

ANNUAL REPORT

2020-21 and 2021-22



Government of India
NATIONAL COMMISSION FOR SCHEDULED CASTES
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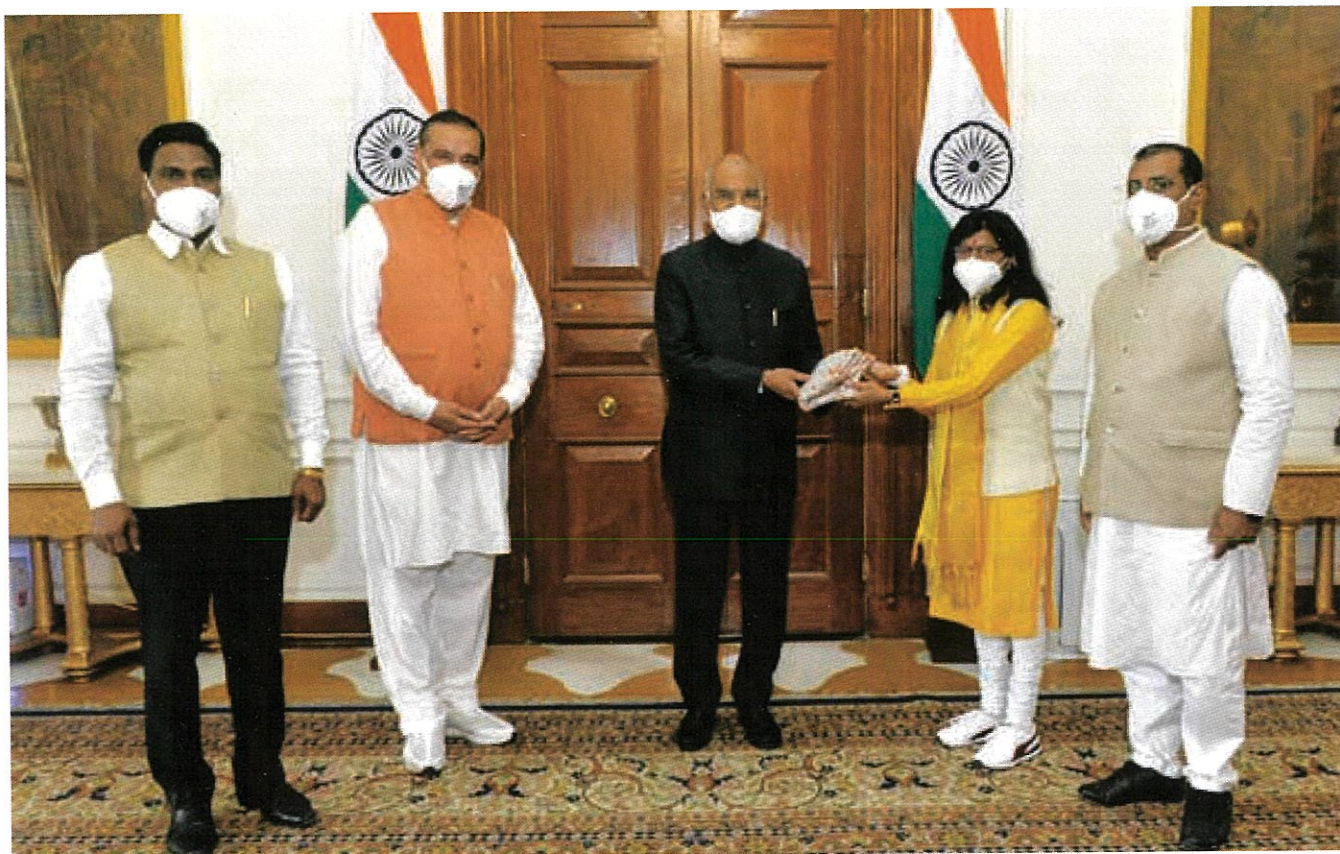
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Shri Vijay Sampla, Chairman along with Shri Arun Halder, Vice Chairman, Shri Subhash Ramnath Pardhi, Member and Dr Anju Bala, Member of the National Commission for Scheduled Castes meeting the Hon'ble President of India, Shri Ram Nath Kovind, at Rashtrapati Bhavan on 18th March 2021.



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अरुण हालदार

उपाध्यक्ष

केन्द्रीय राज्य मंत्री (दर्जा प्राप्त)

ARUN HALDER

Vice Chairman

Status of Union Minister of State



सत्यमेव जयते

भारत सरकार

राष्ट्रीय अनुसूचित जाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED CASTES

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NCSC-STAT 02/1/2022-ADMIN

Respected Rashtrapati Ji,

I have the honour to present to you the 13th Annual Report of the National Commission for Scheduled Castes. The first Annual Report by the present Commission, covers the period from April 2020 to March 2022. This year the Annual Report is being presented for two successive years following the COVID-19 pandemic. The major recommendations on important areas of jurisdiction of the Commission have been highlighted in the Chapter IX of the Report.


A large number of instances of atrocities, deprivation of reservation rights in service matters and representation in areas related to socio-economic development were not only examined but also dealt with by the Commission during the period of the report. The Commission investigated these issues in its various meetings, hearings and reviews most diligently and in a just manner. In addition, the Commission also visited places where atrocities were committed against the Scheduled Castes. Separate chapters of this report deal with the status of implementation and analysis of these issues along with the recommendations of the Commission on the same.

The major handicap in the proper functioning of this Commission remains the shortage of manpower. We urge the Government to take all the necessary steps needed to strengthen the NCSC in order to discharge its mandate effectively and most judiciously to safeguard the interests of the Scheduled Castes. We solicit your valuable concurrence and endorsement on all the recommendations proposed.

We shall remain grateful if the Report is forwarded to the Government with direction to take further necessary action on the same.

With deep regards,

Yours sincerely,


21.09.23

(Shri Arun Halder)

Smt. Droupadi Murmu
President of India,
Rashtrapati Bhavan,
New Delhi



Overview of the Activities of NCSC

During 2020-21 the Commission has:

- Dealt with **68,995** individual cases¹ of deprivation of rights / other grievances and disposed of **5704** cases. The closing balance of pending cases as on 31 March 2021 is **63291**. (Paragraph 4.2.1(a))
- Conducted 15 spot visits in atrocity cases. (Paragraph 4.6)
- Rendered advice on 04 policy matters. (Paragraph 4.8)
- Rendered advice on 05 de-reservation proposals. (Paragraph 4.9)

During 2021-22 the Commission has:

- Dealt with **79,918** individual cases² of deprivation of rights / other grievances and disposed of **13,647** cases. The closing balance of pending cases as on 31 March 2022 is 66271. (Paragraph 4.2.1(b))
- Conducted 15 spot visits in atrocity cases. (Paragraph 4.6)
- Rendered advice on 02 de-reservation proposals. (Paragraph 4.9)

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.

- The Commission received a large number of cases of atrocities on Scheduled Castes and a total of 8129 cases (2243 in 2020-21 and 5886 in 2021-22 respectively) relating to this sector were disposed of by the Commission in 2020-21 and 2021-22.
- As a result of the direct intervention of the NCSC in 296 cases (112 cases in 2020-21 and 184 cases in 2021-22) of atrocities against Scheduled Castes, more than 200 FIRs were registered and more than 100 chargesheets have been filed and approximately 150 accused arrested. Monetary relief of Rs.1248.162 lakh (Rs.425.167 lakh in 2020-21 and Rs.823.045 lakh in

¹58043 cases carried forward from previous year and 10952 cases received in 2020-21.

²66390 cases carried forward from previous year and 13528 cases received in 2021-22.

2021-2022) has been paid to the victims. In addition, more than 20 persons were sanctioned pensions, 15 persons got jobs and more than 10 families (of victims) were provided with house/land patta/agriculture lands.

- Spot visits in atrocity matters were conducted in 30 cases by the Commission. After the visits and intervention of the Commission, registration of 30 FIRs (15 in 2020-21 and 15 in 2021-22) have been ensured under PoA Act, 33 arrests made (31 in 2020-21 and 2 in 2021-22) and 24 chargesheets were filed (14 in 2020-21 and 10 in 2021-22). Total monetary relief of Rs.115.296 lakh (Rs.48.01 lakh in 2020-21 and Rs.67.286 lakh in 2021-22) was also released to the SC victims. In addition, 3 families received a house, 1 family was given 5 acre agricultural land, 5 family pensions (1 in 2020-21 and 4 in 2021-22) were sanctioned.
- As a result of the intervention of NCSC, 19 persons were promoted (09 in 2020-21 and 10 in 2021-22), 10 persons received their pension (03 in 2020-21 and 07 in 2021-22), and arrears of Rs. 29.92 lakhs (approximately), 09 persons were appointed in services (05 in 2020-21 and 04 in 2021-22), 04 persons received compassionate appointments (02 in 2020-21 and 02 in 2021-22), 37 miscellaneous payments, 16 persons were transferred or upgraded in posts (12 in 2020-21 and 04 in 2021-22), a total of Rs.1061.57 lakhs were received as pensionary/terminal benefits, payment of salary and miscellaneous matter benefits.
- In 122 cases of the economic and social sector wing, after the intervention of the NCSC, 10 students got admission, 09 students received due scholarship /tuition fee reimbursement, 08 students received their held back degree /certificates, 20 persons got possession of land /plots /flats, 16 persons received benefits under the various welfare schemes of the Central/ State Governments. 59 persons received miscellaneous benefits like loans etc. matters like loans etc. leading to a total monetary benefit of approximately Rs.150.80 lakh.
- During the years under consideration, the Commission took suo-moto cognizance of more than 15 cases where 69 Safai Karamcharis, labourers etc. tragically lost their lives and 08 got injured during manual cleaning of sewers/septic tanks. A total of Rs. 2775.80 lakhs was paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act, and other payments made on humanitarian grounds.

Some of the major Recommendations in this report are:

Strengthening the effectiveness of NCSC which include specific recommendations like:

- Provision for imposing monetary penalty on authorities violating the PoA Act. **(Paragraph 9.1.1)**

- Independence of NCSC- in functioning and budget. **(Paragraph 9.1.2)**
- Increase of staff strength. **(Paragraph 9.1.3)**
- Court cases against the Commission. **(Paragraph 9.1.4)**
- Opening of new offices / up-gradation of existing offices. **(Paragraph 9.1.5)**

Recommendations on Service Safeguards issues like:

- Recommendations on Reservation. **(Paragraph 9.2.1).**
- Reservation on Promotion. **(Paragraph 9.2.2)**
- On use of false Caste Certificates. **(Paragraph 9.2.3)**
- Action on recommendations of the Commission. **(Paragraph 9.2.4)**
- Treatment of in-service persons approaching the Commission. **(Paragraph 9.2.5)**
- Consultation with the Commission. **(Paragraph 9.2.6)**
- Representation of SCs in Group A. **(Paragraph 9.2.7)**
- Representation of SCs in contractual/outsourced personnel. **(Paragraph 9.2.8)**

Recommendations regarding Economic and Social Development issues like:

- Recommendations on preventing deaths due to Manual cleaning of sewers/ septic tanks / STPs and help to victims. **(Paragraph 9.3.1)**
- Recommendations on deaths during cleaning of sewers/septic tanks. **(Paragraph 9.3.2)**
- Recommendations on Rehabilitation of Inter-State Migrant Labourers. **(Paragraph 9.3.4)**
- Consultation with NCSC in the planning process. **(Paragraph 9.3.5)**
- Recommendations on non-payment of scholarships to SC students. **(Paragraph 9.3.6)**
- Recommendations on Pradhan Mantri Mudra Loan Yojana. **(Paragraph 9.3.7)**
- Recommendation on National SC/ST Hub Scheme. **(Paragraph 9.3.8)**
- Recommendations on CPSBs. **(Paragraph 9.3.9)**
- Recommendations on Procurement from SCs as per MSME guidelines. **(Paragraph 9.3.10)**
- Modification of GeM Portal in line with the Public Procurement Policy. **(Paragraph 9.3.11)**

- Schemes for development of SC Clusters. **(Paragraph 9.3.12)**
- Recommendation on CSR. **(Paragraph 9.3.13)**
- Recommendations on SCSP/DAPSC. **(Paragraph 9.3.14)**

Specific recommendations regarding the handling of Atrocity cases are:

- Recommendations on Lodging of FIRs. **(Paragraph 9.4.1)**
- Recommendations on deploying female police personnel in each police station, especially in atrocity-prone areas. **(Paragraph 9.4.2)**
- Recommendations on Incorporating correct sections of IPC, PoA Act, etc. in FIRs. **(Paragraph 9.4.3)**
- Recommendations on Spot visits by DM/ SSPs. **(Paragraph 9.4.4)**
- Recommendations on issuing specific directions for payment of compensation. **(Paragraph 9.4.5)**
- Recommendations on Developing online portals to monitor monetary relief payment. **(Paragraph 9.4.6)**
- Exclusive special courts and appointing of special public prosecutors. **(Paragraph 9.4.7)**
- Supervision of Prosecution. **(Paragraph 9.4.8)**
- Recommendations for the Government of Delhi on the handling of monetary relief in atrocity cases. **(Paragraph 9.4.9)**
- Recommendations on withdrawal of letter No- 11012/4/2013-PCR. **(Paragraph 9.4.10)**
- Recommendations on deaths caused due to manual cleaning of sewers/septic tanks. **(Paragraph 9.4.11)**
- Recommendations on issuance of advisory to implement the provisions of SC/ST (POA) Act, Rules, 1995. **(Paragraph 9.4.12)**
- The Prevention of Atrocities Act and role of NCSC. **(Paragraph 9.4.13)**
- Recommendations on meetings of the SLVMC and DLVMC. **(Paragraph 9.4.14)**
- Recommendations on performing of duties by Public Servants (especially Police officers). **(Paragraph 9.4.15)**

Foreword

The sixth National Commission for Scheduled Castes was constituted in the month of February 2021. Shri Vijay Sampla was the Chairman, Shri Arun Halder is the Vice-Chairman, Dr. Anju Bala and Shri Subhash Ramnath Pardhi are the Members.

Despite several provisions incorporated under the Constitution to safeguard and promote the interests of Scheduled Castes to empower and enable their socio-economic development, the Commission felt the dire need to work further for strengthening the representation of SCs in the main stream and overcome the age-old prejudices and atrocities. With this objective, the Commission met with several Government and Non-Government Organisations for the same. It has been observed that the socio-economic conditions of the Scheduled Castes remain below the National Average. One of the most efficient ways to uplift the socio-economic status of the Scheduled Castes is by way of targeted implementation of specific schemes for the socio-economic welfare of the SCs, their outcome mapping and handholding of the SC persons undergoing skill development. As of now allocation is made on a notional basis in a large number of Government schemes and SCs do not derive any tangible benefits from the same.

During the entire period under report, the Commission has worked incessantly and diligently to render a helping hand to the needy. A huge number of complaints/ petitions were handled by the Commission during the period 2020-21 and 2021-22. Spot Visits were also conducted in atrocity matters to reach out to the most affected. This report is based on the observations and conclusions drawn during the reviews and hearings conducted on complaints received and work done by the Commission.

Special hearings to gauge the action taken by district police and administration in cases of heinous crimes (like murder, rape, gang rape etc.) against SCs were held in 2020-21 and 2021-22. Delay in registration of FIRs by the police and also in payment of compensation and additional assistance by District Administration/Welfare Department of State Governments has been noticed by the Commission. A large number of cases are not correctly registered under Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act (as amended) because of bias on the part of the police officers and also due to lack of awareness among the members of the community about the provisions of the Act. Delay in investigation, collusion with offenders and manipulation of witnesses and evidence, all contribute in reducing the effectiveness of the Act. The Central and State Governments should initiate action to promote awareness about the above legislation through special training for police personnel and also display the pertinent material in local languages at all police stations to enhance

the information level of general public, especially the SC people. The District Level Vigilance Monitoring Committee (DLVMC) and State Level Vigilance Monitoring Committee (SLVMC) must be set up in every State as per the provisions of Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Rules 1995 (as amended) and need to be effective and proactive.

To ensure equitable share to the SCs in governance, policy of reservations in appointments and educational institutions was provided in the Constitution. The reservation in appointments would lead to proportionate representation of SCs at various levels and have a cascading effect in addressing the concerns and development needs of these communities in the formulation and implementation of programmes for their socio-economic development. The Commission has noted that the representation of SCs in services continues to be much lower than the prescribed proportion in Group A and Group B services, both under the Government and the Public Sector Undertakings etc.

The Commission therefore, urges that the Central, State & UT Governments should calculate the backlog of the shortfall of SCs and launch special recruitment drives to cover backlog in a time-bound manner.

The Commission observed that the States are not allocating funds out of their State Plans to the SCSP in the proportion required. Also the funds allocated under SCSP are either not utilized or diverted to other sectors. This leads to adverse effect on the development of the people belonging to the Scheduled Castes. The Commission is of the view that the funds for SCSP (now called DAPSC) should be released strictly in proportion to the population of SCs and in no case shall be allowed to lapse or diverted.

The Commission has been making specific recommendations on all spheres including the handling of atrocity related cases, socio-economic development programmes and service related safeguards. As part of its Constitutional obligations and mandate, the Commission is to prepare Annual Report based on activities undertaken during the year. This report covers the activities that were undertaken by the Commission during 2020-21 and 2021-22 and its recommendations. The data and details of work done during the period are indicative as all the detail could not be collated due to unprecedented pandemic COVID-19 situation and lockdown in the country.

The Government is requested to take necessary action to implement the recommendations made by the Commission in this report so that interests of the Scheduled Castes are safeguarded.

(Arun Halder)

Vice-Chairman

National Commission for Scheduled Castes

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 the 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 (NCSC) and
- (2) National Commission for Scheduled Tribes (NCST).

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 1st National Commission for Scheduled Castes (NCSC) was constituted on 24.02.2004 and was headed by Shri Suraj Bhan as Chairman, Shri Fakir Bhai Vaghela as Vice Chairman, Shri Phool Chand, Shri V. Devendra and Smt. Surekha Lambature as Members.

The 2nd National Commission for Scheduled Castes (NCSC) was constituted on 25.05.2007 and was headed by Dr. Buta Singh as Chairperson, Shri Narendra M. Kamble as Vice-Chairman, Smt. Satya Bahin, Shri Mahendra Boudh and Shri Mrutyunjaya Nayak as Members.

The 3rd National Commission for Scheduled Castes (NCSC) was constituted on 15.10.2010 and was headed by Dr. P.L. Punia as Chairperson, Shri Raj Kumar Verka as Vice-Chairperson, Smt. Latha Priya kumar, Shri Raju Parmar, Shri M. Shivanna as Members

The 4th National Commission for Scheduled Castes (NCSC) was constituted on 22.10.2013 and was headed by Dr. P.L. Punia as Chairperson, Shri Raj Kumar Verka as Vice-Chairperson, Shri Raju Parmar, Shri Ishwar Singh and Smt. P. M. Kamalamma as Members.

The 5th National Commission for Scheduled Castes (NCSC) was constituted on 01.06.2017 and was headed by Prof. (Dr.) Ram Shankar Katheria as Chairman, Dr. L. Murugan as Vice Chairman and Shri Keshapagula Ramulu, Dr. Yogendra Paswanand and Dr. (Ms.) Swaraj Vidwan as Members.

The 6th National Commission for Scheduled Castes (NCSC) was constituted on 16.02.2021 and headed by Shri Vijay Sampla as Chairman, Shri Arun Halder as Vice-Chairman, Dr. Anju Bala and Shri Subhash Ramnath Pardhi 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 Article 338 of the Constitution.

Clause 4 of the Article 338 of the Constitution empowers the Commission to regulate its own procedure for meaningful performance. The Rules framed by the Commission under this provision have been notified on 25.03.2009. The Rules of Procedure of the Commission are available at the website of the Commission: www.ncsc.nic.in.

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

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

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

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

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

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

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

“In this article, references to the Scheduled Castes shall be construed as including references to the Anglo-Indian community.”

This combined Annual Report 2020-21 and 2021-22 of NCSC, covers the activities of the Commission from April 2020 to March 2022.

¹Earlier called the Planning Commission



Chapter – II

Constitutional Safeguards

The Preamble to the Constitution of India provides securing for all 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 list 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 (as amended)¹ and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995 (as amended)².
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and Rules thereof.
- 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.
- Other Acts like Child Labour Act, Bonded Labour Act etc.

¹Vide Gazette notification no. 1 dated 01.01.2016 and Gazette notification no. 39 dated 17.08.2018.

²Vide Gazette notification no. 268 dated 14.04.2016 and Gazette notification no. 430 dated 27.06.2018.

Chapter – III

Meetings of the Commission

From the period starting from 01.04.2020 to 31.03.2022, the following meetings of the Commission were held:

2020-21 and 2021-22

Table 3.1

Dates of Meetings	
1 st Meeting	17.03.2021
2 nd Meeting	01.04.2021
3 rd Meeting	23.08.2021
4 th Meeting	20.09.2021
5 th Meeting	11.10.2021
6 th Meeting	13.12.2021

BRIEF SUMMARY OF MAJOR DECISIONS:

3.1 Meeting dated 17.03.2021

The 1st Meeting of the 6th Commission of the National Commission for Scheduled Castes (NCSC) was held on 17th March, 2021 under the Chairmanship of Shri Vijay Sampla, Hon'ble Chairman, NCSC. The agenda items and the decision taken thereon in the meeting are as under:

Agenda item no. 1: Draft Memorandum for the Expenditure Finance Committee for the Central Sponsored Scheme for the effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The Commission studied the proposal of Ministry of Social Justice & Empowerment, Department of Social Justice & Empowerment sent vide Office Memorandum No. 11014/1/2017-PCR (Desk)

dated-19.01.2021 enclosing a copy of the draft Memorandum for the Expenditure Finance Committee for the Centrally sponsored Scheme for the effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 wherein it sought comments of the National Commission for Scheduled Castes thereon. As the Commission was not in existence at that time, comments of the Secretariat of NCSC was sent to M/o SJ&E, D/o SJ&E with the approval of Secretary, NCSC. Comments sent with the approval of Secretary, NCSC was placed before the Commission for ex-post facto approval of the Commission.

Decision Taken: The Commission ratified the comments sent with the approval of Secretary, NCSC.

Agenda item no. 2: Representation from Shri Achchhey Lal, R/o F-81, Sector-20, Noida, District: Gautam Budh Nagar, U.P. regarding denial of consequential seniority guaranteed under Article 16(4A) of the Constitution by Department of Telecommunication (DoT) and MTNL.

The Commission was informed that the Petitioners Shri Achchhey Lal and others working in MTNL represented to the Commission about non-fixation of seniority and non-implementation of 85th Constitutional Amendment Act, 2001 which provides for restoration of seniority of SC/ST Government servants on promotion by virtue of rules of reservation as per DoPT O.M. dated 21.01.2002.

Decision Taken: The Commission decided that a hearing may be held in the matter before the full Commission on 22.04.2021 at 11.00 AM with DoPT, MTNL and DoT and the Petitioner may also be called for hearing.

Agenda item no. 3: Representation from Shri Rajesh Kumar Tomar, Commandant, ITBP, SHQ (Sri Nagar), ITBP Jeewan Camp, Pantha Chowk, Srinagar, Jammu & Kashmir regarding deliberate harassment at the verge of promotion by Shri Kapil Dwivedi, DIG, ITBP.

The Commission was informed that the Petitioner Shri Rajesh Kumar Tomar, Commandant, ITBP, SHQ (Srinagar), ITBP Jeewan Camp, Pantha Chowk, Srinagar, Jammu & Kashmir vide his representation dated-01.03.2019 alleged deliberate harassment to him at the verge of promotion. The matter was heard by the earlier Commission on 04.06.2019 and the Commission had recommended that Shri Kapil Dwivedi be transferred to another location so that he may not influence the subordinates and also does not interfere in any inquiry. The Commission also decided that since the matter is now being heard by the Commission, therefore till the proceedings of the Commission are over, the Court of Inquiry (COI) may be kept in abeyance. On 16.10.2019, the then Vice-Chairman had referred the matter to the full Commission and accordingly the matter was placed before the full Commission.

Decision Taken: The Commission decided that a hearing may be held in the matter before the Full Commission on 22.04.2021 at 12.00 Noon with officers of ITBP. Petitioner may also be called for hearing.

Agenda item no. 4: MoU between NCSC and LBSNAA.

The Commission was informed that to take advantage of the vast experience and large resources of the Lal Bahadur Shastri National Academy of Administration (LBSNAA) for the larger benefit of Scheduled Castes community, National Commission for Scheduled Castes (NCSC) proposes to enter into partnership with LBSNAA through a Memorandum of Understanding (MoU). The Commission was also informed that the MSJE has agreed to provide the requisite fund for executing the MoU and that with regard to anticipated expenditure for setting up and carrying out the objectives of the MoU, LBSNAA has requested for sanctioning a sum of Rs. 3.00 Crore for this Financial Year.

Decision Taken: The Commission decided to first discuss the matter with the MSJE and thereafter take a call in the matter.

Agenda item no. 5: MoU between NCSC and BISAG.

The Commission was informed that NCSC is planning to roll out IT enabled e-Filing Portal for online filing and handling of complaints including mobile application and revamping of the NCSC website. This is proposed to be done with the help of Bhaskaracharya Institute for Space Applications and Geo-informatics (BISAG-N). The Commission was also informed that BISAG-N has agreed to provide its services on pro bono basis. A presentation on the proposed on line applications including upgradation of the website was also made to the Commission by Shri Vinay Thakur, Additional Director General, BISAG.

Decision Taken: The Commission agreed with the proposal.

Agenda item no.6: Memo for Expenditure Finance Committee (EFC) for revision of the funding pattern under the “Pre-Matric Scholarship Scheme for Scheduled Castes Students and Others”.

The Commission was informed that M/o Social Justice & Empowerment, D/o Social Justice & Empowerment vide O.M. No. K-11027/1/2021-SCD-V dated 20.01.2021 had sent a Memo for Expenditure Finance Committee (EFC) for revision of the funding pattern under the “Pre-Matric Scholarship Scheme for Scheduled Castes Students and Other” and sought comments of the Commission. As the Commission was not in existence at that time, comments of the Secretariat of NCSC was sent to M/o SJ&E, D/o SJ&E with the approval of Secretary, NCSC. Comments sent with the approval of Secretary, NCSC were placed before the Commission for ex-post facto approval of the Commission.

Decision Taken: The Commission ratified the comments sent with the approval of the Secretary, NCSC.

Agenda item no. 7: Agenda Notes on Memo for Standing Finance Committee (SFC) for “Self Employment Scheme for Rehabilitation of Manual Scavengers”.

The Commission was informed that M/o Social Justice & Empowerment, D/o Social Justice & Empowerment vide O.M. No. K-19014/04/2020-SCD-IV dated-01.02.2021 had sent a Memo for Standing Finance Committee (SFC) for the scheme Self Employment Scheme for Rehabilitation of Manual Scavengers for comments of the Commission. As the Commission was not in existence at that time, comments of the Secretariat of NCSC were sent to M/o SJ&E, D/o SJ&E with the approval of Secretary, NCSC. The comments sent with the approval of Secretary, NCSC were placed before the Commission for ex-post facto approval of the Commission

Decision Taken: The Commission ratified the comments sent with the approval of the Secretary, NCSC.

Agenda item no. 8: Memo for Expenditure Finance Committee (EFC) for continuation of PM-Dakshta Yojana for 5 years (2021-22 to 2025-26).

The Commission was informed that M/o Social Justice & Empowerment, D/o Social Justice & Empowerment vide O.M. No. 7/24-2020-PLAN dated-09.02.2021 had sent a Memo for Expenditure Finance Committee (EFC) for continuation of PM-Dakshta Yojana for 5 years (2020-21 to 2025-26) and sought comments of the Commission. As the Commission was not in existence at that time, the comments of the Secretariat of NCSC were sent to M/o SJ&E, D/o SJ&E with the approval of the Secretary, NCSC. Comments sent with the approval of Secretary, NCSC was placed before the Commission for ex-post facto approval of the Commission

Decision Taken: The Commission ratified the comments sent with the approval of the Secretary, NCSC.

Agenda item no. 9: Shifting of NCSC State Office Pune to Mumbai.

The Commission was informed that Shri Subhash Ramnath Pardhi, Hon'ble Member has proposed for shifting of the NCSC State Office Pune to Mumbai as Mumbai is the Capital of Maharashtra and Head offices of all the departments are in Mumbai. It is easy to get flights from Mumbai to neighboring states/cities like Goa, Hyderabad, Madhya Pradesh etc.

Decision Taken: The Commission agreed with the proposal and also decided that after shifting of the state office from Pune to Mumbai, the office space occupied by State Office Pune may not be

vacated and it may be made a memorial place associated with Dr. B.R. Ambedkar. After the office accommodation at Mumbai becomes available, a separate proposal should be put to the Commission for its alternate use.

Agenda item no. 10: Dispensing with Rules of Procedure (ROP) of the year 2020 and adoption of Rules of Procedure (ROP) of the year 2009.

Dr. Anju Bala, Hon'ble Member of the Commission proposed that Rules of Procedure (ROP) of the Commission made in the year 2020 be dispensed with and the old Rules of Procedure of the year 2009 be adopted. The Secretary, NCSC clarified that ROP 2020 were adopted prior to his joining NCSC. The ROP 2020 was adopted during the tenure of then Secretary, NCSC and the present Joint Secretary, NCSC.

Decision Taken: The Commission agreed with the proposal to dispense with the Rules of Procedure of the year 2020 and adopt Rules of Procedure of the year 2009. It was also decided by the Commission that if there are any issues with respect to Rules of Procedure of the year 2009, that may be looked into as and when they arise.

Following Decisions were also taken by the Commission:

- Allocation of fund to NCSC State Office Lucknow be done immediately.
- Present sanctioned strength of staff vis-a-vis requirement of staff in NCSC be assessed. Vacant posts at all level be filled at the earliest.
- Revamping/Modernization of Library be pursued.
- Opening of 09 New State Offices of NCSC be taken up with MSJE.
- Nodal Officer for SC/ST in the Commission be appointed immediately.

3.2 Meeting dated 01.04.2021

The 2nd Meeting of the 6th Commission of the National Commission for Scheduled Castes (NCSC) was held on 01.04.2021 at 11.00 AM under the Chairmanship of Shri Vijay Sampla, Chairman, NCSC. The agenda items and the decisions taken thereon in the meeting are as under:

Agenda item no. 1: Filling up of the vacant posts in the Commission.

Decision Taken: For Group-A posts lying vacant whose cadre controlling authority is Ministry of Social Justice & Empowerment (MSJE) and the appointments are made by MSJE, a letter may be

sent to MSJE to fill all Gr-A posts laying vacant. For Gr.-B and Gr.-C posts laying vacant whose cadre controlling authority is National Commission for Scheduled Castes (NCSC), immediate action shall be taken for filling up all of the vacant posts of Gr.-B and Gr.-C. A note shall be put up to the commission on 05.04.2021 giving a comprehensive picture of the vacancies and future course of action.

Agenda item no. 2: Permanent conferring of rank of Cabinet Minister and Minister of State to Chairman and Vice-Chairman respectively.

Decision Taken: In National Commission for Scheduled Tribes (NCST), Chairman and Vice-Chairman enjoy the rank of Cabinet Minister and Minister of State, respectively, by default. The matter is to be taken up with MSJE for conferring similar rank of Cabinet Minister and Minister of State to Hon'ble Chairman, NCSC and Vice-Chairman, NCSC respectively at the time of their initial appointment to the Commission.

Agenda item no. 3: Accompanying of PS/PA with their Vice-Chairman/Members during official tour.

Decision Taken: Vice-Chairman and Members of the Commission to be entitled to take their Private Secretary/Personal Assistant along with them on their official tour and the restriction imposed earlier by the MSJE should be taken up for review. Till the matter is resolved, PS/ PA should be permitted as the new Commission members need help during their official tours.

Agenda item no. 4: Provision of vehicle to Chairman/ Vice-Chairman/ Members during their official journey to States.

Decision Taken: Vehicles shall be made available in all the state Offices where there is post of Director. All the old vehicles which are not running smoothly may be condemned and either new vehicle may be purchased or vehicle may be hired on a monthly rental basis in lieu of these condemned vehicles. Decision as to which new vehicle is to be purchased and in which case vehicle is to be hired is to be taken on case-to-case basis in consultation with Chairman/Vice-Chairman/ Members concerned. All the State Offices are authorized to hire vehicle at other stations in jurisdiction during official tour of Chairman/ Vice Chairman/ Members. Payment on account of hiring of vehicle to be made from Office Expenses Head of the concerned State Office.

Agenda item no. 5: Provision of Rail Ticket for official journey.

Decision Taken: Like Air Ticket is provided to Chairman, Vice-Chairman, Members for their official journey; on the same lines efforts shall be made for providing Rail Ticket to Chairman, Vice-Chairman, Members, and their Private Secretary/ Personal Assistant. Matter may be taken up with Balmer & Lawrie and Ashoka Travels.

Agenda item no. 6: Allotment of Bungalow No. 6, 8 and 10 at Dr. Rajendra Prasad Road for having NCSC's own office building.

Decision Taken: Efforts may be made to put in a request to earmark space for housing Commission's Headquarter in Central Vista. NBCC should be invited for suggesting options of about 25000 sq. feet of space with NBCC in office complex under construction at Nauroji Nagar, Delhi for housing Commission's Headquarter. A presentation may be made by NBCC so that further necessary action may be taken. The matter taken up earlier for allotment of Bungalow No. 6, 8 and 10 at Dr. Rajendra Prasad Road, New Delhi for construction of Commission's Headquarter may also be revived and followed up.

Agenda item no. 7: Template of Annual Report of NCSC.

Decision Taken: The Annual Reports of other institutions like National Human Rights Commission, National Commission for Scheduled Tribes, National Commission for Women etc. may be studied and the format of the Annual Report of the Commission may be revised.

Agenda item no. 8: Office Space for State Office Kolkata.

Decision Taken: Immediate action shall be taken for shifting of NCSC State Office Kolkata at the new office building/space being provided by Central Public Works Department.

Agenda item no. 9: Disposal of Old Files.

Decision Taken: Additional capable people should be hired so that pending old files are properly classified and files not in use are disposed as per extant instructions so that number of pending files get reduced.

Agenda item no. 10: MoU with BISAG-N.

Decision Taken: For proper monitoring of complaints received in the Commission, an IT enabled e-filing portal and Mobile application is being developed by Bhaskaracharya Institute for Space Applications and Geo-informatics (BISAG-N). Another representation in this regard was made to the Commission by Sh. Vinay Thakur, Additional Director General, BISAG-N. IT enabled e-filing portal and mobile Application is proposed to be launched on 14.04.2021. Before its formal launching, BISAG-N will make its soft launch on 07.04.2021.

Agenda item no. 11: Other decisions taken by the Commission.

Decision Taken: Except Uttar Pradesh and Uttarakhand, all the States and UTs of the Nation provide the status of State Guest to Chairman, Vice-Chairman, Members of the Commission on their official

tour. The matter may be taken up with State Government of Uttar Pradesh and Uttarakhand for giving status of state Guest to Chairman, Vice-Chairman and members of the Commission on their official journey.

3.3 Meeting dated 23.08.2021

The 3rd Meeting of the 6th Commission of the National Commission for Scheduled Castes (NCSC) was held on 23.08.2021 at 11.00 AM under the Chairmanship of Shri Vijay Sampla, Chairman, NCSC. The following important agenda items were taken up for discussion & decisions:

Agenda item no. 1: Submission of Annual Report of the Commission to Hon'ble President of India for the period 2018-19 & 2019-20.

Decision taken: Annual Report of the Commission for the period 2018-19 & 2019-20 was approved for submission to the Hon'ble President of India.

Agenda item no. 2: Conferring of permanent status of rank of Cabinet Minister to Hon'ble Chairman, NCSC and Minister of State rank to Hon'ble Vice-Chairman, NCSC.

Decision taken: It was decided that the matter of conferring the status of rank of Cabinet Minister to Hon'ble Chairman, NCSC and Minister of State rank to Hon'ble Vice-Chairman, NCSC may be taken up with MHA through Ministry of SJ&E. This issue has already been taken up with MSJE for conferring similar rank of Cabinet Minister and Minister of State to Hon'ble Chairman, NCSC and Vice-Chairman, NCSC respectively vide letter dated 08.04.2021. It was decided to take up the matter with MSJE.

Agenda item no. 3: Creation of Legal Cell with officers from Ministry of Law & Justice.

Decision taken: Keeping in view the increasing number of Court cases and work pressure on the existing man power, the Commission decided to set up a legal cell with officers from Ministry of Law & Justice to handle all the litigation matters relating to NCSC Hqrs. and its State Offices.

Agenda item no. 4: Relaxation in eligibility criteria for the post of Director as prescribed in the Recruitment Rules (RR) for appointment on deputation basis.

Decision taken: The Commission felt that the main reason for persistent large number of vacancies in Joint cadre posts is the rigid/ redundant eligibility conditions.

09 sanctioned posts of Director are deputation posts. Very few applications are received from the eligible candidates for the deputation due to the higher level of educational qualifications

prescribed in the RRs. The Commission has decided to review the RRs and provide for 'Graduate in any discipline' as the minimum education qualification for the post. The matter may be taken up with MSJE and DoPT for amendment in the RRs.

Agenda item no. 5: Opening of exclusive police post for handling the grievances of SCs referred to the NCSC.

Decision taken: The Commission receives a large number of complaints of atrocities on Scheduled Castes under PoA and PCR Acts. In order to deal with the grievances of petitioners effectively and to have better coordination with police personnel, an exclusive police post would be of immense help. The Commission decided to take up the matter of establishment of separate police post in the National Capital i.e. New Delhi on pilot basis with Ministry of MHA.

Agenda item no. 6: Opening of new State Office in Bhopal, Madhya Pradesh.

Decision taken: The Commission decided to move a proposal for opening of a new State Office at Bhopal for catering to the needs of Scheduled Castes population in Madhya Pradesh and Chhattisgarh.

3.4 Meeting dated 20.09.2021:

The 4th Meeting of the 6th Commission of the National Commission for Scheduled Castes (NCSC) was held on 20.09.2021 at 12.30 PM under the Chairmanship of Shri Vijay Sampla, Chairman, NCSC. The following important agenda items were taken up for discussion & decisions:

Agenda item no. 1: State Level Review and Review of PSUs of Central and State Government/Banks and other Institutions and Government departments.

