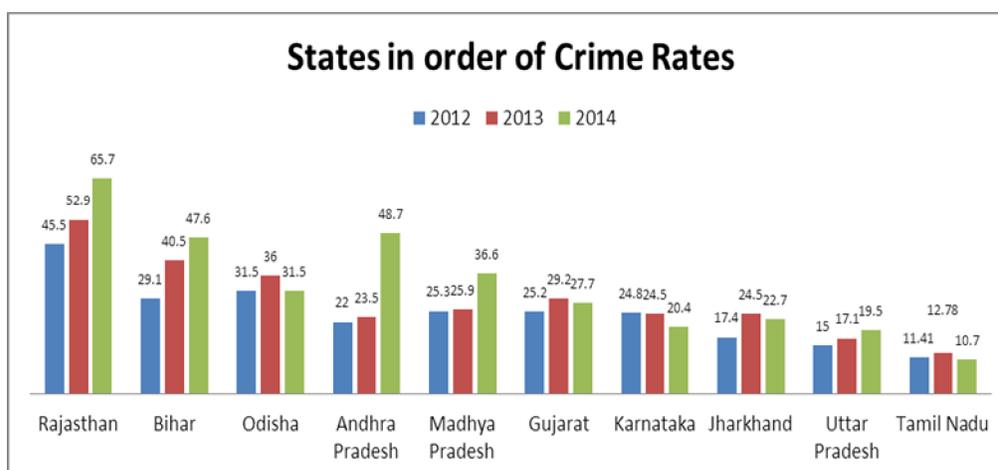
<sup>16</sup>Rate of crime= Number of crime incidence against Scheduled Castes in the state/Total Scheduled Caste population in the state

<sup>17</sup> For the purpose of ease of data analysis the Commission has considered the data of the National Crime Records Bureau pertaining to the 15largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telengana , Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

<sup>18</sup> Data as per: ncrb.gov.in/tables: Incidence & Rate of Crime Against Scheduled Castes (State & UT-wise) ó 2012, 2013,2014

**Graph No. 8.4<sup>19</sup>**

**Rate of Crime**



On analysis of Rates of Crime<sup>20</sup> against Scheduled Caste Population<sup>21</sup>, it can be seen from the above graph that Rajasthan, Andhra Pradesh, Bihar, Madhya Pradesh, Odisha and deserve special attention in terms of eradication of crimes against Scheduled Castes. The observations that are seen are as follows:

- Rajasthan and Bihar, have very high average of both incidences and rate of crimes against Scheduled Castes during 2012, 2013 and 2014.
- In Odisha, while the incidences of crime against SCs have been the sixth highest in the country, the average crime rate against SCs for 2012, 2013, 2014 has been in higher side.
- U.P. has the highest number of incidences of crime against Scheduled Castes but the rate of crime is below the National average.

<sup>19</sup> National Crime Records Bureau Report, 2012-14

<sup>20</sup> Crime against Scheduled Castes as taken by NCRB are categorized as : murder , rape , kidnapping and abduction , dacoity , arson , robbery, hurt, PCR Act violations, SC/ST Act violations

<sup>21</sup> For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telengana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

8.2.6 Interim data of 2015 ( Crimes against SCs)

**Table No. 8.4**  
**Incidence and rate of crimes committed against Scheduled Castes during 2015<sup>22</sup>(Interim)**

All India Rank(In terms of SC popln)	State Name	Total Population(Schedule Caste)	% of SC population	Incidents	Rate of total cognizable crime of year 2015
1	UTTAR PRADESH	41357608	21.10	8946	21.6
2	WEST BENGAL	21463270	23.00	0	0.0
3	BIHAR	165,67,325	15.70	7121	43.0
4	TAMILNADU	144,38,445	19.00	1764	12.2
5	RAJASTHAN	122,21,593	17.20	7144	58.5
6	ANDHRA PRADESH	138,78,078	16.20	4065	29.3
7	MADHYA PRADESH	113,42,320	15.20	3939	34.7
8	MAHARASHTRA	132,75,898	10.20	1820	13.7
9	ODISHA	71,88,463	16.50	1648	22.9
10	KARNATAKA	104,74,992	16.20	2300	22.0
11	PUNJAB	88,60,179	31.90	120	1.4
12	TELANGANA			3120	0.0
13	HARYANA	51,13,615	19.30	831	16.3
14	JHARKHAND	39,85,644	11.80	851	21.4
15	KERALA	30,39,573	9.80	745	24.5
16	CHHATTISGARH	32,74,269	11.60	3008	91.9
17	ASSAM	22,31,321	6.90	2	0.1
18	GUJARAT	40,74,447	7.10	6655	163.3
19	HIMACHAL PRADESH	17,29,252	24.70	80	4.6

<sup>22</sup>Source:-In response to the unstarred Parliament Question answered by Ministry of Home Affairs vide question number 403 dated asked by Dr. P.L. Punia, Member of Parliament Rajya Sabha and Chairman NCSC.

All India Rank(In terms of SC popln)	State Name	Total Population(Schedule Caste)	% of SC population	Incidents	Rate of total cognizable crime of year 2015
20	UTTARAKHAND	18,92,516	17.90	94	5.0
21	JAMMU & KASHMIR	9,24,991	7.60	0	0.0
22	NCT OF DELHI	28,12,309	16.90	56	2.0
23	TRIPURA	6,54,918	17.40	3	0.5
24	PUDUCHERRY	1,96,325	16.20	3	1.5
25	MANIPUR	97,042	2.80	0	0.0
26	MEGHALAYA	17,355.00	0.50	0	0.0
27	SIKKIM	28,275	5.00	19	67.2
28	GOA	25,449	1.80	15	58.9
29	CHANDIGARH	1,99,086	17.50	1	0.5
30	DAMAN AND DIU	6,124	3.10	1	16.3
31	DADRA & NAGAR HAVELI	6,186	1.90	1	16.2
32	MIZORAM	1,218	0.00	2	164.2
33	NAGALAND			0	0.0
34	ARUNACHAL PRADESH		0.60	1	0.0
	<b>ALL INDIA</b>	<b>20,13,78,086</b>	<b>16.20</b>	<b>54,355</b>	<b>27.0</b>

*The above are the figures provided by Ministry of Home Affairs to unstarred question number 403 asked by Dr. P.L. Punia, Member of Parliament, Rajya Sabha and chairman NCSC and are not NCRB data for 2015.*

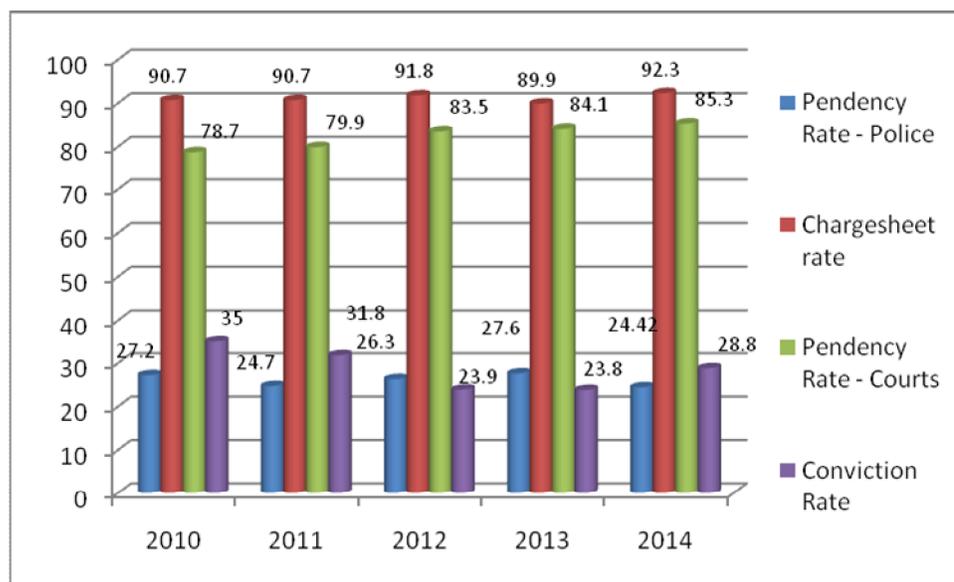
### **8.3 Judicial and administrative handling of cases related to the Scheduled Castes**

Taking into account all form of crimes against Scheduled Castes during the year 2010 and 2014, it is seen that total incidences of crime against Scheduled Castes has increased from 32712 in 2010 to 47064 in 2014 i.e. an increase of 43.87 *per*

cent. At the same time, the rate of filing of charge sheets<sup>23</sup> by Police has slightly increased from 90.7 per cent in 2010 to 92.3 per cent in 2014. The percentage of cases of atrocities pending at the level of Police has decreased from 27.7 per cent in 2010 to 24.42 per cent in 2014<sup>24</sup>. The conviction rate<sup>25</sup> has however, come down from 35.0 per cent in 2010 to 28.8per cent in 2014 coupled with an increase<sup>26</sup> in the pendency rate in Courts in cases of crimes against Scheduled Castes.