Decision taken: The Commission has decided that the unfinished tasks of Review of State Government, Review of Public Sector undertakings of both Central and State Government undertaking be taken up on priority basis.

Agenda item no. 2: Filling up of vacant Joint Cadre posts of Director/Deputy Director and Assistant Director.

Decision taken: The Commission desired expediting the filling up of joint cadre posts of Director, Deputy Director and Assistant Director. The posts were advertised and in response to that the Commission has received 25 Applications for the post of Director and 09 each for Deputy Director and Assistant Director.

The Commission agreed with the proposal for forwarding these applications to MSJE, the cadre controlling authority to conduct the interview for selection of suitable officers for appointment in the Commission.

Agenda item no. 3: Filling up of remaining posts of LDCs.

Decision taken: Out of the 13 vacancies reported to SSC, only ten were nominated by Staff Selection Commission and only seven joined. The SSC may be requested to fill up the remaining six vacancies.

Agenda item no. 4: Management of online portal

Decision taken: The commission agreed for hiring of additional manpower of minimum five technical personnel to manage the online portal effectively and purposefully.

3.5 Meeting dated 11.10.2021

The 5th Meeting of the 6th Commission of the National Commission for Scheduled Castes (NCSC) was held on 11.10.2021 under the Chairmanship of Shri Vijay Sampla, Chairman, NCSC. The Decisions and Action Taken thereon are as follows:

Agenda item no. 1: Filling up of vacant Joint Cadre posts of Director, Deputy Director and Assistant Director.

Decision Taken: The applications were received from the candidates for the post of Director/ Deputy Director and Assistant Director. The same were scrutinized in the NCSC. Accordingly, online interactions were conducted on 25.10.2021 in online mode and list of shortlisted candidates have been forwarded to the Ministry of Social Justice & Empowerment for necessary action. The matter is pending with MSJE. The MSJE raised a query which was replied on 10.12.2021.

Agenda item no. 2: Revision of Recruitment Rules (RRs) for Joint Cadre posts.

Decision Taken: It was felt by the Commission that the main reason for persistent large number of vacancies in Joint cadre posts is the rigid/ redundant eligibility conditions. It was decided that eligibility conditions for the joint cadre posts may be modified to make them relevant with the present time and the same may be incorporated in the ongoing process of revision of RRs.

Agenda item no. 3: Filling up of vacant posts of Research Officer.

Decision Taken: The total sanctioned strength of Research Officer is 10. Promotion quota post are 06 and 04 posts are of deputation quota. As against the 06 posts of promotion quota, 05 officers are

in position. All the 04 posts of deputation quota are lying vacant. It was decided that the process of filling up vacant posts of Research Officer to be expedited. 01 Senior Investigator may be considered for promotion as Research Officer. Vacant Posts of Research Officer of deputation quota may also be filled by ad-hoc promotion of Senior Investigator, till the posts are filled on deputation basis.

Agenda item no. 4: Acquiring office space for the NCSC Headquarters.

Decision Taken: At present there is acute shortage of office space in the NCSC Headquarters. Further the office space of NCSC Headquarters are scattered at different floor of Lok Nayak Bhawan. This is coming in the way of smooth functioning of the office. It was decided that obtaining office space in LIC Building 'Jeevan Bharti' at Connaught Place may be explored. It is learnt that enough office space is available there and there is possibility of getting sufficient office space at one floor to house entire NCSC Headquarters.

Agenda item no. 5: Renovation of Conference Hall of the NCSC Headquarters.

Decision Taken: It was decided that this may be considered after the matter of acquiring office space in LIC Building 'Jeevan Bharti' is settled. If the NCSC Headquarter is getting shifted, then there is no sense of renovating Conference Hall in Lok Nayak Bhawan.

Agenda item no. 6: Implementation of e-Office.

Decision Taken: Secretary, NCSC put the proposal that there shall be thrust on implementation of e-Office in the Commission as the NCSC has already onboarded on e-office module of MSJE. The Commission supported the proposal.

3.6 Meeting dated 13.12.2021

The 6th Meeting of the 6th Commission of the National Commission for Scheduled Castes (NCSC) was held on 13.12.2021 under the Chairmanship of Shri Vijay Sampla, Chairman, NCSC. The Decisions and Action Taken thereon are as follows:

Agenda item no. 1: Confirmation of the 5th Meeting of the Commission held on 11.10.2021.

Decision taken: Minutes of the 5th Meeting of the Commission were approved unanimously.

Agenda item no. 2: Provision for supporting Staff to Hon'ble Members (Chairman/Vice Chairman/Members) of the Commission for providing assistance in conducting hearing & preparation of Minutes of Hearing.

Decision Taken: At present, there is no provision for providing dedicated staff to assist Hon'ble Members (Chairman/Vice-Chairman/Members) of the Commission in hearing, preparation of Minutes of hearing except a few co-terminus staff.

In order to streamline hearing & preparation of minutes, it was decided that each member of the Commission (Chairman/Vice-Chairman/Members) will be provided two consultants (one having experience of working in Ministry/Department and another with legal background) on contract basis. As proposal of providing two dedicated consultants for each Members of the Commission is over and above the sanctioned strength of the Commission, in principle approval of the proposal may be obtained from the Ministry. Remuneration of consultant staff with legal background will be fixed in the range of Rs.40,000/- to Rs.60,000/- depending upon the experience. Remuneration of another consultant will be fixed in accordance with Department of Expenditure OM dt-09.12.2020. It was also decided that the selection of these people will be done in a fair and transparent manner after giving wide publicity to the post.

Agenda item no.3: Setting up dedicated Legal Cell to deal with court cases.

Decision Taken: There are nearly 200 court cases wherein the Commission has been made a party. The trend of filing court cases impleading Commission as a respondent is on the rise. As there is no dedicated staff in the Commission to deal with these court cases, it was decided to set up a legal cell with 2-3 legal professional to monitor all the court cases and ensure timely filing of counter reply/rejoinder etc., as the case may be. Their remuneration will be fixed in the range of Rs.40,000/- to Rs.60,000/- depending upon their experience. It was also decided that selection of legal professionals may be done in a fair & transparent manner after giving wide publicity to the post so that the Commission may get quality legal professionals.

Agenda Item No.4: Engagement of skilled manpower for management of e-Grievance Management Portal.

Decision Taken: On 14th April, 2021, the commission launched an Online Grievance Management Portal. However, implementation of the on-line portal is slow and all modules of the portal are yet to become functional. In order to ensure optimum utilization of the Portal and to facilitate quick and timely processing of the registered complaints, it was decided to hire 8 persons on contract basis (6 Data Entry Operators, 1- Dot Net Developer, and 1- Project Coordinator) as a proposed by BISAG-N vide D.O. letter dt-19/07/2021. It was also decided to hire such manpower on contract basis through Govt. agencies viz. NICSI, NISG etc. in consultation with BISAG-N.

Agenda item No.5: Digitization of DAK Counter.

Decision Taken: In order to ensure easy identification of routine/urgent DAK, easy transmission of DAK to the section/division/state offices concerned and to ensure timely action on the petitions received, it was decided to digitalize work of the facilitation counter (FC). As there is an acute shortage of manpower in the FC of the Commission, it was decided to hire manpower on contract basis to digitalize the FC. It was decided that the administration section will finalize the requisite manpower with different skill sets for complete digitalization of the FC in consultation with BISAG-N and will take prompt action to hire such manpower on contract basis. A retired US/DS level officer should head this counter so that it can function as a Registry for the Commission. Also, proper space will be identified so that DAK counter can function effectively.

Agenda Item No.6: Engagement of Consultants (Retd. Govt. Servants) for Admin. Division & ESDW.

Decision Taken: It was decided that 3 retired Government Servants will be hired on contract basis for the Establishment, administration, and ESDW sections in a fair and transparent manner to ensure smooth functioning of these sections.

Agenda Item No.7: Removal of area restriction i.r.o “Mangali” community in list of SCs of Odisha State.

Decision Taken: The proposal justifying the removal of area restriction in respect of “Mangali” community in the list of SCs for the Odisha State was considered in 6th full Commission meeting of the previous Commission and it was decided to seek a report from Govt. of Odisha with regard to impact of removing the area restriction in respect of Mangali community in the entire State of Odisha in place of the original provision for Mangali community of the Koraput and Kalahandi districts of the State of Odisha. Accordingly, a report was sought from Govt. of Odisha vide letter date-18.12.2019. A reminder was also sent on 12.03.2020. Recently one more reminder was sent Govt. of Odisha on 09.09.2021. But until now, no reply has been received from the Govt. of Odisha. The proposal was discussed in detail and it was decided that only after getting the report from the Govt. of Odisha and comments of the Registrar General of India (RGI) on the report, the Commission would finalize its comments on the proposal.

Agenda Item No.8: Extension of tenure of National Commission for Safai Karamcharis (NCSK) beyond 31.03.2022 for the period of three years i.e. upto 31.03.2025.

Decision Taken: It was decided to agree with the proposal for extension of tenure of NCSK for a period of three years beyond 31.03.2022.

Agenda Item No.9: Representation of Dr. G. Valentina, Associate professor, Centre for Equity and Social Development (CESD), National Institute of Rural Development and Panchayati Raj (NIRDPR), Rajendra Nagar, Hyderabad regarding sexual harassment against SC women faculty member.

Decision Taken: A complaint was received in the Commission from the Dr. G. Valentina regarding sexual harassment by her office male colleague. Her office i.e. NIRDPR, constituted a disciplinary Committee and terminated her service. The NIRDPR has obtained a stay order from Hon'ble High Court of Delhi exempting DG, NIRDPR, and Secretary, MoRD from personal appearance before the Commission.

After detailed deliberation, it was decided to constitute an Enquiry Committee to ascertain facts of the case. This committee will be headed by a retired High Court Judge from Telangana High Court. The Registrar General of Telangana High Court will be requested to send a panel of three retired judges of the High Court.

Agenda Item No.10: Condemnation of unserviceable staff cars in NCSC Hqrs. and State Offices of NCSC.

Decision Taken: It was decided to complete the process of condemnation of unserviceable vehicles of NCSC HQ and NCSC State Offices. It was also decided to purchase two new cars after the condemnation of the vehicles of the HQ. It was decided that as per extant policy, the NCSC Hqrs. / State office can be permitted to hire Staff Cars on monthly rental basis following provisions contained in GFR, 2017.

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 programs relating to the Scheduled Caste community. NCSC draws its strength from the Article 338 of Indian Constitution which is the backbone of its functioning.

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 2020-21 and 2021-22 is as below.

4.2 Complaint Investigation and Resolution in NCSC

The Rules of Procedure of the Commission do not prescribe any time limit for investigation and enquiry of grievances/cases/individual 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 cases depends on both the nature and gravity of the complaints as well as on the response from the Public Authorities who are entrusted with ensuring that the rights as guaranteed in the Constitution of India regarding Scheduled Castes are safeguarded. Hence the speed and adequacy of response from the Authorities concerned are the defining factors which determine the actual disposal of the grievances/cases/individual complaints.

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

- Those related to service 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 grievances/ cases handled by the Commission Headquarters and its State Offices are as under:

4.2.1 Details of the Complaints/Grievances/cases handled at the Commission

4.2.1 (a): 2020-21

Table 4.2(a)

Nature of cases	Opening Balance as on 1.4.2020	Received during April, 2020 to March, 2021	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2021
1	2	3	4	5	6
1. Agartala State Office : Jurisdiction - Tripura					
SSW	20	3	23	00	23
APCR	14	5	19	00	19
ESDW	15	9	24	00	24
Miscellaneous	189	1	190	00	190
Total:	238	18	256	00	256
2. Ahmedabad State Office: Jurisdiction-Gujarat, Rajasthan, Dadra & Nagar Haveli and Daman & Diu.					
SSW	432	73	505	00	505
APCR	1103	162	1265	00	1265
ESDW	615	71	686	00	686
Miscellaneous	84	23	107	00	107
Total:	2234	329	2563	00	2563
3. Bengaluru State Office: Jurisdiction -Karnataka					
SSW	318	33	351	232	119
APCR	267	80	347	201	146
ESDW	306	54	360	170	190
Miscellaneous	87	5	92	60	32
Total:	978	172	1150	663	487
4. Chennai State Office: Jurisdiction-Tamil Nadu and Puducherry					
SSW	1835	256	2091	00	2091
APCR	2567	625	3192	00	3192
ESDW	3271	656	3927	00	3927
Miscellaneous	742	233	975	00	975
Total:	8415	1770	10185	00	10185

Nature of cases	Opening Balance as on 1.4.2020	Received during April, 2020 to March, 2021	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2021
1	2	3	4	5	6
5. Chandigarh State Office: Jurisdiction-Punjab, Haryana, Himachal Pradesh, Jammu & Kashmir and Ladakh & UT of Chandigarh					
SSW	671	92	763	237	526
APCR	2604	555	3159	945	2214
ESDW	381	44	425	131	294
Miscellaneous	762	75	837	297	540
Total:	4418	766	5184	1610	3574
6. Guwahati State Office: Jurisdiction-Assam, Manipur, Mizoram, Nagaland, Meghalaya and Arunachal Pradesh					
SSW	59	17	76	00	76
APCR	02	00	02	00	02
ESDW	03	00	03	00	03
Miscellaneous	53	04	57	00	57
Total:	117	21	138	00	138
7. Hyderabad State Office: Jurisdiction-Telangana, Andhra Pradesh, Madhya Pradesh & Chhattisgarh					
SSW	2131	213	2344	1034	1310
APCR	2307	510	2817	934	1883
ESDW	1997	263	2260	1131	1129
Miscellaneous	0	0	0	00	00
Total:	6435	986	7421	3099*	4322
8. Kolkata State Office: Jurisdiction-West Bengal, Odisha, Sikkim and A&N Islands					
SSW	355	153	508	00	508
APCR	332	133	465	00	465
ESDW	133	42	175	00	175
Miscellaneous	121	52	173	00	173
Total:	941	380	1321	00	1321

Nature of cases	Opening Balance as on 1.4.2020	Received during April, 2020 to March, 2021	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2021
1	2	3	4	5	6
9. Lucknow State Office: Jurisdiction-Uttar Pradesh & Uttarakhand					
SSW	1085	144	1229	00	1229
APCR	2010	1052	3062	00	3062
ESDW	3066	1273	4339	00	4339
Miscellaneous	668	054	722	00	722
Total:	6829	2523	9352	00	9352
10. Patna State Office: Jurisdiction-Bihar and Jharkhand					
SSW	353	91	444	00	444
APCR	922	451	1373	04	1369
ESDW	352	77	429	01	428
Miscellaneous	218	59	277	02	275
Total:	1845	678	2523	07	2516
11. Pune State Office: Jurisdiction-Maharashtra and Goa					
SSW	1845	87	1932	71	1861
APCR	1610	259	1869	156	1713
ESDW	998	27	1025	19	1006
Miscellaneous	120	35	155	66	89
Total:	4573	408	4981	312	4669
12. Thiruvananthapuram State Office: Jurisdiction-Kerala and Lakshadweep					
SSW	125	32	157	00	157
APCR	611	392	1003	00	1003
ESDW	260	29	289	00	289
Miscellaneous	175	39	214	00	214
Total:	1171	492	1663	00	1663
Total (all 12 State Offices of NCSC)	38194	8543	46737	5691	41046

Nature of cases	Opening Balance as on 1.4.2020	Received during April, 2020 to March, 2021	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2021
1	2	3	4	5	6
NCSC Headquarters					
APCR	10390	1527	11917	03	11914
ESDW	3101	452	3553	10	3543
SSW-I	4029	231	4260	00	4260
SSW-II	2329	199	2528	00	2528
Total (NCSC Hqrs.)	19849	2409	22258	13	22245
Grand Total (All State Offices + NCSC Hqrs.)	58043	10952	68995	5704	63291

*3099 files have been listed out for closure and awaiting approval of the competent authority of NCSC Headquarter, New Delhi.

Total 10952 fresh cases were received in the year 2020-21. The closing balance of pending cases is 63291.

4.2.2 Details of the Complaints/Grievances/cases handled at the Commission

4.2.1 (b): 2021-22

Table 4.2(b)

Nature of cases	Opening Balance as on 01.04.2021	Received during April, 2021 to March 2022	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2022
1	2	3	4	5	6
1. Agartala State Office : Jurisdiction - Tripura					
SSW	23	02	25	00	25
APCR	19	10	29	00	29
ESDW	24	04	28	00	28
Miscellaneous	190	02	192	00	192
Total:	256	18	274	00	274

Nature of cases	Opening Balance as on 01.04.2021	Received during April, 2021 to March 2022	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2022
1	2	3	4	5	6
2. Ahmedabad State Office : Jurisdiction-Gujarat, Rajasthan, Dadra & Nagar Haveli and Daman & Diu.					
SSW	505	71	576	00	576
APCR	1265	198	1463	00	1463
ESDW	686	69	755	00	755
Miscellaneous	107	43	150	00	150
Total:	2563	381	2944	00	2944
3. Bangalore State Office: Jurisdiction -Karnataka					
SSW	119	35	154	00	154
APCR	146	196	342	00	342
ESDW	190	62	252	00	252
Miscellaneous	32	15	47	00	47
Total:	487	308	795	00	795
4. Chennai State Office: Jurisdiction-Tamil Nadu, Puducherry					
SSW	2091	247	2338	00	2338
APCR	3192	516	3708	00	3708
ESDW	3927	585	4512	00	4512
Miscellaneous	975	179	1154	00	1154
Total:	10185	1527	11712	00	11712
5. Chandigarh State Office: Jurisdiction-Punjab, Haryana, Himachal Pradesh, Jammu & Kashmir and Ladakh & UT of Chandigarh					
SSW	526	161	687	22	665
APCR	2214	784	2998	293	2705
ESDW	294	57	351	23	328
Miscellaneous	540	141	681	29	652
Total:	3574	1143	4717	367	4350

Nature of cases	Opening Balance as on 01.04.2021	Received during April, 2021 to March 2022	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2022
1	2	3	4	5	6
6. Guwahati State Office: Jurisdiction-Assam, Manipur, Mizoram, Nagaland, Meghalaya and Arunachal Pradesh					
SSW	76	17	93	00	93
APCR	02	01	03	00	03
ESDW	03	00	03	00	03
Miscellaneous	57	01	58	00	58
Total:	138	19	157	00	157
7. Hyderabad State Office: Jurisdiction-Telangana, Andhra Pradesh, Madhya Pradesh, Chhattisgarh					
SSW	2344	239	2583	967	1616
APCR	2817	418	3235	1024	2211
ESDW	2260	401	2661	1120	1541
Miscellaneous	00	0	00	00	00
Total:	7421	1058	8479	3111	5368
8. Kolkata State Office: Jurisdiction-West Bengal, Odisha, Sikkim and A&N Islands					
SSW	508	136	644	00	644
APCR	465	243	708	00	708
ESDW	175	50	225	00	225
Miscellaneous	173	68	241	00	241
Total:	1321	497	1818	00	1818
9. Lucknow State Office: Jurisdiction-Uttar Pradesh & Uttarakhand					
SSW	1229	139	1368	00	1368
APCR	3062	1519	4581	264	4317
ESDW	4339	1216	5555	506	5049
Miscellaneous	722	48	770	00	770
Total:	9352	2922	12274	770	11504

Nature of cases	Opening Balance as on 01.04.2021	Received during April, 2021 to March 2022	Total case received (col. 2 & 3)	Total cases Disposed	Closing balance as on 31.03.2022
1	2	3	4	5	6
10. Patna State Office: Jurisdiction-Bihar and Jharkhand					
SSW	444	96	540	202	338
APCR	1369	379	1748	549	1199
ESDW	428	118	546	15	531
Miscellaneous	275	55	330	17	313
Total:	2516	648	3164	783	2381
11. Pune State Office: Jurisdiction-Maharashtra and Goa					
SSW	1861	265	2126	131	1995
APCR	1713	438	2151	207	1944
ESDW	1006	98	1104	33	1071
Miscellaneous	89	31	120	89	31
Total:	4669	832	5501	460	5041
12. Thiruvananthapuram State Office: Jurisdiction-Kerala and Lakshadweep					
SSW	157	39	196	82	114
APCR	1003	289	1292	197	1095
ESDW	289	51	340	217	123
Miscellaneous	214	56	270	100	170
Total:	1663	435	2098	596	1502
Total (all 12 State Offices of NCSC)	44145	9788	53933	6087	47846
NCSC Headquarters					
APCR	11914	2050	13964	3352	10612
ESDW	3543	483	4026	618	3408
SSW-I	4260	686	4946	2261	2685
SSW-II	2528	521	3049	1329	1720
Total (NCSC Hqrs.)	22245	3740	25985	7560	18425
Grand Total (all 12 State Offices + NCSC Hqrs.)	66390	13528	79918	13647	66271

Total fresh 13528 cases were received in the year 2021-22. The closing balance of pending cases is 66271.

4.3 Outcome of cases on Service Safeguard issues

1574 cases¹ and **4994** cases² dealt in the Commission relating to service safeguards issues were closed in the Commission in 2020-21 and 2021-22 respectively. These cases were on issues like denial of promotion/MACP, denial of appointments, denial of appointments on compassionate grounds, non-payment of pension and terminal/pensionary benefits, dismissal/reinstatement cases, harassment in transfer/posting and other harassment cases on caste grounds etc.

Out of these, outcome of 95 (2020-21 and 2021-22) of the interesting and successful cases are tabulated and further detailed below. As a result of the intervention of NCSC, out of these cases, 19 persons were promoted, 10 persons received their pension and arrears of Rs 29.92 lakh (approximately), 09 persons were appointed in services, 04 persons received compassionate appointments, 37 miscellaneous payments, 16 persons were transferred or upgraded in posts, a total of Rs. 1061.57 lakhs were received as pensionary/ terminal benefits, payment of salary and miscellaneous matter benefits.

Table 4.3(a) (2020-21)

Sr no	Subject	Interesting cases at Hqrs.	Interesting cases at State Offices	Benefit amount (Rs.)
1	Promotion matters	02	07	Nil
2	Up-gradation of Pay Scales	00	00	Nil
3	Appointment matters	00	05	Nil
4	Pensionary/Terminal Benefits matters	00	03	4,23,391/-
5	Transfer matters	00	12	Nil
6	Compassionate appointment matters	01	01	Nil
7	Suspension and re-instatement in services, payment of salary, caste certificate, harrashment and miscellaneous matters.	00	15	21,50,289/-
8	Appointment of Contract workers	00	00	Nil
	Total	03	43	25,73,680/-

Table 4.3(b) (2021-22)

Sr No	Subject	Interesting cases at Hqrs.	Interesting cases at State Offices	Benefit amount (Rs.)
1	Promotion matters	01	09	Nil
2	Up-gradation of Pay Scales	00	00	Nil
3	Appointment matters	00	04	Nil
4	Pensionary/Terminal Benefits matters	01	06	25,68,651/-
5	Transfer matters	01	03	Nil
6	Compassionate appointment matters	01	01	Nil
7	Suspension and re-instatement in services, payment of salary, caste certificate, harrasment and miscellaneous matters.	04	18	10,10,15,000/-
8	Appointment of Contract workers	00	00	Nil
	Total	08	41	10,35,83,651/-

4.4. Economic and Social Development cases :

The Commission received a large number of cases in the economic and social development sector and a total of **331³** cases and **2532⁴** cases relating to this sector were disposed off by the Commission in 2020-21 and 2021-22 respectively.

In 122 cases of the economic and social sector wing enumerated below, after the intervention of the NCSC, 10 students got admission, 09 students received due scholarship /tuition fee reimbursement, 08 students received their held back degree/ certificates, 20 persons got possession of land/ plots/ flats, 16 persons received benefits under the various welfare schemes of the Central/ State Governments. 59 persons received miscellaneous benefits matters like loans etc, leading to a total monetary benefit of approximately Rs. 150.80 lakhs. The details are as below:

³10 cases in the Commission Headquarters and 321 cases in State Offices

⁴618 cases in the Commission Headquarters and 1914 cases in State Offices

Table 4.4(a) (2020-21)

Sr. No.	Subject	NCSC State Office	
		No. of Interesting cases	Monetary benefit received (in Rs)
1.	Admission matters	07	-
2.	Scholarship matters/fee concession	02	20,000/-
3.	Possession of land/plot/Flat	06	3,95,000/-
4.	Benefit under SC Schemes	12	10,10,000/-
5.	Allotment of petrol pump	00	Nil
6.	Education/Degree and certificate issuance matters	05	Nil
7.	Miscellaneous matters like Loan etc	35	1,25,44,365/-
	Total	67	1,39,69,365/-

Table 4.4(b) (2021-22)

Sr. No.	Subject	Interesting cases at Hqrs	Interesting cases at State offices	Monetary benefit received (in Rs)
1.	Admission matters	00	03	Nil
2.	Scholarship matters/fee concession	04	03	1,85,800/-
3.	Possession of land/plot/Flat	00	14	6,05,78,479/-
4.	Benefit under SC Schemes	00	04	1,000/-
5.	Allotment of petrol pump	00	00	Nil
6.	Education/Degree and certificate issuance matters	03	00	Nil
7.	Miscellaneous matters like Loan etc	01	23	25,36,079/-
	Total	08	47	6,33,01,358/-

4.5 Outcome of Atrocity related cases

The Commission received a large number of cases on atrocities on Scheduled Castes and a total of 8129 cases (2243 cases of 2020-21 and 5886 cases of 2021-22) relating to this sector were disposed of by the Commission in 2020-21 and 2021-22. 296 of the interesting and successful cases are enumerated below.

After the intervention of the NCSC in 296 cases (112 cases in 2020-21 and 184 cases in 2021-22) of atrocities against Scheduled Castes tabulated below, more than 200 FIRs were registered and more than 100 chargesheets have been filed and approximately 150 accused arrested. Monetary relief of Rs. 1248.212 lakhs (Rs. 425.167 lakhs in 2020-21 and Rs. 823.045 lakhs in 2021-2022) have been paid to the victims as monetary relief. In addition, more than 20 persons were sanctioned pensions, 15 persons got jobs and more than 10 families (of victims) were provided with house/land patta/ agriculture lands.

Table 4.5 (a):2020-2021

S. No.	Subject	State Offices	
		Interesting cases	Monetary relief (Rs. in lakh)
1.	Rape/Gang rape	29	108.862
2.	Grievous hurt/Kidnapping	13	22.55
3.	Miscellaneous	28	35.66
4.	Murder/Attempt to murder	41	255.845
5.	Arson/Robbery	1	2.25
	Grand Total:	112	425.167

Table 4.5 (b): 2021-2022

S. No.	Subject	Interesting cases		Monetary relief (Rs. in lakh)	
		Hqrs.	State Offices	Hqrs.	State Offices
1.	Rape/Gang rape	02	62	4.56	189.562
2.	Grievous hurt/Kidnapping	00	07	Nil	20.625
3.	Miscellaneous	04	59	3.83	129.45
4.	Murder/Attempt to murder	03	46	22.00	450.013
5.	Arson/Robbery	00	01	Nil	3.00
	Total:	09	175	30.39	792.650
	Grand Total:		184		823.045

4.6 Spot Visits

Spot visits in atrocity matters were conducted in 30 cases by the Commission. After the visits and intervention of the Commission, registration of 30 FIRs (15 in 2020-21 and 15 in 2021-22) have been ensured under PoA Act, 33 arrests made (31 in 2020-21 and 2 in 2021-22) and 24 chargesheets were filed (14 in 2020-21 and 10 in 2021-22). Total monetary relief of Rs.115.296 lakh (Rs. 48.01 lakhs in 2020-21 and Rs 67.286 lakh in 2021-22) was also released to the SC victims. In addition, 3 families received a house, 1 family was given 5 acre agricultural land, 5 family pensions (1 in 2020-21 and 4 in 2021-22) were sanctioned. Brief details of outcome of the cases are detailed below:

Table 4.6(a) :2020-21

Office	No. of spot visits	Type of atrocity and place	Date of spot visit	Outcome after intervention of NCSC
Head Quarters	04	Incident of 2 minor girls found dead in Unnao	19.02.2021 ⁵	FIR registered u/s 302/201 IPC at P.S. Asoha. 02 accused arrested. An amount of Rs. 12.00 lakh has been provided to the family of the deceased victim.
		Incidence of "a mob of Muslims angry over the marriage of a Muslim girl to a Dalit youth in Delhi	22.03.2021 ⁶	FIR registered u/s 143/144/147/148/149/427/506/ 34 IPC and 3(1)(r)(s) SC/ST (POA) Act, 1989 (as amended) at P.S. Sunlight Colony, Delhi. 05 accused arrested. Chargesheet filed in the Court on 04.07.2021. An amount of Rs. 0.25 lakh has been provided to the victim.
		Incident of 'Dalit boys forced to walk with tied hands for four Kms. in District Sangrur, Punjab'.	24.03.2021 ⁷	FIR No. 42 dated 14.03.2021 registered u/s 499, 500, 341, 342, 323, 34 IPC Juvenile Justice (Care & Protection of Children) section 75, 3(1)(x), 3(2)(v) SC/ST (POA) Act, 1989 P.S. Sadar Dhuri, District Sangrur, Punjab. Chargesheet filed on 09.04.2021 in the Hon'ble Court of Law. An amount of Rs. 0.50 lakh has been provided to the victim.

⁵By Shri Arun Halder, Vice Chairman, NCSC

⁶By Subhash Ramnath Pardhi, Member, NCSC

⁷By Shri Vijay Sampla, Chairman, NCSC

Office	No. of spot visits	Type of atrocity and place	Date of spot visit	Outcome after intervention of NCSC
		Incident of 'two sister shot dead by Sarpanch's son in Moga, Punjab'	24.03.2021 ⁸	FIR registered u/s 302, IPC 3, 4 SC/ST (POA) Act, 1989 and 25, 2754/59, 30 Arms Act and section 3(2)(v) of SC/ST (POA) Act, 1989 (as amended) at P.S Nihal Singh Wala, Punjab. 02 accused arrested. Charge sheet filed on 05.05.2021 in the Hon'ble Court. An amount of Rs. 16.50 lakh has been provided to the family of the deceased victims.
Patna	09	Murder of SC person and fire arm injury to his mother in Kashichak village, Patna, Bihar (suo moto cognizance of news report)	26.06.2020 ⁹	FIR registered, Rs. 4.12 Lakhs paid to the dependent of deceased, Commission recommended for filing chargesheet alongwith full payment of compensation and other relief.
		Kidnapping of young brother of petitioner in Gopalganj, Bihar	14.07.2020 ¹⁰	FIR registered, Directions reg. recovery of the victim and speedy action given to concerned authorities. Final report still awaited.
		Atrocity done by high caste landlords in East Champaran, Bihar	04.09.2020 ¹¹	Monetary relief Rs. 0.25 lakh has been provided to the victim.
		Murder of SC person in Godda, Jharkhand	03.10.2020 ¹²	FIR registered, Rs. 4.12 Lakh sanctioned but is pending for payment due to shortage of funds. Commission recommended for filing chargesheet alongwith full payment of compensation and other relief

⁸By Shri Vijay Sampla, Chairman, NCSC

⁹By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹⁰By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹¹By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹²By Shri S.K. Singh, Director, NCSC State Office, Patna.

Office	No. of spot visits	Type of atrocity and place	Date of spot visit	Outcome after intervention of NCSC
		Murder of SC person in Basahi village, Saran district, Bihar (suo moto cognizance of news report)	10.09.2020 ¹³	FIR registered, Commission recommended arresting of all accused, filing of chargesheet and payment of compensation.
		Gang rape of SC women and murder of her 5 year old child in Dumraon village, Buxar district (Bihar)	14.12.2020 ¹⁴	FIR registered, Commission recommended arresting of all accused, speedy trial and filing of chargesheet and payment of compensation.
		Rape of two minor girls of SC in Domohan village, Chatra district, Jharkhand	28.12.2020 ¹⁵	FIR registered, Commission recommended to modify SC/ST PoA Act charges, speedy trial and filing of chargesheet and payment of compensation.
		Murder of 2 SC men in Rasalpur village, Nalanda district, Bihar	03.02.2021 ¹⁶	FIR registered, Rs. 4.12 Lakh paid to widow of both the deceased, Commission recommended to arrest all accused, speedy trial and filing of chargesheet and payment of compensation alongwith pension.
		Murder of SC person in Laxmipur Rampurwa village, West Champaran district, Bihar	25.03.2021 ¹⁷	FIR registered, 7 accused arrested, Commission recommended to arrest all the remaining accused, speedy trial and filing of charge-sheet and payment of compensation.

¹³By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹⁴By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹⁵By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹⁶By Shri S.K. Singh, Director, NCSC State Office, Patna.

¹⁷By Shri S.K. Singh, Director, NCSC State Office, Patna.

Office	No. of spot visits	Type of atrocity and place	Date of spot visit	Outcome after intervention of NCSC
Pune	02	Rape of 16 years old girl in Uchanda, Taluka Muktai-Nagar, District, Jalgaon	26.02.2021 ¹⁸	FIR registered under IPC 376 (2) (J) (K) 452, 323, 3(K) with POCSO 418, 12 & PoA Act 3(1)(r) (S)(W) (i)(ii) are invoked. Accused was arrested. Medical examination of the victim was carried out. An amount of Rs. 2 lakh is provided to the victim.
		Incidence of rape & murder of 14 year old SC girl at village Maldahadi, Taluka Jamner, District Jalgaon	26.02.2021 ¹⁹	FIR registered u/s 306, 34, 305, 312, 313, 376 (1) (i) along with POCSO 4,8,11 (4) (12) & PoA Act section 3(1)(r)(s)(w) (i)(ii) was added. The accused arrested immediately. Financial assistance of Rs.4.15 lakh was given to the deceased mother and also recommended for Gharkul, under Ramai Aawas Yojna & rehabilitation of her younger brother to Ashram School in a near by area where they would reside/ settle with family.

Table 4.6(b):2021-22

State Office	No. of Spot Visits	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
Head Quarters	03	9 years old girl allegedly raped, murdered in Old Nangal, Delhi Cantt., New Delhi, body forcibly cremated.	02.08.2021 ²⁰	FIR No. 261/21 dated 02.08.2021 u/s 304/342/201/34 IPC, 3 SC & ST (POA) Act and 6 POCSO Act was registered at P.S. Delhi Cantt. 04 accused arrested. Chargesheet has been filed in the Hon'ble Court. An Amount of Rs. 14,12,500/- has been provided to the family of the deceased victim.

¹⁸By Shri Shubhash Ramnath Pardhi, Member, NCSC

¹⁹By Shri Shubhash Ramnath Pardhi, Member, NCSC

²⁰By Shri Arun Halder, Vice Chairman, NCSC

State Office	No. of Spot Visits	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
		The incident of sexual assault of a minor girl at Mayur Vihar, Delhi.	12.08.2021 ²¹	FIR No. 445/21 u/s 376AB/376DB IPC, 6 POCSO and 3(2)(v) SC/ST (POA) Act, 1989 (as amended). 02 accused arrested. Chargesheet No. 795/21-21 dated 03.09.2021 has been filed in the Hon'ble Court. An amount of Rs. 0.25 lakh has been provided to the family of the victim.
		The incident of Sangam Vihar, South - West Delhi where a 12 years old girl allegedly rape.	13.09.2021 ²²	FIR No. 465/2021 registered u/s 324/376/365/34 IPC, POCSO Act and section 3(1), W(I) SC/ST (POA) Act, 1989 (as amended) at P.S. Sangam Vihar. Chargesheet has been filed in the Hon'ble Court.
Hyderabad	02	Death of two manual scavengers viz. Shri Bitla Shiva Kumar and Shri M. Anthaiah	10.08.2021 ²³	Contractor and sub-contractor were arrested and also 3 officials were suspended. GHMC has paid compensation of Rs. 10,00,000/- each to the two deceased's families. Total monetary relief of Rs. 8,25,000/- paid under PoA Act. Rs. 5,00,000/- each paid by GHMC, Mayor and Rs. 2,00,000/- each paid by the Contractor. As additional relief measures two 2 BHK flats, employment and Rs.5000/- pension with admissible D.A. were provided to both the families of the deceased.

²¹By Shri Arun Haldar, Vice Chairman, NCSC²²By Kaushal Kumar, Director, NCSC²³By Shri Arun Haldar, Vice Chairman, NCSC

State Office	No. of Spot Visits	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
		Murder of Ms. Mallapu Ramyaat Guntur, Andhra Pradesh	24.08.2021 ²⁴	Case is convicted & the culprit was sentenced to death. Rs. 10/- lakhs exgratia was sanctioned and paid from Chief Minister Relief Fund and Rs. 8,25,000/- as per POA Act. Rs. 6,392/- was paid towards utensils and ration for 3 months. House site with Rs. 1,80,000/- financial assistance, 5 acres agriculture land sanctioned in the name of mother of the deceased. Government employment was provided to the sister of the deceased.
Kolkata	03	Murder of Shri Dilip Kiratania, Uttar Enayatpur, Mondalpara, Shimurali, Nadia District, West Bengal	21.04.2021 ²⁵	Accused of the murder case could not be identified/ traced so far, an IPC case is registered and investigation is in progress.
		Murder of Smt. Kakali Khestrapal, Vill: Nabagram, PS - Jamalpur, Dist. Purba Bardhaman, West Bengal	03.05.2021 ²⁶	The case was related to post poll violence in West Bengal which occurred in the month of May, 2021 onwards. In this case all 16 accused happened to be either from SC or ST categories except one, who belong to OBC. SC/ST (POA) Act added in respect of OBC accused. Chargesheet submitted.

²⁴By Shri Arun Haldar, Vice Chairman, NCSC, Dr. Anju Bala and Shri Shubhash Ramnath Pardhi, Members, NCSC

²⁵By Shri Arun Haldar, Vice Chairman, NCSC

²⁶By Shri Vijay Sampla, Chairman, NCSC & Shri Arun Haldar, Vice Chairman, NCSC

State Office	No. of Spot Visits	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
		Destruction of house and properties of Shri Ashok Taru Mallick and other SC victims, Vill: Milikpara, Dist. Purba Bardhaman, West Bengal	03.05.2021 ²⁷	Sections 3 of PoA Act have been added in the FIR. Monetary relief of Rs. 4.125 lakh has been released to father of victim and all three accused are arrested.
Patna	07	Murder of SC in Santoshi Colony under Town P.S of Katihar, Bihar (suo moto cognizance of news report)	16.08.2021 ²⁸	FIR registered with inclusion of POA Act, chargesheet submitted on 25.10.2021, First instalment of Rs.4.12 lakh paid to the deceased family (commission recommended 2 nd instalment) and monthly pension Rs 5000/- plus DA paid to widow of deceased.
		Murder of SC in Daheria Bhatta Tota under Muffasil P.S. of Katihar district, Bihar (suo moto cognizance of news report)	16.08.2021 ²⁹	FIR registered, submitted chargesheet but pending in Hon'ble Court, Rs 8.25 lakh paid to deceased family and monthly pension Rs 5000/- plus DA paid to family of deceased.

²⁷By Shri Vijay Sampla, Chairman, NCSC & Shri Arun Halder, Vice Chairman, NCSC

²⁸By Shri S.K. Singh, Research Officer, NCSC State Office, Patna.

²⁹By Shri S.K. Singh, Research Officer, NCSC State Office, Patna.

State Office	No. of Spot Visits	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
		Murder of SC and 13 houses of SC set on fire in Majhua village under Baisi P.S. of Purnea District, Bihar (suo moto cognizance of news report)	03.07.2021 ³⁰	3 FIR registered, First installment of Rs.4.12 lakh and monthly pension Rs 5000/- plus DA paid to widow of deceased, Rs. 50000 per family provided to the victim of fire, all the victim families provided Rs. 9800/- per family for ration/ polythene etc.(commission recommended 2 nd instalment).
		Murder of SC girl in Kathara colony under Gomia P.S. of Bokaro District, J h a r k h a n d (suo moto cognizance of news report)	18.09.2021 ³¹	FIR registered, chargesheet submitted, Rs. 8.25 lakh was paid to deceased family.
		Murder of SC minor girl in Jaynagar Colony Saunda D under Patratu (Bhurkunda) P.S. of Ramgarh District, J h a r k h a n d (suo moto cognizance of news report)	18.09.2021 ³²	FIR registered, Rs. 1 lakh as financial relief was paid to the deceased family (Commission recommended for filing chargesheet and payment of admissible financial relief to victim family).

³⁰By Shri S.K. Singh, Director, NCSC State Office, Patna.

³¹By Shri Arun Halder, Vice Chairman, NCSC.

³²By Shri Arun Halder, Vice Chairman, NCSC.

State Office	No. of Spot Visits	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
		House of SC set on fire and SC women was molested in Koirgawan village under Bhagwanpur Hat P.S of Siwan district (Bihar)	10.09.2021 ³³	FIR registered, Commission recommended for filing chargesheet and to provide admissible financial and other relief to victim family
		Dispossession of SC person from his sanctioned house under PMAY in Chirudih village, Jamtara district, Jharkhand	12.04.2021 ³⁴	FIR registered, On the instruction of Vice Chariman, district administration removed illegal wall constructed by accused person and possession given to the victim on his house. Rs. 1 Lakh provided to victim family. Commission recommended for filing chargesheet.

4.7 Deaths due to manual cleaning of sewer lines/septic tanks/STPs etc:

During the years under consideration, the Commission took suo-moto cognisance of more than **15** cases where **69** Safai Karamcharis, labourers etc. tragically lost their lives and **08** got injured during manual cleaning of sewers/septic tanks. Manual cleaning of sewers/septic tanks etc. is prohibited under the “Prohibition of employment as Manual Scavengers and their Rehabilitation Act, 2013” Act (MS Act).

- During the years covered under report the Commission observed that in the national capital Delhi alone there were 06 incidents where 12 persons lost their lives and 04 got injured.

A total of **Rs. 2775.80** lakhs was paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act and other payments made on humanitarian grounds.

³³By Shri S.K. Singh, Director, NCSC State Office, Patna.

³⁴By Shri Arun Halder, Vice Chairman, NCSC

The cases in brief (2020-21 and 2021-22) are tabulated below:

- **12 deaths and 04 injured in 06 incidents in Delhi :**
 - 01 person died and 01 injured while cleaning septic tank at Badarpur, Delhi.
 - 02 persons died and 03 injured while cleaning septic tank at Adarsh Nagar, Delhi.
 - 02 persons died while cleaning septic tank at Trilok Puri, Delhi.
 - 01 casual labour died while cleaning sewer at Narela, Delhi.
 - 04 persons trapped in sewer, Rohini Delhi who were later found dead.
 - 02 persons died in septic tank in Dallupura, Shahdara, Delhi.
- **10 deaths in Gujarat**
- **11 deaths in Tamil Nadu**
- **03 deaths in Punjab**
- **09 deaths in Haryana**
- **03 deaths in Himachal Pradesh**
- **02 deaths in Telangana**
- **03 deaths in Madhya Pradesh**
- **06 deaths and 01 injured in West Bengal**
- **09 deaths and 03 injured in Uttar Pradesh**
- **01 death in Bangalore**

4.7.1: 2020-21

In 2020-21, 41 deaths due to manual cleaning of sewers / septic tanks /STPs etc were taken up and considered by the Commission, after our intervention, FIRs were lodged against the persons responsible and Rs 923.71 lakh were paid as compensation to the families of victims. This includes payment made under MS Act payment made under PoA Act and other payments made on humanitarian grounds.

Table 4.7(a): 2020-21

Rs. in lakh

Sr. No.	Compensation under	NCSC Hqrs.	NCSC State Office	Total
1.	MS Act, 2013	30.00	100.00	130.00
2.	Insurance	-	-	-
3.	PoA Act, 1989	-	721.05	721.05
4.	Other payments	-	14.00	14.00
5.	Mixed (where bifurcation of compensation is not given)	-	58.66	58.66
6.	Medical reimbursement	-	-	-
	Total	30.00	893.71	923.71

4.7.2: 2021-22

In 2020-21, 29 deaths due to manual cleaning of sewers / septic tanks /STPs etc were taken up and considered by the Commission, after our intervention, FIRs were lodged against the persons responsible and Rs 1852.09 lakhs were paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act and other payments made on humanitarian grounds.

Table 4.7(b): 2021-22

Rs. in lakh

Sr. No.	Compensation under	NCSC Hqrs.	NCSC State Office	Total
1.	MS Act, 2013	80.00	150.00	230.00
2.	Insurance	-	-	-
3.	PoA Act, 1989	-	569.57	569.57
4.	Other payments	-	28.25	28.25
5.	Mixed (where bifurcation of compensation is not given)	-	1024.27	1024.27
6.	Medical reimbursement	-	-	-
	Total	80.00	1772.09	1852.09

4.8 Proposals seeking views of the Commission on Policy matter:

According to the clause 9 of the Article 338 of the Constitution, “The Union and every State Government shall consult the Commission on all major policy matters effecting Scheduled Castes.”

The Ministry of Social justice and Empowerment had consulted the Commission on policy matters during 2020-21 and 2021-22 as per brief details below:

4.8.1 Centrally sponsored Scheme for the effective implementation of the Protection of Civil Rights Acts, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

The Commission in its meeting ratified the comments sent with the approval of Secretary, NCSC.

4.8.2 Revision of the funding pattern under the “Pre-Matric Scholarship Scheme for Scheduled Castes Students and Others”

The Commission ratified the comments sent to MSJE vide letter no. NCSC-ESDW/1/2021-UA(Admin) dated 15.02.2021.

4.8.3 Draft Memo for Standing Finance Committee (SFC) for the scheme Self Employment Scheme for Rehabilitation of Manual Scavengers.

The Commission ratified the comments sent to MSJE vide letter no. 4/3/SFC/2021/ESDW dated 19.02.2021 with the approval of Secretary, NCSC.

4.8.4 Draft Memo for Expenditure Finance Committee (EFC) for continuation of PM-Dakshta Yojana for 5 years (2021-22 to 2025-26)

The Commission ratified the comments sent to MSJE with the approval of Secretary, NCSC.

4.9 De-reservation proposals

In 2020-21 and 2021-22, the NCSC received 08 de-reservation proposals for advice. The action taken and advice of the Commission are detailed in brief below:

4.9.1 Ministry of Culture: De-reservation for 01 SC roster points for the post of Assistant Professor (Music)

View of NCSC: The Commission vide its letter dated 10.12.2020 stated that proposal for De-reservation is under process in Commission and it is advisable not to take any action in this matter till final decision from the Commission intimated.

4.9.2 Comptroller and Auditor General of India (C.A.G) - 05 proposals for de-reservation

- De-reservation of 04 roster point for the post of Assistant Accountant Officer Group “B” (Gazetted) in the Office of Principal Accountant General (Audit), Jharkhand, Ranchi

View of NCSC: The Commission vide its letter dated 28.07.2020 did not agree with the proposal and advised to fill the post by another available mode in the Recruitment Rules (RRs) till the SC candidate became eligible for promotion in feeder cadre.

- De-reservation for 04 roster point for the post of Assistant Accountant Officer Group “B” (Gazetted) in the Office of Principal Accountant General (Audit), Patna, Bihar

View of NCSC: The Commission vide its letter dated 28.07.2020 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible for promotion in feeder cadre.

- De-reservation for 01 roster point for the post of Supervisor, Group “B” (Non-Gazetted) in the Office of Principal Accountant General (Audit), Patna, Bihar

View of NCSC: The Commission vide its letter dated 21.09.2020 stated that the proposal is not accompanied with complete set of Recruitment Rules (RRs) for the post of Supervisor.

- De-reservation for 01 roster point for the post of Divisional Accountant Officer Grade-I Group “B” (Gazetted) in the Office of Principal Accountant General (A&E), Patna, Bihar.

View of NCSC: The Commission vide its letter dated 22.09.2020 stated that the proposal is not accompanied with complete set of Recruitment Rules (RRs) for the post of Divisional Accounts Officer Grade-I.

- De-reservation for 01 roster point for the post of Supervisor, Group “B” (Non-Gazetted) in the Office of Principal Accountant General (Audit), Bhubaneswer, Odisha.

View of NCSC: The Commission vide its letter dated 17.09.2020 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

4.9.3 Office of the National Museum, Ministry of Culture: De-reservation for one post of Stenographer

View of NCSC: The Commission vide its letter dated 05.05.2021 stated that the proposal for de-reservation is under process in the Commission. Till the case is decided by the Commission, no action for filling this post by person other than SC may be taken.

4.9.4 Bureau of Outreach and Communication(S&DD): De-reservation of posts of UDC (the method for recruitments is 75% by promotion on seniority-cum-fitness basis amongst the LDCs and steno-typists having completed 06 years regular service in the Grade and 25% by Limited Departmental Competitive Examination)

View of NCSC: The commission vide its letter dated 29.12.2021 did not agree with the proposal for de-reservation and also stated that the department has not mention the details efforts made to full up the SC posts and the future effects that may happen once the POA is de-reserved.

Chapter – V

Administration and Coordination

5.1 The Mandate¹

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

The sixth National Commission for Scheduled Castes was constituted in the month of February 2021. Shri Vijay Sampla was the Chairman, Shri Arun Halder is the Vice-Chairman, Smt. Anju Bala and Shri Subhash Ramnath Pardhi are the Members.

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

- (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) Act as amended².
- (iv) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules as amended³.
- (v) The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and Rules thereof.

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.

¹Refer: 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

²Vide Gazette notification no. 1 dated 01.01.2016 and Gazette notification no. 39 dated 17.08.2018.

³Vide Gazette notification no. 268 dated 14.04.2016 and Gazette notification no. 430 dated 27.06.2018.

- Monitoring the welfare schemes for development of Scheduled Castes through the funds for Schemes for the welfare of Scheduled Castes.

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, Deputy Secretaries and Under Secretaries.

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

Table 5.2(a)

Sl. No.	State	Office (location)	Jurisdiction
1.	West Bengal	Kolkata	West Bengal, Odisha, Sikkim and Andaman & Nicobar Islands
2.	Gujarat	Ahmedabad	Gujarat, Rajasthan and Dadra & Nagar Haveli and Daman & Diu.
3.	Tripura	Agartala	Tripura
4.	Kerala	Thiruvanthapuram	Kerala and Lakshadweep
5.	Punjab	Chandigarh	Punjab, Haryana, Himachal Pradesh, Chandigarh, and Jammu & Kashmir and Ladakh
6.	Uttar Pradesh	Lucknow	Uttar Pradesh and Uttarakhand
7.	Maharashtra	Pune	Maharashtra and Goa
8.	Bihar	Patna	Bihar and Jharkhand
9.	Tamil Nadu	Chennai	Tamil Nadu and Puducherry
10.	Karnataka	Bengaluru	Karnataka
11.	Andhra Pradesh	Hyderabad	Andhra Pradesh, Telangana, Madhya Pradesh and Chhattisgarh
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 5.2(b)

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 due to large number of representations received from SCs living in NCR and also to enable the Headquarter 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 5.2(c)

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

The revised updated proposals were sent to the Ministry of Social Justice & Empowerment and these proposals are under consideration of the Ministry.

5.3 Issues related to staffing

5.3.1 Staffing at the Headquarters

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. & Coordination Cell)

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 wants that each Wing should be manned by the following officials:

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

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

State Offices are headed by Directors / Deputy Directors/ Assistant Directors. However, a large number of such posts including lower functionaries are lying vacant both at Headquarters and State Offices⁴ of the Commission. In the HQs and State Offices, only 123 positions are filled, out of the 222 sanctioned positions as on 31 March, 2019. Recruitment rules have been notified in February, 2018 and action to fill up these vacant posts both by the Ministry of Social Justice & Empowerment (for Group A level posts) and by the Commission for Group –B posts is under process.

5.3.2 Other Vacant Positions

An effort has been made for filling up the vacant post of Deputy Inspector General of Police, accordingly, a proposal was sent to MHA for the same. The proposal on filling up vacant Joint Cadre posts has also been taken up with the Ministry of Social Justice & Empowerment during the period

⁴See Annexures II and III for incumbency position at the NCSC Headquarters and NCSC State Offices

of this report. To facilitate them, advertisements for Group 'A' Joint Cadre have been published to fill up the said post. After vigorously follow up with DoPT three officers of CSS cadre have been posted in NCSC. A proposal has also been sent to Ministry of Statistical & Programme Implementation to set up a dedicated Statistical Cell for collecting and analyzing data relating to overall socio-economic development of SCs, monitoring and evaluation of the safeguards provided to the SCs. In the 6th Full Commission Meeting held on December 2021, it was decided to hire Consultants, Legal Consultants in order to ensure timely submission of reports.

5.4 Accommodation

The office of the Commission is located at 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi. The State Offices of the Commission are located in different States. The location of the State Offices, addresses, other contact details 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.

To facilitate the petitioner's in approaching the Commission from distant places, Commission launched e-Grievance Monitoring Portal on 14.04.2021 with the support of BISAG-N. Through the portal aggrieved petitioner's having need for assistance of the Commission can file online complaint and the same are being addressed in a similar way as that of any physical complaint in addition to making the grievance redressal mechanism more effective and time saving.

Under the vision of Digital India Mission, the Commission has implemented e-office, wherein the complete Administration Section is migrated 100% on e-office platform thereby making the movement of files and other records more swift and hassle free, facilitating tracking the movement of files etc. and the rest sections and state offices of the Commission are in the process on boarding on e-office platform.

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 Pakhwada” was observed from the 1-15 September, 2021 and 1-15 September, 2022. Several competitions were organized during the week and prizes were also distributed to promote use of Hindi in official working. The Unit is headed by one Assistant Director (OL). Use of Hindi is monitored through holding monthly meeting and inspections.

5.6.2 Right to Information Act, 2005

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

During the period between April, 2020 to March, 2021, **957** applications under the RTI Act were received and **953** were disposed of. During the period between April, 2021 to March, 2022, **933** applications under the RTI Act were received and **920** were disposed of. The details of RTI cases received and disposed, appeals received and disposed and CIC cases are given in table:

RTI Cases dealt by the Commission: 2020-21

Table 5.6(a)

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 Quarters						
SSW-II	74	74	04	04	04	04
Admn.	17	17	17	04	04	04
CCell	14	12	02	02	02	02
SSW-I	251	251	38	38	01	01
ESDW	132	132	07	07	05	05
APCR	158	158	28	28	07	07
Agartala	00	00	00	00	00	00
Ahmedabad	23	21	01	01	00	00
Bangalore	21	21	00	00	00	00

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
Chennai	77	77	00	00	00	00
Chandigarh	25	25	01	01	01	01
Guwahati	00	00	00	00	00	00
Hyderabad	26	26	06	06	01	01
Kolkata	19	19	02	02	00	00
Lucknow	91	91	00	00	00	00
Patna	11	11	00	00	00	00
Pune	13	13	01	01	00	00
Trivandrum	05	05	00	00	00	00
Head Quarters	646	644	96	83	23	23
Total (State Offices)	311	309	11	11	02	02
Grand Total	957	953	107	94	25	25

RTI Cases dealt by the Commission: 2021-22

Table 5.6(b)

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 Quarters						
SSW-II	77	77	04	04	01	01
Admn.	14	14	00	00	00	00
C.Cell	11	10	01	01	02	02
SSW-I	271	271	05	05	15	15
ESDW	111	111	15	15	08	08
APCR	129	129	17	17	14	14
Agartala	00	00	00	00	00	00
Ahmedabad	21	18	00	00	03	03
Bangalore	15	15	1	1	00	00
Chennai	74	74	05	05	00	00
Chandigarh	34	34	01	01	01	01

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
Guwahati	00	00	00	00	00	00
Hyderabad	43	34	2	2	1	01
Kolkata	24	24	03	03	00	00
Lucknow	71	71	02	02	00	00
Patna	18	18	01	01	00	00
Pune	17	17	01	01	00	00
Trivandrum	03	03	00	00	00	00
Head Quarters	613	612	42	42	40	40
Total (State Offices)	320	308	16	16	05	05
Grand Total	933	920	58	58	45	45

5.7 Court Cases Dealt by NCSC Hqrs. & State Offices

A total of 122 Court cases where NCSC has been made a party have been received during the year 2020-21. The details of all pending court cases are appended as below:

Court cases handled during April 2020-March 2021 at Commission

Table 5.7 (a)

Name of Office	No. of Court Cases received	No. of cases finally decided	No. of cases pending
Head Quarters, New Delhi			
SSW-I	19	00	19
SSW-II	02	01	01
APCR	00	00	00
ESDW	01	00	01
Head Quarters	22	01	21
State Offices	100	16	84
Grand Total	122	17	105

State Office-wise details of court cases handled during the period:2020-21

Table 5.7 (b)

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	0	0	0
Ahmedabad	1	0	1
Bangalore	6	0	6
Chennai	13	7	6
Chandigarh	8	0	8
Guwahati	0	0	0
Hyderabad	28	7	21
Kolkata	39	2	37
Lucknow	2	0	2
Patna	2	0	2
Pune	1	0	1
Trivandrum	0	0	0
Grand Total	100	16	84

A total of 121 Court cases where NCSC has been made a party have been received during the year 2021-22. The details of all pending court cases are appended as below:

Court cases handled during April 2021-March 2022 at Commission

Table 5.7 (c)

Name of Office	No. of Court Cases received	No of cases finally decided	No of cases pending
Head Quarters, New Delhi			
SSW-I	14	00	14
SSW-II	07	00	07
ESDW	02	00	02
APCR	08	01	07
Head Quarters	31	01	30
State Offices	90	04	86
Grand Total	121	05	116

State Office-wise details of court cases handled during the period: 2021-22

Table 5.7 (d)

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	0	0	0
Ahmedabad	1	0	1
Bangalore	6	0	6
Chennai	4	1	3
Chandigarh	8	0	8
Guwahati	0	0	0
Hyderabad	25	0	25
Kolkata	39	2	37
Lucknow	2	0	2
Patna	2	1	1
Pune	1	0	1
Trivandrum	2	0	2
Grand Total	90	4	86

5.8 Budget

The NCSC has a Non-Plan budget of Rs.2500 lakhs for the year 2020-21 and Rs.2700 lakhs for the year 2021-22 respectively. A statement is given at **Annexure VI**. Out of the Rs.2500 lakhs budget, approximately **Rs.2075** lakhs were spent on salaries and other committed expenditure in 2020-21 and out of the budget of Rs.2700 lakhs approximately **Rs.2216** lakhs have been spent on the same.

Chapter – VI

Atrocities on Scheduled Castes

6.1 Relevant Acts:

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

The PoA Act, 1989 was not stringent enough and many areas/offences were undefined. It was a long pending recommendation of NCSC and also a demand of the SC/ST people that the Act should be revised. Consequently, the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act (as amended) in 2016 and 2018¹, came into force on 26.01.2016 and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Rules (as amended) in 2016 and 2018² came into effect. The major amendments to the principal Act included addition of new offences of atrocities, rationalization of payment of relief amount and establishment of exclusive special courts for speedy justice to the victims.

6.2 Crime against Scheduled Castes

Analysis of National Crime Record Bureau (NCRB) data on crimes 2020 & 2021 has been made regarding crime against Scheduled Castes. Additionally, the NCRB data from 2019 onwards has also been relied upon for the same. The pendency of cases as compiled by the NCRB, both at the end of police and judiciary, also has been discussed. Moreover, the high acquittal rate vis-à-vis the low conviction rate has also been suitably deliberated upon. The State wise comparison of rate of crime against Scheduled Castes, vis-à-vis the national average has also been made.

¹referred to as POA Act (as amended) in this Report

²referred to as POA Rules (as amended) in this Report

6.2.1 Fact Sheet of Crimes against Scheduled Castes

For the purpose of analyzing crime against Scheduled Castes, data provided by NCRB has been relied upon. Going by the available statistics, the number of crimes registered under the PCR Act is reducing as the cases of atrocities on SCs & STs are being mainly booked under the PoA Act.

6.2.2 Atrocities against Scheduled Castes

45961 cases of crimes against SCs were reported in 2019, this has increased to 50291 cases in 2020 and 50900 in 2021. Uttar Pradesh (12714 cases in 2020 and 13146 cases in 2021) reported the highest number of cases of atrocities against Scheduled Castes accounting for 25.28% and 25.83% respectively of the cases followed by Bihar with 14.65% and 11.48% respectively (7368 cases in 2020 and 5842 cases in 2021), Rajasthan with 13.95% and 14.78% (7017 cases in 2020 and 7524 cases in 2021). Madhya Pradesh (6899 cases i.e. 13.72% in 2020 and 7214 cases i.e. 14.17 % in 2021), Maharashtra (2569 cases i.e. 5.10% in 2020 and 2503 cases i.e. 4.92% in 2021 and Andhra Pradesh (1950 cases i.e. 3.88% in 2020 and 2014 cases i.e. 3.95% in 2021).

Crime head-wise cases revealed that assault on women accounted for a large proportion of the cases. Of these 6.41% i.e. 3396 were victims of rape (2329 victims were women above 18 years and 1067 victims were girls below 18 years) during 2020 and 3893 victims during 2021 (2606 victims were women above 18 years and 1287 were girls below 18 years).

The state wise figures of crime against Scheduled Castes in 2019, 2020 and 2021 are given in the table below:

Table 6.2 (a)
Incidence and rate of crimes committed against Scheduled
Castes during 2019, 2020 and 2021

S. No.	State/UT	SC Population (in lakhs)	Cases in 2019*	Cases in 2020*	Cases in 2021*	% Contribution to All India total 2019	% Contribution to All India total 2020	% Contribution to All India total 2021	Rate of crimes 2019	Rate of crimes 2020	Rate of crimes 2021
	1	2	3	4	5	6	7	8	9	10	11
STATES											
1	Andhra Pradesh	84.5	2071	1950	2014	4.51	3.88	3.96	24.5	23.1	23.8
2	Arunachal Pradesh	0.0	0	0	0	0.00	0.00	0.00	-	-	-
3	Assam	22.3	21	28	15	0.05	0.06	0.03	0.9	1.3	0.7
4	Bihar	165.7	6544	7368	5842	14.24	14.65	11.48	39.5	44.5	35.3
5	Chhattisgarh	32.7	341	316	330	0.74	0.63	0.65	10.4	9.7	10.1

S. No.	State/UT	SC Population (in lakhs)	Cases in 2019*	Cases in 2020*	Cases in 2021*	% Contribution to All India total 2019	% Contribution to All India total 2020	% Contribution to All India total 2021	Rate of crimes 2019	Rate of crimes 2020	Rate of crimes 2021
	1	2	3	4	5	6	7	8	9	10	11
6	Goa	0.3	3	2	4	0.01	0.00	0.01	11.8	7.9	15.7
7	Gujarat	40.7	1416	1326	1201	3.08	2.64	2.36	34.8	32.5	29.5
8	Haryana	51.1	1086	1210	1628	2.36	2.41	3.20	21.2	23.7	31.8
9	Himachal Pradesh	17.3	189	251	244	0.41	0.50	0.48	10.9	14.5	14.1
10	Jharkhand	39.9	651	66	546	1.42	0.13	1.07	16.3	16.7	13.7
11	Karnataka	104.7	1504	1398	1673	3.27	2.78	3.29	14.4	13.3	16.0
12	Kerala	30.4	858	846	948	1.87	1.68	1.86	28.2	27.8	31.2
13	Madhya Pradesh	113.4	5300	6899	7214	11.53	13.72	14.17	46.7	60.8	63.6
14	Maharashtra	132.8	2150	2569	2503	4.68	5.11	4.92	16.2	19.4	18.9
15	Manipur	1.0	0	0	0	0.00	0.00	0.00	0.0	0.0	0.0
16	Meghalaya	0.2	0	0	0	0.00	0.00	0.00	0.0	0.0	0.0
17	Mizoram	0.0	0	0	0	0.00	0.00	0.00	0.0	0.0	0.0
18	Nagaland	0.0	0	0	0	0.00	0.00	0.00	-	-	-
19	Odisha	71.9	1886	2046	2327	4.10	4.07	4.57	26.2	28.5	32.4
20	Punjab	88.6	166	165	200	0.36	0.33	0.39	1.9	1.9	2.3
21	Rajasthan	122.2	6794	7017	7524	14.78	13.95	14.78	55.6	57.4	61.6
22	Sikkim	0.3	4	0	2	0.01	0.00	0.00	14.1	0.0	7.1
23	Tamil Nadu	144.4	1144	1274	1377	2.49	2.53	2.71	7.9	8.8	9.5
24	Telangana	54.3	1690	1959	1772	3.68	3.90	3.48	31.1	36.1	32.6
25	Tripura	6.5	0	2	3	0.00	0.00	0.01	0.0	0.3	0.5
26	Uttar Pradesh	413.6	11829	12714	13146	25.74	25.28	25.83	28.6	30.7	31.5
27	Uttarakhand	18.9	84	87	123	0.18	0.17	0.24	4.4	4.6	6.5
28	West Bengal	214.6	145	109	108	0.32	0.22	0.21	0.6	0.5	0.5
	TOTAL STATE(S)	1972.3	45876	50202	50744	99.82	99.82	99.69	23.1	25.5	25.7
Union Territories (UTs)											
29	A & N Islands	0.0	0	0	0	0.00	0.00	0.00	-	-	-
30	Chandigarh	2.0	1	3	0	0.00	0.01	0.00	0.5	1.5	0.0
31	D&N Haveli and	0.1	2	1	0	0.00	0.00	0.00	16.2	8.1	0.0
32	Daman & Diu	-	-	-	0	0.00	-	0.00	16.3	-	0.0
33	Delhi UT	28.1	76	69	136	0.17	0.14	0.27	2.7	2.5	4.8
34	Jammu & Kashmir	9.2	2	7	13	0.00	0.01	0.03	-	0.8	1.4

S. No.	State/UT	SC Population (in lakhs)	Cases in 2019*	Cases in 2020*	Cases in 2021*	% Contribution to All India total 2019	% Contribution to All India total 2020	% Contribution to All India total 2021	Rate of crimes 2019	Rate of crimes 2020	Rate of crimes 2021
	1	2	3	4	5	6	7	8	9	10	11
35	Laddakh	0.0	-	0	0	0.00	0.00	0.00	-	0.0	0.0
36	Lakshadweep	0.0	0	0	0	0.00	0.00	0.00	-	-	-
37	Puducherry	2.0	4	9	7	0.01	0.02	0.01	2.0	4.6	3.6
	TOTAL UT(S)	41.5	85	89	156	0.18	0.18	0.31	2.6	2.1	3.8
	TOTAL (ALL INDIA)	2013.8	45961	50291	50900	100.00	100.00	100.00	22.8	25.0	25.3

Rate of crime has shown an increasing trend from **22.8% in 2019 to 25.3% in 2021**.

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

Analysis of year wise and State wise comparison of total number of crime against Scheduled Castes shows an increase in the crime against Scheduled Castes 45961 cases were registered in 2019 with respect to 50291 in 2020 and 50900 in 2021.

- In 2019, the State with highest number of cases were UP (11829), Rajasthan (6794), Bihar (6544), MP (5300), Maharashtra (2150).
- In 2020, the five States with highest number of incidents were UP (12714), Bihar (7368), Rajasthan (7017), M.P. (6899) and Maharashtra (2569).
- The five States with highest number of incidents in 2021 were U.P. (13146), Bihar (5842), Rajasthan (7524), M.P. (7214), Maharashtra (2503).

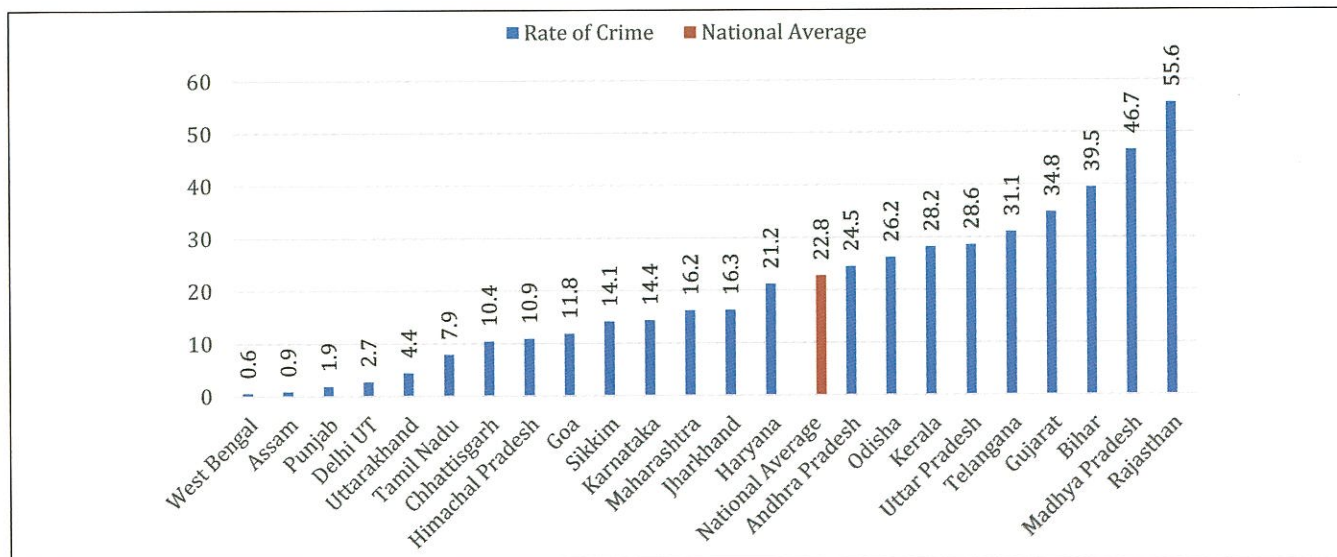
UP has registered the highest number of cases against Scheduled Caste consistently for the last 3 years.

6.2.4 Rate of Crime against Scheduled Castes

The analysis³ shows that the rate of crime has increased from 22.80% in 2019 to 25.0% in 2020 and 25.3% in 2021. The state wise and year wise comparison of rate of crime against Scheduled Castes and the rate of crime in 2019, 2020 and 2021 vis-à-vis the National average are as follows.

Graph 6.2 (a)
Rate of crimes against SCs (2019) vis-à-vis National Average⁴

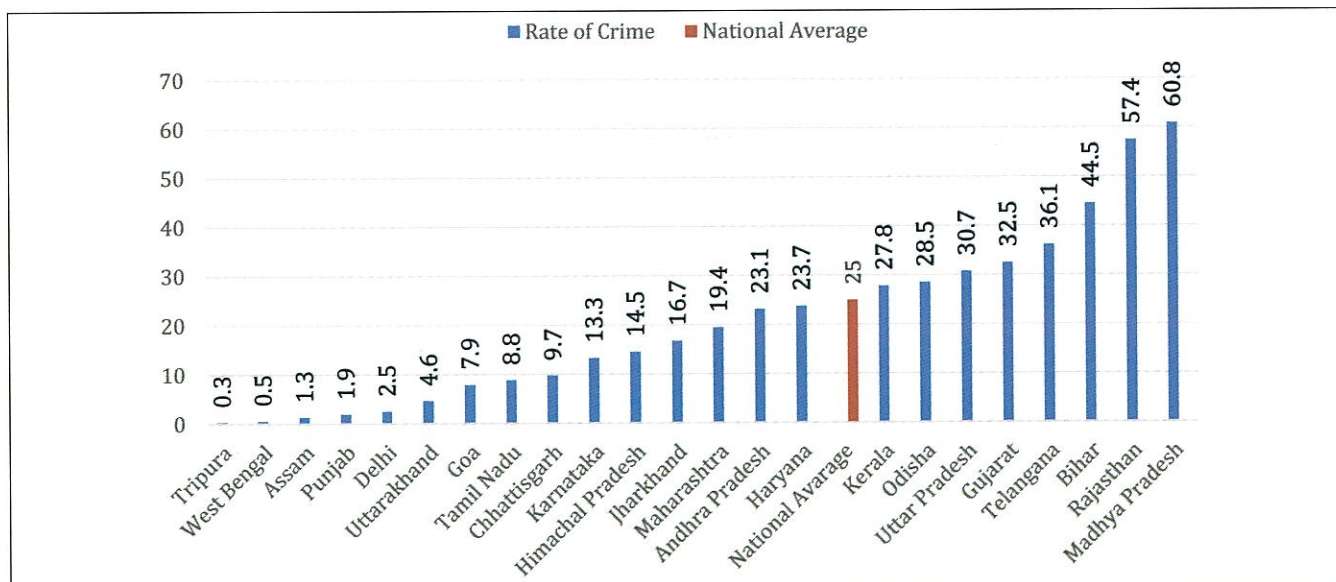
Crime Rate



- In 2019, the States with rate of crime higher than the National average (22.8 %) were Rajasthan (55.6%), M.P. (46.7%), Bihar (39.5%), Gujarat (34.8%), Telangana (31.1%), UP (28.6 %), Kerala (28.2%), Odisha (26.2%) and A.P (24.5%).

Graph 6.2 (b)
Rate of crimes against SCs (2020) vis-à-vis National Average⁵

Crime Rate



⁴As per table no 7A.1 of NCRB Report -Crimes in India 2019 Statistics

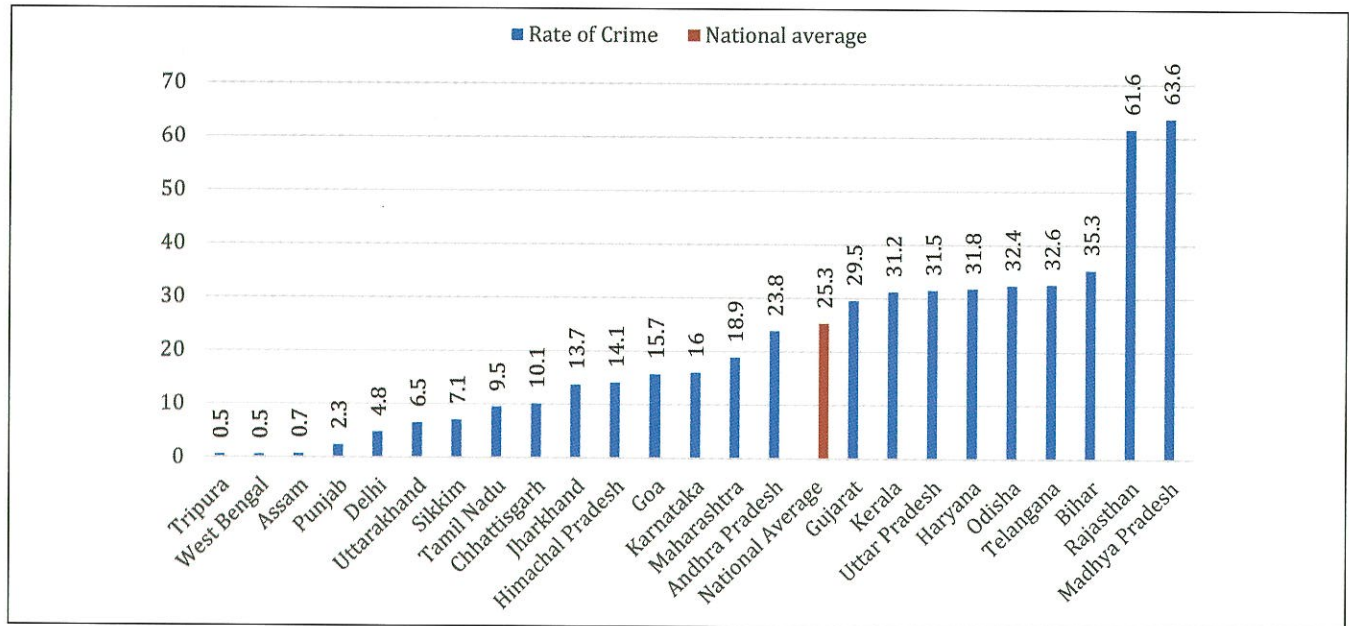
⁵As per table no 7A.1 of NCRB Report -Crimes in India 2020 Statistics

- In 2020, the States with rate of crime higher than the National average (25.0 %) were M.P. (60.8%), Rajasthan (57.4%), Bihar (44.5%), Telangana (36.1%), Gujarat (32.5%), UP (30.7 %), Odisha (28.5 %) and Kerala (27.8%).

Graph 6.2 (c)

Rate of crimes against SCs (2021) vis-à-vis National Average⁶

Crime Rate



- In 2021, the States with rate of crime higher than the National average (25.3%) were M.P. (63.6%), Rajasthan (61.6%), Bihar (35.3%), Telangana (32.6%), Odisha (32.4%), Haryana (31.8%), U.P. (31.5%), Kerala (31.2%) and Gujarat (29.5%).