The following graph shows the trends related to the pendency and disposal of cases by Police<sup>27</sup> & Courts<sup>28</sup> (2010-14):

**Graph No. 8.5**  
**Pendency and Disposals by Police and Courts<sup>29</sup>**



<sup>23</sup> Ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) ó 2010,2014

<sup>24</sup> Ibid.

<sup>25</sup> Data as per:ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) ó 2010,2014

<sup>26</sup> increase from 78.7 per cent in 2010 to 85.3 per cent in 2014

<sup>27</sup> Data as per: ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) ó 2010,2011,2012,2013& 2014

<sup>28</sup> Data as per ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) ó 2010, 2011,2012,2013 & 2014

<sup>29</sup>National Crime Records Bureau Reports, 2010 to 2014.

## **8.4 Recent trends in atrocity cases received in NCSC**

### **8.4.1 Campus atrocities:-**

- A SC research scholar of the University of Hyderabad allegedly hanged himself to death, 15 days after he was expelled from his hostel along with four other researchers..
- There are cases reported from Delhi University regarding harassment of SC scholars.

### **8.4.2 Denial of entry in temples:**

- a case regarding denial of 50 Scheduled Castes from offering Gangajal in a temple, reported from Bareilly, Uttar Pradesh,.
- a case regarding preventing of Scheduled Castes from worship in the temple was reported in village Piproli, P.S.Tiket Nagar, Barabanki, Uttar Pradesh,.
- a case regarding denial of SC in a temple was reported in Bilaspur, Chhattisgarh,. With the intervention of the Commission an FIR was registered against the priest.
- A SC boy was thrashed and beaten up by the priest for entering the temple at Nelamangala, Bangalore, Karnataka. The case is under trial.
- Complaints were received alleging practices of untouchability in three village temples, namely, Bhagabati Temple, Budhijagulai Temple and Gopinath Temple in Nilakanthapur, Kendrapada, Odisha.
- Three complaints were received that SCs were prevented from entering the temple in Katvalavillage ,Varasarda Temple, Porbander and Nagel, Banaskantha, Gujarat. A case was registered under PoA Act and charge sheet filed.
- Two non-SC persons prevented one SC from entering the temple on the occasion of Janamashthami to perform puja, in Gir-Somnath, Gujarat.

### **8.4.3 Hate Crimes against Scheduled Castes**

- The incidence of devastation of 125 Huts of maha dalit families due to fire, in Nawada (Bihar)<sup>30</sup>.
- incidence of physical assault on RTI Activist of Ramgarh, District Jaisalmer, Rajasthan<sup>31</sup>.
- incidence of preventing an SC student from singing a song in the praise of Dr. B.R. Ambedkar followed by rustication from the school in Saharanpur District of UP.
- Atrocity on 13 Dalits of village Dangawas, in Distt. Nagaur, Rajasthan, due to an altercation emanating from a land dispute.
- incident of burning of house of SC family causing death of two children at village Sunped, P.S. Ballabgarh Sadar, Faridabad, Haryana<sup>32</sup>.
- incidence at Mariamman Temple Car Festival ,where seven houses of SCs<sup>33</sup> including all their belongings were completely burnt in a fire in Seshasamudiram village District Villupuram, Tamil Nadu.
- incident of parading five Scheduled Castes women naked in the village Hareva Shahjahanpur (UP)<sup>34</sup>.
- incidence of death of 3 Dalits, who were burnt alive<sup>35</sup> in village Baswadi, Nagaur ,Rajasthan.

### **8.4.4 Increase in crime against SC women**

Rape Cases are on the increase and especially rape of minor girls. Recent trend shows large number of cases of rape accompanied with murder. Some of the incidences that are reported in the Commission are as follows:

- rape and murder of a SC girl<sup>36</sup> at Sargipalli village district Bolangir, Odisha.

---

<sup>30</sup> In March 2016

<sup>31</sup> July 2015

<sup>32</sup> October 2015,

<sup>33</sup> August 2015,

<sup>34</sup> May 2015,

<sup>35</sup> May 2015

<sup>36</sup> 18.06.2015

- rape of a minor SC girl studying in class IXth, D/o Shri Ram Bharose, R/o Avas Vikas Colony, Civil Lines, Badaun, Uttar Pradesh<sup>37</sup>.
- the incidence of rape of SC girl at Village Kinhawar, PS Vichhawa, Mainpuri, Uttar Pradesh<sup>38</sup>.
- Smt. Chinder Kaur, along with her minor daughter was pushed out from a moving bus by the conductor and two other men, in Moga, Punjab. While the mother sustained severe injuries, the daughter succumbed to her injuries.

#### **8.4.5 Inter-Caste marriages / honour killings related:**

While the states encourage inter-caste marriages , there are increasing incidents that show that such marriages still lead to crimes and problems.

- A 19 year old Dalit girl was found in opened field in Sujanganj Police Station area in Jaunpur<sup>39</sup>. The family which had already fixed her marriage with someone else allegedly killed her when she refused to snap ties with a SC youth

#### **8.4.6 Preventing horse riding by the SC Bridegrooms:**

- A case of preventing an SC bridegroom from riding on the horse back was reported from Ratlam, Madhya Pradesh.

#### **8.4.7 Caste prejudice in mid day meals:**

- Cases of SC children being asked to eat the mid-day meal separately have come to notice of the Commission
- Cases where the upper caste children are asked to boycott the mid day meals if they are cooked by Scheduled Caste employyes have come to notice of the Commission.

---

<sup>37</sup>July 2015

<sup>38</sup>July 2015

<sup>39</sup>June 2015

### **8.5 State & District Level Vigilance and Monitoring Committees, meetings during 2015-16**

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

### **8.6 Recommendations on handling of Atrocity cases.**

The Commission has noted with concern that instances of procedural lapses are frequent while dealing atrocity cases by both police and civil administration. There are delays in the judicial process of the cases.. The Commission, therefore, identified lacunae commonly noticed during police investigation, as also preventive / curable actions the civil administration can take. NCSC recommends the correct and timely application of SC/ST (PoA) Amendment Act, 2015 and Amendment Rules of 2016 as well as the following for improvement :

#### **8.6.1 Registration of FIRs**

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

The Commission also recommends the following:

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

Branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration.

System can be similar to receipt of passport applications in Banks and Post Offices.

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

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

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

**8.6.1.4 :** Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in a particular Police Station area / District are on higher side, the District level Vigilance Committee Quarterly meeting should review this aspect and considered views be taken to neutralize such counter cases.

### **8.6.2 Police investigation**

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

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

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

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

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

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

### **8.6.3 Judicial proceedings**

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

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

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

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

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

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

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

**8.6.4 Compensation and Rehabilitation of victims and payment of expenses to witnesses:**

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

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

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

**8.6.4.3 :** for immediate withdrawal of money from the treasury so as to timely provide the relief amount as specified in sub-rule (4), all the State Governments or Union Territory Administrations may immediate provide necessary authorisation and powers to the District Magistrate.

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

**8.6.5 Capacity building measures**

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

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

**8.6.5.2:** Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness

amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.

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

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

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

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

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



## CHAPTER – IX Recommendations

### 9.1 Recommendations on strengthening the effectiveness of NCSC

The Commission has made several specific recommendations regarding strengthening of the effectiveness of the Commission in its previous Annual Reports<sup>1</sup>. The Government was to take action on the same. It is seen that so far no action has been taken on any of these past recommendations, as a result of which the effectiveness of the Commission is adversely affected. Hence the Commission strongly makes the following recommendations:

#### 9.1.1 NCSC Recommendations should be binding

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

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

---

<sup>1</sup> Annual Report 2014-15 , Annual Report 2013 14, Annual Report 2012-13 etc

community, since the authorities are free to ignore the recommendations of NCSC.

*The Commission, therefore, recommends the Government may take all necessary actions to make recommendations of the NCSC as binding. The Commission should be suitably empowered so that it can effectively function and oversee that the safeguards to Scheduled Castes as guaranteed under the Constitution are implemented in letter and spirit.*

#### **9.1.2 Independence of NCSC- in functioning and budget:**

The expenditure for the National Commission for Scheduled Castes in the Union Budget is reflected in Demand No. 88 under major Head "2225" under the Ministry of Social Justice & Empowerment which is a voted expenditure. It has been observed that other Constitutional bodies like UPSC, Comptroller and Auditor General of India , Election Commission and even the Niti Ayog, which is a non-Constitutional body draw their funds from an independent head of account.

This Commission is a Constitutional body set up under Article 338 of the Constitution, and has also been given the powers of the Ministry /Department of the Government of India vide S.No. 15 under Ministry of Home Affairs in the Schedule II of the DFP Rules, 1978, it stands to reason that the Commission should have separate and independent budget head and demands for grant.

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

The 14<sup>th</sup> Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2008-2009) chaired by Shri Ratilal Kalidas Varma in its Report had also made recommendations on a similar line.

*The Commission therefore recommends that NCSC is given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters alongwith its budget be given under a separate head of account in a separate demand of Grants instead of being a part of Ministry of Social Justice & Empowerment.*

### **9.1.3 Increase of staff strength**

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

The Commission recommends that considering the increased volume and various nature of its work, the Commission should have the power to reassess its staff requirement through studies by appropriate professional bodies and take up the matter independently with the DoPT and Department of Expenditure for creation of the necessary posts. Also since the incumbency position is much lower than the sanctioned strength and there are 80 vacant positions, the Commission should be free to mitigate the gap between the sanctioned strength and persons in position by way of outsourcing, till the staff strength reassessment and creation of new posts is completed, so that the work of the Commission does not suffer. Proper provision in the Budget of the Commission needs to be made for the same.

Timely promotions to the officers and staff both at State Offices and at NCSC Hqrs. are also needed to avoid stagnation and demotivation.

### **9.1.4 Opening of new offices / up-gradation of existing offices**

With the bifurcation of the Commission from NCSCST to NCSC and NCST as per the 89<sup>th</sup> Amendment of the Constitution, the 18 State Offices of the erstwhile NCSCST which had acted as eyes and ears of the Commission got divided in to 2:1 ratio in its favour. While 12 State Offices came to NCSC, 06 State

Offices went to NCST with staff, infrastructure thereon. The jurisdiction of the State Offices was also divided accordingly.

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

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

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

#### **9.1.5 Initiation of appointing process for new Commission**

It has been noticed that between the completion of the tenures of one Commission and appointment of a new Commission, there is a vacuum. During this gap, the functioning of the Commission is adversely affected.

It is recommended that the process of appointing a new Commission is designed in a way to avoid this void.

## **9.2 Increasing court cases against NCSC**

It has been seen that many Government Departments / PSUs have filed writ petitions in various Honorable Courts against the recommendations of the NCSC. This is ironical as recommendations of NCSC are only advisory and departments / PSUs have no need to resort to taking matters to Courts, since the same complicates and delays the final delivery of justice as well as burdens the exchequer with legal fees. This is a glaring example of different wings of the State fighting against the State in the Court of law.

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

## **9.3 Recommendations on Service Safeguards**

### **9.3.1 CPSUs / CPSBs<sup>2</sup>:**

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

- The reservation rosters for various categories/posts under Direct Recruitment and Promotion Quota were not maintained as per the DoPT guidelines/instructions O.M. No. 36022/2/1996-Estt.(Res.) dated 02.07.1997. The reservation roster has not been maintained in running account and the reserved points were filled up at a later stage. No summary was prepared at the end of the roster after every recruitment year so that it could not find out the backlog position of the reserved vacancies. The rosters were not checked /inspected by the Liaison Officer for SC/S

---

<sup>2</sup> CPSUs : Central Public Sector Undertakings  
CPSBs : Central Public Sector Banks

.Hence, the respective Organizations/PSUs were advised to prepare/maintain the reservation roster as per the DoPT guidelines. The Liaison Officers for Scheduled Castes in the respective PSUs were also not found aware about discharging of their duties as LO for SC/ST and the instructions / orders of the Government guidelines on the implementation of the reservation policy.

- There were backlogs of the reserved vacancies in the various category/posts. Further, due to non-maintenance of the reservation rosters as per the DoPT guidelines the calculation of the backlog vacancies could not be ascertained by the by the respective PSUs and these vacancies were remained unfilled. The DoPT guidelines on filling up of the backlog vacancies by launching or special Recruitment Drives were not found followed.
- The Government has issued instructions for providing reservation in services to the SCs and OBCs in Direct Recruitment as 15% and 27%. The Commission while reviewing the Public Sector Organizations, observed that in certain cadre posts, the requisite percentage of reservation for SCs and OBCs were below the prescribed reservation of 15% and 27%. Hence, the Commission has advised to the PSUs to maintain the representation of SCs and OBCs as per the reservation policy of the Govt. of India. Similarly, in the matter of promotion, the requisite reservation for SCs is not adequate and below the percentage of reservation of 15%.
- The PSUs were not found providing the pre-recruitment to the Scheduled Castes and OBC candidates so that their adequate representation in all cadre posts could be fulfilled. Similarly, it was observed that the pre-promotion training to the SC incumbents is not being provided. Hence, the Commission has recommended to follow the Government Guidelines /Instructions in the matter.
- Government of India has issued guidelines all Public Sector Undertakings that 10% of the profit should be spent for the welfare of the weaker sections including Scheduled Castes under the CSR Scheme /

programmes. It was observed that the most of the Public undertakings have not allocated funds under the CSR schemes. Hence, the Commission recommended that the PSUs may consider allocating the funds for the welfare of Scheduled Castes by launching specific schemes.

***The Commission recommends that :***

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

**9.3.2 : Problems of SC migrant labours:**

- **Non implementation of orders of MHA / DoPT, GOI by DSSSB in recruitment:**

It was seen that the DSSSB was not implementing the orders of MHA<sup>3</sup> / DoPT<sup>4</sup>, regarding extending benefits of reservation to Scheduled Castes during recruitments.

The Commission recommends that the Chief Secretary, Government of NCT of Delhi may conduct a time bound review of the recruitments done by various Departments / organizations under Government of NCT of Delhi since 10.05.2013 and ensure that the orders of MHA/DOPT, GOI

---

<sup>3</sup> MHA : Ministry of Home Affairs

<sup>4</sup> DoPT : Department of Personnel and Training

vide letter no. F.19 (6)/2012/S/IV-/883 Dated-10.05.2013 are followed. The necessary the corrective measures may also be taken in the interest of Scheduled Castes if rules are not found followed. MHA / DoPT, Government of India may also follow up and ensure that the correct implementation is done and SC candidates not deprived of their due rights.

- **Action on the Commission's Report on SC Migrants:**

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

### **9.3.3 Reservation in Promotion :**

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

The Commission recommends that:

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

**9.3.4 Non implementation of 85th Amendment Act, 2001 by Government of Punjab :** The Commission recommends the Government of Punjab may revise and correct its orders on seniority as per the DoPT guidelines dated 22.01.2002 and implement the same by providing benefit of seniority to the SC employees who are promoted by virtue of reservation / roster.

**9.3.5 Recommendations of the Commission regarding Service safeguards issues based on its reviews of the State Governments are :**

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

**9.3.6 Reservation in Judiciary:**

The Commission recommends that:

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

- The reservation policy should be followed and properly implemented for the subordinate staff of the High Courts and Supreme Court of India.

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

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

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

**9.3.10 Recognition of SCs/STs Associations:** Regarding recognition of SCs/STs Associations, the Commission reiterates its recommendation that Government must consider that SC/ST employees associations represent the deprived sections of the society and grant them separate recognition. As far as grant of facilities is concerned, they must be given facilities as are being provided in M/o Railways and Unions.

## 9.4 Recommendations regarding Economic and Social Development

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

#### Recommendations :

- The State Level Vigilance & Monitoring Committee should be immediately constituted and meetings should be held as per the Manual Scavenging Act.
- The District Magistrate should be declared as the Nodal Officer / Reviewing Officer and State Level awareness programmes are to be arranged.
- If Person dies during cleaning of sewers, septic tanks etc. Rs 10 Lakhs compensation needs to be given as per direction of Supreme Court.
- Welfare departments in States / UTs should develop Schemes for manual scavengers and normal schemes like Indira Awas Yojana, Old Age pension schemes etc. should also be made available.
- Rehabilitation schemes of persons engaged in manual scavenging should include provision of their regular employment as Safai Karamcharis in the Municipal Corporations instead of contractual appointments.
- Schemes for providing alternate means of livelihood to persons engaged in manual scavenging should be run and allotment to such persons , in priority parking contracts in the Municipal Corporations / Development Authorities / district authorities and allocation of booths / shops etc should be considered .
- For clearance of sewerage, mechanized machines have to be provided.
- Safai Karmacharis are manual scavengers. Therefore, identity cards should be issued to Safai Karmacharis.
- Derogatory words for the SCs in the State list should be substituted by -Balmikiøetc.

- Organizations like Banks who outsource the services of *Safai Karamcharis*, also need to be monitored by the District Level Vigilance & Monitoring Committees.

#### **9.4.2 Planning process of socio economic development :**

In 2015-16 no proposal for advice on planning process of socio- economic development of SCs was received by NCSC from any State Government and no advice of NCSC was sought on planning SCSP expenditure by any Ministry / Department of the Union or of the States.