6.2.5 Crime against SC women

- In 2019, the States with highest number of SC rape victims were Rajasthan (556), UP (545), M.P. (511), Maharashtra (378) and Haryana (221).
- In 2020, the States with highest number of SC rape victims were UP (604), MP (511), Rajasthan (484) and Maharashtra (352).
- In 2021, the States with highest number of SC rape victims were Rajasthan (573), MP (565), UP (561) and Maharashtra (397).

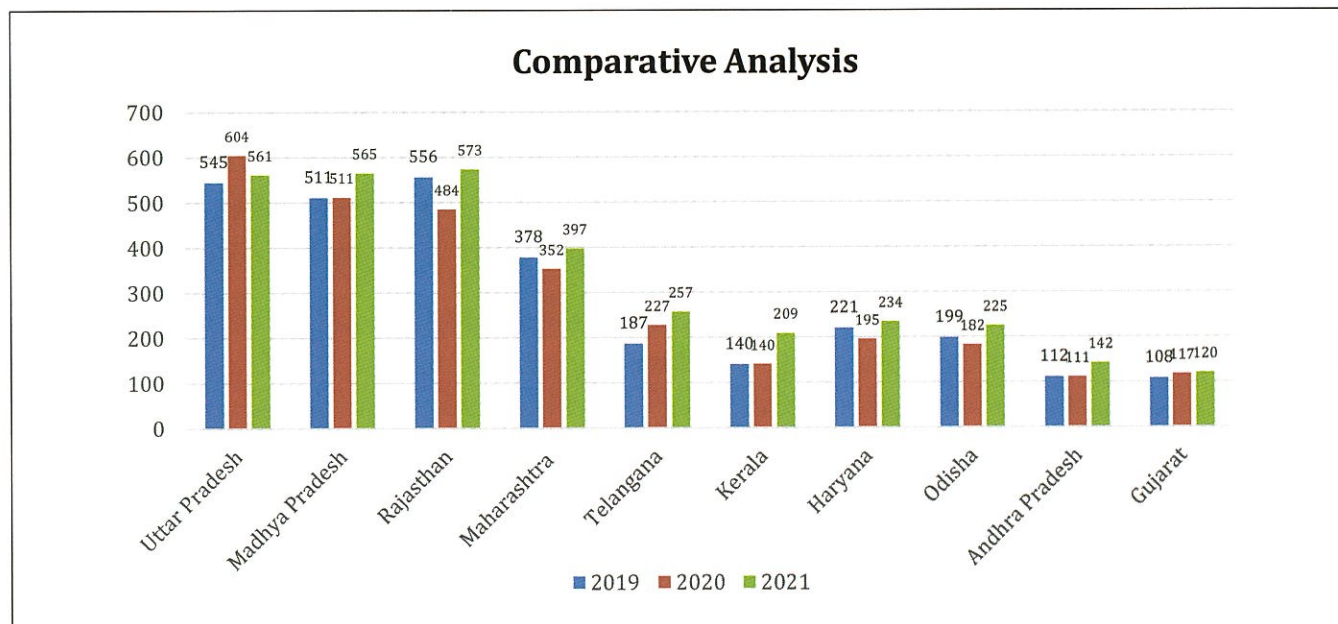
⁶As per table no 7A.1 of NCRB Report -Crimes in India 2020 Statistics

The details, state wise are as follows:

Graph-6.2 (d)

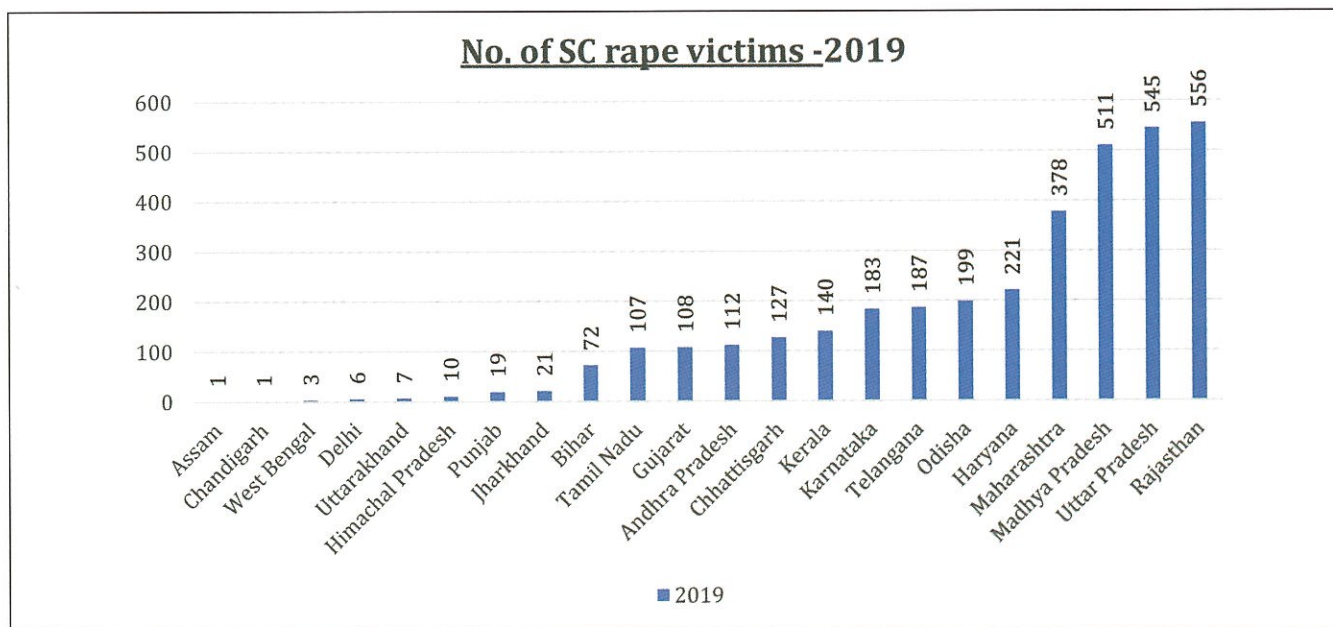
(2019 -2021)

No. of SC rape victims⁷ for major states



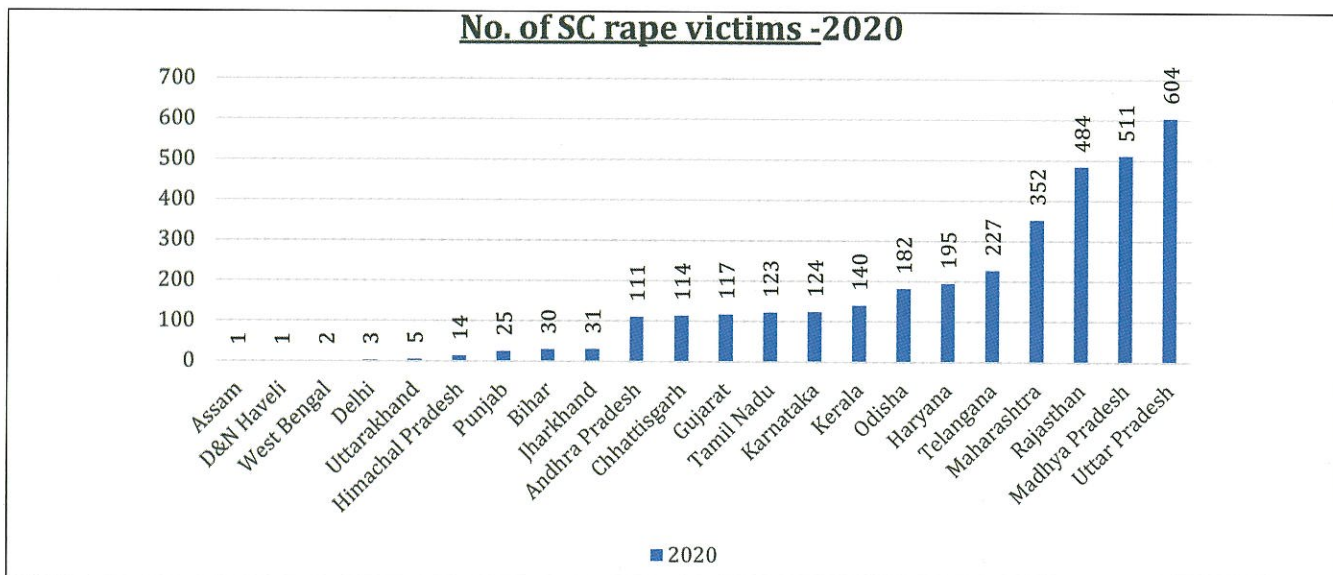
Graph 6.2 (e)

No. of SC rape victims -2019

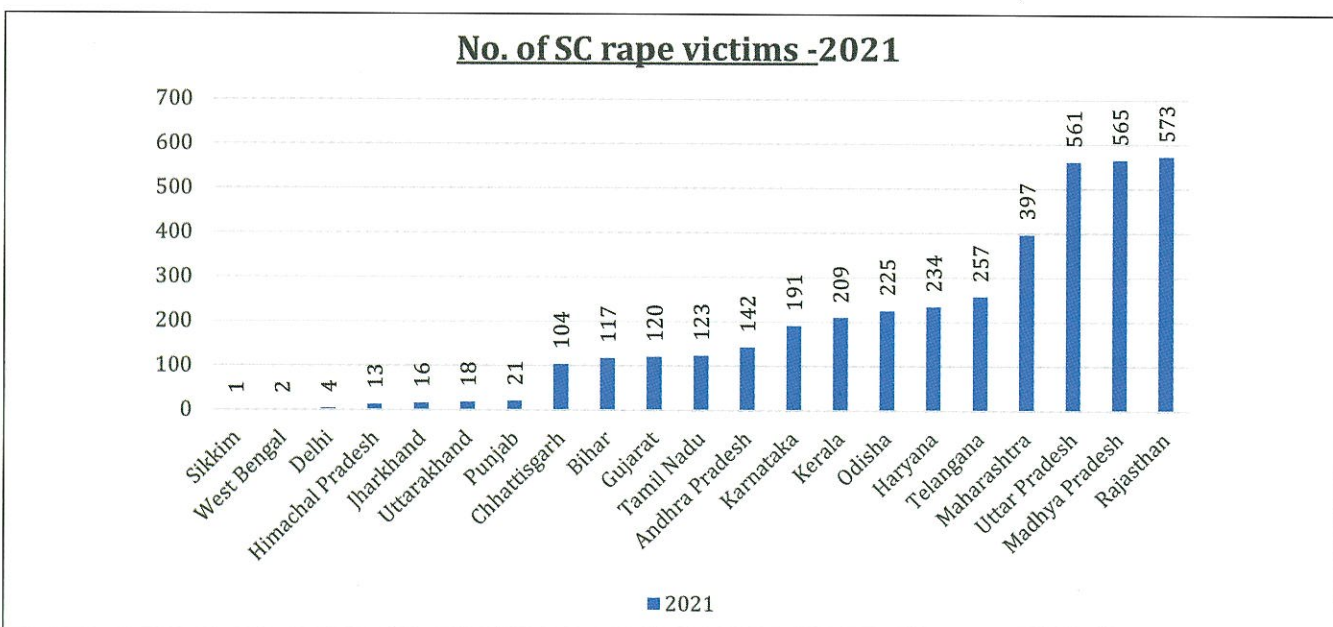


⁷As per table no 7A.2 of NCRB Report -Crimes in India 2018- 2020 Statistics

Graph 6.2 (f)



Graph 6.2 (g)



In 2020, the total number of rape cases / victims have decreased in Rajasthan, Maharashtra, Haryana, Odisha, A.P., Chhattisgarh, Bihar, Karnataka and Delhi when compared to 2019 whereas in the remaining states the number of rape cases has increased.

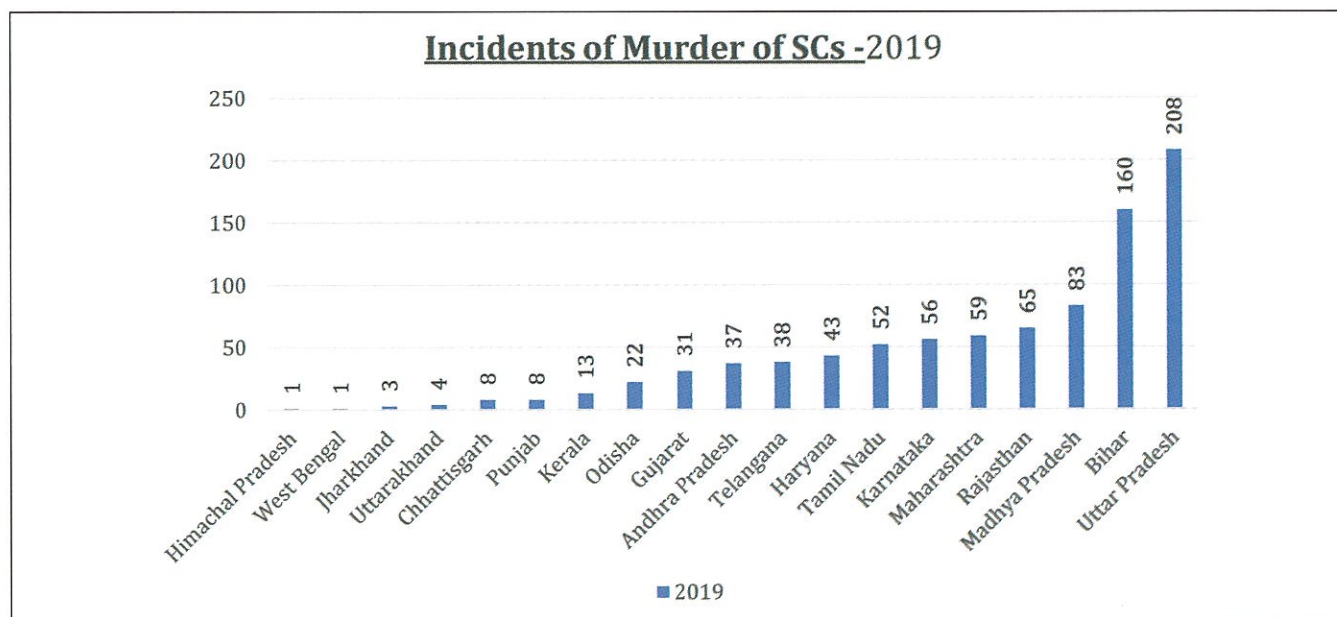
In 2021, the total number of rape cases/victims have increased in A.P., Haryana, Karnataka, Telangana, M.P, Maharashtra, Rajasthan, Kerala and Odisha whereas in the states of Uttar Pradesh and Chhattisgarh has decreased compared to 2020.

6.2.6 Murders

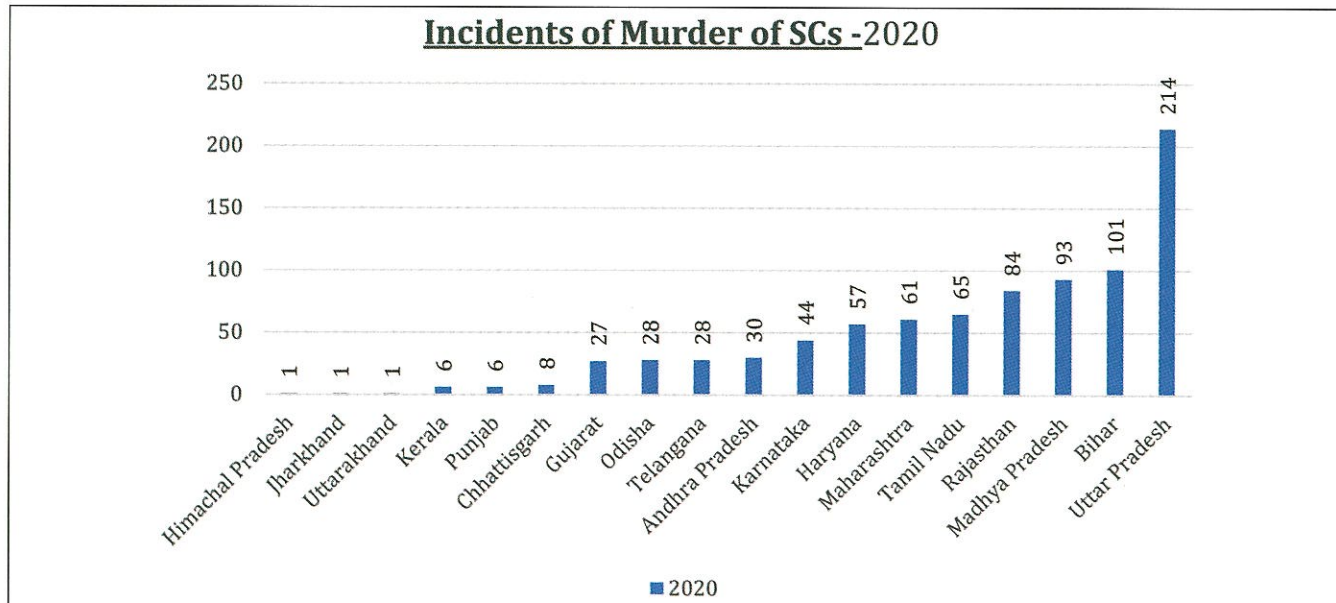
- In 2019, there were a total 892 such incidents in which there are 923 victims. The analysis shows that UP has reported highest number of incidents of murders (208) followed by Bihar (160), MP (83) and Rajasthan (65) with 219, 160, 85 and 66 victims respectively.
- In 2020, there were a total 855 such incidents in which there are 902 victims. The analysis shows that UP has reported highest number of incidents of murders (214) followed by Bihar (101), MP (93) and Rajasthan (84) with 221, 110, 106 and 86 victims respectively.
- There were total 966 such incidents in 2021 in which there are 990 victims. The analysis shows that UP has reported highest number of incidents of murders (198) followed by Bihar (176) and M.P. (93) with 210, 176 and 95 victims respectively.

Details of incidents of murders of SCs⁸ (2019-2021) are in graph 6.2(h), 6.2(i) & 6.3(j):

Graph-6.2 (h)



Graph 6.2 (i)



Graph 6.2(j)



6.2.7 City wise comparison of incidents of atrocities against Scheduled Castes.

- In 2019, Jaipur (343), Lucknow (234), Kanpur (169), Bengaluru (166) and Ahmedabad (161) were the cities with maximum incidents of crimes against Scheduled Castes.
- In 2020, Lucknow (295), Jaipur (235), Kanpur (163), Ahmedabad (136) and Bangalore (133) and Hyderabad (127) registered highest number of crimes against Scheduled Castes.

- In 2021, Jaipur (361), Lucknow (268), Ahmedabad (168) Bengaluru (166), Kanpur (165), Delhi (130) and Hyderabad (104) were the cities with highest incidents.

Details and analysis are in the table below.

Table 6.2 (b)
Cities as per the Crimes against Scheduled Castes

Sr	City	2019	2020	2021	Increase/ Decrease 2019 to 2020	Increase/ Decrease 2020 to 2021	Rank based on incidents/ % share (2020)	Rank based on incidents/ % share (2021)
1	Ahmedabad	161	136	168	↓	↑	4	3
2	Bengaluru	166	133	166	↓	↑	5	4
3	Chennai	8	12	23	↑	↑	17	15
4	Coimbatore	0	3	18	↑	↑	18	17
5	Delhi	69	66	130	↓	↑	8	6
6	Ghaziabad	42	22	42	↓	↑	13	11
7	Hyderabad	117	127	104	↑	↓	6	7
8	Indore	34	40	52	↑	↑	10	9
9	Jaipur	343	235	361	↓	↑	2	1
10	Kanpur	169	163	165	↓	↑	3	5
11	Kochi	16	19	13	↑	↓	15	18
12	Kolkata	11	18	18	↑	=	16	17
13	Kozhikode	24	20	31	↓	↑	14	14
14	Lucknow	234	295	268	↑	↓	1	2
15	Mumbai	46	36	47	↓	↑	11	10
16	Nagpur	48	42	35	↓	↓	9	12
17	Patna	109	71	66	↓	↓	7	8
18	Pune	36	27	32	↓	↑	12	13
19	Surat	34	20	22	↓	↑	14	16
	Total Cities	1667	1485	1761	↓	↑		

6.3 Judicial and police handling of cases against Scheduled Castes

6.3.1 Taking into account all form of crimes against Scheduled Castes during the year 2019 to 2021, it is seen that while total incidences of crime against Scheduled Castes have increased from 45,961 in 2019 to 50,900 in 2021, the rate of filing of charge sheets⁸ by Police had increased from 78.5% in 2019 to 80.6% in 2020 but it has decreased to 80.0% in 2021.

The percentage of cases of atrocities pending at the level of police has increased from 28.70% in 2019 to 29.00% in 2020 and decreased to 26.2% in 2021.

In cases of crimes against Scheduled Castes, the conviction rate⁹ had increased from 32.1% in 2019 to 42.4% in 2020 and decreased to 36.0% in 2021. There is an increase¹⁰ in the pendency rate (from 93.5% in 2019 to 96.7% in 2020 and decreased 96.1 in 2021) in Courts.

The state wise details are as follows:

Table 6.3 (a)
State wise Pendency and Disposals by Police and Courts 2020

Sl	State/UT	Total no of cases investigated	Cases charge sheeted	Cases with final reports filed	Pending cases in courts	Cases resulting in conviction	Cases resulting in acquittal
1	2	3	4	5	6	7	8
1	Andhra Pradesh	4476	1615	705	5179	37	320
2	Arunachal Pradesh	1	1	0	2	0	0
3	Assam	49	3	6	15	0	3
4	Bihar	12134	5453	914	48953	12	43
5	Chhattisgarh	404	280	3	1357	23	13
6	Goa	5	1	1	23	0	0
7	Gujarat	1619	1203	35	11166	3	60
8	Haryana	1374	632	528	2101	6	42
9	Himachal Pradesh	314	185	75	608	1	24
10	Jharkhand	1858	292	265	2000	14	33
11	Karnataka	2275	1208	256	9052	17	353
12	Kerala	1785	655	198	3543	7	153

⁸As per table no 7A.3 of NCRB Report -Crimes in India Statistics- 2019, 2020 & 2021

⁹As per table no 7A.3 of NCRB Report -Crimes in India Statistics- 2019, 2020 & 2021

¹⁰As per table no 7A.3 of NCRB Report -Crimes in India Statistics- 2019, 2020 & 2021

Sl	State/UT	Total no of cases investigated	Cases charge sheeted	Cases with final reports filed	Pending cases in courts	Cases resulting in conviction	Cases resulting in acquittal
1	2	3	4	5	6	7	8
13	Madhya Pradesh	7317	6718	48	26108	538	584
14	Maharashtra	3761	2133	292	11396	39	280
15	Manipur	1	0	0	3	0	0
16	Meghalaya	0	0	0	0	0	0
17	Mizoram	0	0	0	0	0	0
18	Nagaland	0	0	0	0	0	0
19	Odisha	2570	2088	117	14323	5	131
20	Punjab	339	97	52	285	4	20
21	Rajasthan	7878	3328	3311	16796	572	421
22	Sikkim	2	0	0	6	0	0
23	Tamil Nadu	1847	968	177	5313	129	376
24	Telangana	3679	1534	414	4637	13	328
25	Tripura	2	0	0	1	0	0
26	Uttar Pradesh	14179	10489	1958	58688	1820	591
27	Uttarakhand	120	64	9	308	0	0
28	West Bengal	271	128	8	721	0	2
	TOTAL STATE(S)	68260	39075	9372	222584	3240	3777
UTs							
29	A & N Islands	0	0	0	0	0	0
30	Chandigarh	4	0	0	3	1	0
31	D&N Haveli Daman & Diu	3	1	1	3	0	0
32	Delhi UT	165	59	2	333	0	1
33	Jammu & Kashmir	8	0	1	3	0	0
34	Ladakh	0	0	0	0	0	0
35	Lakshadweep	0	0	0	0	0	0
36	Puducherry	16	3	0	53	0	0
	TOTAL UT(S)	196	63	4	395	1	1
	TOTAL (ALL INDIA)	68456	39138	9376	222979	3241	3778

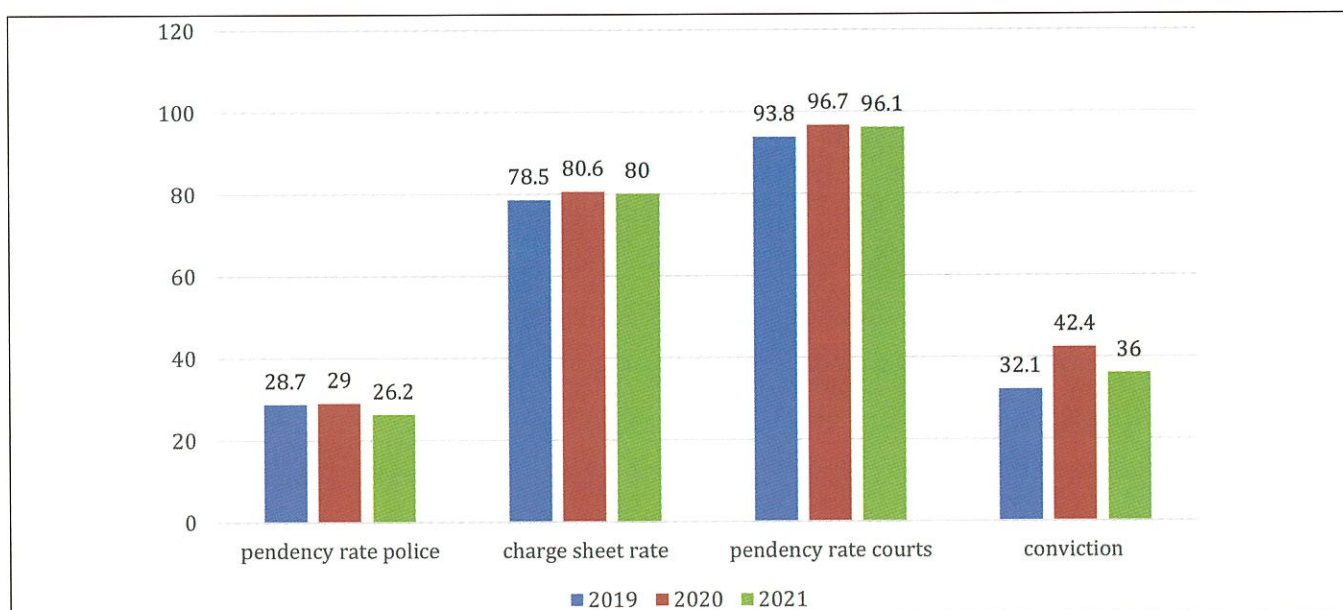
Table 6.3 (b)
State wise Pendency and Disposals by Police and Courts 2021

Sl	State/UT	Total no of cases investigated	Cases charge sheeted	Cases with final reports filed	Pending cases in Courts	Cases resulting in conviction	Cases resulting in acquittal
	1	2	3	4	5	6	7
1	Andhra Pradesh	4166	1915	614	6722	19	339
2	Arunachal Pradesh	0	0	0	2	0	0
3	Assam	55	3	10	18	0	0
4	Bihar	11659	4588	984	53387	48	106
5	Chhattisgarh	451	337	7	1586	20	87
6	Goa	7	3	2	25	0	1
7	Gujarat	1543	1144	43	12166	8	131
8	Haryana	1842	738	777	2663	44	131
9	Himachal Pradesh	298	144	80	708	2	34
10	Jharkhand	1847	460	348	2408	28	22
11	Karnataka	2442	1556	233	9976	10	613
12	Kerala	1909	1111	305	4196	42	368
13	Madhya Pradesh	7765	7236	37	30770	720	1557
14	Maharashtra	3823	2357	264	13324	45	360
15	Manipur	1	0	0	3	0	0
16	Meghalaya	0	0	0	0	0	0
17	Mizoram	0	0	0	0	0	0
18	Nagaland	0	0	0	0	0	0
19	Odisha	2692	2032	203	16210	1	144
20	Punjab	389	96	48	350	6	18
21	Rajasthan	8763	3726	3719	19116	583	636
22	Sikkim	4	1	0	5	0	2
23	Tamil Nadu	2073	1050	186	5784	104	451
24	Telangana	3508	1550	504	5813	30	334
25	Tripura	5	0	0	1	0	0
26	Uttar Pradesh	14878	11358	2002	67512	1930	443
27	Uttarakhand	170	87	21	393	0	2
28	West Bengal	243	122	15	836	0	7
	TOTAL STATE(S)	70533	41614	10402	253974	3640	5786

Sl	State/UT	Total no of cases investigated	Cases charge sheeted	Cases with final reports filed	Pending cases in Courts	Cases resulting in conviction	Cases resulting in acquittal
	1	2	3	4	5	6	7
UTs							
29	A & N Islands	0	0	0	0	0	0
30	Chandigarh	4	0	3	3	0	0
31	D&N Haveli Daman & Diu	1	1	0	4	0	0
32	Delhi UT	240	100	6	429	0	2
33	Jammu & Kashmir	20	3	3	6	0	0
34	Ladakh	0	0	0	0	0	0
35	Lakshadweep	0	0	0	0	0	0
36	Puducherry	20	6	0	59	0	0
	TOTAL UT(S)	285	110	12	501	0	2
	TOTAL (ALL INDIA)	70818	41724	10414	254475	3640	5788

The following graph shows the trends related to the pendency and disposal of cases by Police¹¹ & Courts¹² (2019-2021).

Graph No. 6.3 (a)
Pendency and Disposal by Police and Courts¹³ 2019-2021



¹¹As per table no 7A.3 of NCRB Report -Crimes in India Statistics 2019 to 2021

¹²As per table no 7A.6 of NCRB Report -Crimes in India Statistics 2019 to 2021

¹³As per table no 7A.3 & 7A.5 of NCRB Report -Crimes in India Statistics 2021

The following are the main conclusions:

- Conviction rate has increased from 32.1% i.e. for (4007 cases) in 2019 to 42.40% (3241 cases) in 2020 and slid downward to 36.0% (3640 cases) in 2021.
- Pendency rate of Courts has continuously increased from 93.8% in 2019 to 96.7% in 2020 and 96.1% in 2021 (from 191448 cases in 2019 and 222979 cases in 2020 and 254475 cases in 2021).
- Rate of filing of charge sheet has increased from 78.5% in 2019 to 80.6% in 2020 and decreased in 80.0% in 2021. (34745 cases in 2019 and 39138 cases in 2020 and 41724 cases in 2021).
- 7430 cases have resulted in acquittal in 2019, 3778 in 2020 and 5788 cases in 2021.
- Pendency rate of Police 28.7 in 2019, 29.0 in 2020 and 26.2 in 2021.

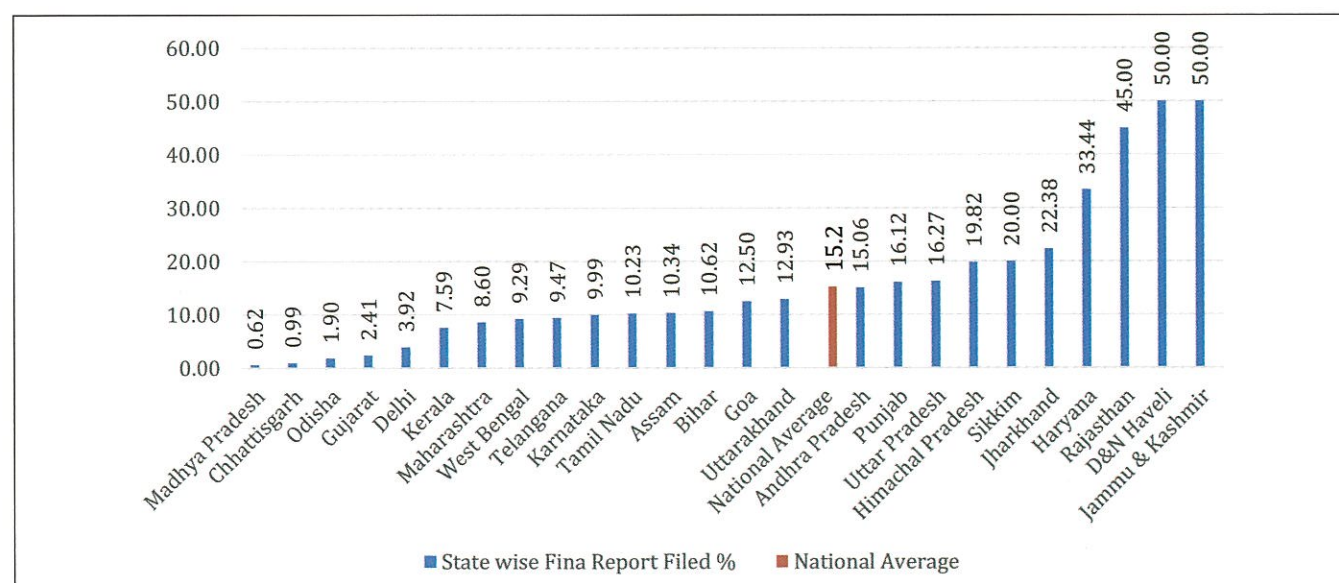
6.3.2 Handling by Police

- States/UTs with highest percentage of pendency with police are Jharkhand (66.0%), Delhi (62.7%), Andhra Pradesh (62.0%), Punjab (57.2%), Telangana (54.7%), West Bengal (54.4%) followed by Kerala (53.9%) in 2019.
- States with highest percentage of pendency with police are Jharkhand (70.0%), Delhi (63.0%), Punjab (55.8%), Kerala (52.0%), West Bengal (49.8%), Bihar (47.5%) and Telangana (46.9%) in 2020.
- States/UTs with highest percentage of pendency with police are Assam (76.4%), Jammu & Kashmir (70%), Punjab (62.0%), Jharkhand (56.3%), Delhi (55.4%), Telangana (41.4%), West Bengal (43.2%) followed by Tamil Nadu (39.8%) in 2021.
- States with highest percentage of charge sheets by police were MP (99.3%), Chhattisgarh (98.7%), followed by Odisha (97.7%), Gujarat (96.9%) and Tamil Nadu (84.6%) in 2019.
- States with highest percentage of charge sheets by police (higher than national average of 80.6%) were M.P. (99.3%), Chhattisgarh (98.9%), Gujarat (97.2%), Delhi (96.7%), Odisha (94.7%), Maharashtra (87.9%) followed by TN (84.5%) in 2020.
- States with highest percentage of charge sheets by police were MP (99.5%), Chhattisgarh (98.0%), followed by Gujarat (96.3%), Delhi (93.5%) and Odisha (90.9%) in 2021.
- States with highest percentage of final reports by police were Rajasthan (45%), Haryana (33.44%), Jharkhand (22.38%), Himachal Pradesh (19.82%) and UP (16.27%) in 2019.
- States with highest percentage of final reports by police were Rajasthan (42.03%), Haryana (38.43%), Himachal Pradesh (23.89%), Goa (20%), and Andhra Pradesh (15.75%) in 2020.

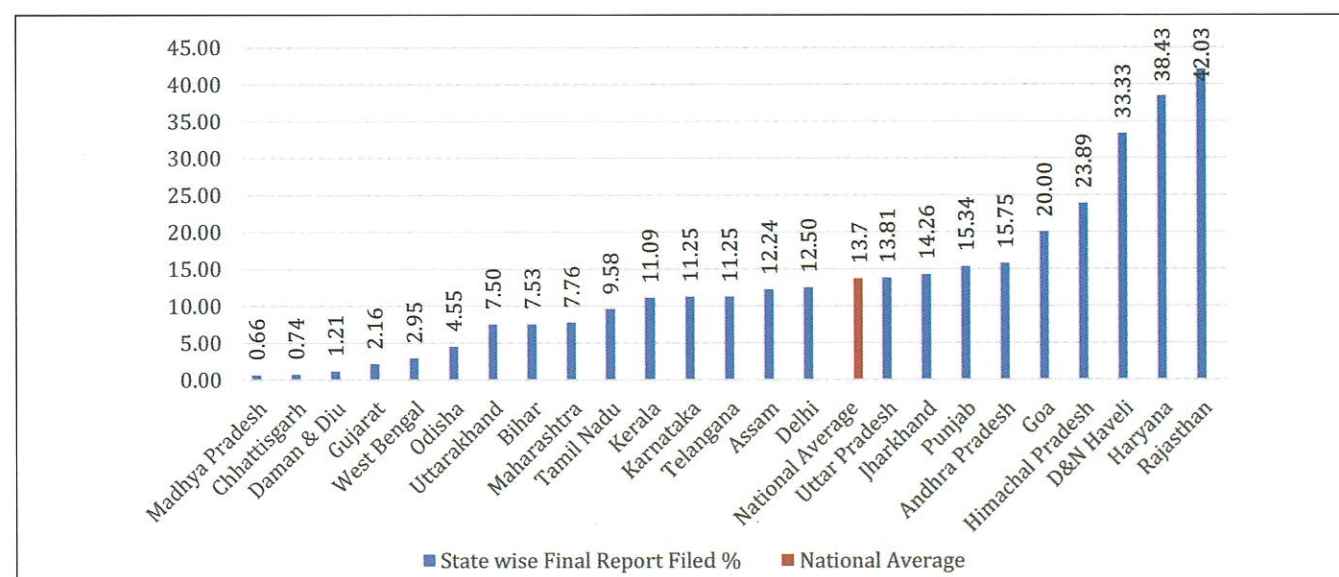
- States with highest percentage of final reports by police were Rajasthan (42.44%), Haryana (42.18%), Goa (28.57%), Himachal Pradesh (26.85%) and Jharkhand (18.84%) in 2021.
- In MP (0.48%) followed by Chhattisgarh (1.55 %) the percentage of cases where final reports are filed are low and these states also have high percentage of charge sheets filed by police in 2021.