Hence NCSC reiterates its recommendation that:

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

#### **9.4.3 Recommendations on SCSP**

The basic objective of the SCSP has been to channelize the flow of outlays and benefits from the general sectors in the Plan of States for the development of Scheduled Castes, at least in proportion to their population, both in physical and financial terms. It has been observed that many State Governments have not been earmarking adequate funds to SCSP, proportionate to the share of SCs in the population. It is therefore reiterated that Scheduled Caste Sub-Plans should be an integral part of Annual Plans as well as Five Year Plans, making provisions therein non-divertible and non-lapsable, with the objective of substantial reduction in poverty and unemployment among SCs and for bridging the gaps in their socio-economic development.

The Commission has noted that there has been below par allocation in SCSP and poor utilization of the allocated SCSP funds, funds meant for SCSP have been diverted and/or used in sectors not benefiting SC population directly. There is no focus on entrepreneurship, employment and skill development projects.

The Commission therefore, strongly recommends the formulation of such specific schemes for the benefit of the SCs, which will increase employability of the beneficiaries. The SCSP should include only such existing schemes or new schemes which full-fill the following norms:-

- The schemes which have the potential to accelerate the pace of development of the SCs and to bridge the socio-economic development indicators between SCs as compared to the advanced sections of the society.
- The schemes should secure quantifiable benefits to the Scheduled Caste households or areas as majorly inhabited by the Scheduled Castes.
- Those schemes should be included in the SCSP that enhance the incomes of the target group and lead to the development of assets such as those related to sectors like agriculture, animal husbandry, dairy development, fisheries, and agriculture/allied sectors.
- The States/UTs may fix clearly defined targets, based on parameters like educational status, enrolment, occupation, health indicators, per capita income, access to basic amenities like drinking water, housing etc. taking into account the national targets.
- Efforts should be made to achieve the assigned targets and not to spend funds from SCSP head on general schemes like road construction, electrification, rural telephone connection as it done by many States<sup>5</sup> and Union Territories<sup>6</sup>.The States should give priority to schemes which provide basic minimum services like primary education, health, drinking water, nutrition, rural housing, and link roads and electrification to SC villages.
- States should ensure that allocation of Funds under SCSP is equivalent to the percentage of Scheduled Castes in the State.
- Schemes under SCSP should be finalized strictly for the activities as mandated in the instructions of the erstwhile Planning Commission and keeping in view the requirement of the Scheduled Caste Community.

---

<sup>5</sup>Punjab, West Bengal, Haryana, Odisha, Kerala, Delhi etc.

<sup>6</sup> UTs of Chandigarh, Puducherry

- Funds under SCSP should be diverted to any other or general schemes.
- States should consider passing legislation on the lines of the State of Andhra Pradesh and Karnataka to streamline the utilisation of SCSP funds and fix accountability for misuse of these funds.
- Government may also consider passing a Central legislation to regulate the utilisation of funds in order to ensure that the benefit of schemes under this funds directly reach the SCs.
- To assess the impact of the SCSP schemes, social audit of the expenditure of the SCSP may be done in each district.

#### **9.4.4 Central Legislation :**

As the basic objective of SCSP is to channelize the flow of outlays and benefits from Plans of States for development of Scheduled Castes, in proportion to their population, the Commission recommends that a Central Legislation should be considered on the same to regulate allocation of funds for SCSP, preparation of Scheduled Castes specific schemes and monitor the expenditure with the Scheduled Castes population of 2011 census as base. Such legislation can be on lines of the legislations passed the State of Andhra Pradesh and Karnataka.

#### **9.4.5 : SCSP expenditure in GOI:**

The overall earmarking of funds under SCSP was low, whereas it should have been at least 15% of the total budget allotted to the Central Ministries/ Departments by the Government of India as per percentage of the Scheduled Castes in the country. The Commission recommends that the Ministries of the Government of India ensure that the outlay on the SCSP schemes is at least 15 % of the total outlay and that the expenditure is also made accordingly.

#### **9.4.6 Recommendation on Educational Development:**

##### **9.4.6.1 Scholarship & fee reimbursement :**

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

The Commission had taken up 309 cases of Government of Uttar Pradesh and made the following recommendations:

- Since the students are suffering despite there being no fault of theirs, to mitigate their suffering one time relaxation may be provided by Govt. to all the SC students whose data are not uploaded and after completing the forms for tuition fee and scholarship through their educational institutions and accordingly more demand of grant may be made to the Ministry of Social Justice & Empowerment Government of India so that payments of Scholarship could be made to the SC students.
- The Government is advised to improve their online Scholarship/Tuition fee application system by incorporating timely reminders to the institutions which have not uploaded data or uploaded incomplete data and including further checks to balances in the system to ensure complete data entry to ensure timely & accurate data feeding so that Scheduled Castes Students donot suffer.
- After admission of the students, the college/ institutes /DIOS may ensure that all these studentø applications may be checked / verified before uploading the data so that their applications are not rejected. If, any shortcomings are found then, there may be warnings/ reminders to ensure rectifications/ corrections in time.
- If the Colleges/Institutes have not uploaded the data, then the software of the online system may be modified so that reminder may be issued to all such Institutions to upload data before 15 days of closing date. The list of

Students may be generated /uploaded and send to the concerned Institutes for time bound rectification. If any minor shortcomings are found in the applications, the same can be rectified.

- The cases which were rejected by the Distt Scholarship Committees may again be checked for minor rectifications/verifications and their scholarships may be released if found as per rules after scrutiny.
- Due to error in bank IFSC code or wrong account no. the scholarship were not released in 85 cases. In such cases, the account no./IFSC code may be confirmed from the students and the institutions so that the scholarship may be released after grant of one time exemption.
- The State Government may ensure that all the SC students as per their eligibility may get the admission in the colleges/institutes on zero fee basis. For this necessary instructions may be issued to all the Colleges and Institutions. The SC students may not be deprived of their marksheets and degrees so that they can apply for higher studies and careers. This is a general recommendation for future.

**The above recommendations apply for other State Governments also.**

#### **9.4.6.2 Recommendations on Education:**

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

- Free and compulsory education in Hindi, English and Mother Tongue upto Class XII.
- Twenty-five *per cent* of budgetary allocation of education Primary, Secondary and Higher education should be reserved for the educational advancement of Scheduled Castes students

- Cent per cent Grant-in-aid be extended to the NGOs of SCs for the educational advancement of Scheduled Castes students including school/college buildings
- More hostel buildings with better infrastructure should be built in every *talukas*.
- Residential Schools, on the lines of Ashram Schools, should be opened and 50 per cent seats in these should be reserved for children of *Safai Karamcharis / Manual Scavengers*.
- Hostels for Scheduled Caste women should be built around the Education Hubs in the Country.
- Payment of Scholarship should not be restricted and rejected on technical grounds and for deficiency of funds.
- More emphasis on the education of SC girls as SC female literacy rate is low .
- Schemes needed to encourage the SC students for higher studies as SC students gross enrolment ratio shows a reducing trend in higher studies.
- The Commission further recommends that income ceiling from existing ₹ 2.50 lakhs to ₹ 4.00 lakhs may be increased due to price rise so as to enable the SC students to avail scholarship facilities to pursue higher studies.

#### **9.4.6.3 Recommendations on improving the SC Hostels**

**The Commission visited 13 SC Hostels<sup>7</sup> and following are the recommendations :**

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

---

<sup>7</sup> in Bihar (2 Hostels ) , Jharkhand (4 Hostels), Rajasthan (1 hostel ) , Punjab (1 Hostel) , Karnataka (2 Hostels) , Kerela (3 Hostels)

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

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

**Miscellaneous issues:**

- Though Integrated Hostels are housed in one campus, there is lack of administrative coordination due to budgetary control by different departments, such as BC Welfare, Tribal Welfare and SCs Welfare, such hostels should be brought under single administrative set

**9.4.7 Recommendations on Business Development**

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

- Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.
- Skill development programmes and schemes should have appropriate reservation for SCs and OBCs.

#### **9.4.8 Recommendations on improving conditions of Jails**

**The Commission visited jails<sup>8</sup> and following are the recommendations :**

- Steps are needed to be taken to increase the capacity of the Jails to overcome overcrowding in jails.
- No details of SC prisoners was made available and prison officials state that such records are not maintained, however, NCRB data contains SC prisoners details , hence there appears a discrepancy on this issue, which needs clarification by State Government.
- The toilets were informed to be cleaned by prisoners in rotation, hence the possibility of some being forced to clean the toilets cannot be ruled out as there was no rotation register for the cleaning of the toilets.
- **Welfare measures :**
  - A centre of IGNOU/ other distant learning programmes can be opened for education of the prisoners.
  - The entertainment and grooming salon facility ( in collaboration with some NGO) can be provided as in Bhilwara jail.
  - A social welfare officer should be attached to every jail.
  - Quality of food that has been provided to the inmates needs improvement.
  - Regular health check ups and better health care facilities are needed.
  - Families of SC prisoners need economic support schemes, while their bread winners are in jail. State Governments Departments

---

<sup>8</sup> Churu & Bhilwara in Rajasthan

may be sensitized to design economic development scheme for SC prisoners through SC Finance Corporations.

- **Legal support :**

- Legal support at Government level for Scheduled Castes under trial inmates seen to be minimal and inadequate. Quality of legal assistance at trial level also not satisfactory as many cases seen to be on going for years together.
- Legal clinics working in prisons may be strengthened
- A Law officer should be present in every jail.
- NGO involvement for legal assistance to the Scheduled Castes prisoners is recommended.

#### **9.4.9 Other recommendations in economic and social development sector:**

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

### **9.5 Recommendations regarding handling of Atrocity cases**

The Commission has noted with concern that instances of procedural lapses are frequent while dealing atrocity cases by both police and civil administration. There are also delays in the judicial process of these cases. The Commission, therefore, identified lacunae commonly noticed during police investigation, as also preventive / curable actions the civil administration can take. NCSC

recommends the correct and timely application of SC/ST (PoA) Amendment Act, 2015 and Amendment Rules of 2016 as well as the following for improvement :

### **9.5.1 Registration of FIRs**

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

- This Commission again reemphasizes that the State / UT Governments should enforce prompt registration of FIRs.
- FIR registration may be made web-enabled also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station.
- Branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.
- There is need to develop Mobile Apps for reporting of the atrocity incidents , FIR registration and monitoring.
- Non-registration of FIR and non-registering of atrocity complaints under appropriate provision of PoA Act is now punishable under Section 4 of the Act.
- A periodic analysis and review of number of cases registered under Cr.P.C. 156(3) may be made by the State Governments and action under Section 4 of the POA (Amendment )Act 2015 should be taken against the district police authorities and Police Station incharges where such cases are found high.
- Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in a particular Police Station area / District are on higher side,

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

### **9.5.2 Police investigation**

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

- Rules mandate completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provisions as made in the Rules be followed scrupulously.
- Pre-occupation of Dy. SP in other official activities often cited as the reason for delay in atrocity investigation, such preoccupation should be done away with and the first priority of the DySP should be investigation in atrocity cases. .
- Swift action needs to be taken against negligent police officers for dereliction of duties under Section 4 of the POA (Amendment ) Act 2015.
- There should be timely and proper investigation by the designated Police officers .
- POA Act cases are non compoundable hence the increasing trend of compromises needs monitoring.
- Invoking the correct & proper provisions of PoA Act to prevent the accused from getting bail.

### **9.5.3 Judicial proceedings**

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

- As per the POA (Amendment ) Act 2015 , State Governments are to set up Exclusive Courts and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.
- Till the time Exclusive Courts are set up and where number of atrocity cases is less existing Court of Session may be earmarked as Special Court to try atrocity cases. However, in such situation, atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.
- Trial in atrocity cases may be concluded in the designated two months by the Special / Designated Courts with day to day hearings.
- Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; wherever State(s) are seen to have lower performance compared to the national average, this matter may be reviewed in the half-yearly State Level Vigilance & Monitoring Committee Meeting chaired by the Chief Minister of the State with an inter-district analysis.
- If atrocity incidences in particular districts are large, then steps may be taken to change the special public prosecutor and in case of repeated poor performance of the special public prosecutor, administrative action may be initiated.
- Performance of the Special Public Prosecutor also need to be monitored to ensure no laxity so far as dealing of atrocity cases in courts.

**9.5.4 Compensation and Rehabilitation of victims and expenses to witnesses:**

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

families of victims like providing adequate housing under various schemes on a priority, employment , education of children etc.

- Quantum of payment of traveling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA wages to the least.
- In all atrocity cases monetary compensation must be promptly disbursed as per amended POA Rules, 2016.
- For immediate withdrawal of money from the treasury so as to timely provide the relief amount as specified in sub-rule (4), all the State Governments or Union Territory Administrations may immediate provide necessary authorization and powers to the District Magistrate.
- Medical treatment expenses of the victims may be borne by the State.

#### **9.5.5 Capacity building measures**

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

- Mass awareness camps should be organized to tackle the crimes on Scheduled Castes at social level also along with administrative/ police actions. There is an urgent need to involve civil societies NGOs to mitigate such evils especially in view of the recent trends in the atrocity cases against SCs as indicated in Chapter 8 (para 8.4).
- All provisions under the POA (Amendment ) Act 2015 and Rules, 2016 shall be followed rigorously to ensure zero tolerance in atrocity cases.
- After assessment of frequent and scale of crime, particular villages/Police Stations should be declared as Atrocity Prone Areas.
- The sensitization process should begin in the training academies at National and State levels for police, administration and judicial inductees.

#### **9.5.6 : State and District Level Monitoring Committees:**

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

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

## 9.6 National Vigilance Monitoring Committee

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

## 9.7 Caste Certificates:

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

The Commission recommends that the scrutiny and vigilance committees set up in States / UTs as per the guidelines of Honøble Supreme Court , should exercise all possible due vigilance prior to issue of caste certificates. In cases where fake certificates are found , exemplary and fast action needs to be taken.

## 9.8 Strengthening the National Commission for Other Backward Classes:

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

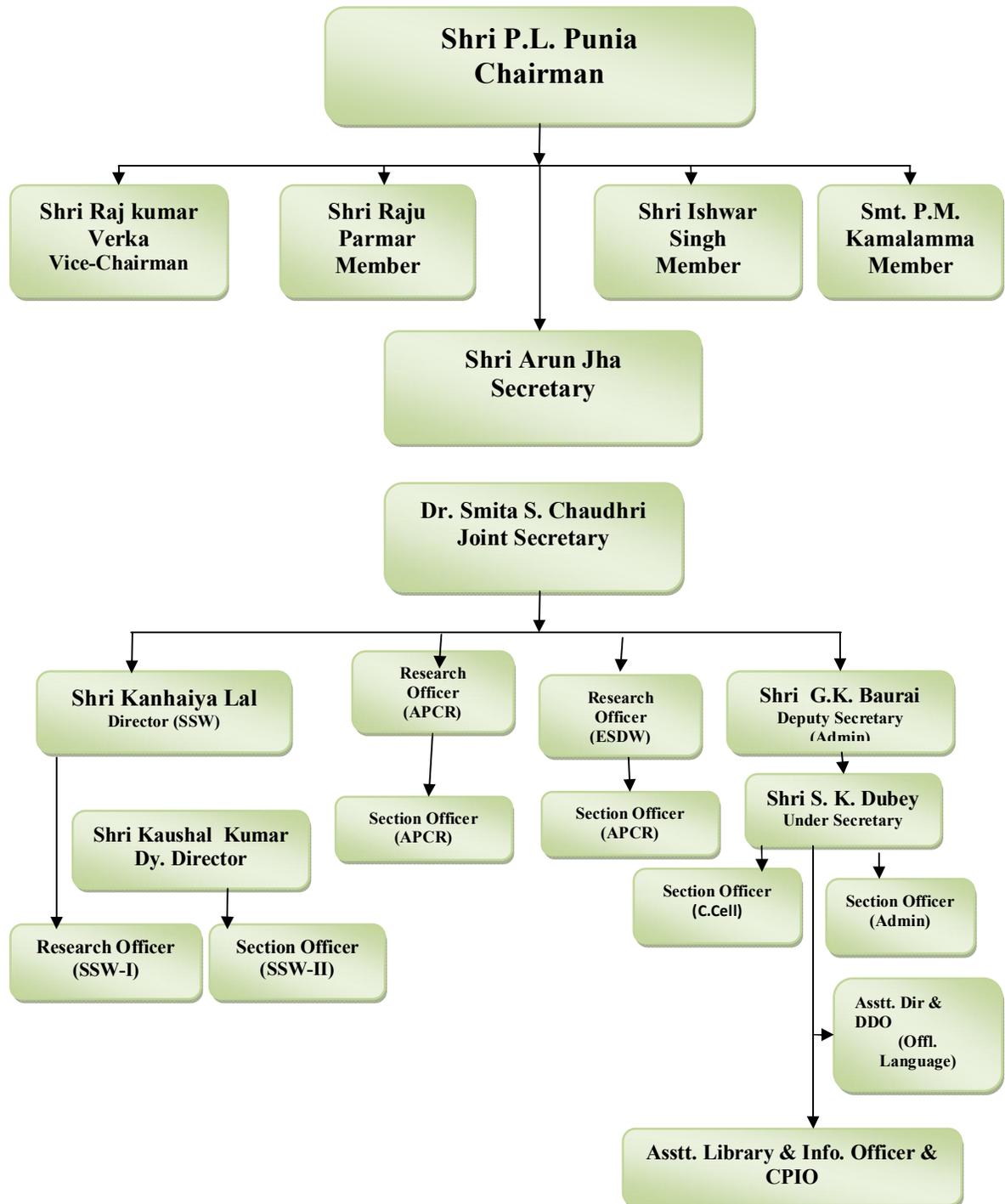
## 9.9 Action on Study Reports of NCSC:

The Commission had prepared and submitted the following reports :

- The Commission had submitted a Report titled ÷ *The Problems of Migrant SCs in obtaining Caste certificates* øon 13.05.2015 to the Honøble President of India. The Commission recommends early action by the concerned Ministries ( including Ministry of Home Affairs ) on the

Report so as to mitigate the problems being faced by the SC migrants in obtaining caste certificates and benefits of reservations.