Details are in Graph 6.3 (b) below:

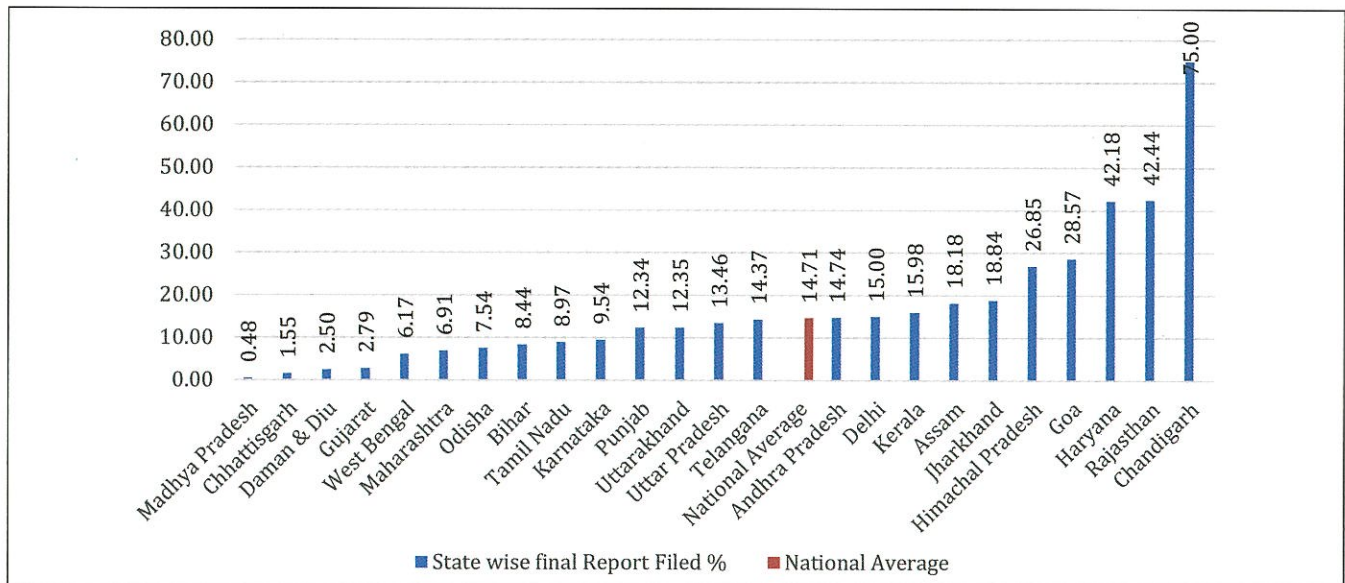
Graph 6.3 (b)
State wise percentage of final reports filed in cases by police-2019



Graph 6.3 (c)
State wise percentage of final reports filed in cases by police-2020



Graph 6.3 (d)
State wise percentage of final reports filed in cases by police-2021

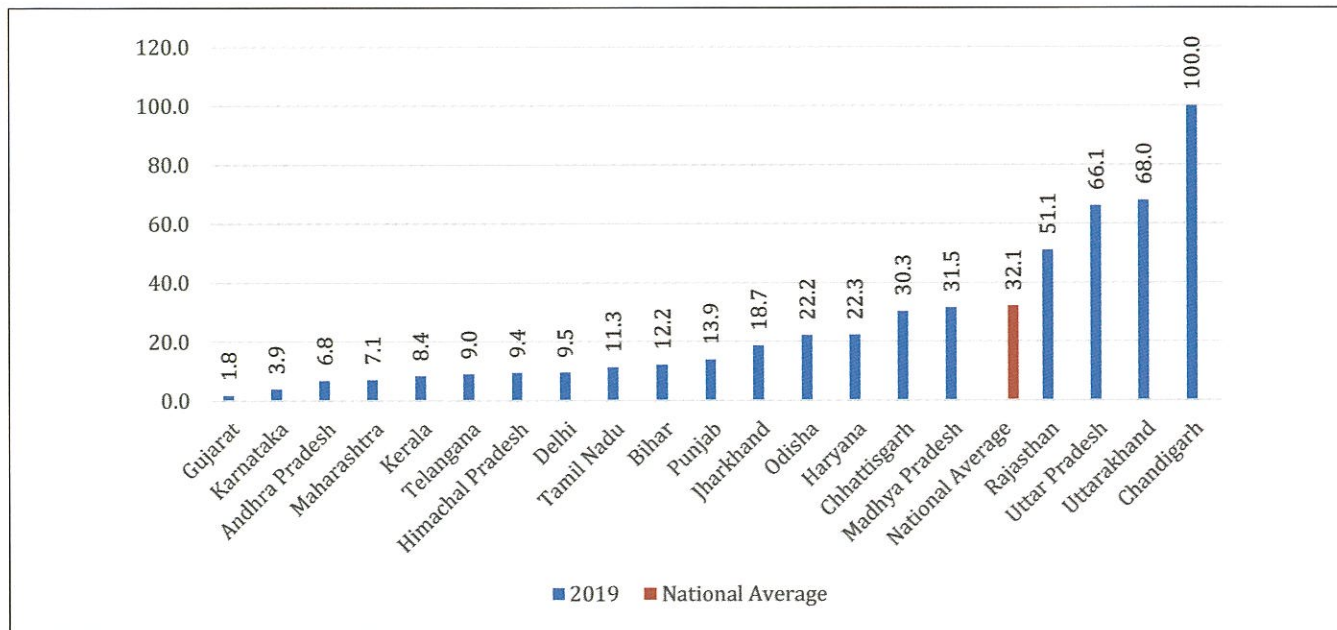


6.3.3 Handling by Courts

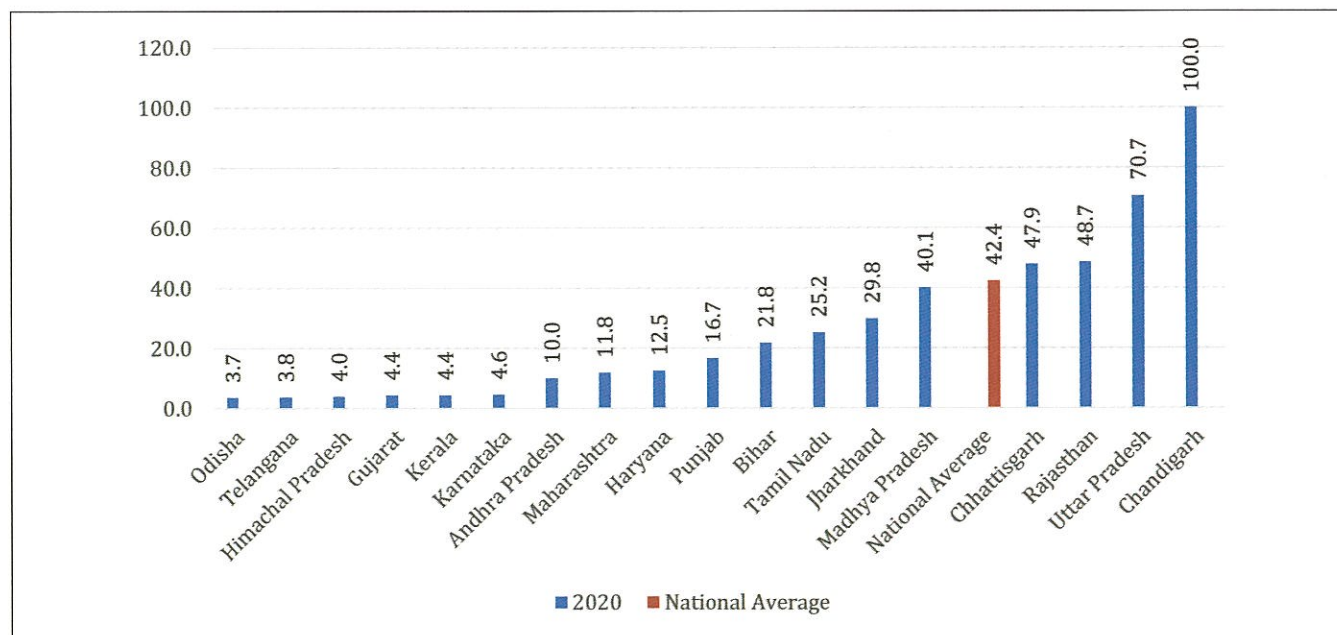
- States with conviction rates higher than national average (32.1%) are Uttarakhand (68.0%), U.P. (66.1%) followed by Rajasthan (51.1%) in 2019.
- States with conviction rates higher than national average (42.4%) are U.P. (70.7%), Rajasthan (48.7%) followed by Chhattisgarh (47.9 %) in 2020.
- States with conviction rates higher than national average (36.0%) are U.P. (76.3%) followed by Jharkhand (53.8%), Rajasthan (41.6%), Uttarakhand (36.0%), and West Bengal in 2021.
- It is seen that U.P. and Rajasthan have the higher conviction rate as compared to national average in 2019, 2020, and 2021 continuously.
- Delhi had 0% conviction rate in 2020 & 2021.
- States with lowest conviction rate in Courts are Gujarat (1.8%), Karnataka (3.9%), A.P. (6.8%) followed by Maharashtra (7.1%) and Kerala (8.4%) in 2019.
- States with lowest conviction rate in courts are Odisha (3.7%), Telangana (3.8%), Himachal Pradesh (4.0%), Gujarat and Kerala (4.4%), Karnataka (4.6%) in 2020. Bihar has improved from 12.2% in 2019 to 21.8% in 2020.
- States with lowest conviction rate in courts are Odisha (0.7%), Karnataka (1.6%), A.P. (5.3%), followed by HP (5.4%), and Gujarat (5.8%) in 2021.

Details are in graph below :

Graph 6.3 (e)
State wise conviction rate in crimes against SCs – 2019

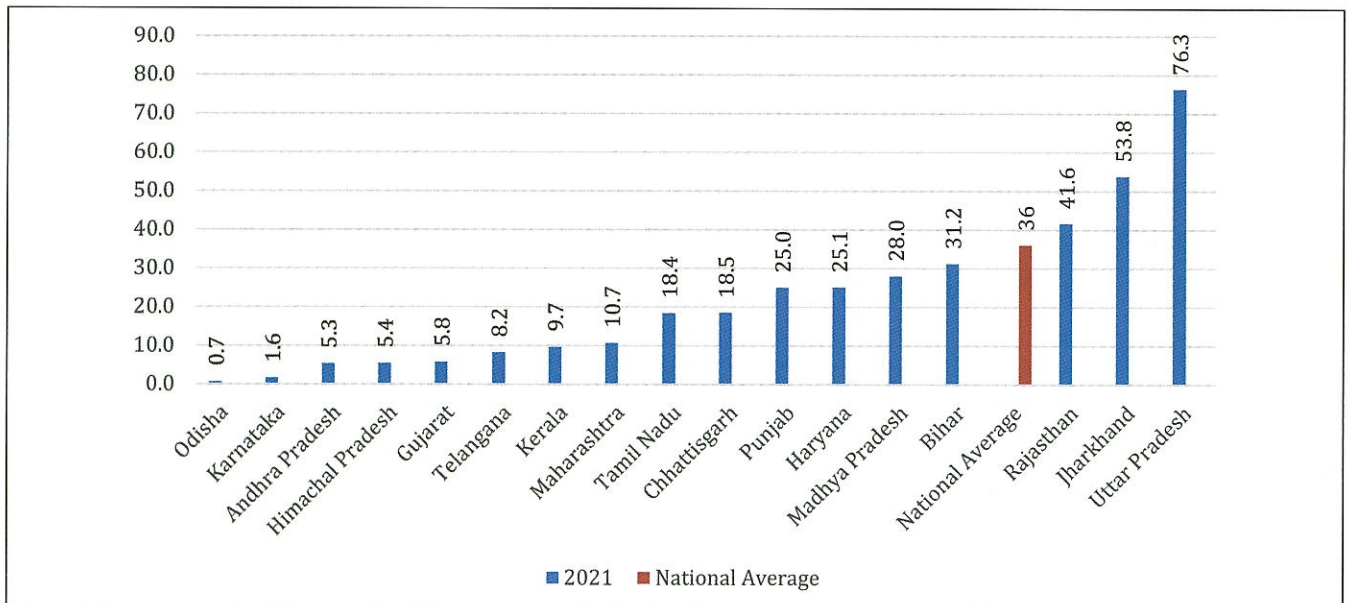


Graph 6.3 (f)
State wise conviction rate in crimes against SCs – 2020



Graph 6.3 (g)

State wise conviction rate in crimes against SCs - 2021



6.4 State & District Level Vigilance and Monitoring Committees

The Commission has noted that the mandated State and District Level Vigilance and Monitoring Committee meetings are not being held by most states for the last 2 years.

6.4.1 State Level Vigilance & Monitoring Committee (SLVMC)

The Rule 16 of PoA Rules (as amended) states: -

1. The State Government shall constitute high power vigilance and monitoring committee of not more than 25 members consisting of the following, viz.
 - (i) Chief Minister or Administrator- Chairman (in case of a State under President's Rule, the Governor shall be the Chairman);
 - (ii) Home Minister, Finance Minister and Minister(s) in-charge of welfare and development of the Scheduled Castes and the Scheduled Tribes - Members (in case of a State under the President's Rule, the Advisors shall be Members);
 - (iii) All elected Members of Parliament and State Legislative Assembly and Legislative Council from the State belonging to the Scheduled Castes and the Scheduled Tribes shall be Members;

- (iv) Chief Secretary, the Home Secretary, the Director General of Police, Director/Deputy Director, National Commission for the Scheduled Castes and the National Commission for the Scheduled Tribes shall be Members;
 - (v) Secretary in-charge of the welfare and development of the Scheduled Castes and the Scheduled Tribes shall be Convener.
2. The high power vigilance and monitoring committee shall meet at least twice in a calendar year, in the month of January and July to 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 officer.

The Commission has noted that:

- Regular meetings of SLVMC were held only in Gujarat during the year 2020.
- In Andhra Pradesh, Assam, Himachal Pradesh, Jharkhand Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Punjab, Sikkim, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman & Nicobar, Chandigarh, Dadra & Nagar Haveli, Daman & Diu and Delhi although the SLVMC's have been constituted but no meetings have been held in these States during the year 2020.

6.4.2 District Level Vigilance & Monitoring Committee (DLVMC)

The Rule 17 of the PoA Rules (as amended) states: -

1. In each district within the State, the District Magistrate shall set up a vigilance and monitoring committee in his district to review the implementation of the provisions of the Act, schemes for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub section (11) of Section 15A of chapter IVA 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/agencies responsible for implementing the provisions of the Act and various reports received by the District Administration.

2. The district level vigilance and monitoring committee shall consist of the elected Members of the Parliament and State Legislative Assembly and Legislative Assembly and Legislative Council, Superintendent of Police, three group 'A' officers/Gazetted officers of the State Government belonging to the Scheduled Castes and the Scheduled Tribes, not more than 5 non-official Members belonging to the Scheduled Castes and the Scheduled Tribes and not more than 3 members from the categories other than the Scheduled Castes and the Scheduled Tribes having association with Non-Government Organizations. The District Magistrate and District Social Welfare Officer shall be Chairman and Member Secretary respectively.
3. The district level committee shall meet at least once in three months.

The Commission noted that:

- Regular meetings of DLVMC were found held only in Maharashtra & Bihar during the year 2020;
- Irregular meetings in some districts of Andhra Pradesh, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh, Uttarakhand and Andaman & Nicobar Islands.
- No meetings have been held in Assam, Meghalaya, Sikkim, Tripura, West Bengal, Dadra and Nagar Haveli, Daman & Diu and Puducherry.
- No information available regarding holding of the DLVMC Meeting in respect of NCT of Delhi.

As a result of the low number of meetings / irregular meetings / non-holding of the meetings of these two important Committees, the implementation of the provisions of the Act including payment of compensation to the victims / families of the victims has not been monitored and has adversely affected the interests of SCs. This was observed and recorded by the Commission during its State, Divisional and District level reviews, as well as during hearings / spot visits by the Commission in specific cases of atrocities.

6.4.3 Exclusive Special Courts and appointment of Special Public Prosecutors:

6.4.3.1 Setting up Exclusive Special Courts:

The Section 14 of PoA Act (as amended) states that:

1. For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, establish an Exclusive Special Court for one or more Districts.

Provided that in Districts where less number of cases under this Act is recorded, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for such Districts, the Court of Session to be a Special Court to try the offences under this Act.

Provided, further, that the Courts so established or specified shall have power to directly take cognizance of offences under this Act.

2. It shall be the duty of the State Government to establish adequate number of Courts to ensure that cases under this Act are disposed of within a period of two months, as far as possible.

6.4.3.2 Appointment of Special Public Prosecutors:

The Section 15 of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended) states that:

1. For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.
2. For every Exclusive Special Court, the State Government shall, by notification in the Official Gazette, specify an Exclusive Special Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as an Exclusive Special Public Prosecutor for the purpose of conducting cases in that Court.

6.4.3.3 Setting up of Exclusive Special Courts and SPP:

The details¹⁴ of setting up of Exclusive Special Courts and SPP are:

UP, MP, Rajasthan, Tamil Nadu, Karnataka, Bihar, Andhra Pradesh, Gujarat, Jharkhand, Odisha and Maharashtra have set up some exclusive special courts. The remaining states have designated Special courts, which handle normal cases also. Consequently, there is a huge pendency of cases of crime against Scheduled Castes in courts in most states.

¹⁴As per information furnished by State Governments to Ministry of SJ&E and NCRB*

Table 6.4

Details of the Special Courts / Special Public Prosecutor

Sl. No.	State/UT	No of Districts	Status of Number of Exclusive Special Courts (at the end of year 2020)	Number of cases pending in Courts in the concerned States at the end of 2021*
1	Andhra Pradesh	26	14	5179
2	Bihar	38	5	48953
3	Gujarat	33	16	11166
4	Jharkhand	24	4	2000
5	Karnataka	30	8	9052
6	Madhya Pradesh	52	43	26108
7	Maharashtra	36	3	11396
8	Odisha	30	5	14323
9	Rajasthan	33	31	16796
10	Tamil Nadu	37	14	5313
11	Uttar Pradesh	75	65	58682
12	Telangana	33	10	4637

As the number of cases pending in Court at the end of 2021, especially in the States of Bihar (48953), Gujarat (11166), Madhya Pradesh (26108), Maharashtra (11396), Odisha (14323), Rajasthan (16796) and Uttar Pradesh (58682), is quite significant, these States have to take immediate action as per section 14 and section 15 of the amended POA Act, in regarding to setting up of more Exclusive Special Courts and specification of Exclusive Special Public Prosecutors for trial of cases in Exclusive Special Courts.

6.5. Observations and recommendations on handling of atrocity cases.

The Commission has been closely monitoring large number of individual cases of atrocities against Scheduled Castes and has also intensively taken up details of action taken by Police and District Administration in cases of atrocities during State, Divisional and District reviews. The observations and recommendations of the Commission are as below:

6.5.1. Observations of the Commission:

6.5.1.1. FIRs are not being lodged in a large number of complaints of atrocities against the Scheduled castes. Only after intervention of this Commission (or other Commissions) or after intervention by courts that the cases are registered under the SC/ST POA Act.

6.5.1.2. Cases where FIRs are being lodged, it is seen that the relevant sections of the PoA Act (as amended) and other applicable sections of IPC, POSCO Acts etc. are not being included in the FIRs. In many cases the SSPs/SPs/Investigating Officers seem to be ignorant of the appropriate sections of the law. This was found especially in states of Punjab, Haryana, Kerala and West Bengal by the Commission. Since a large number of crimes/atrocities against SCs/STs have been specifically designated in the amended PoA Act, non-application of the correct section in FIRs / Charge sheets can weaken the case and could be a factor in the low conviction / high acquittal rates.

6.5.1.3. It has been observed that despite the provisions of Rules 6(1) and 12(1) of the PoA Rules (as amended), the DMs and SSPs do not visit the spot where even grave atrocities like murder, attempt to murder rape/gang rape or arson occur.

6.5.1.4. The table in Rule 12(4) of the POA Rules (as amended), Serial 40, specifies that on committing offence under IPC punishable with term of 10 years or more, the section 3(2) of the Act is to be invoked with the relevant IPC sections like 302, 307, 326, 366A, 375, 377, 409, 449, 450. The Commission has seen that instead of invoking Section 3(2) of the Act, the authorities have been applying Section 3(2) (va) of the PoA Act (as amended). The appropriate section for the above offences, under above mentioned IPC sections, is 3(2), and not 3(2)(va).

6.5.1.5. There is no rule that stipulates the Investigating Officer (IO) to take the opinion of the Special Public Prosecutor (SPP) for finalizing the charge sheet in PoA Act. However, in many states it has been seen that the IO always takes the advice of SPP and in most cases the Special Public Prosecutor deletes the sections of PoA Act without a speaking order regarding reasons for deletion of the Section of PoA Act.

6.5.1.6. Rule 4 of the PoA Rules as amended specifies that the District Magistrate and Director of Prosecution shall review the performance of the Special Public Prosecutors at least twice in a year, and submit to the State Government a report on the same. The State Government has the power to de-notify the underperforming SPPs. The Commission has noted that there are no such reviews done by DMs / Director of prosecution and no action taken by State Governments. This could be one of the reasons /contributing factor for low conviction rate in most states.

6.5.1.7. The Commission has observed that there are many cases where there is willful negligence of duties by Public Servants (especially Police officers) in performing their duties as per the Act. In all such cases, action under the Section 4 of the PoA Act needs to be taken. As per Rule 8 of the PoA Rules, the SC/ST Protection Cell is entrusted with the responsibility of conducting enquiries of willful neglect of duties. However, most State Governments/SC/ST Protection Cells do not have any details of the action taken (except in UP).

6.5.1.8. The monetary relief to victims/families of victims even in the grievous crimes like rape, murder etc. are not paid in time and as per the stages of PoA Rules (as amended) i.e. at stage of FIR, Medical report/post mortem/ at stage of charge sheet and at end of trial/conviction. The District Magistrates and SSPs/ SPs of many states expressed ignorance of the rules in most cases and also cited lack of budget head (for pension payment).

6.5.1.9. In most states the payment/additional compensation amount to victims/families of victims as specified in col. No. 46 and 47 of Annexure I of Rule 12(4) regarding norms of relief of the PoA rules (as amended in 2016) are not being adhered to.

6.5.1.10. In Delhi, there are no instructions on the process to be adopted and authority responsible for payment of compensation / additional compensation to victims/families of victims as specified in Annexure I of Rule 12(4) regarding norms of relief of the PoA Rules (as amended). The District Magistrates merely state that they are not responsible and are not aware of the guidelines. As a result, victims/ families of victims do not receive the monetary relief amounts/ or receive incorrect amounts after delays ranging from 3-6 months. The Rules stipulate that the first tranche of relief should be paid within 7 days.

6.5.1.11. In Chandigarh (UT), in cases of atrocities against SCs, FIRs are registered with sections of IPC and POA Act against the accused. However, the monetary relief and additional assistance as per the PoA Rules are not being provided to the SC victims who do not have domicile of the UT of Chandigarh. The Union Territory of Chandigarh cites the letter No. 11012/4/2013-PCR(Desk) dated 05.12.2013 of M/o Social Justice & Empowerment, Department of Social Justice and Empowerment which states that *"the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, imply offences against only such members of Scheduled Castes/Scheduled Tribes, whose castes/tribes have been specified as a SC/ST, in relation to a State/Union Territory, and thus, for the purpose of the PoA Act, while keeping in view its Section 2(1), it would not be in conformity with provisions of Article 341(1) and 342(2) of the Constitution of India, to consider members of migrant SCs/STs, for registration of a case by them in the State/UT of migration, and qualify for any relief amount as per provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995"* as the reason for non-payment of the monetary relief to the victims. The Commission has also noted that the MSJ&E has not consulted the NCSC prior to issue of the said letter whereas as per clause 9 of Article 338, consultation with the Commission is mandatory.

The Hon'ble Supreme Court, in the S. Pushpa (2005) case, noted the unique position of the UTs in paras 10 to 12 of the judgment and in para 20 of the said judgment while dealing with the special provisions contained in Article 330-341 of the Constitution, stated that ' though a migrant SC/ST person of another state may not be deemed to be so within the meaning of Articles 341 and 342 after migration to another State but does not mean that he ceases to be an SC/ST altogether and

become a member of a forward caste.” The said judgment is in relation to application of reservation, but the spirit of the same will apply for atrocities also.

It is a well settled law of the Apex Court, that the status of the SCs do not change with a change in place. Hence, even though the UT of Chandigarh may have native SC populations of only 36 SC communities, the Scheduled Castes from other parts of India who are living in Chandigarh for the purposes of study, employment etc. will continue to be SCs. The provisions of the PoA Act and Rules thereof will also apply to them in cases of atrocities. The prevention of atrocities is the responsibility of the State/UT Government and any lapse on their part leading to committing of atrocities on SCs in the UT is the responsibility of the UT Government in terms of lodging of FIR, investigation, prosecution and also payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act, 1989 (as amended). The Commission has taken this issue with the U.T. of Chandigarh vide our letter¹⁵ dated 30.05.2018 and a letter¹⁶ dated 09.05.2018 was also sent to the M/o Social Justice & Empowerment with request to withdraw their letter No. 11012/4/2013-PCR Desk dated 10.12.2013 which adversely affects the payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act, 1989 (as amended), but no response has been received from them.

6.5.1.12. Section 3(1) (j) of the PoA Act is applicable on anyone who makes a member of Scheduled Castes to do manual scavenging or employs or permits employment of such member for such purpose. The Commission has observed in numerous cases of deaths of SCs caused due to manual cleaning of sewers/septic tank etc. that either no FIR is lodged or the FIR lodged does not include the section 3(1) (j) & 3(2) (v) of the PoA Act. Hence, the perpetrators go unpunished and the families of victims are deprived of help/ monetary relief as per the PoA Rules.

6.5.1.13. The State Level Vigilance and Monitoring Committee (SLVMC) have either not been formed or do not hold the mandatory meetings twice a year. Bihar is the only State where the meetings are regularly conducted.

6.5.1.14. The District Level Vigilance and Monitoring Committee (DLVMC) are supposed to have 4 meetings per year per district as per PoA Rules (as amended). Bihar and Maharashtra are the only state where these meetings are regularly held. In other states either the meetings are irregular or not held at all.

6.5.1.15. The process of setting up of Exclusive Special Courts/Special Courts as per Section 14(1) of PoA Act (as amended), appointment of exclusive special prosecutors is very slow and lax in most States and could be a reason for pendency of such cases and low conviction rate in courts.

¹⁵No. 3/2/2007-APCR (Part File) dated 30.05.2018

¹⁶No. 3/2/2007-APCR (Part File) dated 09.05.2018

6.5.2. Recommendations

6.5.2.1. FIRs should be lodged in every complaint of atrocity and IG Police of Zones / equivalent officers of zones should monitor Police Station wise the cases being lodged.

Action: Ministry of Home Affairs, (MHA), Government of India and Home Departments of State Governments/ UTs.

6.5.2.2. Specific instructions and details should be issued to all Police Stations regarding the Sections of the PoA Act (as amended) and other Acts like POCSO etc. which are to be invoked in the FIRs and charge sheets.

Action: MHA, Govt. of India and Home Departments of State Governments/ UTs.

6.5.2.3. Special trainings of Police Officers and District Social Welfare officers / SC /BC Welfare officers need to be conducted on a regular basis. Issues raised at Point 6.5.1.4 of our observations should also be clarified. Ministry of Social Justice and Empowerment (MSJ&E) may also issue clarification on the point.

Action: MHA, Govt. of India, Chief Secretaries of State Governments/UTs and MSJ&E, Govt. of India.

6.5.2.4. The DMs& SPs/SSPs of the districts where atrocities are found to have been committed must be asked to conduct spot visits as per Rules 6 (1) and 12 (1) of the PoA (as amended) Rules and also ensure timely help/payment of immediate relief as per rules to the victim/families of victims. Specific orders regarding the same need to be issued and MSJ&E, Govt. of India needs to take up this issue with the State Governments and monitor progress.

Action: MSJ&E, Govt. of India and Chief Secretaries of State Governments/ UTs.

6.5.2.5. Specific directions on the issue raised at our observations 6.5.1.5 need to be issued by MSJ&E and MHA to all State Governments. M/o SJ&E, Govt. of India needs to take up this issue with the State Governments and monitor progress.

Action: MHA and MSJ&E, Government of India and Chief Secretaries of State Governments/ UTs.

6.5.2.6. All State / UT Governments should issue specific G.Os for payment of compensation / additional compensation to victims / families of victims including details of heads of accounts to be debited. The GOs may also include details like emergency drawl from treasury in case of lack of budget, ensuring timely additional relief like payment of pension, allotment of house/land, job, education of children etc. Training of District Social Welfare Officers needs to be conducted on a regular basis by all State / UT Governments.

MSJE should also take up with all State Governments to issue clear cut GOs in this respect so that the victims do not suffer.

Action: MSJ&E, Government of India, Chief Secretaries of State Governments/ UTs.

6.5.2.7. The Department of Social Welfare, Government of Rajasthan, has developed an online Portal where payment of monetary relief at each stage is mapped and monitored for timely stage wise payments. Similarly, Government of Telangana has set up a victim relief monitoring cell in the Police Headquarters with similar cells in all districts. This has helped in ensuring timely and stage wise payment to the victims / families of victims.

MSJE may take up with all State Governments to also develop their own portal or constitute a cell for monitoring and ensuring timely payment of monetary relief to victims / families of victims.

Action: MSJ&E, Govt. of India and Chief Secretaries of State Governments/ UTs.

6.5.2.8. Exclusive Special Courts and appointing of special public prosecutors should be expedited by all states / UTs.

Action: Chief Secretaries of State Governments/ UTs.

6.5.2.9. Supervision of Prosecution: The District Magistrate and Director of Prosecution should review the performance of the Special Public Prosecutors at twice in a year, as per Rule 4 of the PoA Rules during the DLVMC meetings and submit to the State Government a report on the same. The State Government during the SLVMC meetings should also monitor the same take action such as de-notifying the underperforming SPPs. This could will help in improving conviction rates.

Action: MSJE & MHA, Govt. of India and Chief Secretaries of State Governments/ UTs.

6.5.2.10. In order to reduce the sufferings of the victims / families of victims of the atrocities, Government of National Capital of Delhi (GNCTD) needs to draw up a standard operating procedure and issue instructions regarding the action to be taken by Delhi Police, District Magistrates / Department of SC /ST / OBC welfare regarding timely payment of monetary relief / additional relief at each stage to victims and families of victims of atrocities. MHA, Govt. of India may follow up with the Chief Secretary, GNCTD and Commissioner of Police, Delhi to ensure the above.

Action: MHA, Govt. of India, Chief Secretary / GNCTD and Commissioner of Police, Delhi.

6.5.2.11. The Commission recommends that the MSJ&E , Govt. of India withdraw their letter No. 11012/4/2013-PCR desk dated 10.12.2013, which adversely affects the payment of compensation and additional compensation to victims / families of victims of atrocities as defined under the

PoA Act, 1989 (as amended) and also issue a clarification that the payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act, 1989 (as amended) is the responsibility of the State / UT Government where the atrocity has occurred.

Action: MSJE, Govt. of India.

6.5.2.12. The Commission recommends that in numerous cases of deaths caused due to manual cleaning of sewers/septic tank etc., in case the sufferer/ victim is a member of the Scheduled Castes, the relevant Section 3(1) j & 3(2) (v) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended) also needs to be added in all such FIRs. The payment of monetary relief and additional assistance to victims / families of victims as per rules also needs to be ensured.

Action: MSJ&E, Govt. of India and Chief Secretaries of State Governments/ UTs.

6.5.2.13. Regular meetings of the SLVMC and DLVMC should be held by all states. The SLVMC should also monitor whether DLVMC meetings are regular.

Divisional Commissioners and Chief Secretaries of States / UTs should keep the regularity and output of these DLVMC meetings as a monitor able point in their review meetings of DMs. Chief Secretaries of all States/ UTs should ensure regular meetings of SLVMC in their States.

Action: MSJ&E, Govt. of India and Chief Secretaries of State Governments/ UTs.

6.5.2.14. In cases where there is willful negligence of duties by Public Servants (especially Police officers) in performing their duties as per the Act, action under the Section 4 of the POA Act needs to be taken. As per Rule 8 of the POA Rules the SC/ST Protection Cell is entrusted with the responsibility of conducting enquiries of willful neglect of duties. The Rule 9 of the PoA Rules also specify that the state level Nodal Officer is entrusted with responsibility to review the performance of the public servants. The Nodal Officer, should also review the performance of the SC / ST protection cell with respect to the actions taken under Section 4 of the PoA Act so that the action taken is followed up to the logical conclusion.

Action: MSJ&E, Govt. of India and Chief Secretaries of State Governments/ UTs.

Chapter – VII

Service Safeguards

The framers of the Constitution took note of the fact that certain castes, races, or tribes in the country, who occupy the lowest rank in the ritual hierarchy of Indian society, were suffering from extreme social, educational and economic backwardness arising out of the age-old practice of Untouchability, lack of infrastructure facilities and geographical isolation.

It was felt that special provisions were required for Scheduled Castes and Scheduled Tribes to secure adequate representation in public services as a part of their accelerated socio-economic development. Accordingly, safeguards for ensuring adequate representation of the Scheduled Castes, Scheduled Tribes, and Other Backward Castes in the services and posts under the State are provided in our Constitution.

7.1 Constitutional provisions:

- **Articles 16(4):** This Article provides that “nothing in this Article shall prevent the State from making any provision for reservation in appointments and 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):** This Article was inserted vide the Constitution (Seventy-seventh Amendment) Act, 1995 with the provision: “nothing in this Article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in the services under the state in favor of the Scheduled Castes and Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State”.
- **Further Amendments of Articles 16(4A):** Article 16(4A), was further amended in 2001 to substitute the words “in matter of promotion to any class” by words “in matters of promotions, with consequential seniority, to any class” vide the Constitution (Eighty-Fifth Amendment) Act, 2001. This Amendment was made operative retrospectively from 17.06.1995, i.e. the date of addition of this Article vide the Constitution (Seventy-Seventh Amendment) Act, 1995.

- **Article 16(4B):** This Article inserted vide the Constitution (Eighty-First Amendment) Act, 2000, provides that “nothing in this Article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under Clause (4) or Clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty percent reservation on total number of vacancies of that year”.
- **Article 335:** This Article stated that “the claims of the member of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistent with maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State”. The following provision was added to this Article by the Constitution (Eighty-second Amendment) Act, 2000. “provided that nothing in this Article shall prevent in making of any provision in favor of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State”.

Pursuant thereto, the Government has issued instructions from time to time providing for reservation in matters of employment under the Government, Central Public Sector Undertakings (CPSUs) and other autonomous bodies under the control of the Government. The compendium of instructions on this subject is available on the website of the Department of Personnel and Training (DoPT). There has been no amendment to the above-mentioned Constitution provisions during the period of this Annual Report.

7.2 Reservation in Services

Instructions were issued on 21.09.1947 providing for reservation of 12½% 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 16⅔%. Vide the Ministry of Home Affairs (MHA) Resolution No. 42/21/49-NGS dated 13.09.1950, 5% reservation was provided for STs also.

7.2.1 Reservation in Direct Recruitment

The percentage of reservation in direct recruitment on all India basis by open competition for SCs and STs as 15% and 7.5% respectively was fixed vide MHA Resolution No. 27/25/68-Estt. (SCT) dated 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 local area or region, the percentage of reservation for SCs/STs is generally fixed in proportion to the population of SCs and STs in the respective State/UT.

7.2.2 Relaxations and concessions available for SCs/STs

7.2.2.1 Direct Recruitment

Apart from reservation, other relaxations viz, relaxation 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 vide O.M. No. 36012/22/93-Estt. (SCT) dated- 08.09.1993 and 22.10.1993. 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%.

7.2.2.2 In promotion

- The zone of consideration is extended to five time 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 01.07.1997 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.

7.3 Reservation in Promotion

Vide MHA O.M. No. 5/4/55-SCT (I) dated 4.01.1957, the 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 vide MHA O.M. No. 01/10/61-Estt. (D) dated

08.11.1963 and in the same year reservation in departmental competitive examination was limited to Class III and Class IV only. The MHA issued O.M. No. 01/12/67-Estt. (C) dated 11.07.1968 regarding 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 12½ % to 15% and 5% to 7½% respectively from vide MHA Resolution No. 27/25/68-Estt. (SCT) dated- 25.03.1970. Reservation in promotion by seniority subject to fitness was introduced vide Department of Personnel O.M. No. 27/2/71-Estt. (SCT) dated 27.11.1972 subject to the condition that the element of direct recruitment does not exceed 50 percent. Reservations in promotion by selection from group C to group B, within group B and from group B to the lowest rung of Group A were introduced vide Department of Personnel and Administrative Reforms O.M. No. 10/41/73-Estt. (SCT) dated 20.7.1974 provided the element of direct recruitment does not exceed 50%. The limit of the direct recruitment of 50 % was raised to 66⅔% in vide Department of Personnel and Administrative Reforms O.M. No. 36021/7/75-Estt, dated 25.02.1976 and raised to 75% vide DoPT O.M. No. 36012/17/88-Estt. (SCT) dated 25.04.1989. Reservation in promotion by non-selection method is available to SCs and the STs in all four 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 Rs.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 vide DoPT O.M. No. 36028/21/2003-Estt. (Res.) dated 29.01.2004.

7.4 OM dated 13.08.1997 quashed on 23.08.2017 and thereafter

- High Court of Delhi quashed DoPT OM No. 36012/18/95-Estt.(Res.)Pt.-II dated 13.08.1997 vide its Judgment dated 23.08.2017, which is the foundation/base O.M. allowing reservation in promotion beyond 1997.
- DOPT filed an SLP (C) No. 31288/2017 against the Hon'ble High Court of Delhi's judgement dated 23.08.17 in the matter of All India Equality Forum & Ors. Vs. Union of India & Ors.
- Hon'ble Supreme Court vide its order dated 14.11.2017 in CA No.4562-4564/2017 in the matter of the State of Tripura & Ors. Vs Jayanta Chakraborty & Ors. and vide its order dated 15.11.2017 in SLP (C) No. 28306/2017 in the matter of State of Maharashtra & Anr Vs. Vijay Ghogre & Ors referred the issue to the Constitutional Bench as to whether M. Nagaraj Judgement needs reconsideration.

- As per latest development, the Hon'ble Supreme Court in SLP(C) No. 30621/2011 in the matter of Jarnail Singh & Ors. V/s. Lachhmi Narain Gupta & Ors. and connected matters, has passed the following Order on 17.05.2018:

"It is directed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from 'reserved to reserved' and 'unreserved to unreserved' and also in the matter of promotion on merits".

- Further, in the matter related to SLP(C) No. 31288/2017, connected to Special Leave to Appeal (C) No. 28306/2017 titled the State of Maharashtra & Anr. Vs Vijay Ghogre & Ors., the Hon'ble Supreme Court held on 05.06.2018 as under:

"Heard learned counsel for the parties. Learned ASG has referred to order dated 17.05.2018 in SLP(C) No. 30621 of 2011. It is made clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter. Tag to SLP(C) No. 30621 of 2011."