- The Commission had submitted a Report titled a *Study of Cases in National Commission for Scheduled Castes on Exploitation of Scheduled caste Labour in the Brick Kiln Sector* to the Honøble President of India on 17 March 2016,. Copies of this Report were also sent to the Honøble Governors of Bihar, Gujarat ,Haryana, Maharashtra, Punjab, Rajasthan, Uttarakhand and Uttar Pradesh on 18 March 2016 u/s 338 (7) of the Constitution of India. Early action on the recommendations of the Commission in this report is requested.

**ORGANISATIONAL CHART**

**Annexure –II**

**INCUMBENCY POSITION AT THE NCSC HEADQUARTERS**  
(As on March, 2015)

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

**Annexure**

24	Personal Assistant (CSSS)	B	3	1	1. Sheela Gupta	2
25.	Stenographer Gr. -Dø (CSSS)	C	4	-	1. J.N. Meena 2. NidhiKumari 3. Sandeep Kumar 4. Inderpal	-
26.	Sr.Sect.Asstt (CSCS)	C	3	-	1. N.S.Negi 2. R.D. Nimesh 3. Smt.Rekha	adhoc
27.	Jr.Sectt.Asstt (CSCS)	C	3	-	-	3
28.	Receptionist	C	1	-	-	1
29	Staff-Car-Driver	C	6	6	1. Chander Pal 2. Ram Lal 3. Mahender Kumar 4. Tara Chand 5. Ramkesh Bidhuri 6. Pratap Chand	-
30.	Despatch Rider	C	1	1	Sri Gopal	-
31.	MTS (Gestener Operator)	C	1	1	Sarju Prasad	-
32.	MTS (Senior Peon)	C	2	2	1. S.N. Singh 2. ShyamVir Singh	-
33.	MTS (Daftary)	C	2	1	GirdhariLal	1
34.	MTS (Peon)	C	17	17	1. SurajLal 2. K.T.Rao 3. Ramvir Singh 4. Surjee Devi. 5. BalKishan 6. L.R. Sharma 7. Mange Ram 8. Subhash Chand 9. Khem Karan 10. Ram Singh 11. Raj Kumar 12. ShyamLal 13. Kailash Ram 14. Jagdish Kumar 15. Vinod Kumar 16. Amar Babu 17.Dev Raj	-
35.	MTS (CCF)	C	1	1	Prem Singh	-
36.	MTS (Safai Karamchari)	C	1	1	Pradeep Kumar	-

^ Working as Research Officer (Adhoc)

\* 1 Post transferred along with the incumbent from the State Office, Agartala.

# Includes two posts transferred from State Office, Ahmedabad.

**Annexure - III**

**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.	Sr. Investigator	B	1	-		1
3	Office Supdt.		1	V.Mudaliar		-
4.	Investigator	B	1	-		1
5.	U.D.C.	C	1	-	-	1
6.	L.D.C.	C	2	. M.Y. Patel		1
7.	Staff-Car-Driver	C	1	R.B. Gohil	-	-
8.	MTS	C	2	D.S. Rathod M.L. Dagra	S.C. ST	-
	<b>Total</b>		<b>10</b>	<b>5</b>	-	<b>5</b>

\* **R.K.Chanena,Dir I/c**

There is no post of Office Supdt in Ahmedabad.V.Mudaliar adjusted against the Post Transferred from Guwahati.

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

S. No.	Name of Post	Group	Sanctioned 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	-	S.C.	1
11.	MTS	C	3	Y.Papana D.C.Anjanamurthy G.Venkatesh	S.C. S.C S.C.	-
12	DEO		1	Shridhar V		w.e.f 1.7.13
	<b>Total</b>		<b>15</b>	<b>9</b>		<b>8</b>

**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	SC	-
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	RK Sharma	-	-
4.	Investigator	B	1	-	-	1
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	<b>Vijay Kumar(adhoc) against CAT directions</b>	-	1
7.	U.D.C.	C	1	Kiran Sehjpal	- -	-
8.	L.D.C.	C	2	Gajadhar Singh	S.C	1
9.	Staff Car Driver	C	1	Suresh Kumar	S.C.	-
10.	MTS	C	3	Bihari Lal	S.C	1
	<b>Total</b>		<b>13</b>	<b>7</b>		<b>6</b>

**4. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,KOLKATA**

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.Hanumatharaya I/c	-	1
2.	Research Officer	B	1	Arunabh Bhattacharya	-	-
3.	Sr. Investigator	B	1	D.K.Bala	SC	-
4.	Investigator	B	1	-	-	1
5.	Stenographer*	C	1	G.Ramadas		-
6.	U.D.C.	C	1	T.K. Day	-	-
7.	L.D.C.	C	2	1.A.K. Patra 2. N.K. Bandyopadhyya	S.C. -	-
8.	Staff Car Driver	C	1	S. Debnath	-	-
9.	MTS	C	3	G.C. Bala	S.C.	2
	<b>Total</b>		<b>12</b>	<b>9</b>		<b>4</b>

**5. INCUMBENCY POSITIN 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	-	-	1
2.	Assistant Director	A	1	Tarun Khanna	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Chanchal Singh	-	1
6.	Personal Assistant	C	1	Ms.Saxena(CAT& directions)	-	1
7.	U.D.C.	C	1	Madhur Mohan	S.C.	-
8.	L.D.C.	C	2	1. G.S. Singh 2. Ram Sharan *3. SC Srivastava	- -	-
9.	Staff Car Driver	C	1	Sher Ali	-	-
10.	MTS	C	4	<b>Sahdev Prasad*</b> Amber Prasad Bipul Kumar Shiv Shankar	-	*retd w.e.f 31.1.15
11	DEO		1	1		
	<b>Total</b>		<b>15</b>	<b>10</b>		<b>5</b>

**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	Kanhaiya Lal I/c	-	1
2.	Assistant Director	B	1	Anuradha Khodkhande	OBC	-
3.	Sr Investigator	B	1	-	-	1
4.	Investigator	B	2	Vidya Khobrekar -	SC	1
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-		1
7.	U.D.C.	C	1	Rajesh N. Barapatra	ST	-
8.	L.D.C.	C	2	G.R. Gaikwad	SC	1
9.	Staff Car Driver	C	1	Suresh Dixit	-	-
10.	MTS	C	4	S.A. Kadam B.K. Bamble	SC	2
	<b>Total</b>		<b>15</b>	<b>8</b>		<b>8</b>

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

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	S.K.Dubey I/c	-	1
2.	Research Officer	B	1		-	1
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
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
12	Consultant		1	Maninder Kumar		Against the vacancy of OS
13	DEO		1	Rohit Kumar		1.7.2013
	<b>Total</b>		<b>13</b>	<b>6</b>		<b>7</b>

**8. INCUMBENCY POSITION, NCSC, THIRUVANANTHAPURAM**

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

**9. 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	OBC	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Subhangi Laxmi	-	-
6.	Personal Assistant	C	1	Chokkam Navin Kumar	OBC	-
7.	U.D.C.	C	1	Madhavi Latha	SC	-
8.	L.D.C.	C	1	-		1
9.	Staff-Car-Driver	C	1	R Ramesh Babu	OBC	-
10.	MTS	C	4	K. Rammoorthy Naik R. Eshwaraiah B. Sreeniwashulu	ST SC SC	1
11	DEO		1	Ms.Venkata Rama		-
	<b>Total</b>		<b>14</b>	<b>9</b>		<b>5</b>

**10. INCUMBENCY POSITION 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	-	-	-	-
6.	PA	C	1	-	-	1
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	NiradaKalita	-	1
9.	Staff-Car-Driver	C	1	R. Boro	S.T.	-
10.	MTS	C	4	B.K. Nath Putu Ram Das R.M. Kalita	ST	1
	<b>Total</b>		<b>13</b>	<b>6</b>		<b>7</b>

**11. 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	-	-	-		-
4.	Stenographer	C	1*	-		-
5.	U.D.C	-	-	-		-
6.	L.D.C	C	1	1.Kamal Bhattacharya 2.Sasim Acharjee*	- -	-
7.	MTS	C	2	1.Ram Pal Singh 2.Abhijeet Das	S.C. S.C	-
	<b>Total</b>		<b>6</b>	<b>4</b>		<b>2</b>

**\* One LDC adjusted against the post of Stenographer.**

**12. INCUMBENCY POSITION 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	-	-	1
2.	Assistant Director	A	1	-	-	1
3.	Research Officer	A	1	C. Chandraprabha	-	-
s4.	Sr .Investigator	B	1	-	-	1
5.	Investigator	B	2	1. M. Lister 2. A. Inian	-	-
6.	Office Superintendent	B	1	-	-	1
7.	Personal Assistant	C	1	-	-	1
8.	U.D.C.	C	1	Smt. S. Jayashree	-	-
9.	L.D.C.	C	2	R. Ram Prabhu	-	1
10.	Staff Car Driver	C	1	-	-	-
11.	MTS	C	4	T. Sekhar P. Amaravathy K. Palani	SC SC SC	1
12.	DEO		1	Ms.P.R.Malarkodi		
	<b>Total</b>		<b>15</b>	<b>8</b>		<b>7</b>

**Annexure - IV**

**LIST OF CPIOs AND 1<sup>ST</sup> APPELLATE AUTHORITIES IN RESPECT OF NCSC HQRS. AND STATE OFFICES OF NCSC**

Sl. No.	Address & Telephone Nos. OF Public Authorities	Name of CPIO and his/her designation	Name of 1 <sup>st</sup> Appellate Authority and his/her designation
1.	Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) <b>0381-2223140, 2315967</b>	Shri A.Bhattacharyya, Research Officer, NCSC, Kolkata (Addl. Charge)	Shri D. Hanumantharaya Director (Addl. Charge)
2.	2 <sup>nd</sup> Floor, Mavlankar Haveli, VasantChowk, Lal Darwaja, Ahmedabad-380001. <b>079-25509762, 25510717</b>		Shri Rajkumar Channena, Director (Add;l. Charge)
3.	3 <sup>rd</sup> Floor, -Dø Wing, KendriyaSadana, Koramangala, Bengaluru- 560034 <b>080-25537155, 25527767</b>	Smt. Shella Narayan Swamy, Asst. Director	Smt. Girija, Director
4.	6 <sup>th</sup> Floor, KendriyaSadana, Sector-9-A, Chandigarh-160017 <b>0172-2742561, 2743784</b>	Shri Rakesh Sharma, Sr. Investigator	Shri Rajkumar Channena, Director
5.	2 <sup>nd</sup> Floor, Block-5, Shastri Bhawan, Chennai-600006 <b>044-28276430, 28312851</b>	Shri. Inian Investigator	Smt. C. Chandraprabha, Research Officer
6.	24, NilamaniPhukan Path, Christian Basti, Dispur, Guwahati-781005 <b>0361-2347040, 2346885</b>	Shri A.Bhattacharyya, Research Officer, NCSC, Kolkata (Addl. Charge)	Shri D. Hanumantharaya Director (Addl. Charge)
7.	Block 204, MaithryVihar, Ameer Peth, Hyderabad-500038 <b>040-23734907(Fax), 23754908</b>	Shri Ajay Kumar, Sr. Investigator	Shri D. Hanumantharaya, Director
8.	MayukhBhawan, (Ground Floor), Salt Lake City, Kolkata-700091 <b>033-23370977, 23213259</b>	Shri A. Bhattacharyya, Research Officer	Shri D. Hanumantharaya Director (Addl. Charge)
9.	5 <sup>th</sup> Floor, KendriyaBhawan, Sector-H, Aliganj, Lucknow-226024 <b>0522-2330288 (Fax), 2323860</b>	Smt Chanchal Singh, Office Supdt.	Shri Tarun Khanna, Asst Director
10.	189-B, Shrikrishnapauri, Patna-800001 <b>0612-2540285</b>	Shri Sunil Kumar, Sr. Investigator	Shri S.K. Dubey, Under Secretary, NCSC Hqrs. (Addl. Chage)
11.	KendriyaSadana, -Aø Wing, First Floor, Opp. Akurdi Rly. Station, NagdiPradhikaran, Pune 411044 <b>020-27658033,27658973 27655580(Fax)</b>	Ms.Vidya Khobrekar, Investigator	Shri Kanhaialal, Director, NCSC Hqrs. (Addl. Charge)
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, <b>0471-2327530</b>	Shri S. Sathayanarayan, Asstt. Director	Smt. P. Girija, Director (Addl. Charge)

**Annexure-V****ALLOCATION OF FUND DURING THE FINANCIAL YEAR 2014-15***(Rs. in lakh)*

S. No	Name of Office	Salaries	Wages	OTA	D.T.A	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	47.00	0.50	0.10	1.50	7.00	1.29	0.50	57.89
2	Bangalore	52.00	0.10	0.10	4.00	5.00	-	1.00	62.20
3	Kolkata	56.23	0.70	0.10	3.00	7.00	1.87	0.50	69.40
4	Hyderabad	60.00	0.20	0.10	2.50	5.50	3.51	0.50	72.31
5	Lucknow	57.45	1.10	0.30	3.00	41.09	-	1.50	104.44
6	Chennai	50.00	0.20	0.10	3.00	6.50	-	1.25	61.05
7	Patna	26.00	1.30	0.10	1.50	10.00	6.50	0.50	45.90
8	Pune	30.00	0.15	0.10	1.50	5.00	-	0.50	37.25
9	Agartala	18.00	0.15	0.10	1.00	1.00	1.50	0.50	22.25
10	Chandigarh	52.20	0.40	0.10	3.50	6.00	-	1.00	63.20
11	Guwahati	29.64	0.40	0.10	2.00	3.00	1.70	0.50	37.34
12	Trivandrum	31.00	0.40	0.10	2.50	4.00	1.63	0.50	40.13
	Total State Office	509.52	5.60	1.40	29.00	101.09	18.00	8.75	673.36
	Hqrs	590.48	3.40	4.60	51.00	198.91	0.00	16.25	864.64
	Grand Total	1100.00	9.00	6.00	80.00	300.00	18.00	25.00	1538.00

**Annexure-VI**

**State Offices of NCSC**

Sl. No.	Address and Telephone Nos.	State Offices and Jurisdiction
1.	Tripura SC Finance Corporation Building, 3 <sup>rd</sup> Floor, Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) <b>0381-2223140, 2315967</b>	<b>Agartala</b> (Tripura)
2.	2 <sup>nd</sup> Floor, Mavlankar Haveli, Vasant Chowk, LalDarwaja, Ahmedabad-380001. <b>079-25509762, 25510717</b>	<b>Ahmedabad</b> (Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli)
3.	3 <sup>rd</sup> Floor, Dø Wing, Kendriya Sadan, Koramangala, Bengaluru- 560034 <b>080-25537155, 25527767</b>	<b>Bengaluru</b> (Karnataka)
4.	6 <sup>th</sup> Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017 <b>0172-2742561, 2743784</b>	<b>Chandigarh</b> (Haryana, Punjab, HP, J&K, Uttarakhand & Chandigarh UT)
5.	2 <sup>nd</sup> Floor, Block-5, Shastri Bhawan, Chennai-600006 <b>044-28276430, 28312851</b>	<b>Chennai</b> (Tamil Nadu & Pondicherry)
6.	7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 <b>0361-2347040, 2346885</b>	<b>Guwahati</b> (Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram & Manipur)
7.	Block 204, Maithry Vihar, Ameer Peth, Hyderabad-500038 <b>040-23734907(Fax), 23754908</b>	<b>Hyderabad</b> (Andhra Pradesh, Madhya Pradesh & Chhattisgarh)
8.	Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091 <b>033-23370977, 23213259</b>	<b>Kolkata</b> (West Bengal, Orissa, Sikkim, Andaman and Nicobar Islands)
9.	5 <sup>th</sup> Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024 <b>0522-2330288 (Fax), 2323860</b>	<b>Lucknow</b> (Uttar Pradesh)
10.	189-B, Shrikrishnapauri, Patna-800001 <b>0612-2540285</b>	<b>Patna</b> (Bihar & Jharkhand)
11.	Kendriya Sadan, Aø Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune 411044 <b>020-27658033, 27658973 27655580(Fax)</b>	<b>Pune</b> (Maharashtra & Goa)
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, <b>0471-2327530</b>	<b>Thiruvananthapuram</b> (Kerala & Lakshadweep)

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



**ANNEXURE –VII**

Statement of the representation of the Scheduled Castes and OBCs in the Public Sector Banks (as on 31.12.2015)

S. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)					Representation of Employees under Group C of Equivalent posts (Clerks)					Representation of Employees under Groups D of Equivalent posts (Excluding Safai Karamcharis) (Sub Staff)					Representation of Employees under Group D of Equivalent posts (Safai Karmacharis only)				
		Total Empl oyees	SC Empl oyees	%age SC Empl oyees	OBC Empl oyees	%age OBC Empl oyees	Total Empl oyees	SC Empl oyees	%age SC Empl oyees	OBC Empl oyees	%age OBC Empl oyees	Total Empl oyees	SC Empl oyees	%age SC Empl oyees	OBC Empl oyees	%age OBC Empl oyees	Total Empl oyees	SC Empl oyees	%age SC Empl oyees	OBC Empl oyees	%age OBC Empl oyees
1	Allahabad Bank	13803	2440	17.67	2452	17.764	7105	1775	24.982	1193	16.791	4648	2377	51.14	736	15.835	0	0	0	0	0
2	Andhra Bank	10475	1858	17.73	2023	19.313	5404	861	15.933	1567	28.997	2977	796	26.738	678	22.775	1335	449	33.633	565	42.322
3	Bank of Baroda	23327	4108	17.61	5606	24.032	19640	3138	15.978	4468	22.749	8407	2687	31.961	1854	22.053	0	0	0	0	0
4	Bank of India	21463	3769	17.56	4074	18.982	19850	3303	16.64	4096	20.635	5392	1342	24.889	1426	26.447	3357	1569	46.7382	412	12.273
5	Bank of Maharashtra	6781	1041	15.35	1194	17.608	4998	776	15.526	662	13.245	2149	768	35.738	251	11.68	0	0	0	0	0
6	Canara Bank	24512	4336	17.689	3893	15.882	20484	3879	18.937	3623	17.687	5005	1011	20.2	1007	20.12	4683	1936	41.341	1274	27.205
7	Central Bank of India	15884	2849	17.936	2847	17.924	13547	2461	18.166	2681	19.79	5611	1494	26.626	1310	23.347	2946	1421	48.2349	676	22.946
8	Corporation	8493	1370	16.131	1713	20.17	7896	1478	18.718	2087	26.431	1989	800	40.221	533	26.797	1194	607	50.8375	321	26.884

**Annexure**

	<b>Bank</b>																				
9	<b>Dena Bank</b>	6481	1080	16.664	1211	18.685	5409	771	14.254	1149	21.242	1839	590	32.083	307	16.694	321	109	33.9564	113	35.202
10	<b>Indian Bank</b>	9106	1922	21.107	1470	16.143	9938	2151	21.644	2240	22.54	1403	457	32.573	189	13.471	601	252	41.9301	190	31.614
11	<b>Indian Overseas Bank</b>	16302	2776	17.029	3726	22.856	12650	2547	20.134	2866	22.656	2578	851	33.01	596	23.119	981	416	42.4057	369	37.615
12	<b>Oriental Bank of Commerce</b>	11205	1998	17.831	1832	16.35	7385	1707	23.114	1843	24.956	3050	1167	38.262	578	18.951	0	0	0	0	0
13	<b>Punjab National Bank</b>	27452	5594	20.377	3097	11.282	28397	5621	19.794	5817	20.485	10486	3270	31.184	2307	22.001	15723	6641	42.2375	320 2	20.365
14	<b>Punjab &amp; Sind Bank</b>	6790	1069	15.744	1197	17.629	2241	499	22.267	466	20.794	604	190	31.457	29	4.8013	1253	917	73.1844	154	12.291
15	<b>Syndicate Bank</b>	14519	2486	17.122	2956	20.36	11177	2120	18.968	2367	21.177	3626	1329	36.652	670	18.478	1633	909	55.6644	328	20.086
	<b>Total</b>	<b>216593</b>	<b>38696</b>	<b>17.866</b>	<b>39291</b>	<b>18.14</b>	<b>176121</b>	<b>33087</b>	<b>18.787</b>	<b>37125</b>	<b>21.079</b>	<b>59764</b>	<b>19129</b>	<b>32.008</b>	<b>12471</b>	<b>20.867</b>	<b>34027</b>	<b>15226</b>	<b>44.7468</b>	<b>7604</b>	<b>22.347</b>

Source: Information provided by Ministry of Finance vide letter no 5/19/2015-Welfare dated 18.05.2016

**Annual Report of the National Commission for Scheduled Castes for the year 2015-16**

Statement of the representation of the Scheduled Castes and OBCs in the Public Sector Banks (as on 31.12.2015)																					
S. NO	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)					Representation of Employees under Group C of Equivalent posts (Clerks)					Representation of Employees under Groups D of Equivalent posts (Excluding Safai Karamcharis) (Sub Staff)					Representation of Employees under Group D of Equivalent posts (Safai Karamcharis only)				
		Total Employees	SC Employees	%age SC Employees	OBC Employees	%age OBC Employees	Total Employees	SC Employees	%age SC Employees	OBC Employees	%age OBC Employees	Total Employees	SC Employees	%age SC Employees	OBC Employees	%age OBC Employees	Total Employees	SC Employees	%age SC Employees	OBC Employees	%age OBC Employees
16	Union Bank of India	19065	3238	16.984	4469	23.441	11612	2423	20.866	3072	26.455	5124	1917	37.412	1329	25.937	0	0	0	0	0
17	United Bank of India	7908	1368	17.299	1329	16.806	5232	947	18.1	621	11.869	2274	493	21.68	171	7.5198	1525	742	48.6557	141	9.2459
18	UCO Bank	12309	2108	17.126	1672	13.584	8524	1396	16.377	1115	13.081	2319	535	23.07	235	10.134	2031	1191	58.6411	161	7.9271
19	Vijaya Bank	7124	1272	17.855	1502	21.084	4551	792	17.403	996	21.885	2159	592	27.42	524	24.27	795	313	39.3711	282	35.472
20	State Bank of India	81337	13993	17.204	10090	12.405	89333	14483	16.212	18511	20.721	38521	10028	26.033	7470	19.392	0	0	0	0	0
21	SB of Bikaner	5416	1057	19.516	737	13.608	5010	899	17.944	874	17.445	2312	320	13.841	656	28.374	870	636	73.1034	75	8.6207
22	SB of Patiala	5554	1136	20.454	610	10.983	6088	1608	26.413	898	14.75	3338	1237	37.058	621	18.604	501	149	29.7405	116	23.154
23	SB of Hyderabad	7528	1277	16.963	1605	21.32	7673	1220	15.9	2384	31.07	2152	387	17.983	622	28.903	1535	356	23.1922	703	45.798
24	SB of Travancore	5526	749	13.554	867	15.689	6952	886	12.745	1825	26.251	1823	352	19.309	395	21.668	592	154	26.0135	219	36.993
25	SB of	3761	608	16.166	548	14.571	4991	750	15.027	1044	20.918	1865	450	24.129	495	26.542	0	0	0	0	0

*Annexure*

	Mysore																				
26	<b>IDBI Bank</b>	15346	2131	13.886	3522	22.951	1044	120	11.494	85	8.1418	931	213	22.879	172	18.475	0	0	0	0	0
27	<b>Reserve Bank of India</b>	7184	1065	14.825	551	7.6698	3767	553	14.68	730	19.379	3851	1063	27.603	502	13.036	1360	499	36.6912	193	14.191
28	<b>Bhartiya Mahila Bank</b>	402	53	13.184	82	20.398	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>178460</b>	<b>30055</b>	<b>16.841</b>	<b>27584</b>	<b>15.457</b>	<b>154777</b>	<b>26077</b>	<b>16.848</b>	<b>32155</b>	<b>20.775</b>	<b>66669</b>	<b>17587</b>	<b>26.38</b>	<b>13192</b>	<b>19.787</b>	<b>9209</b>	<b>4040</b>	<b>43.8701</b>	<b>1890</b>	<b>20.523</b>

Source: Information provided by Ministry of Finance vide letter no 5/19/2015-Welfare dated 18.05.2016

**Annexure IX****Statement of the representation of the Scheduled Castes in the Financial Institutions (as on 01.01.2014)**

Sr. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (excl Safai Karamcharis (Sub Staff))			Representation of employees under Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage
1.	NABARD	2393	369	15.42	671	93	13.86	816	286	35.05	--	--	--	3880	748	19.27
2.	National Housing Bank	106	11	10.37	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	106	11	10.37
3.	EXIM Bank	310	29	9.35	Exim Bank has no employees in clerical.			There were only 2 employees in Sub-staff category. Both recruited in 1982. No recruitment has occurred in this category since then.						310	29	9.35
4.	SIDBI	874	137	15.67	100	27	27	66	20	30.03	N.A.	N.A.	N.A.	1040	184	17.67
5.	IIFCI	56	5	8.93	--	--	--	1	0	0	--	--	--	57	5	8.77