7.4.1 Action by DoPT:-

DoPT has issued instructions vide their OM No. No. 36012/11/2016-Estt(Res-I) {Pt-II} dated 15.06.2018 advising Cadre controlling authorities of Central Government Ministries, Departments and Union Territories to carry out promotions in accordance with the directions of the Hon'ble Supreme Court orders dated 17.05.2018 and 05.06.2018 based on existing seniority/select lists. Further, it has also been mentioned that every promotion order must clearly mention the stipulation that the promotion shall be subject to further orders, which may be passed by the Hon'ble Supreme Court.

7.5 Reservation in outsourcing of work of and projects etc.

The Commission during its monitoring meetings on implementation of reservation policy in States , PSUs and also during hearings had observed that reservations for SCs in projects last for more than 45 days, in appointment of young professionals, Research Associates, Consultants, Interns and Data Entry Operators etc. is not being implemented by Ministries/Departments of Government of India (GoI) and State Governments as well as CPSBs, CPSUs , State PSUs and autonomous bodies etc. as per MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018. The OM should be implemented.

7.6 False Caste Certificates

The Commission has been receiving complaints¹ regarding non-Scheduled Caste persons who have obtained service on the basis of fake caste certificates thus, depriving the genuine Scheduled Castes. The Commission observed that the Vigilance Committees and Caste Scrutiny Committees set up in the States and UTs as per the guidelines of the Hon'ble Supreme Court do not act promptly. The officers do not exercise all possible vigilance before issuing SC caste certificates. No strict and exemplary fast action appears to have been taken by appointing authorities / other authorities where false caste certificates are detected.

The Commission has also observed that due to the delay at the level of Appointing Authorities and concerned caste certificates issuing authority in Districts of States/UTs, genuine candidates remain deprived and non-eligible persons continue to take advantage of their false certificates.

The Commission has also written to all the Chief Ministers of States² in this connection recommending steps to be taken by the Governments in such cases.

7.7 Legislation on Reservation:

Reservations for Scheduled Castes and Scheduled Tribes have been provided through instructions and executive orders and not through Legislation. The scheme of reservation as formulated by the DoPT and MHA earlier is basically applicable to services under the GoI. Reservations in the services under the CPSBs and CPSUs are governed by separate instructions issued by the Banking Division of the Ministry of Finance (MoF) and by the Department of Public Enterprises (DPE) and the concerned administrative ministries. There are many other establishments, which are either statutory or non-statutory, where reservations are provided through executive instructions.

The history of Independent India and its development proves that the Constitutional provisions have increased the representation of Scheduled Castes employees in posts and services in Government and its organizations. The degree of implementation of the provisions varies from State to State, according to population of the Scheduled Castes in the particular State. The service safeguards and provisions have played a very significant role in the economic development of the Scheduled Castes in the country. Those groups who were more vigilant, and active have benefited more and those remained ignorant or were the weakest were less benefitted from these provisions. To improve the representation of Scheduled Castes in posts and services and to bring uniformity in the implementation of the policy, there is strong and urgent need to pass a bill on reservation for

¹some examples, case file nos 17/2/UP/2017/ESDW, /8/UP/2018/ESDW, UP/727/2018/APCR, UP/733/2018/APCR, 17/3/UK/2017/ESDW, 17/1/UP/2017/ESDW

² vide D.O. letter No. 38/Misc-2/2017/SSW-I dated 16.01.2018

Scheduled Castes and Scheduled Tribes in the posts and services under the Government. The Bill should contain provisions for punitive measures against the non-implementing organizations and individuals.

The Commission has observed during various review meetings for implementation of reservation policies in different Central/State/Government Offices/CPSUs and CPSBs as well as in its hearings that the reservation policy is not being followed scrupulously in the absence of such a legislation which could provide for any deterrent and penal action against defaulters.

The DoPT vide letter No. 41018/1/2004-Estt. (Reservations) dated 7/12/2004 had sent a draft bill on Reservation for the SCs, STs and OBCs in civil posts and services under the GoI. This Commission had considered the bill and had furnished its suggestions to DoPT vide its letter No. 4/3/2004-SSW V dated 13/12/2004 and 14/12/2004.

In its suggestions the Commission had pressed for inclusion of a penal clause viz. "any appointing Authority or official or employee entrusted with the responsibility covered under clause 11 of the Bill and contravening any of the provisions of the Bill shall on conviction be punishable with imprisonment which may be extended upto six months or fine of not less than Rs 5000/- or both. The fine shall be payable from his/her salary." The Commission had also expressed its views to the Chairman of the Department Related Parliamentary Standing Committee and to the Rajya Sabha Secretariat on 09.03.2005.

7.8 Recommendations:

7.8.1 On Reservation:

- The Legislation on reservation Bill may be redrafted including the recommendations of the Commission sent vide letter no. 4.3.2004-SSW-V dated 13.12.2004 and 14.12.2004. The opinion of the Commission may also be sought on the redrafted Bill as per the provisions of Article 338(9) of the Constitution.
- That reservation should be strictly implemented in all the projects of Government which last for more than 45 days and also in on engagement of young professionals, research associates, consultants, interns and data entry operators etc. by government departments, CPSUs, CPSBs and autonomous organizations etc. The rule of reservation should be strictly followed in such engagements as per MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018.

- Reservation rosters should be strictly maintained and followed to ensure Adequate representation of SCs in services as per DoPT O.M. No. 36011/1/76-Est. (SCT) dated- 06.03.1976.
- Special Recruitment Drives should be launched by government departments, CPSUs, CPSBs and autonomous organizations etc. to clear backlog vacancies as per instructions of the DoPT OM No. 36038/1(i)/2013-Estt (Res)} dated- 21.6.2013.
- All the instructions issued by DoPT to safeguard the interest of the Scheduled Castes like appointment of Liaison Officers, setting up of SC/ST Cell for grievances, maintenance of grievances registers, inspection of rosters, quarterly meetings with representatives of SC Association etc. must be followed. These instructions are contained in DoPT O.M. No. 43011/153/2010-Estt. (Res.) dated- 04.01.2013, DoPT O.M. No. 8/8/71-Est. (SCT) dated- 22.04.1971, DoPT O.M. No. 36022/5/76-Estt. (SCT) dated- 27.05.1976 & Department of Personnel and Administrative Reforms O.M. No. 36022/5(i)/76-Estt. (SCT) dated- 28.5.1976.
- Steps should be laid down to improve the percentage of SCs in Group 'A' and 'B' in Central/State Governments/UTs and CPSUs/CPSBs etc.
- Grouping of posts of the same cadre, same qualification and pay scale should be completed and declared as single cadre so that representation of SCs is improved. The same is covered under DoPT O.M. No. 36011/17/85-Estt. (SCT) dated 23.07.1985.
- Pre-recruitment and pre-promotional training should be imparted to the SC Employees by all the departments, as per DoPT O.M. No. 28/8/72-Estt. (SCT) dated- 02.03.1972 & DoPT O.M. No. 36022/23/93-Estt. (SCT) dated- 27.07.1993.
- Reservation is not being provided by the Government of Punjab in the matter of engagement of Law Officers for the office of Advocate General Punjab. This is in violation of provisions as contained in The Punjab Scheduled Castes and Backward Classes (Reservation in Services) Act-2006. The Commission recommends for providing reservation to Scheduled Castes in the matter of engagement of Law Officers in the office of Advocate General Punjab.
- Reservation is not being provided by the Government of Punjab in case of promotion of Judicial Officers and other court officials in various courts in the State of Punjab. This is in violation of provisions as contained in The Punjab Scheduled Castes and Backward Classes (Reservation in Services) Act-2006. The Commission recommends for providing reservation to Scheduled Castes employees (Judicial Officers and Court officials) in promotion to higher echelons in various courts in the State of Punjab.

7.8.2 On promotion:

- As per DoPT OM No. No. 36012/11/2016-Estt(Res-I) {Pt-II dated 15.06.2018, reservation in promotion may be continued to be implemented in all the Central/State Governments ,PSUs and PSBs.
- The Government should consider a Constitutional amendment for putting in place reservation in promotion.

7.8.3 On false Caste Certificates:

- The Vigilance Committees and Caste Scrutiny Committees set up in the States and UTs as per the guidelines of Hon'ble Supreme Court should act promptly and officers concerned should exercise all possible vigilance prior to issue of SC caste certificates. Strict and fast exemplary action may be taken wherever false caste certificate are detected.
- A standard operating procedure laying down the action to be taken by caste issuing authority when a case of verification is referred to them should be issued by DoPT / State and UT Governments. The responsibility to complete the verification work in a time bound manner of 1-3 months, cancelling the false caste certificate, if any, and informing the employer Department/Organization within the specified time frame of 1-3 months, must be given to the concerned District Collector/District Magistrate.
- The State Governments should take disciplinary action and also action under Section-4 of the PoA Act (as amended) against the officers responsible for the issue of the false caste certificates, as the genuine candidates of Scheduled Cates are deprived of their legitimate appointment due to the issue of the fake Caste certificates. Necessary instructions need to be issued by the DoPT / State and UT Governments/ Departments.
- For employers (Governments, CPSUs, CPSBs, autonomous bodies etc.) a time frame to complete the action in such cases is necessary as well as introduction of a penal provision to recover the full pay & allowances paid, along with interest from the employees found to have benefitted from production of false caste certificates.

7.8.4 Action on recommendations of the Commission:

The Commission while investigating service related matters different Departments and PSUs found that some of the departments/PSUs ignore the recommendations of the Commission.

In some of the cases³ of harassment, discrimination and arbitrary action by Departments / Authorities / PSUs / PSBs where the Commission has found clear discrimination / harassment and issued its recommendations, it has been seen that the Departments/ Authorities/PSUs/PSBs concerned had totally ignored the recommendation. They did not submit any action taken report (ATR) nor did they respond to the Commission or petitioner. As a result, the grievance of the petitioners remains unsolved and he/she is forced to approach the Commission or Courts again. There are clear orders of DoPT dated 01.01.1998 and 30.11.1998 wherein the Departments/ Ministries/PSUs etc. have been advised to consider the recommendation/ or suggestions of NCSC in light of Government policies. The recommendations of the Commission are issued when discrimination / arbitrary action against Scheduled Castes are found during investigations/ hearings of the Commission. Hence the Departments/Authorities/PSUs/PSBs need to consider them and issue speaking and clear orders on the same under intimation to the Commission and individual petitioner concerned.

In view of the ignoring of the recommendations of the Commission by many Departments/ Authorities /PSUs /PSBs, the Commission recommends that the DoPT reiterate its earlier instructions/orders issued vide O.M. No. 36036/2/97-Estt.(Res) dated 01.01.1998 and 30.11.1998 to all Ministries/Departments to extend maximum cooperation to the Commission in the discharge of its roles and to give due consideration/weightage to all its recommendations/suggestions. In the rare cases where the Departments/ Authorities /PSUs /PSBs may not be in a position to implement recommendations of the Commission speaking orders mentioning the relevant rules and reasons that restrict implementation may be communicated to the Commission and the petitioner within a specific time frame.

7.8.5 Treatment of in-service persons approaching the Commission

The Commission reiterates its recommendation that the Central/State Govt. & UTs should issue strict instructions to the concerned departments under their control that SC officials/officers are not harassed for approaching the Commission for protection and the safeguards provided under the Constitution of India or any other Law in force. The DoPT orders No. 36024/5/97-Estt. (Res.) dated 05.01.1998 states that the SC employees can directly approach the Commission and there is no need to seek prior approval.

7.8.6 Consultation with the Commission:

The Union and State Government must consult the Commission on policy matters affect the interest of Scheduled Castes as per the provisions of Article 338 (9) of Constitution of India.

³File nos J-9/DoPT-II/2016/SSW-II, R-10/Delhi-32/2005/SSW-I, P-4/UP-18/2017/SSW-II, D-1/UP-33/2017/SSW-II, V-2/UP-23/2016/SSW-II

Chapter – VIII

Social and Economic Development

The Scheduled Caste constitutes about 16.6 percent (20.14 crore) of the total population of India as per the 2011 census. These communities are still subjected to social discrimination by other sections of society. This has resulted into denial of educational, economical, social, political and cultural deprivation to these communities. To bridge this gap created due to the inherent age old practice of untouchability against Scheduled Castes (SCs) and bring equality and to undo this historical oppression the founding fathers of the Constitution felt an imperative need for the economic empowerment of Scheduled Castes and Scheduled Tribes. Article 46 of the Constitution of India aimed at the social economic empowerment of Scheduled Castes and Scheduled Tribes. The 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 percent of Scheduled Caste population was below the poverty line. Hence the framers of Constitution and the government has shown special concern and commitment for the well-being of the Scheduled Castes who occupy the lowest rank in the ritual hierarchy of Indian society, suffering from extreme social, educational and economic backwardness arising out of age old practice of untouchability, lack of infrastructure facilities and geographical isolation, and who needs special consideration for safeguarding their interest and for their accelerated socio economic development. The Government brought in special schemes and later the Scheduled Caste Sub Plan (SCSP) to show their commitment to the socio economic development of the Scheduled Castes. As per details available (as on 26.10.2017) 1284 castes are specified as SCs in the country as per table given below:

Table 8.1
State/UT-wise number of castes specified as Scheduled Castes

Sl. No.	State/UT	Number of Castes	Total Population	SC Population	% of SC Population
1	Andhra Pradesh	61	84580777	13878078	16.41
2	Arunachal Pradesh	0	1383727	0	0.00
3	Assam	16	31205576	2231321	7.15
4	Bihar	23	104099452	16567325	15.91
5	Chhattisgarh	44	25545198	3274269	12.82
6	Goa	05	1458545	25449	1.74
7	Gujarat	36	60439692	4074447	6.74
8	Haryana	37	25351462	5113615	20.17
9	Himachal Pradesh	57	6864602	1729252	25.19
10	Jammu & Kashmir	13	12541302	924991	7.38
11	Jharkhand	22	32988134	3985644	12.08
12	Karnataka	101	61095297	10474992	17.15
13	Kerala	69	33406061	3039573	9.10
14	Madhya Pradesh	48	72626809	11342320	15.62
15	Maharashtra	59	112374333	13275898	11.81
16	Manipur	07	2570390	97042	3.78
17	Meghalaya	16	2966889	17355	0.58
18	Mizoram	16	1097206	1218	0.11
19	Nagaland	0	1978502	0	0.00
20	Odisha	95	41974218	7188463	17.13
21	Punjab	39	27743338	8860179	31.94
22	Rajasthan	59	68548437	12221593	17.83

Sl. No.	State/UT	Number of Castes	Total Population	SC Population	% of SC Population
23	Sikkim	04	610577	28275	4.63
24	Tamil Nadu	76	72147030	14438445	20.01
25	Telengana	59	35200000	5409000	38.88
26	Tripura	34	3673917	654918	17.83
27	Uttar Pradesh	66	199812341	41357608	20.70
28	Uttarakhand	65	10086292	1892516	18.76
29	West Bengal	60	91276115	21463270	23.51
30	A & N Islands	0	380581	0	0.00
31	Chandigarh	36	1055450	199086	18.86
32	D & N Haveli	04	343709	6186	1.80
33	Daman & Diu	05	243247	6124	2.52
34	NCT of Delhi	36	16787941	2812309	16.75
35	Lakshadweep	0	64473	0	0.00
36	Puducherry	16	1247953	196325	15.73
	INDIA	1284	1210569573	201378086	16.63

From the above table, it is observed that Karnataka (101) has maximum number of castes specified as SCs followed by Odisha (95) and Tamil Nadu (76).

8.2 Socio Economic Status of Scheduled Castes

Constitutional directives, number of legislative and executive measures taken by the Government are in place but there still remains a huge gap between the human development indicators like early childhood mortality rates, employment, distribution of monthly income, MGNREGA, enrolment and ratio in education, dropout rates in education, land owned etc. in general population and those of Scheduled Castes. The successive Plans have attempted to reduce these gaps and while there is some evidence of convergence, the disparity is still vast.

Table 8.2 (a)
PERCENTAGE OF ALL CATEGORIES AND SCHEDULED CASTES
POPULATION LIVING IN RURAL AND URBAN AREA¹

Year	Category	% of Population Living in	
		Rural Area	Urban Area
2001	All	72.2	27.8
	SCs	79.6	20.4
2011	All	68.8	31.2
	SCs	76.4	23.6

There were 76.4% SCs living in rural areas in 2011 compared to 79.6% in 2001.

Table 8.2 (b)
LITERACY RATE FOR SCHEDULED CASTES (SCs) AND TOTAL POPULATION² (in %)

Year	Total	SCs	Total Male	SC Male	Total Female	SC Female
1961	28.3	10.27	40.4	16.9	15.4	3.3
1971	34.5	14.67	46.0	22.4	22.0	6.4
1981	43.6	21.38	56.4	31.1	29.8	11
1991	52.2	37.41	64.1	50	39.3	24.1
2001	64.8	54.7	75.3	66.6	53.7	41.9
2011	73.0	66.1	80.0	75.2	64.6	56.5

While there is a steady increase in the SC literacy rate (both for SC females and males) the % is still below the overall literacy rate.

8.3 Development Action Plan for Scheduled Castes (DAPSC) erstwhile Scheduled Caste Sub Plan (SCSP)/ Allocation for Welfare of Scheduled Castes (AWSC)

- As per consolidated guidelines of Scheduled Caste Sub Plan (SCSP) issued by the then Planning Commission in October, 2005 and December, 2006; all the States/ Ministries/Departments to earmark funds under SCSP out of their Plan outlay, in proportion to the percentage of SC population in the States/Country. (SCs constitute 16.62% of the country's population as per Census, 2011).

- The NITI Aayog issued revised guidelines vide O.M. No. M-11011/08/2015-SJ&EW dated 20.04.2015 on SCSP/AWSC and stated that the Inter-Ministerial Committee has taken note of the detailed guidelines in the year 2013 relating to the SCSP for the Scheduled Caste, issued by the Central Government from time to time.
- The Scheduled Castes Sub Plan (SCSP) is the plan for Scheduled Caste persons to channelize funds and benefits through family oriented identified scheme by providing resources for filling the critical gaps and for providing missing vital inputs. The SCSP, which contains details of financial and physical targets, is expected to form an integral part of Plan documents of Government 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, sharecroppers, fishermen, sweepers and scavengers, urban unorganized labourers below the poverty line, and so on. Since the schemes / programmes for SCs depend upon the local occupational pattern and the economic activities available, the States/UTs have been given full flexibility in utilizing SCA with the only condition that it should be utilized in conjunction with SCP and other resources available from other sources like various Corporations, financial institution etc, within the overall frame work of the scheme.
- In addition, the SCSP 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 workplaces, and common facility centers and so on.
- The SCSP has proposed a paradigm shift from 'post-facto accounting' to 'pro-active planning' approach with regard the sub plans. SCSP should be an integral part of Annual 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.
- Despite a number of specific schemes implemented for the SCs by the State Governments, the condition of SCs on the human development index remains below that of the rest of the population.

After announcement of Budget for 2017-18, the nomenclature of Scheduled Caste Sub Plan (SCSP) has been changed to Allocation for Welfare of Scheduled Castes (AWSC). Ministry/Department-wise total Plan allocation (BE/RE) under SCSP and Actual expenditure for 2019-20 to 2021-22 is given below:

Table 8.3 (a)
The details of Budget allocations of all the Ministries/ Departments
made under SCSP and Actual Expenditure

(Rs. In Crore)

Sl. No.	Year	SCSP of All Ministries/ Departments		Actual Expenditure of DAPSC	% of Actual Exp. w.r.t. R.E
		B.E.	R.E		
1	2019-20	81340.74	72936.29	70645.29	96.86
2	2020-21	83256.62	82707.51	74666.51	90.28
3	2021-22	126259.20	139956.42	128193.46	87.96

Source: MoSJE

Table 8.3 (b)
Status of Implementation of DAPSC from 2016-17 to 2020-21

(Rs. In Crore)

Items	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
No. of Schemes	237	270	304	308	304	300
No. of Dept./ Ministries	23	26	29	41	41	38
SCSP Allocation (RE)	40919.70	52340.72	62473.86	72936.29	82707.51	139956.42
Actual Expenditure	34333.67	47017.19	55073.17	70645.21	74666.51	128193.46

Source: Ministry of SJ&E, Annual Report 2021-22.

- Cabinet Secretariat has issued revised Allocation of Business Rules wherein the Ministry of Social Justice & Empowerment has been entrusted the task of Monitoring of Scheduled Caste Sub Plan based on the overall framework designed by the NITI Aayog from the year 2017-18. NIC cell of the Department has prepared the portal for online capturing of data from various Ministries/Departments on the financial, physical and outcome based monitoring indicators as per the formats designed by the NITI Aayog and is in place.
- In 2021-22, a total of 38 Ministries/Department have been allocating funds under different schemes for the Welfare of Scheduled Castes.
- According to the Budget Document for year 2021-22, three Departments/Ministries namely Ministry of Road Transport and Highways, Ministry of Tourism, and Ministry of Water Resources, River Development and Ganga Rejuvenation have not allotted funds under SCSP and about 14 central Ministries/ Departments have allocated less than their obligation.

8.4 Status of Manual Scavenging

Eradication of dry latrines and manual scavenging and rehabilitation of manual scavengers in alternative occupation have been areas of high priority of the Government. To achieve the above objectives, legislative and programmatic interventions have been undertaken from time to time. In order to liberate the manual scavengers from their traditional occupation and to provide rehabilitation to them 'the Prohibition of Employment as manual Scavengers and their Rehabilitation Act, 2013' (MS Act, 2013) was passed by the Parliament and has come into force from 06.12.2013 with target dates of implementation of the same.

The Commission noted that despite the prohibition of manual scavenging and manual cleaning of sewers by the Act, the same continued to be violated with impunity. Unfortunately, the violations come to notice, only when tragedies occur while manual cleaning of sewers.

In majority of such cases, the Commission conducted spot investigations and hearings were also held. This issue was also discussed in State Level Review Meetings held during the period under report.

It was observed that though there is complete ban of manual cleaning of sewers/septic tanks by the Hon'ble Supreme Court of India and the MS Act, the State Governments have failed to check occurrence of such cases. It appears that the State Governments have failed to adhere to the guidelines laid down in the MS Act and Rules, PoA Act and Rules and the guidelines of the Hon'ble Supreme Court.

8.4.1 The position as per Acts/Rules are as follows:

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

Government responsibility

- Under this Act every local authority and other agency is to use appropriate technological appliance for cleaning to sewers, septic tanks and other space within their control with a view to eliminating the need for the manual handling of excreta in the process of their cleaning. (Provision 33(l) of MS Act, 2013).
- Government to promote, through financial assistance, incentives and otherwise, the use of modern technology.

- Where any offence under this Act has been committed by a company and it is proved that offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to guilty of that offence and shall be liable to be proceeded against and punished accordingly. (Provision 23 (2) of MS, Act).
- The Central Government shall, by notification, publish model rules for the guidance and use of State Governments; and (provision 37 (a) of MS, Act)
- In case the State Government fails to notify the rules under section 36 of this Act within the period of three months specified therein, then the model rules as notified by the Central Government shall be deemed to have come into effect, mutatis mutandis, in such State, till such time as the State Government notifies its rules. (provision 37 (b) of MS Act)

Prohibition of employment as Manual Scavengers and their rehabilitation Rules 2013 (PEMSR Rules 2013)

- No person shall be allowed to clean a sewer manually, without the protective gear and safety devices under these rules and local authority shall ensure the same Rules 3 (1), (4) & (5).

Hon'ble Supreme Court Guidelines

- The Supreme Court in its order dated 27.03.2014, in Contempt Petition No. 132/2012 in WP (Civil) No. 583/2003 directed that entering sewer lines without safety gears should be made a crime even in emergency situations. The practice of manual scavenging has to be brought to a close and also to prevent future generations from the inhuman practice of manual scavenging, rehabilitation of manual scavengers will need to include: -

For eventual death while cleaning sewers, in each such death, compensation of Rs. 10 lakhs should be given to the family of the deceased.

Relief/Compensation

- As per Supreme Court order in, Contempt Petition No. 132/2012 in WP (Civil) No. 583/2003 compensation of Rs. 10 lakh should be given to the family of the person who died while manually cleaning sewers, septic tanks etc.
- As per Rule 7 (v) of the PEMSAR Rules, 2013, employer was to ensure that the assigned person has life insurance policy of at least Rs. 10 lakh and the premium of such shall be paid by the

employer. If the employer has failed to ensure the Life Insurance Policy in this case, the liability of accused may be borne by the employer. The Life Insurance policy payment may also be made to the families of the victims in addition to the compensation amount to be paid.

PoA Act and Rules

- If the victim belongs to Scheduled Castes then FIR may be lodged under PoA Act along with MS Act, 2013. The family of victims may be provided relief/ compensation of Rs. 8.25 lakh (Rs 4.125 lakh on FIR / post-mortem stage & balance after filing the charge sheet) under the PoA, Rules. The family of victim may also be rehabilitated and relief like house, education to children of victims, job to one member of the family etc. are to be provided as per the PoA Rules.

8.5 Some of the cases of death due to manual cleaning of sewer lines / sewage tanks / STPs etc. taken up by the NCSC HQ during 2020-21 and 2021-22 are as follows:

During 2020-21 and 2021-22 the Commission took note of more than 15 cases in which 69 labourers/ safai karamcharies lost their lives due to manual cleaning of sewer lines / sewage tanks and STPs etc. in the Country. In these incidents, 08 safai karamcharies/labourers were injured. The cases have been discussed in detail in section 4.7 of Chapter IV of this report and the upto date status of the action taken by the authorities has been indicated. The cases in brief are:

- **12 deaths and 04 injured in 06 incidents in Delhi :**
 - 01 person died and 01 injured while cleaning septic tank at Badarpur, Delhi.
 - 02 persons died and 03 injured while cleaning septic tank at Adarsh Nagar, Delhi.
 - 02 persons died while cleaning septic tank at TrilokPuri, Delhi.
 - 01 casual labour died while cleaning sewer at Narela, Delhi.
 - 04 persons trapped in sewer, Rohini Delhi who was later found dead.
 - 02 persons died in septic tank in Dallupura, Shahdara, Delhi.
- **10 deaths in Gujarat**
- **11 deaths in Tamil Nadu**
- **03 deaths in Punjab**

- **09 deaths in Haryana**
- **03 deaths in Himachal Pradesh**
- **02 deaths in Telangana**
- **03 deaths in Madhya Pradesh**
- **06 deaths and 01 injured in West Bengal**
- **09 deaths and 03 injured in Uttar Pradesh**
- **01 death in Karnataka**

8.6 Observations of Commission in these cases:

- The actions prescribed in the Acts/ Rules and Hon'ble Supreme Court guidelines have not been taken by the State Governments / UT Governments.
- It is observed during spot enquiries, hearings and review meetings conducted by the Commission with the State Governments that the MS Act, 2013 and Rules, 2013 have not been implemented properly by the State Governments / UT Governments. In some cases even compensation of Rs. 10 lakh has not been provided to the families of the victims/safai karamcharies who have lost their lives.
- During Review Meeting with the States the Commission pointed out that the Rs. 10 lakh on account of insurance has not been paid in most cases. In number of cases no steps have been taken up for rehabilitation of the families of victims.
- In case the victims are Scheduled Castes the action was also to be taken under the provision of PoA Act and Rules. The compensation under the PoA Rules were to be paid to the family of SC victims. The additional relief measures like providing a house, education to the children of victims, job to one member of family etc. were also not provided in such cases.

8.7 Recommendations of the Commission:

From the above, it appears that most of the States have not notified the MS Act and PEMSR Rules and even where notified, the same are not being applied in letter and spirit. The Commission has shown grave concern that even after implementation of the "MS Act 2013 and PEMSR Rules 2013, the State Governments have failed to check incidents of manual cleaning of sewers etc and deaths due to the same. Hence the Commission recommends that all the State / UT Governments need to take action/ issue instructions to ensure that:

- All officers and staff of the concerned Departments, Municipal Corporations, Town area Municipal Councils, gram and Zila Panchayats, Jal Sansthan/Jal Boards etc. and private contractors employed by such Departments/Corporations/Councils/Gram Panchayats etc. are continuously trained/retrained to handle issues of cleaning of blocked sewers, sewage/ septic tanks etc. without humans entering the same.
- State Governments should conduct awareness/training programme/workshops for Tehsil level/district level officers of the State to make the officers (including police officers) aware of the provisions of the MS Act, PEMSR Rules 2013, PoA Act and Rules, guidelines of the Hon'ble Supreme Court in this regard and action to be taken by officers.
- The advisory and circulated SOPs of the MoUD regarding the subject vide letter no Z-16025/3/2018-CPHEEO dated 12.07.2019, to Chief Secretaries of all States / UTs need to be followed and implemented by all State Governments/UTs. MoHUA should monitor the implementation on a quarterly basis.
- All cleaning of sewage lines, septic tanks etc. by using machines/robots etc should be ensured and sufficient numbers of the machines and robots need to be purchased on a priority. State Governments need to take steps to provide sufficient budgetary support for the same.
- MoHUA has also given details of machines / robots for cleaning of the sewers in their letter dated 12.07.2019, the State governments need to issue instructions to all ULBs etc to take action to purchase and use machines only for cleaning purposes.
- That comprehensive guidelines/circulars may be issued to all the relevant departments of the State Governments, owners of private buildings, RWA of housing societies/ complexes regarding preventive measures to be taken and safety devices to be used while cleaning the septic tanks or STPs.
- In order that tragedies do not occur, immediate institutional steps are needed regarding strict compliance of provisions of the PEMSR Rules, 2013 with respect to the cleaning of sewers etc. and spreading awareness of the provisions of the MS Act, 2013. State Level awareness programmes need to be arranged.
- The labourers/safai karamcharies should be periodically medically checked and all medical facilities be given to them.
- It is also advised that all the above relevant sections of the Rules and Act are be incorporated in agreements and adherence to same is ensured whenever a contractor is engaged for cleaning of sewers/septic tanks etc.

8.8 If a person dies during cleaning of sewers/septic tanks, the following steps are to be taken:

- An FIR should be lodged under the relevant sections of IPC, the relevant section 7/9 of MS Act, 2013 and also under section 3 (1) (j) of PoA Act in case victim is a SC.
- All out efforts are to be made immediately to arrest the accused persons and trace the absconding accused if any.
- The departments concerned should immediately constitute departmental enquiries against officers responsible, find out the lapses and take action against the officers found guilty.
- Government/Employer should bear costs of medical treatment, if any of victims.
- Rs. 10 lakh compensation needs to be given as per guidelines of Hon'ble Supreme Court within 7-10 days.
- It may also be ensured all the labourers/safai karamcharies should be covered under the life insurance of Rs. 10 lakh as per rules and the payment of the same to be released within 7 to 10 days in case of tragedies.
- In case victim is a Scheduled caste, then monetary relief (Rs. 8.25 lakh per victim) and additional relief as per provisions of the PoA Rules (column 46 in Annexure-I of PoA Rules) should also be sanctioned.
- The families of the victims may be rehabilitated as per the provisions of MS Act, 2013 and under the scheme of self-employment for rehabilitation of manual scavengers for a life of dignity.
- The Government should also design a monitoring system to avoid any delays for extending relief and rehabilitation of the families in case of any such tragedies and all help to victims/families of victim.
- It is the duty of the State Government that no manual cleaning of sewers, sewer lines, septic tanks, STPs etc is allowed in any part of the State to avoid occurrence of such incidences. It may also be ensured that all the sewer lines, sewers, tanks and STPs should be cleaned mechanically. In case of emergency, the labourers should be provided all the safety measures, fire brigade, and ambulance should be kept ready while cleaning under the supervision of the officers of the concerned Department. In case any incidence of death occurs while cleaning the sewer lines, septic tanks or STPs then the concerned officers should held responsible and action should be taken.

- During spot enquiry, the Commission noticed that the cleaning of Effluent Treatment Plants is not defined/covered under the MS Act, 2013. There are hazardous substances likely to cause environmental pollution, chemical gases due to industrial hazardous substances and it is harmful for environment as well as health hazardous to the life of human beings involved in cleaning such plants in private Shopping Complexes/ Residential Complexes/ Hotels/ Restaurants etc. Approximately 90% of persons belonging to SC Safai karamcharis are engaged in these cleaning work of the Effluent Treatment Plants. No compensation and Rehabilitation is provided to SC persons died during the cleaning of such Effluent Treatment Plants. Therefore NCSC is of the view that cleaning of Effluent/ Hazardous plants in industry/ private building/ restaurants/shopping complex may also be included under the MS Act, 2013 and the Act needs to be amended accordingly so that SC persons died during cleaning of such plants could get the compensation and rehabilitation.

8.9 Recommendations of the Commission on Socio-economic development

8.9.1 Planning Process

Article 338 of the Constitution of India states that:

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

In 2020-21 and 2021-22 no proposal for advice on planning process of socio- economic development of SCs was received by NCSC from any State Government. Advice of NCSC was also not sought on planning DAPSC / AWSC expenditure by any Ministry / Department of the Union or of the States. NCSC again recommends that the Government of India issue an OM reiterating the provisions of Article 338(9) wherein the concerned Ministries / Departments of the Government of India and State / UT governments shall invariably consult with NCSC in planning process for schemes for welfare of Scheduled Castes.

8.9.2 Non-payment of Scholarship to SC students.

The Commission and its State Offices have been receiving a large number of grievances / cases of non-payment of scholarship and 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 Governments / District Magistrates and District Social Welfare Officers. The

Commission is also receiving complaints from the SC students that recognized Private institutions are not giving admission to SC students as per revised guidelines of the MSJE in Post Matric Scholarship scheme.

The following type of rejection reasons were seen as cause of non payment of scholarships / tuition fee reimbursement:-

- Response not received from the Bank and data not digitally signed by DWO.
- The matter is pending at the level of Directorate of Welfare.
- Under process, amount has been sanctioned and will be transferred in the bank account of students.
- Bank account in-operative/Rejected by PFMS.
- Due to filling up of wrong IFSC code of bank.

Hence, it appears that many applications are rejected due small errors which are rectifiable.

Recommendations: -

- The Governments are 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. Further checks and balances in the system may be included to ensure complete, accurate and timely data entry so that Scheduled Caste students do not suffer.
- After admission of the students, the college/institutes/District level officers dealing with scholarships may ensure that all these applications are checked/ verified before uploading the data so that their applications are not rejected.
- There should be inbuilt system of warnings/reminders to ensure rectifications/corrections in time for any shortcomings in the applications.
- There should be a provision of SMS alerts to the stake holders such as Institutions and students at various stages of processing which can highlight any minor shortcomings and allow timely rectifications in the applications.
- Online system should incorporate a provision for issue of reminders to all such Institutions which have not uploaded the data in time. These reminders should be sent 15 days prior to closing date.

- Lists of applications with minor defects may be generated/uploaded and sent to the concerned Institutes for time bound rectification.
- The cases rejected by the District Scholarship Committees may be cross checked on a test basis for cases where minor rectifications/verifications are possible so that the scholarships may be released as per rules after corrections and scrutiny.
- Due to error in bank IFSC code or wrong account no. scholarships have not been released in many cases. Due to the lack of awareness a number of students have missed out on receiving their scholarships / fee reimbursements when the online process was just started. Hence in such cases, a one-time exemption may be considered and the account no./IFSC code may be confirmed from the students and the institutions and such scholarships may be released as a one-time measure.
- An inbuilt system where the students/institutions can view/track the status of their application with Temporary ID/ Permanent ID/ Aadhar number/Bank account number may be designed.
- Current guidelines for Post-Matric Scholarship may be amended so that SC students may get admission on zero fee in the recognized private institutes as in the past.
- Commission reiterates its recommendation made in report in 2016 on “Problems faced by Scheduled Caste Students in obtaining Scholarship”.
- Old left out scholarship cases of 2014 onwards should be examined by all State Governments and all eligible students should be paid scholarships and fee reimbursement due to them, within a time frame of 6 months.

8.9.3 Pradhan Mantri Mudra Loan Yojana

- State Government should monitor whether Banks are implementing the scheme properly.
- The data on SC beneficiaries should also be collected. Also, data on how many SCs have received loans of Rs.10 lakh, how many between Rs.5-9 lakh & how many below Rs.1 lakh should also be collected.
- The banks may take urgent necessary initiatives/steps to generate awareness about the scheme and encourage SC persons/entrepreneurs for applying for loans.

8.9.4 SC /ST hub:

- The Commission recommends that SC/ST officers may be given a chance to work in the offices of the SC/ ST Hub.

- The Commission recommends that review and evaluation of the SC/ST entrepreneurs may be conducted after the conclaves so that the progress of the Scheme may be evaluated and further course of action for improvement in the scheme may be taken.
- The Commission recommends that infrastructure facilities may also be provided to all SC/ST entrepreneurs.
- The Commission recommends that conclaves should be organized in the industrial area of the State and SC/ST cluster districts so that SCs may be benefitted.
- The Commission recommends that the contract of organizing conclaves may be provided to the SC/ST entrepreneurs only.
- Performance of the programmes for welfare of SCs should be evaluated by a third party to ascertain the benefits being offered by the Hub.

8.9.5 Recommendations for CPSBs

There is a major role to be played by banks with regard to economic empowerment and upliftment of the members of SC and ST communities. The Reserve Bank of India (RBI) has, from time to time, issued detailed instructions/guidelines/directions to the banks with regard to providing better credit facilities and incentives to the SCs and STs. A master circular FIDD.CO.GSSD.BC.No.05/09.09.001/2021-22 dated April 05, 2021 was issued by RBI which incorporated the instructions issued up to March 2021 in this regard and has been placed on website <http://www.rbi.org.in>. These instructions include:

Planning Process:

The district credit plans formulated by the lead banks should clearly indicate the linkage of credit with employment and development schemes.

At the block level, a certain weightage is to be given to SCs/STs in the planning process to ensure their participation and larger flow of credit to them for self-employment.

Banks to consider their loan proposals with utmost sympathy and understanding.

Banks should periodically review their lending procedures and policies to see that loans are sanctioned in time, are adequate and production-oriented and that they generate incremental income to make them self-liquidating.

Role of Banks:

Bank staff may help the borrowers in filling up the forms and completing other formalities so that they are able to get credit facility within a stipulated period from the date of receipt of applications.

In order to encourage SC/ST borrowers to take advantage of credit facilities, greater awareness among them about various schemes formulated by banks needs to be created through various means such as brochures, visits by field staff etc. so that salient features of the schemes, as also the advantages that will accrue to them are known to such borrowers.

Banks should advise their branches to organize meetings more frequently exclusively for SC/ST beneficiaries to understand their credit needs and to incorporate the same in the credit plan.

Circulars issued by RBI/NABARD should be circulated among the staff for compliance.

Banks should not insist on deposits while considering loan applications under Government sponsored poverty alleviation schemes/self-employment programmes from borrowers belonging to SCs/STs.

It should also be ensured that applicable subsidy is not held back while releasing the loan component till the full repayment of bank dues. Non-release of subsidy upfront amounts to under-financing and hampers asset creation/income generation.

Rejection of SC/STs' loan applications under government programmes should be done at the next higher level instead of at the branch level and reasons of rejection should be clearly indicated.

Reservations for SC / ST Beneficiaries under Major Centrally Sponsored Schemes:

There are several major centrally sponsored schemes under which credit is provided by banks and subsidy is received through Government Agencies. Credit flow under these schemes is monitored by RBI. Under each of these, there is a significant reservation / relaxation for the members of the SC / ST communities. Brief of these schemes is as under:

Deendayal Antyodaya Yojana - National Rural Livelihoods Mission (DAY-NRLM):

DAY-NRLM (previously known as NRLM) was launched by the Ministry of Rural Development, Government of India by restructuring the erstwhile Swarnajayanti Gram Swarozgar Yojana, effective from April 1, 2013. DAY-NRLM would ensure adequate coverage of vulnerable sections of the society such that 50% of these beneficiaries are SC/STs.

Deendayal Antyodaya Yojana – National Urban Livelihoods Mission (DAY-NULM):

The Ministry of Housing and Urban Affairs (MoHUA), Government of India, launched the DAY-NULM (previously known as NULM) by restructuring the erstwhile Swarna Jayanti Shahari Rozgar Yojana (SJSRY), effective from September 24, 2013. Under DAY-NULM, advances should be extended to SCs/STs to the extent of their strength in the local population.

Differential Rate of Interest (DRI) Scheme:

Under this Scheme, banks provide finance up to Rs.15,000/- at a concessional rate of interest of 4 per cent per annum to the weaker sections of the community for engaging in productive and gainful activities. In order to ensure that persons belonging to SCs/STs also derive adequate benefit under the DRI Scheme, banks have been advised to grant eligible borrowers belonging to SCs/STs such advances to the extent of not less than 2/5th (40 percent) of total DRI advances. Further, the eligibility criteria under DRI, viz. size of land holding should not exceed 1 acre of irrigated land and 2.5 acres of unirrigated land, are not applicable to SCs/STs. Members of SCs/STs satisfying the income criteria of the scheme can also avail of housing loan up to Rs.20,000/- per beneficiary over and above the individual loan of Rs.15000/- available under the scheme.

Monitoring and Review:

A special cell should be set up at the Head Office of banks for monitoring the flow of credit to SC/ST beneficiaries.

The cell will be responsible for the collection of relevant information/data from the branches, consolidation thereof and submission of the requisite returns to RBI and the Government.

The Head Office of banks should periodically review the credit extended to SCs/STs on the basis of returns and other data received from the branches. Any major gap or variation in credit flow to SCs/STs on a year to year basis should be reported to the Board.

Banks should review the measures taken to enhance the flow of credit to SC/ST borrowers on a quarterly basis.

SLBC Convenor bank should invite the representative of National Commission for SCs/STs to attend SLBC meetings.

Data on advances to SCs and STs should be reported as prescribed in the Master Direction on Priority Sector Lending as updated from time to time, within the time frames stipulated.

The Commission recommends that banks should strictly follow the guidelines issued by RBI for the economic upliftment of members from SC communities. It should maintain proper data of SC/ ST beneficiaries under the schemes and should also review the measures taken to enhance the flow of credit to SC/ST borrowers on a quarterly basis. The review should also consider the progress made in lending to these communities directly or through the State Level Scheduled Caste/Scheduled Tribe Corporations for various purposes based, amongst others, on field visits of the senior officers from the Head Office/Controlling Offices. Further, the Commission reiterates its earlier recommendations that:

- Banks should prepare a model for disbursing of maximum funds under retail loan, for socio-economic development for Scheduled Castes.
- More credit camps may be organised particularly at rural areas through outreach programmes to make new entrepreneurs aware about opportunities in business.
- Associate with public representatives on a regular basis for their training and awareness campaigns.
- The Banks and financial institutions may consider locating and associating with SHGs to encourage SC and women participation in income generation schemes.
- Tie up with State Govt. Departments which have launched schemes like solar rooftop installation, fiber optic installation etc.
- Opening of more training centers at regional levels and focusing on camp and campaigns mode to make rural entrepreneurs aware about availability of loans and hand hold them through loan process.
- Banks need to organize a system to provide handholding support to unemployed youth in preparation of the project. All banks in a district can consider to pool their efforts.
- The Government of India has a central sector scheme- SAMPADA (Scheme for Agro-Marine Processing and Development of Agro-Processing Clusters). The Banks can finance under this scheme to increase investment credit.
- NABARD has prepared area specific model bankable projects. Bankers can take training to evaluate and appraise different types of projects at Bankers Institute of Rural Development (BIRD), Lucknow.
- The Banks may tie up with *gramin* women Self Help Groups (like Bank Of Maharashtra), with Oil companies (like Indian Bank), OYO (like SBI), NGOs (Bank of Maharashtra) professional

/ Management colleges, Schemes of e-rickshaw, Solar roof top, fiber net yojna of Govt. (like Andhra Bank) etc. under MUDRA scheme to fulfill the obligation of the Government of the schemes, encourage entrepreneurs as well as to grow/boost their business.

- Tie up with it is, DICCI, NSCFDC, etc. and training schools, who teach make up, hair styling etc. for locating entrepreneurs.
- In view of the critical role played by Lead District Managers, it may be ensured that officials posted as LDMs possess requisite leadership skills. They should be competent and go the extra mile to discharge his/her duties effectively.
- Bank Branch Managers should have live contact with the residents of their area. They may identify good prospective borrowers themselves for financing under government sponsored schemes. This will lead to qualitative financing by banks and can make change the districts.
- Banks need to evolve a training schedule to create a favorable ecosystem.
- Rejection of applications on small grounds may be re-looked and efforts be made to arrest rejection rate in future. Automation may be brought into to analyze business applications to reduce possible errors in rejections.
- In order to encourage SC borrowers to take advantage of credit facilities, greater awareness among them about various schemes formulated by banks needs to be created through various means such as brochures, visits by field staff etc so that salient features of the schemes, as also the advantages that will accrue to them are known to such borrowers.
- Banks should advise their branches to organize meetings more frequently exclusively for SC beneficiaries to understand their credit needs and to incorporate the same in the credit plan.
- Banks should not insist on deposits while considering loan applications under Government sponsored poverty alleviation schemes/self-employment programmes from borrowers belonging to SCs/STs.
- It should also be ensured that applicable subsidy is not held back while releasing the loan component till the full repayment of bank dues. Non-release of subsidy upfront amounts to under-financing and hampers asset creation/income generation.
- Rejection of SC/STs' loan applications under government programmes should be done at the next higher level instead of at the branch level and reasons of rejection should be clearly indicated.

8.9.6 Modification of GeM Portal:

Mandatory norms have already been set by the Public Procurement Policy³ of at least 4% of annual procurement from SC/ ST entrepreneurs. However, GeM (Government E- Marketplace) the largest public procurement portal used by all Ministries/ Departments/Subordinate offices/ CPSUs/ CPSBs and even by many State Governments/ Departments does not have working enabling functions for the purchaser to identify the SC vendors who are L1. Also the function to divert 25% of a purchase from L1 vendor to an SC vendor at L1 price is needed. The Commission recommends that these functionalities should be made functional immediately so that the benefit of Public Procurement Policy is extended to the SC vendors registered with GeM.

8.9.7 Schemes for development of SC Clusters:

Specific schemes are needed for development of SC clusters/ SC dominated clusters of SC farmers, SC self help groups and SC entrepreneurs in the clusters. The schemes need to be designed and implemented for ensuring skill development, hand holding, access to markets and capital under the SCSP by the Ministries of Government of India and State Governments. Ministry of Small and Medium Enterprises (MSME) has indicative lists of such SC clusters/ SC dominated clusters and the same should be shared by them with all Ministries and State Governments.

³Public Procurement Policy for Micro and Small Enterprises Order, 2018 notified on 26.03.2013 (amended as on 09.11.2018, 11.08.2021)



Chapter – IX

Recommendations

9.1 Recommendations for strengthening the effectiveness of NCSC

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

9.1.1 Provision for imposing monetary penalty on authorities violating the PoA Act.

Article 338, of the Constitution 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”. This status of the NCSC is however limited to that of summoning and enforcing attendance of any person including examination of witnesses under oath and examining documents and has no other powers of a civil court. This limited role of NCSC as civil court has also been confirmed by the Hon’ble Supreme Court in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & Others wherein it has been stated that the power of civil court for granting injunctions temporary or permanent do not rest with the Commission, nor can such a power be derived from the clause (5) of Article 338 of the Constitution.

As a consequence, the authorities often do not follow the recommendations of the Commission even when there are clear-cut cases of atrocity and discrimination. While the repercussions of the non-compliance in service matters are unfortunate, the non-compliance of provisions of the PoA Act and Rules by the authorities, in cases of atrocities, means that the victims do not get any justice, help or compensation. The Commission has noted that even the Central Information Commission has been granted the power to impose penalties on the authority not complying with the provisions of the RTI Act² but this Commission which oversees the monitoring of the PCR Act and PoA Act has no powers to ensure compliance even on cases involving violation of the Acts and PoA Rules.

¹Annual Reports 2018-19 & 2019-20, 2017-18, 2016-17, 2015-16, 2014-15, 2013-14 and 2012-13 etc.

²RTI Act – Right to Information Act, 2005.

To overcome this anomaly and to ensure that the Commission has an effective role in ensuring justice to the victims of atrocities, the Commission recommends that in line with the clause 20 (1) of the RTI Act, the following should be considered :

For strengthening the functioning of the Commission and for monitoring the constitutional safeguards provided for Scheduled Castes more effectively, the authorities of Central and State Government, as the case may be, who are responsible for implementing the provisions contained in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended) and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, (as amended) and, have failed in their constitutional duty to redress the grievances of Scheduled Castes persons or has not taken any action as per aforesaid Act and Rules, a monetary penalty clause may be added to the Article 338 with respect to sub-clause (a) (b) & (f) of clause (5) and sub-clauses (a) to (f) of clause (8) of Article 338 as under:-

“Where the National Commission for Scheduled Castes, at the time of deciding any complaint or appeal on the cases of grave atrocities like murder, rape, kidnapping, arson, exodus etc., is of the opinion that the concerned authorities of the Central Government or State Government, as the case may be, without any reasonable cause, have failed in their constitutional duty and have not taken any action as mandated in the provisions contained in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (as amended) and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules (as amended) or not acted as per the recommendation of the Commission regarding timely and proper implementation of the above Act and Rules or have not furnished reports within the prescribed time or willingly given incorrect, incomplete or misleading information or refused to attend in person in the Commission for examination or obstructed in any manner in the enquiries of the Commission as per its mandate and in the discharge of its duties also embodied in sub-clause (a) or sub-clause (b) or sub-clause (f) or clause (5) and sub-clause (a) to (f) of clause (8) of the Article 338, it shall impose a penalty of fine as may be prescribed.

Provided that the authority of the Central Government or State Government, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him/her;

Provide further that the burden of proving that he acted reasonably and diligently shall be on the Authority of the concerned Central or State Government, as the case may be.

The above amendment may be incorporated under clause (8) (f) in Article 338 of the Indian Constitution.”

Accordingly, an amendment in Article 338 of the Constitution has been proposed to be inserted as clause (8) (g) under Article 338. A communication on this proposal has been sent to the Cabinet Secretariat vide D.O. letter No. 17/10/NCSC/2017-C.Cell dated 03.10.2017.

The Commission, therefore, again recommends the Government to take all necessary actions to strengthen the Commission. 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. The Commission recommends that a penalty clause for erring authorities should be inserted under clause (8) (f) under Article 338 of the Constitution of India as proposed on the above lines.

Action: Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Cabinet Secretariat, Government of India.

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 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 from the Ministry of Social Justice & Empowerment. The Commission is not able to work fearlessly and independently due to this anomaly and needs independence in its day-to-day work by allowing it to decide on its own administrative, financial and legal matters.

The 14th Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2008-2009) in its Report had also made recommendations on a similar line. The response to this recommendation has been that the Ministry of Finance has not agreed to the same. The 16th Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2018-2019) in its Report had also recommended that NCSC should be given adequate and distinct financial independence and powers so that it can, apart from carrying out its administrative functions smoothly, take better care of its core agenda for the upliftment of SCs; and addressing issues pertaining to their grievances and betterment.

The Commission again recommends that NCSC given independence in its day-to-day work by allowing it to decide on its own administrative, financial and legal matters. The Commission should have its own separate budget instead of its budget being a part of the budget of the Ministry of Social Justice and Empowerment. In order to increase the effectiveness of the Commission and also to ensure its independence as envisaged in the Constitution, above recommendation may be considered afresh by the Government.

Action: Ministry of Social Justice and Empowerment and Ministry of Finance, Government of India.

9.1.3 Increase of Staff strength

The 14th Lok Sabha Committee had also observed that with the increase of population and awareness amongst the Scheduled Castes people and 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 varied nature of its work, the Commission should have the power to get its staff requirement reassessed with studies by appropriate professional bodies and take up the matter independently with the DoPT and the Department of Expenditure/ MoF, for creation of the necessary posts.

Action: Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training and Ministry of Finance, Department of Expenditure, Government of India.

9.1.4 Court cases against the Commission

It has been seen that many Government Departments/Public Sector Undertakings (PSUs) have a tendency to file writ petitions in various Hon'ble Courts against the recommendations of the NCSC or even against the letters of the Commission desiring the presence of top officials of the Government/ PSUs to assist the Commission in its inquiries. This is ironical as the recommendations of NCSC are only advisory and department/ PSUs need not to resort to taking matter to Courts, since the same complicates and delays final delivery of justice as well as burdens the exchequer with legal fees. This is a glaring example of different wings of State fighting against the State in the Court of law, while both are entrusted with the same responsibility of ensuring justice and equity to the Scheduled Caste person.

9.1.4.1 In view of above, Commission strongly recommends the intervention of Government for issuing of an order that if the departments/ PSUs have any reservation or problems in implementing any recommendation of NCSC, they should first approach the Commission with full facts and seek a review of the recommendation rather than contesting the recommendations of the Commission in the court. Seeking intervention from the Hon'ble Courts should be used only as the last resort.

9.1.4.2. The Commission is party to a number of court cases, which are mainly being dealt in the Hon'ble Courts of Delhi, Lucknow, Allahabad, Chennai and Bengaluru. The process for engaging a counsel for the Commission is long drawn and tedious. The Commission writes to the Ministry of Law and Justice for nominating a counsel which goes through the Ministry of Social Justice and Empowerment. This process leads to number of different counsels representing the Commission even in the same court. Also, many of the opposing parties are also Departments of Government of India, Central PSUs, Central Public Sector Banks etc., and their counsels are also from the same panel of Central Government counsels and a conflict of interest cannot be ruled out. Hence, the Commission desires to maintain its own panel of lawyers.

The Commission again strongly recommends that like other Commission's/ Constitutional bodies viz., Union Public Service Commission (UPSC), University Grants Commission (UGC), Comptroller and Auditor General of India (CAG) etc., the Commission may be allowed to engage its own counsel.

Action: Ministry of Social Justice and Empowerment and Ministry of Law & Justice, Department of Legal Affairs, Government of India.

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

The existing NCSC State Offices at Ahmedabad, Chandigarh, Patna, Kolkata, Guwahati and Hyderabad deal with more than one State. The number of complaints/grievances handled in these offices is very high and the large geographical spread of their area of coverage also tends to reduce the effectiveness and monitoring of the schemes and plans of the respective States by our State Offices. Consequently, the need has been felt for opening new State Offices particularly for Orissa (at Bhubaneswar), Madhya Pradesh (at Bhopal), Rajasthan (at Jaipur), Jharkhand (at Ranchi), Uttarakhand (at Dehradun), Chhattisgarh (at Raipur), Haryana (at Gurgaon) 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.

Also, the follow up action and monitoring along with effective interaction with senior officers in State Governments, requires more number of officers at higher levels than sanctioned in many of the state offices of NCSC. The proposal to upgrade four NCSC State Offices of Assam, Gujarat, Tripura and Kerala to the level of Director from the level of Deputy Director has therefore been proposed. Both these proposals i.e. to open 8 more offices and upgrade four State Offices to the level of Director along with required staff, need to be expedited.

Therefore, the Commission again recommends that the proposals of opening of new offices of the NCSC and upgradation of some of its offices may be expedited.

Action: Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Ministry of Finance, Department of Expenditure, Government of India.

9.2 Recommendations on Service Safeguards

The issues and recommendations arising out of service related matters have been discussed in detail in Chapter VII of this Report. The recommendations in these matters have been summarized below.

9.2.1 On Reservation:

- The Reservation Bill may be redrafted including the recommendations of the Commission sent vide letter no. 4.3.2004-SSW-V dated 13.12.2004 and 14.12.2004. The opinion of the Commission may also be sought on the redrafted Bill as per the provisions of Article 338(9) of the Constitution.
- Reservations should be strictly implemented in all the projects of the Government which last for more than 45 days and also while engaging young professionals, research associates, consultants, interns and data entry operators etc. by government departments, CPSUs, CPSBs and autonomous organizations. The rules of reservations should be strictly followed in such appointments as per MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018.
- Reservation rosters should be strictly maintained and followed to ensure adequate representation of SCs in services as per DoPT O.M. No. 36011/1/76-Est. (SCT) dated 06.03.1976.
- Special Recruitment Drives should be launched by government departments, CPSUs, CPSBs and autonomous organizations etc. to clear backlog vacancies as per instructions in the DoPT OM No. 36038/1(i)/2013-Estt (Res)} dated 21.6.2013.

- All the instructions³ issued by DoPT to safeguard the interest of the Scheduled Castes like appointment of Liaison Officers, setting up of SC/ST Cell for grievances, maintenance of grievances registers, inspection of rosters, quarterly meetings with representatives of SC Association etc. must be followed.
- Steps should be laid down to improve the percentage of SCs in Group 'A' and 'B' in Central/State Governments/ UTs and CPSUs/CPSBs etc.
- Grouping of posts of the same cadre, same qualification and pay scale should be completed and declared as single cadre⁴ so that representation of SCs is improved.
- Pre-recruitment and pre-promotional training should be imparted to the SC Employees by all the departments, as per DoPT O.M. No. 28/8/72-Estt. (SCT) dated- 02.03.1972 & DoPT O.M. No. 36022/23/93-Estt. (SCT) dated 27.07.1993.
- A large number of SC employees approach the Commission with grievances related to discrimination, mainly with respect to denial of promotions, downgrading of APARs etc. The Commission has noticed that most of these issues could be resolved with impartial reconsideration. In order that such issues are resolved at the Department / CPSU / CPSB level itself rather than by the SC employee approaching the Commission, it is recommended that an internal SC grievance redressal committee may be formed in each Department /CPSU / CPSB headquarters and all such cases referred to this committee. This internal SC grievance redressal committee, formed on the lines of the internal complaints committee to deal with sexual harassment at workplace cases, may have 5 members (with at least 3 members being from SC community and at least one lady member) and can be tasked to examine and resolve the grievances in a time bound manner. The SC employees may be asked to approach this committee with their grievances. Cases that are not resolved by this committee may then be taken up by the Commission if the SC employee wishes to approach the Commission.
- Reservation is not being provided by the Government of Punjab in the matter of engagement of Law Officers for the office of Advocate General Punjab. This is in violation of provisions contained in 'The Punjab Scheduled Castes and Backward Classes (Reservation in Services) Act-2006'. The Commission recommends for providing reservation to Scheduled Castes in the matter of engagement of Law Officers in the office of Advocate General Punjab.

³Vide DoPT O.M. No. 43011/153/2010-Estt. (Res.) dated- 04.01.2013, DoPT O.M. No. 8/8/71-Est. (SCT) dated- 22.04.1971, DoPT O.M. No. 36022/5/76-Estt. (SCT) dated- 27.05.1976 & Department of Personnel and Administrative Reforms O.M. No. 36022/5(i)/76-Estt. (SCT) dated- 28.5.1976.

⁴Covered under DoPT O.M. No. 36011/17/85-Estt. (SCT) dated 23.07.1985.

- Reservation is not being provided by the Government of Punjab in case of promotion of Judicial Officers and other court officials in various courts in the State of Punjab. This is in violation of provisions contained in 'The Punjab Scheduled Castes and Backward Classes (Reservation in Services) Act-2006'. The Commission recommends for providing reservations to Scheduled Castes employees (Judicial Officers and Court officials) in the promotion to higher echelons in various courts in the State of Punjab.

9.2.2 On Promotion:

- As per DoPT OM No. No. 36012/11/2016-Estt(Res-I) {Pt-II dated 15.06.2018, reservation in promotion may be continued to be implemented in all the Central/State Governments, PSUs and PSBs.
- The Government should consider a Constitutional amendment for putting in place reservation in promotion.

9.2.3 On false Caste Certificates:

- The Vigilance Committees and Caste Scrutiny Committees set up in the States and UTs as per the guidelines of Hon'ble Supreme Court should act promptly and officers concerned should exercise all possible vigilance prior to issue of SC caste certificates. Strict and fast exemplary action may be taken wherever false caste certificate are detected.
- A standard operating procedure should be laid down by DoPT/ State and UT Govt. formulating the action to be taken by the caste certificate issuing authority when a case of verification is referred to them. The responsibility to complete the verification work in a time bound manner of 1-3 months, cancelling the false caste certificate, if any, and informing the employer Department/Organization within the specified time frame, should be with the District Collector/District Magistrate.
- The State Governments should take disciplinary action and also action under Section-4 of the PoA Act (as amended) against the officers responsible for issuance of the false caste certificates, as the genuine candidates of Scheduled Cates are deprived of their legitimate appointment due to the issue of the fake Caste certificates. Necessary instructions need to be issued by the DoPT / State and UT Governments/ Departments. Also if the Govt. (Head of the Department) fails to take action against the erring official, then that officer may also be liable to be booked under Section-4 of PoA Act.

- For employers (Governments, CPSUs, CPSBs, autonomous bodies etc.) a time frame to complete the action in such cases is necessary as well as introduction of a penal provision to recover the full pay & allowances paid, along with interest from the employees found to have benefitted from production of false caste certificates.

9.2.4 Action on recommendations of the Commission:

The Commission while investigating some of the cases⁵ of service related matters of different Departments and PSUs, found that some of the departments/ PSUs ignore the recommendations of the Commission, even in the cases where the Commission has found clear discrimination / harassment and pointed it out in its recommendations. The Departments /PSUs also did not submit any action taken report (ATR) nor did they respond to the Commission or petitioner. As a result, the grievance of the petitioners remains unsolved and he/she is forced to approach the Commission or Courts again. There are clear orders of DoPT dated 01.01.1998 and 30.11.1998 wherein the Departments/ Ministries/PSUs etc. have been advised to consider the recommendation/ or suggestions of NCSC in light of the Government policies. Hence the Departments/ Authorities/ PSUs/ PSBs need to consider them and issue speaking and clear orders on the same under intimation to the Commission and individual petitioner concerned.

In view of the above, the Commission recommends that the DoPT reiterates its earlier instructions/ orders issued vide O.M. No. 36036/2/97-Estt.(Res) dated 01.01.1998 and 30.11.1998 to all Ministries/Departments to extend maximum cooperation to the Commission in the discharge of its roles and to give due consideration/weightage to all its recommendations/ suggestions. In the rare cases where the Departments/ Authorities/ PSUs/ PSBs may not be in a position to implement recommendations of the Commission speaking orders mentioning the relevant rules and reasons that restrict implementation may be communicated to the Commission and the petitioner within a specific time frame.

9.2.5 Treatment of in-service persons approaching the Commission

The Commission reiterates its recommendation that the Central/State Govt. & UTs should issue strict instructions to the concerned departments under their control that SC officials/officers should not be harassed or punished for approaching the Commission for protection of their rights and the safeguards provided under Constitution of India or any other Law in force. The DoPT order No. 36024/5/97-Estt. (Res.) dated 05.01.1998 states that the SC employees can directly approach the Commission and there is no need to seek prior approval.

⁵File nos J-9/DoPT-II/2016/SSW-II, R-10/Delhi-32/2005/SSW-I, P-4/UP-18/2017/SSW-II, D-1/UP-33/2017/SSW-II,V-2/UP-23/2016/SSW-II

9.2.6 Consultation with the Commission:

The Union and State Government must consult the Commission on policy matters that may affect the interest of Scheduled Castes as per the provisions of Article 338 (9) of the Constitution of India.

9.2.7 Representation of SCs in Group A:

Representation of Scheduled Castes in the higher management levels of Group A across all PSUs was found to be well below the norm. The PSUs were advised to take steps to ensure that SCs find adequate representation in the higher management levels.

9.2.8 Representation of SCs in contractual / outsourced personnel:

The reservation rules regarding contractual personnel of SCs in the persons working on contract basis / outsourced / daily wage basis are mostly not known to the management in most Ministries/ PSUs / Departments. The Reservation rules issued vide MHA & DoPT orders⁶ reg. contractual personnel needs to be followed. In case of works outsourced to private agencies, there must be a clause in the provisions of the “contract” to ensure adequate representation of SCs by providing prescribed reservation to them. The Ministries/ Departments/PSUs shall keep a database of SCs engaged as contractual/ outsourced personnel. The Commission recommends that this needs to be formalized with the issue of an OM. Hence the MSJE, DoPT and DFS and DPE may coordinate and issue a formal OM outlining the same so that there is uniformity in the implementation of the same across all Departments/ CPSUs/ CPSBs.

Action: Ministry of Social Justice and Empowerment, Department of Personnel & Training, Department of Public Enterprises & Department of Financial Services, Govt. of India.

9.3 Recommendations regarding economic and social development

The issues regarding the economic and social development of Scheduled Castes have been discussed in detail in Chapter VIII of this report. The recommendations on the economic and social development aspects arising out of those issues are summarized below:

9.3.1 Manual cleaning of sewers / septic tanks / STPs

Most of the States have not notified the MS Act and PEMSR Rules and even where notified the same

⁶ MHA OM No 27/4/67(II)-Estt(SCT) dated 24.09.1968 & DOPT OM No. 36036/3/2018-Estt(Res) dated 15.05.2018.

are not being applied in letter and spirit. Hence the Commission recommends that all the State / UT Governments need to take action/issue instructions to ensure that:

- All officers and staff of the concerned Departments, Municipal Corporations, Town area Municipal Councils, gram and Zila Panchayats, Jal Sansthan/ Jal Boards etc. and private contractors employed by such Departments/Corporations/Councils/Gram Panchayats etc. are continuously trained/retrained to handle issues of cleaning of blocked sewers, sewage/ septic tanks etc. using mechanical means, without humans entering the same.
- State Governments should conduct awareness/training programme/workshops of Tehsil level/district level officers of the State to make the officers (including police officers) aware of the provisions of the MS Act, PEMSR Rules 2013, PoA Act and Rules, guidelines of the Hon'ble Supreme Court in this regard and action to be taken by officers in such cases.
- The advisory and circulated SOPs of the MoUD regarding the subject vide letter no Z-16025/3/2018-CPHEEO dated 12.07.2019, to Chief Secretaries of all States / UTs need to be followed and implemented by all State Governments. MoHUA should monitor the implementation on a quarterly basis.
- 100% cleaning of sewage lines, septic tanks etc. by using machines/robots etc. should be ensured and sufficient numbers of the machines and robots need to be purchased on priority. State Governments need to take steps to provide sufficient budgetary support for the same.
- MoHUA has also given details of machines /robots for cleaning of the sewers in their letter dated 12.07.2019 and the State governments need to issue instructions to all ULBs etc. to take action to purchase and use such machines expeditiously.
- Comprehensive guidelines/circulars may be issued to all the relevant departments of the State Governments, owners of private buildings, RWA of housing societies/ complexes regarding preventive measures to be taken and safety devices to use while cleaning the septic tanks or STPs.
- To ensure that such tragedies do not occur immediate institutional steps are needed regarding strict compliance of provisions of the PEMSR Rules, 2013 with respect to the cleaning of sewers. For spreading awareness of the provisions of the MS Act 2013, state / district and municipality level awareness programmes need to be arranged.
- The Labourers/ Safai karamcharies should be medically checked periodically and all medical facilities be given to them.

- It is also advised that the above relevant sections of the Rules and Act are incorporated in the agreement and adherence to same is ensured whenever a contractor is engaged for cleaning of sewers/septic tanks etc.

9.3.2 If a person dies during cleaning of sewers/septic tanks, the following steps are to be taken by the State / UT Governments / departments / autonomous bodies concerned:

- An FIR should be lodged under the relevant sections of IPC, the relevant section 7/9 of MS Act and also under section 3(1) j of PoA Act, in case victim is a SC.
- All out efforts are to be made immediately to arrest the accused persons who were responsible for ordering the manual cleaning and trace the absconding accused if any.
- The departments concerned should immediately constitute departmental enquiries against officers responsible for ordering the manual cleaning, find out the lapses and take action against the officers found guilty.
- Government/Employer should bear costs of medical treatment, if any, of victims.
- Rs.10 lakh compensation as per guidelines of Hon'ble Supreme Court should be paid to families of victims within 7-10 days.
- It may also be ensured all the labourers/safai karamcharies are covered under the life insurance of Rs.10 lakh as per rules and the payment of the same to be released within 7 to 10 days in case of tragedies.
- In case victim is a Scheduled Caste, then monetary relief (Rs.8.25 lakh per victim) and additional relief as per provisions of the PoA Rules (column 46 in Annexure-I of PoA Rules) should also be sanctioned.
- The families of the victims may be rehabilitated as per the provisions of MS Act, 2013 and under the scheme of self-employment for rehabilitation of manual scavengers for a life of dignity.
- The Government should also design a monitoring system to avoid any delays for extending relief and rehabilitation of the families in case of any such tragedies and all help to victims/families of victim.

It is the duty of the State Government that no manual cleaning of sewers, sewer lines, septic tanks, STPs etc. is allowed in any part of the State to avoid occurrence of such incidences. It may also be ensured that all the sewer lines, sewers, tanks and STPs should be cleaned mechanically. In case of emergency, the labourers should be provided all the safety measures, fire brigade, and ambulance should be kept ready while cleaning under the supervision of the officers of the concerned

Department. In case any incidence of death occurs while cleaning the sewer lines, septic tanks or STPs then the concerned officers should held responsible and action should be taken.

Action: State / UT Governments / Departments / Autonomous bodies

9.3.3 Hazardous Cleaning:

During spot inquiries, the Commission noticed that the cleaning of Effluent Treatment Plants (ETPs) is not defined/ covered under the MS Act, 2013. There are hazardous substances likely to cause environmental pollution, chemical gases due to industrial hazardous substances and it is harmful for environment as well as a health hazard to the life of human beings involved in cleaning such plants in private Shopping Complexes/ Residential Complexes/ Hotels/ Restaurants etc. The majority of these ETPs discharge their waste into sewers and the possibility of the sewers being blocked due to waste discharge from these ETPs and the subsequent build up of toxic gases cannot be ruled out. Approximately 90% of persons belonging to SC Safai karamcharis are engaged in these cleaning works of the Effluent Treatment Plants. No compensation and Rehabilitation is provided to SC persons died during the cleaning of such Effluent Treatment Plants. Therefore, NCSC is of the view that cleaning of Effluent/ Hazardous plants in industry/ private building/restaurants/shopping complex may also be included under the MS Act, 2013 and the Act needs to be amended accordingly so that SC persons died during cleaning of such plans could get the compensation and rehabilitation.

Action: Ministry of Social Justice and Empowerment, Govt. of India.

9.3.4 Rehabilitation of Inter-State Migrant Labourers

About 16% of the total intra-state migrants in India belong to the SC as per data from **Census 2011**.⁷ Millions of such Indians from disadvantaged castes are driven towards intra-state migration due to poor socio-economic conditions in their hometowns, compelling them to migrate for survival purposes. However, even there such disadvantaged sections of the communities are seen as hardly benefitting from migration as social discrimination continues to impact them in the places they migrated to. They face persistent social segregation, labour market discrimination and barriers to accessing the most basic services, as found by an analysis of **Census data** and the research studies done by **India Migration Now**, a Mumbai-based non-profit agency/organization.

Government policies are found to be exclusionary for e.g., state-specific schemes such as the public distribution system (PDS), and exclusion of inter-state migrants from temporary and permanent housing according to the **Interstate Migrant Policy Index 2019 (IMPEX 2019)**, along with the

⁷https://www.censusindia.gov.in/2011census/population_enumeration.html

ruling of the Supreme Court in 2018 whereby migrant labourers can no longer access the benefits of reservations in state government jobs and state-run educational institutions in another state if their caste is not notified there, since they are accused of eating away the quota meant for the natives of the place. Some research has also indicated that middlemen deliberately recruit SC people due to their vulnerability to exploitation, which renders them into a cheap and docile labour force. Such circumstances are found to push migrant labourers to the fringes of cities with inadequate municipal infrastructure, in slums and temporary habitations, leaving them vulnerable to poor health and working conditions.

Since 2005, the Government of India has taken some important steps to control inter-state migration with implementation of schemes such as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Amendment Bill of 2011 which has various safeguards to protect the interests of migrants.

The Commission recommends the formulation of a comprehensive legal framework to protect labour migrants and their human and labour rights at the national level, through an approach involving public authorities, employers, job brokers, internal organisations between labour-sending and labour-receiving states within India to eradicate the abuse and exploitation by many middlemen/ munshi/ employers who still lock the labourers in a debt trap and exploit them.

9.3.5 Planning Process

Article 338 of the Constitution of India states that:

“The Union and every State Government shall consult the Commission on all major policy decisions affecting Scheduled Castes”. In 2020-21 & 2021-22 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 DAPSC expenditure by any Ministry / Department of the Union or of the States. Hence, NCSC reiterates its recommendation that the Government of India may issue an OM reiterating the provisions of Article 338(9) wherein the concerned Ministries / Departments of the Government of India and State / UT governments shall consult with NCSC in planning process for schemes wherein the socio-economic welfare of Scheduled castes is affected.

9.3.6 Non-payment of Scholarship to SC students.

The Commission and its State Offices have been receiving a large number of cases of non-payment of scholarship and 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 Governments / District Magistrates and District Social Welfare Officers. The Commission is

also receiving complaints from the SC students that recognized Private institutions are not giving admission to SC students as per revised guidelines of the Ministry of Social Justice & Empowerment in Post Matric Scholarship scheme.

9.3.6.1 Recommendations:-

- The State Governments may be 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. Further checks and balances in the system may be included to ensure complete, accurate and timely data entry so that Scheduled Caste students do not suffer.
- After admission of the students, the college/institutes/District level officers dealing with scholarships may ensure that all these applications are checked/ verified before uploading the data so that their applications are not rejected.
- There should be inbuilt system of warnings/reminders to ensure rectifications/corrections in time for any shortcomings in the applications.
- There should be a provision of SMS alerts to the stake holders such as Institutions and students at various stages of processing which can highlight any minor shortcomings and allow timely rectifications in the applications.
- Online system should incorporate a provision for issue of reminders to all such Institutions which have not uploaded the data in time. These reminders should be sent 15 days prior to closing date.
- Lists of applications with minor defects may be generated/uploaded and sent to the concerned Institutes for time bound rectification.
- The cases rejected by the District Scholarship Committees may be cross checked on a test basis for cases where minor rectifications/verifications are possible so that the scholarships may be released as per rules after corrections and scrutiny.
- Due to error in bank IFSC code or wrong account number scholarships have not been released in many cases. Due to the lack of awareness a number of students have missed out on receiving their scholarships / fee reimbursements when the online process was just started. Hence in all such cases, a one-time exemption may be considered and the account no./IFSC code may be confirmed from the students and the institutions and such scholarships may be released as a one-time measure

- An inbuilt system where the students/institutions can view /track the status of their application with Temporary ID/ Permanent ID/ Aadhar number/ Bank account number may be designed.
- Current guidelines for Post-Matric Scholarship may be amended so that SC students may get admission on zero fee in the recognized private institutes as in the past.
- Commission reiterates its recommendation made in report in 2016 on “Problems faced by Scheduled Caste Students in obtaining Scholarship”.
- Old left out scholarship cases of 2014 onwards should be examined by all State Governments and all eligible students should be paid scholarships and fee reimbursement due, within a time frame of 6 months.

9.3.7 Pradhan Mantri Mudra Loan Yojana

- State Governments should monitor whether Banks are implementing the scheme properly.
- The data on SC beneficiaries should also be collected. Also, data on how many SCs have received loans above Rs.10 lakh, how many between Rs.5-10 lakh, how many between Rs. 1 lakh to 5 lakh and how many below Rs.1 lakh may be collected.
- The banks may take urgent necessary initiatives/steps to generate awareness about the scheme and encourage SC persons/entrepreneurs for applying for loans.

9.3.8 SC/ST Hub Scheme

- A detailed report of the conclaves conducted by the MSME may be submitted to the Commission. National SC & ST Hub Scheme (NSSH) State Conclaves being organized should be monitored more effectively.
- The Ministry of MSME may give details of the conclaves, their effects, results on motivation of SC/ST entrepreneurs under the scheme, what support was provided to the SC/ST participants etc.
- The details of the outcome of the conclaves for Scheduled Caste entrepreneurs may be given to the Commission.
- The Commission recommends that the SC/ST officers may be given a chance in the offices of the SC/ ST Hub.

- The Commission advises that review and evaluation of the SC/ST entrepreneurs may be conducted after the conclaves so that the progress of the scheme could be evaluated and further course of action can be taken.
- The Commission recommends that infrastructure facilities may also be provided to all the SC/ST entrepreneurs.
- The Commission advises that these conclaves should be organized in the industrial areas of the States and the SC/ST cluster districts.
- The Commission advises that the contracts of organizing conclaves may also be provided to the SC/ST entrepreneurs.
- The separate category for SC / ST entrepreneurs in GeM is not functioning. The Ministry was advised to take up the matter and ensure the same becomes functional.
- Performance of the programme should be evaluated by a third party to ascertain the benefits of the scheme.

9.3.9 Recommendations for CPSBs

The Commission recommends that banks should strictly follow the guidelines issued by RBI vide its Master Circular dated 05th April 2021 for economic upliftment of members from SC communities. Banks should maintain proper data of SC/ST beneficiaries under the schemes and should also review the measures taken to enhance the flow of credit to SC/ST borrowers on a quarterly basis. Banks should significantly improve its performance in lending to SCs under the schemes so that they can be empowered financially. The review should also consider the progress made in lending to these communities directly or through the State Level Scheduled Caste/Scheduled Tribe Corporations for various purposes based, amongst others, on field visits of the senior officers from the Head Office/Controlling Offices. Banks should prepare a model for disbursing of maximum funds under retail loan, for socio-economic development for Scheduled Castes.

The Commission also reiterates its earlier recommendations given in its previous Annual Reports.

9.3.10 Procurement from SC suppliers/ contractors as per MSME guidelines:

The Commission observed that the percentage of procurement from SC suppliers / contractors in all PSUs / Departments is negligible as compared to the mandatory norms set by the Public Procurement Policy⁸ of at least 4% of annual procurement from SC/ST entrepreneurs. Details of

⁸Public Procurement Policy for Micro and Small Enterprises Order, 2018 notified on 09.11.2018 and applicable from 01.04.2019.

SC vendor development programmes showed lack of serious and concentrated effort made by the PSUs in this aspect. The Commission appreciated the initiative of HPCL in their vendor development efforts, lowering of the first order limits etc. and also the hand holding by HPCL to improve the percentage of SC vendors in their organization. The Commission recommends that all PSUs should adopt (with variations) the methodology of HPCL so as to improve the percentage of SC vendors in their respective PSUs. The PSUs may also immediately ensure maximum SC vendors / suppliers in the non- technical works like housekeeping, maintenance, horticulture, office supply etc. and develop vendors for technical work / equipment supply. While the CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for the same this needs to be formalized and monitored regularly by the DPE and the Ministry of Micro, Small and Medium Enterprises.

Action: Department of Public Enterprises and Ministry of Small & Medium Enterprises, Govt. of India.

9.3.11 Modification of GeM Portal in line with the Public Procurement Policy:

Mandatory norms have already been set by the Public Procurement Policy⁹ of at least 4% of annual procurement from SC/ ST entrepreneurs. However, GeM (Government E- Marketplace) the largest public procurement portal used by all government ministries, departments, subordinate offices, CPSUs, CPSBs and even by many state governments / departments does not have working enabling functions for the purchaser to identify the SC vendors who are L1. Also the function to divert 25% of a purchase from L1 vendor to an SC vendor at L1 price is needed. The Commission recommends that these features should be made functional immediately so that the benefit of Public Procurement Policy is extended to the SC vendors registered with GeM.

Action: CEO – GeM, DGS&D, Ministry of Electronics and Information Technology and Ministry of Commerce & Industry.

9.3.12 Schemes for development of SC Clusters:

Specific schemes are needed for development of SC clusters/ SC dominated clusters of SC farmers, SC self-help groups and SC entrepreneurs in the clusters. The schemes need to be designed and implemented for ensuring skill development, hand holding, access to markets and capital under the SCSP by the Ministries of GoI and State Governments. Ministry of MSME has indicative lists of such SC clusters/ SC dominated clusters and the same should be shared by them with all Ministries and State Governments.

⁹Public Procurement Policy for Micro and Small Enterprises Order, 2018 notified on 09.11.2018 and applicable from 01.04.2019.

9.3.13 Corporate Social Responsibility:

The Commission recommends that the PSUs should take up an outcome appraisal of all skill development/education-related CSR works undertaken by them so that the outcome of such CSR activities in providing gainful employment/ improving standard of living etc. can be kept in sight and minor modifications, if any needed, can be made in the CSR programs to make them more effective. The Department of Public Enterprises may issue the necessary OM for the same.

9.3.14 SCSP/DAPSC:

The Commission strongly reiterates its recommendation that there should be formulation of such specific schemes for the benefit of the SCs which will increase employability (both in the Ministries of GoI and States / UTs). The schemes should fulfill 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 majorly inhabited by the scheduled castes.
- Those schemes should be included in the DAPSC 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 Ministries of GoI/ State government departments 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. The budget for these schemes should not be re appropriated by the Ministries / State government departments for other general schemes without the specific approval of the DoE (in GoI) or the finance departments of the states
- Social Audit of the expenditure needs to be conducted in each district.
- 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 DAPSC/SCSP head on general schemes like road construction, electrification, development of civil airports, buildings as it was found in many States and Union Territories.

- It should ensure that funds earmarked for the respective development schemes for SCs/STs must not be diverted for other purposes.
- There should be nomination of a nodal officer not below the rank of Joint Secretary for the financial, physical and outcome-based monitoring of the Allocation for the Welfare of SCs (AWSC) / DAPSC for the identified Central Sector and Centrally Sponsored Schemes for monitoring of AWSC. There should be separate and adequate staff posted to AWSC Unit at field level to monitor progress under AWSC & suggest policy inputs & modalities to obliged Ministries from time to time.

9.4 Recommendations regarding handling of Atrocity cases

The Commission has been closely monitoring large number of individual cases of atrocities against Scheduled Castes and has also intensively taken up details of action taken by Police and District Administration in cases of atrocities during State, Divisional and District reviews. The observation regarding handling of atrocity cases by the authorities and the subsequent recommendations on the same have been discussed at length in Chapter VI of this report. Our recommendations are summarised as below:

9.4.1 All FIRs should be lodged and IG Police of Zones / equivalent officers of zones should monitor Police Station-wise the cases being lodged after the order of the Court under Section 156 (3).

Action: Ministry of Home Affairs, (MHA), Government of India and Home Departments of State Governments/ UTs.

9.4.2 Female Police personnel should be deployed in each police station, especially in atrocity-prone areas, to record complaints of women victims of offences of atrocities under POA Act.

Action: Ministry of Home Affairs, (MHA), Government of India and Home Departments of State Governments/ UTs.

9.4.3 Specific instructions and details should be issued to all Police Stations regarding the Sections of the PoA Act (as amended) and other Acts like POCSO etc. which are to be invoked in the FIRs/ charge sheets.

Action: Ministry of Home Affairs (MHA), GoI, Chief Secretaries of State Governments/UTs and MSJ&E, GoI.

9.4.4 The DMs & SPs/SSPs of the districts where atrocities are found to have been committed must be asked to conduct spot visits as per Rules 6 (1) and 12 (1) of the PoA (as amended) Rules and

also ensure timely help/payment of immediate relief as per rules to the victim/families of victims. Specific orders regarding the same need to be issued and MSJ&E, GoI need to take up this issue with the State Governments and monitor progress.

Action: Ministry of Social Justice & Empowerment, GoI and Chief Secretaries of State Governments/ UTs.

9.4.5 All State / UT Governments should issue specific G.Os for payment of compensation / additional compensation to victims/families of victims including details of heads of accounts to be debited. The GOs may also include details like emergency withdrawal from the treasury in case of lack of budget, ensuring timely additional relief like payment of pension, allotment of house/land, job, education of children etc. Training of District Social welfare Officers needs to be conducted on a regular basis by all State / UT Governments.

MSJE should also take up with all State Governments to issue clear-cut GOs in this respect so that the victims do not suffer.

Action: Ministry of Social Justice & Empowerment, Government of India, Chief Secretaries of State Governments/ UTs.

9.4.6 The Department of Social Welfare, Government of Rajasthan, has developed an online Portal where payment of monetary relief at each stage is mapped and monitored for timely stage-wise payments. Similarly, Government of Telangana has set up a Victim Relief Monitoring cell in the Police Headquarters with similar cells in all districts. This has helped in ensuring timely and stage-wise payment to the victims/families of victims.

MSJE may take up with all State Governments to also develop their own portal or constitute a cell for monitoring and ensuring timely payment of monetary relief to victims/families of victims.

Action: Ministry of Social Justice & Empowerment, GoI and Chief Secretaries of State Governments/ UTs.

9.4.7 Setting up of Exclusive Special Courts and appointing of special public prosecutors should be expedited by all states / UTs.

Action: Chief Secretaries of State Governments/ UTs.

9.4.8 Supervision of Prosecution: The District Magistrate and Director of Prosecution should review the performance of the Special Public Prosecutors at least twice a year, as per Rule 4 of the PoA Rules during the DLVMC meetings and submit to the State Government a report on the same.

The State Government during the SLVMC meetings should also monitor the same take action such as de-notifying the underperforming SPPs. This could will help in improving conviction rates.

Action: MSJE & MHA, GoI and Chief Secretaries of State Governments/ UTs.

9.4.9 Recommendations for the Government of Delhi: In order to reduce the sufferings of the victims /families of victims of the atrocities, the Government of National Capital of Delhi (GNCTD) needs to draw up a standard operating procedure and issue instructions regarding the concerted action to be taken by Delhi Police, District Magistrates / Department of SC /ST / OBC welfare regarding timely payment of monetary relief / additional relief at each stage to victims and families of victims of atrocities. MHA, GoI may follow up with the Chief Secretary, GNCTD and Commissioner of Police, Delhi to ensure the above.

Action: Ministry of Home Affairs, GoI, Chief Secretary / GNCTD and Commissioner of Police, Delhi.

9.4.10 The Commission recommends MSJ&E, GoI to withdraw their letter No. 11012/4/2013-PCR desk dated 10.12.2013 which states that “the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, imply offences against only such members of Scheduled Castes/ Scheduled Tribes, whose castes/ tribes have been specified as a SC/ST in relation to a State/ Union Territory, and thus, for the purpose of the POA Act, while keeping in view its Section 2(1), it would not be in conformity with provisions of Article 341(1) and 342(2) of the Constitution of India, to consider members of migrant SCs/STs, for registration of a case by them in the State/ UT of migration, and qualify for any relief amount as per provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1995”. This adversely affects the payment of compensation and additional compensation to victims/families of victims of atrocities as defined under the PoA Act, 1989 (as amended) and also issue a clarification that the payment of monetary relief and additional assistance to victims/families of victims of atrocities as defined under the PoA Act, 1989 (as amended) is the responsibility of the State / UT Government where the atrocity has occurred.

Action: Ministry of Social Justice & Empowerment, Govt. of India.

9.4.11 The Commission recommends that in numerous cases of deaths caused due to manual cleaning of sewers/septic tank etc., in case the sufferer/ victim is a member of the Scheduled Castes, the relevant Section 3(1) j & 3(2) (v) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended) also needs to be added in all such FIRs. The payment of monetary relief and additional assistance to victims/families of victims as per rules also needs to be ensured. The concerned officers should be made responsible and FIR should also lodge against them apart from Departmental Action.

Action: Ministry of Social Justice & Empowerment, GoI, and Chief Secretaries of State Governments/ UTs.

9.4.12 The Commission takes suo-moto cognizance of reports of atrocities and also takes up cases/ individual grievances of SC petitioners, calls for reports and monitors the progress of the cases. Hence, the Commission recommends that an advisory needs to be issued to District administration and Police officers of the Districts to implement the provisions of SC/ST (POA) Act, Rules, 1995 (as amended). Delay in investigation and non-payment of relief amount timely may attract Section 4 of the SC/ST (POA) 1989 Act as amended against the erring officers.

Action: Ministry of Home Affairs (MHA), GoI and Home Departments of State Governments/ UTs.

9.4.13 The Prevention of Atrocities Act and role of NCSC

The NCSC had written to the Chief Ministers of all States/UTs requesting them to notify the recently amended Prevention of Atrocities Act and the Rules, instructing them to display the salient features of the Act and Rules prominently in the Police stations/state Social Welfare Departments. State Governments have been advised to take steps to sensitize all concerned district and State Level Officers regarding the same through workshops etc. at the earliest.

9.4.14 Regular meetings of the SLVMC and DLVMC should be held by all states. The SLVMC should monitor that DLVMC meetings are held regularly and effectively.

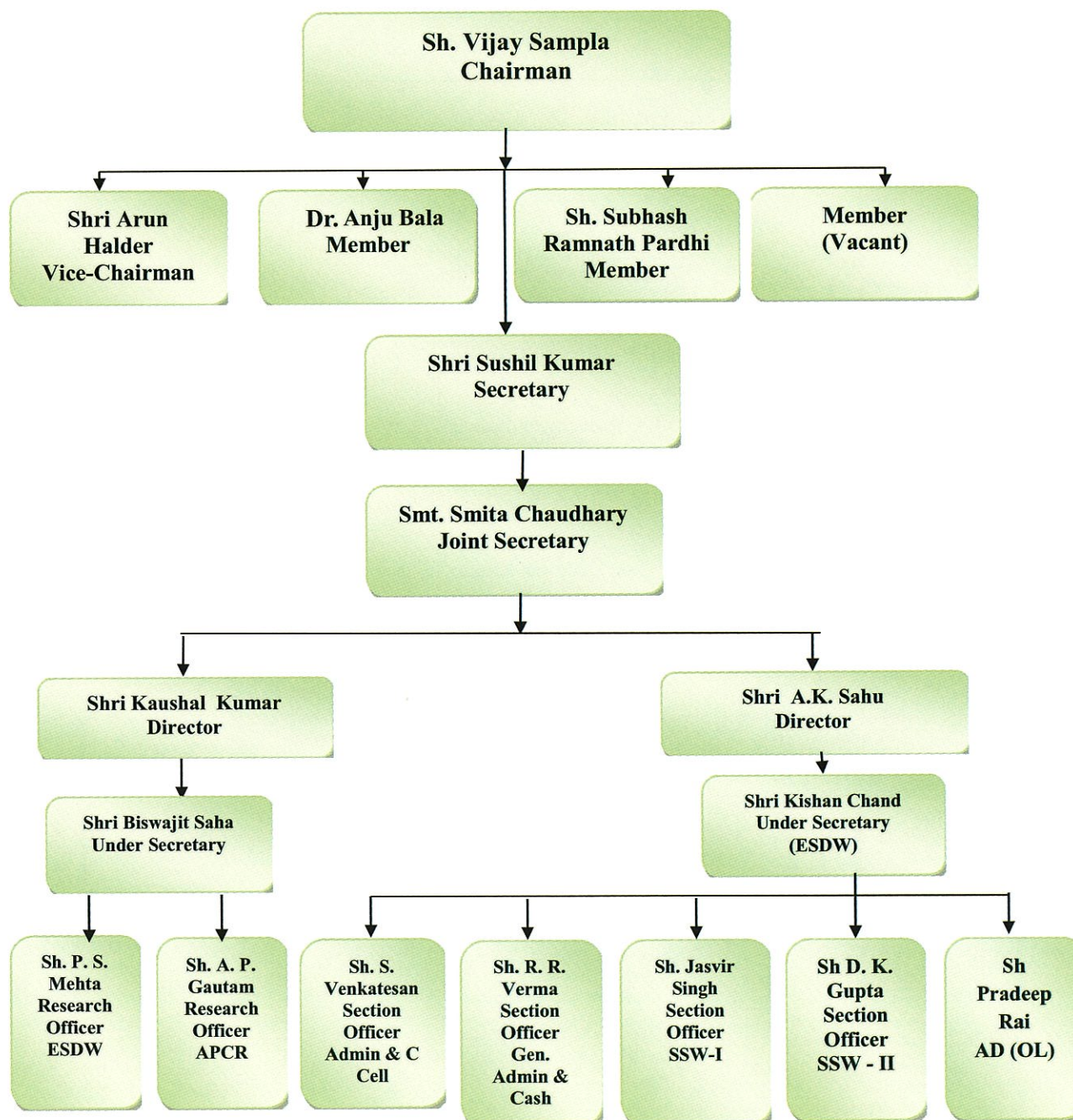
Divisional Commissioners and Chief Secretaries of States / UTs should keep the regularity and output of these DLVMC meetings as a monitorable point in their review meetings of DMs. Chief Secretaries of all States/ UTs should ensure regular meetings of SLVMC in their States.

Action: Ministry of Social Justice & Empowerment, GoI and Chief Secretaries of State Governments/ UTs.

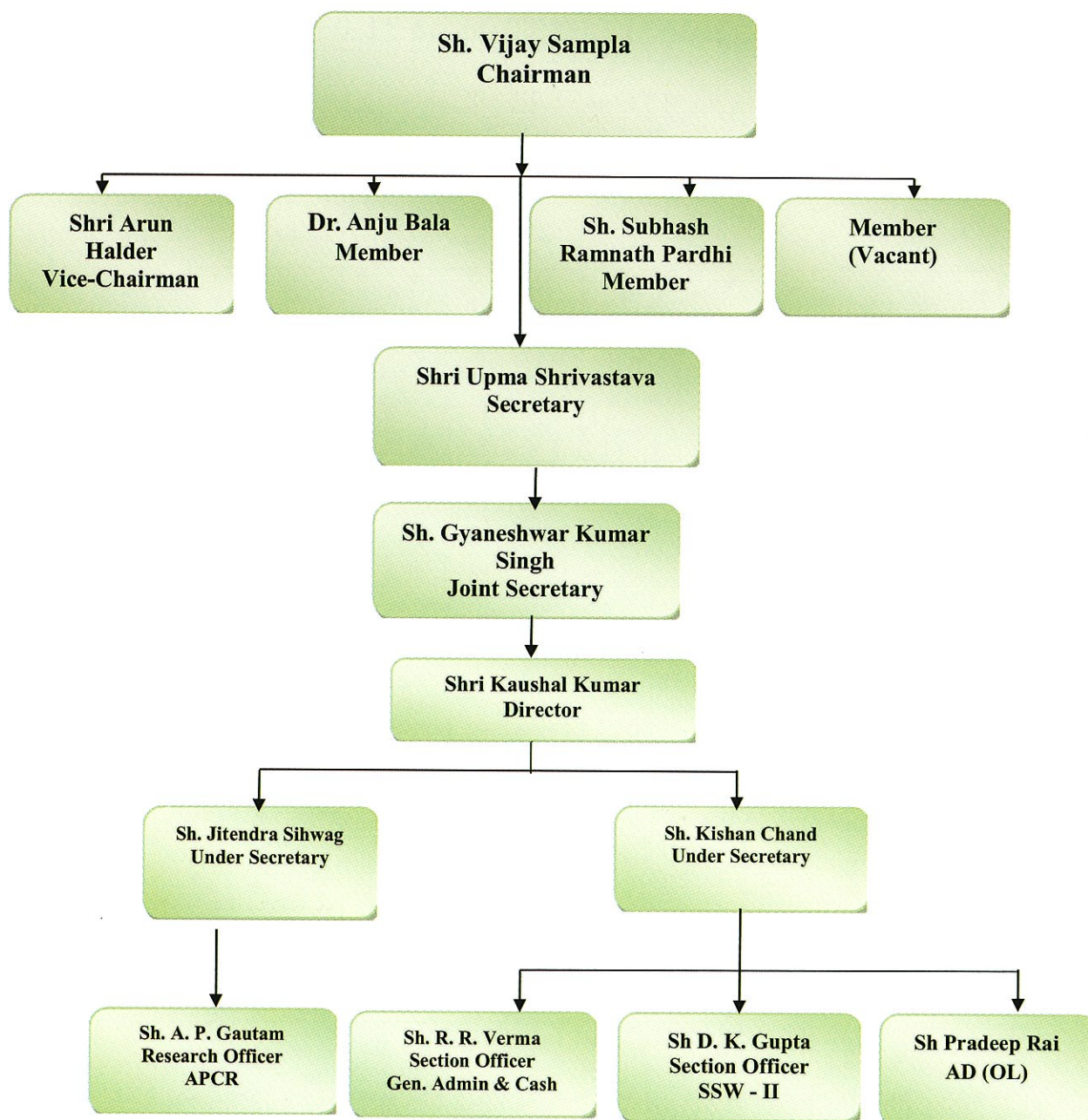
9.4.15 In cases where there is wilful negligence of duties by Public Servants (especially Police officers) in performing their duties as per the Act, action under the Section 4 of the POA Act needs to be taken. As per Rule 8 of the POA Rules, the SC/ST Protection Cell is entrusted with the responsibility of conducting enquiries of wilful neglect of duties. The Rule 9 of the PoA Rules also specifies that the state level Nodal Officer is entrusted with responsibility to review the performance of the public servants. The Nodal Officer, should also review the performance of the SC/ST protection cell with respect to the actions taken under Section 4 of the PoA Act so that the action taken is followed up to the logical conclusion.

Action: Ministry of Social Justice & Empowerment, GoI and Chief Secretaries of State Governments/ UTs.



Annexure-I**ORGANISATIONAL CHART (as on 31-03-2021)**

ORGANISATIONAL CHART (as on 31-03-2022)



Annexure-II**INCUMBENCY POSITION AT THE NCSC HEADQUARTERS****(As on 31.03.2021)**

S. No.	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy
1	Secretary	A	1	1	Shri Sushil Kumar	--
2	Joint Secretary	A	1	1	Smt. Smita Chaudhary	--
3	DIG (P)	A	1	--	--	1
4	Director (Jt Cadre)	A	1	1	Kaushal Kumar,	--
5	Dy. Secretary/ Director (CSS)	A	1	1	Ajit Kumar Sahu	--
6	Sr.PPS	A	0	1	Kiran Jolly	-1
7	Under Secretary	A	2	2	Kishan Chand, Bishwajit Saha	--
8	Law Officer	A	1	--	--	1
9	PPS	A	2	1	Sanjeev Kumar Anand	1
10	Dy Director (Jt Cadre)	A	1	--	--	1
11	Asstt. Director (Jt Cadre)	A	1	--	--	1
12	A. D.(Prog)	A	1	--	--	1
13	ALIO	A	1	-	--	1
14	Asstt Director (OL)	A	1	1	Pradeep Rai	--
15	Section Officer(CSS)	B	4	4	S.Venkatesan R. R. Verma Jasvir Singh D. K. Gupta	--
16	P.S.(CSSS)	B	5	1	Jeethendra P.	4
17	Research Officer	B	3	2	P. S. Mehta A.P. Gautam	1
18	Assistant P.R.O.	B	1	0	--	1
19	Senior Investigator	B	4	1	Smt. Ashu Nawani	3
20	Sr Hindi Translator	B	1	1	Smt. Jonita Bali	--
21	Accountant	B	1	--	--	1
22	Investigator	B	1	--	--	1
23	Assistant S.O (CSS)	B	5	1	Jashi Minz	4

S. No.	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy
24	Personal Assistant(CSSS)	B	2	1	J.N. Meena	1
25	Stenographer Gr. 'D'(CSSS)	C	5	4	Nidhi Kumari Gupta Sandeep Kumar Inderpal Singh Ashwani Shukla	1
26	Sr. Sect. Asstt	C	3	2	N.S. Negi CH VS.Madhavi	1
27	Jr.Sectt.Asstt	C	1	1	Suresh Sood	--
28	Receptionist	C	1	--	--	1
29	Staff-Car-Driver	C	6	5	Chander Pal Mahender Kumar Tara Chand Ramkesh Bidhuri Pratap Chand	1
30	LDC	C	0	7	Annu Lohchab, Ankita, Kamaljeet, KM. Kavita, Nishant Kumar, Sourabh Kumar, Jyoti Meena,	-7
31	MTS	C	16	16	S.N. Singh, K.T. Rao, Bal Kishan, L.R. Sharma, SC Sharma, Khem Karan , Raj Kumar, Kailash Ram, Jagdish Kumar, Vinod Kumar, Amar Babu, Prem, Pradeep Kumar Shyam Vir, Suraj Lal, Shyam Lal	--
	Total		74	55		19

INCUMBENCY POSITION AT THE NCSC HEADQUARTERS

(As on 31.03.2022)

S. No.	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy
1	Secretary	A	1	1	Smt. Upma Srivastava	--
2	Joint Secretary	A	1	1	Shri. Gyaneshwar Kumar Singh	--
3	DIG (P)	A	1	--	--	1
4	Director (Joint Cadre)	A	1	1	Kaushal Kumar,	--
5	Dy. Secretary/ Director (CSS)	A	1	--	--	1
6	Sr.PPS	A	0	1	Smt. Kiran Jolly	-1
8	Under Secretary	A	2	2	Kishan Chand, Jitendra Sihwag	--
9	Law Officer	A	1	--	--	1
10	PPS	A	2	1	Sanjeev Kumar Anand	1
11	Dy Director (Jt Cadre)	A	1	--	--	1
12	Asstt. Director (Jt Cadre)	A	1	--	--	1
13	A. D.(Prog)	A	1	--	--	1
14	ALIO	A	1	--	--	1
15	Asstt Director (OL)	A	1	1	Pradeep Rai	--
16	Section Officer(CSS)	B	4	2	D K Gupta R R Verma	2
17	P.S.(CSSS)	B	5	1	Jeethendra P.	4
18	Research Officer	B	3	1	A.P. Gautam	2
19	Assistant P.R.O.	B	1	0	--	1
20	Senior Investigator	B	4	1	Smt. Ashu Nawani	3
21	Sr Hindi Translator (CSOL)	B	1	1	Smt. Jonita Bali	--
22	Accountant	B	1	--	--	1
23	Investigator	B	1	--	--	1
24	Assistant S.O (CSS)	B	5	3	Jashi Minz Agam Kumar Prashant Bhardwaj	2
25	Personal Assistant(CSSS)	B	2	1	J.N. Meena	1

S. No.	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy
26	Stenographer Gr. 'D'(CSSS)	C	5	4	Nidhi Kumari Gupta Sandeep Kumar Inderpal Singh Ashwani Shukla	1
27	Sr.Sect.Asstt	C	3	2	N S Negi CH VS.Madhavi	1
28	Jr.Sectt.Asstt	C	1	1	Suresh Sood	--
29	Receptionist	C	1	--	--	1
30	Staff-Car-Driver	C	6	5	Chander Pal Mahender Kumar Tara Chand Ramkesh Bidhuri Pratap Chand	1
31	LDC	C	0	7	Annu Lohchab, Ankita, Kamaljeet, KM. Kavita, Nishant Kumar, Sourabhkumar, Jyoti Meena,	-7
32	MTS	C	16	13	S.N. Singh, K.T. Rao, Bal Kishan, L.R. Sharma, SC Sharma, Khem Karan , Raj Kumar, Kailash Ram, Jagdish Kumar, Vinod Kumar, Amar Babu, Prem, Pradeep Kumar	3
	Total		74	49		25

Annexure-III**1. (a) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AGARTALA****(As on 31.03.2021)**

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	--	--	1
2.	Research Officer	B	1	Nil	--	1
3.	Sr. Investigator	B	1	Nil	--	1
4.	Investigator	B	2	Nil	--	2
5.	U.D.C	C	1	Shri Sasim Acharjee	--	--
6.	L.D.C	C	2	Nil	--	2
7.	Staff-Car-Driver	C	1	Nil	--	1
8.	MTS	C	3	Shri Abhijit Das	SC	2
	Total		12	02		10

(b) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AGARTALA**(As on 31.03.2022)**

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	Tarun Khanna	--	--
2.	Research Officer	B	1	Nil	--	1
3.	Sr. Investigator	B	1	Nil	--	1
4.	Investigator	B	2	Nil	--	2
5.	U.D.C	C	1	Shri Sasim Achrjee	--	--
6.	L.D.C	C	2	Nil	--	2
7.	Staff-Car-Driver	C	1	Nil	--	1
8.	MTS	C	3	Shri Abhijit Das	SC	2
	Total		12	03		09

2. (a) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AHMEDABAD

(As on 31.03.2021)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director/ Dy Director	A	1	--	--	1
2.	AD/RO	A	1	--	--	1
3	Sr. Investigator	B	1	--	--	1
4.	Investigator	C	2	--	--	2
5.	Office Supdt.	B	1	--	--	1
6.	P.A/Steno	C	1	--	--	1
7.	U.D.C.	C	1	Sh. M. Y. Patel	General	--
8.	L.D.C.	C	2	--	--	2
9.	MTS	C	3	Sh. D. S. Rathor	SC	--
				Sh. M.L. Dagra	ST	--
				--	--	1
	Total		13	03		10

(b) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AHMEDABAD

(As on 31.03.2022)

AS ON 31.03.2022

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director/ Dy Director	A	1	--	--	1
2.	AD/RO	A	1	--	--	1
3	Sr. Investigator	B	1	--	--	1
4.	Investigator	C	2	--	--	2
5.	Office Supdt.	B	1	--	--	1
6.	P.A/Steno	C	1	--	--	1
7.	U.D.C.	C	1	Sh. M. Y. Patel	General	--
8.	L.D.C.	C	2	--	--	2
9.	MTS	C	3	Sh. D. S. Rathor	SC	--
				Sh. M.L. Dagra	ST	--
				--	--	1
	Total		13	03		10

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

(As on 31.03.2021 & 31.03.2022)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Assistant Director	A	1	--	--	1
3.	Sr. Investigator	B	1	--	--	1
4.	Investigator	B	2	--	--	2
5.	Office Superintendent	B	1	--	--	1
6.	Personal Assistant	C	1	B. Kalaimathi	OBC	--
7.	U.D.C.	C	1	D.C. Anjanamurthy	SC	--
8.	L.D.C.	C	2	K. Shiva	OBC	1
9.	Staff Car Driver	C	1	--	--	1
10.	MTS	C	4	--	--	4
	Total		15	03		12

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

(As on 31.03.2021 & 31.03.2022)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Research Officer	B	1	Rakesh Kumar Sharma	--	--
3.	Sr. Investigator	B	2	--	--	2
4.	Investigator	B	1	--	--	1
5.	Office Supdt.	C	1	--	--	1
6.	UDC	C	2	--	--	2
7.	Steno	C	1 working as ad-hoc	Vijay Kumar	SC	--
8.	LDC	C	2	--	--	2
9.	Driver	C	1	Suresh Kumar	SC	--
10.	MTS	D	4	--	--	4
	Total		16	03		13

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

(As on 31.03.2021 & 31.03.2022)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/ Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Asst. Director	A	1	--	--	1
3.	Research Officer	B	1	--	--	1
4.	Sr. Investigator	B	1	S Lister	OBC	--
5.	Investigator	B	2	--	--	2
6.	Office Supdt.	B	1	S. Jayashree	--	--
7.	P.A.	B	1	--	--	1
8.	U.D.C	C	1	--	--	1
9.	L.D.C.	C	2	R. Ramprabhu	OBC	1
10.	Staff Car Driver	C	1	--	--	1
11.	M.T.S.	C	4	T Sekar	SC	3
	Total		15	04	--	11

6. (a) INCUMBENCY POSITION IN THE STATE OFFICE NCSC, GUWAHATI

(As on 31.03.2021)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/ Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	Nil	--	1
2.	Research Officer	B	1	Nil	--	1
3.	Sr. Investigator	B	1	Sh. D. Deb	--	--
4.	Investigators	B	2	--	--	2
5.	Office Supdt.	C	1	Nil	--	1
6.	UDC	C	1	--	--	1
7.	LDC	C	2	1. Smt.Nirada Kalita 2. Sh.Bipul Kr.Nath	--	--
8.	Staff Car Driver	C	1	Nil	--	1
9.	MTS	C	3	Sh. Putu Ram Das	ST	2
10.	Personal Assistant	C	1	Nil	--	1
	Total		14	04		10

(b) INCUMBENCY POSITION IN THE STATE OFFICE NCSC, GUWAHATI**(As on 31.03.2022)**

S. No.	Name of Post	Group	Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	Nil	--	1
2.	Research Officer	B	1	Nil	--	1
3.	Sr. Investigator	B	1	Sh.D.Deb	--	--
4.	Investigators	B	2	--	--	2
5.	Office Supdt.	C	1	Nil	--	1
6.	UDC	C	1	--	--	1
7.	LDC	C	2	1.Smt.NiradaKalita 2.Sh.Bipul Kr.Nath	--	--
8.	Staff Car Driver	C	1	Nil	--	1
9.	MTS	C	3	Sh. Putu Ram Dass	ST	2
10.	Personal Assistant	C	1	Nil	--	1
	Total		14	04		10

7. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, HYDERABAD**(As on 31.03.2021 & 31.03.2022)**

S. No.	Name of Post	Group	Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	Dr. G. Sunil Kumar Babu (On deputation wef 1.4.2019)	SC	--
2.	Research Officer	B Gazetted	1	Vacant	--	1
3.	Sr. Investigator	B Non Gazetted	1	Vacant	--	1
4.	Investigator	B Non Gazetted	1	Ms. Vidya Khobrekar	SC	--
5.	Office Superintendent	B Non Gazetted	1	Mrs. D. Madhavi Latha	SC	0
6.	Personal Assistant	B Non Gazetted	1	Sh. Chokkam Navin Kumar	OBC	0
7.	U.D.C.	C	1	--	--	1
8.	L.D.C.	C	2	Sh. P. Eshwaraiah	SC	1
9.	Staff-Car-Driver	C	1	--	--	1
10.	MTS (Daftary)	C	1	--	--	1
11.	MTS (PEON)	C	2	--	--	2
12.	Chowkidar-cum-Farash	C	1	--	--	1
	Total		15	05		10

8. (a) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC ,KOLKATA

(As on 31.03.2021)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/ Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	Vacant	--	1
2.	Research Officer	B	1	Arunabha Bhattacharyya	--	Nil
3.	Sr. Investigator	B	1	--	--	1
4.	Investigators	B	2	--	--	2
5.	Office Superintendent	C	1	--	--	1
6.	Stenographer	C	1	--	--	1
7.	UDC	C	1	N. K. Bandyopadhyay	--	Nil
8.	LDC	C	2	--	--	2
9.	Staff Car Driver	C	1	S. Debnath	--	Nil
10	MTS	C	4	Gopal Chandra Bala	SC	3
	Total		15	04		11

(b) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC ,KOLKATA

(As on 31.03.2022)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/ Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	Vacant	--	1
2.	Research Officer	B	1	Arunabha Bhattacharyya	--	Nil
3.	Sr. Investigator	B	1	--	--	1
4.	Investigators	B	2	--	--	2
5.	Office Superintendent	C	1	--	--	1
6.	Stenographer	C	1	--	--	1
7.	UDC	C	1	--	--	1
8.	LDC	C	2	--	--	2
9.	Staff Car Driver	C	1	--	--	1
10	MTS	C	4	Gopal Chandra Bala	SC	3
	Total		15	02		13

9. (a) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC ,LUCKNOW

(As on 31.03.2021)

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Assistant Director/ R.O.	A	1	Shri Tarun Khanna	--	--
3.	Sr. Investigator	B	1	Shri Gireesh Km. Rathore	--	--
4.	Investigator	B	2	--	--	2
5.	Office Superintendent	B	1	--	--	1
6.	P.A.	C	1	Smt. Sarika	Gen	--
7.	L.D.C.	C	2	Sh. Shiv Shankar	Gen	1
8.	Staff Car Driver	C	1	Sh. Sher Ali	Gen	--
9.	MTS	D	3	--	--	3
	Total		13	05		8

(b) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, LUCKNOW

(As on 31.03.2022)

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Assistant Director/ R.O.	A	1	--	--	1
3.	Sr. Investigator	B	1	Shri Gireesh Km. Rathore	--	--
4.	Investigator	B	2	--	--	2
5.	Office Superintendent	B	1	--	--	1
6.	P.A.	C	1	Smt. Sarika	Gen	--
7.	L.D.C.	C	2	Sh. Shiv Shankar	Gen	1
9.	Staff Car Driver	C	1	Sh. Sher Ali	Gen	--
10	MTS	D	3	--	--	3
	Total		13	04		9

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

(As on 31.03.2021 & 31.03.2022)

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	Shri S. K. Singh	--	--
2.	R.O.	B	1	Shri Sunil Kr. Singh	--	--
3.	Sr. Investigator	B	1	Shri Mohit Kumar (On Deputation)	OBC	--
4.	Inv.	B	2	--	--	2
5.	O.S.	B	1	Shri Binod Choudhary	SC	--
6.	P.A.	C	1	--	--	1
7.	UDC	C	1	Shri S.K. Rawani	OBC	--
8.	LDC	C	1	--	--	1
9.	SC Driver	C	1	--	--	1
10	MTS	C	3	--	--	3
	Total		13	05		08

11. (a) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, PUNE

(As on 31.03.2021)

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Assistant Director	A	1	Mrs. Anuradha Dusane	OBC	--
3.	Sr Investigator	B	1	--	--	1
4.	Investigator	B	2	--	--	2
5.	Office Superintendent	B	1	Sh. Rajesh Barapatre	--	--
6.	Steno/ Personal Assistant	C	1	--	--	1
7.	U.D.C.	C	1	--	--	1
8.	L.D.C.	C	2	--	--	2
9.	Staff Car Driver	C	1	--	--	1
10.	MTS	C	4	B.K. Bamble	ST	3
	Total		15	03		12

(b) INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, PUNE**(As on 31.03.2022)**

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	--	--	1
2.	Assistant Director	A	1	--	--	1
3.	Sr Investigator	B	1	--	--	1
4.	Investigator	B	2	--	--	2
5.	Office Superintendent	B	1	Sh. Rajesh Barapatre	--	--
6.	Steno/ Personal Assistant	C	1	--	--	1
7.	U.D.C.	C	1	--	--	1
8.	L.D.C.	C	2	--	--	2
9.	Staff Car Driver	C	1	--	--	1
10.	MTS	C	4	B.K. Bamble	ST	3
	Total		15	02		13

12. (a) INCUMBENCY POSITION, NCSC, THIRUVANANTHAPURAM**(As on 31.03.2021)**

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	--	--	1
2.	Asstt. Director/ Research Officer	A	1	--	--	1
3.	Sr. Investigator/ Investigator	B	1	Smt. G. Dhanya	--	--
4.	Stenographer	C	1	--	--	1
5.	U.D.C.	C	1	Smt. K. Jayalakshmi	--	--
6.	L.D.C.	C	1	--	--	1
7.	Staff-Car Driver	C	1	--	--	1
8.	MTS	C	2	--	--	2
	Total		09	02		07

(b) INCUMBENCY POSITION, NCSC, THIRUVANANTHAPURAM
(As on 31.03.2022)

S. No.	Name of Post	Group	S/ Strength	Name of Incumbent S/Shri	Whether SC/S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	Smt. Anuradha Dusane	O.B.C.	--
2.	Asstt. Director/ Research Officer	A	1	--	--	1
3.	Sr. Investigator/ Investigator	B	1	Smt. G. Dhanya	--	--
4.	Stenographer	C	1	--	--	1
5.	U.D.C.	C	1	Smt. K. Jayalakshmi	--	--
6.	L.D.C.	C	1	--	--	1
7.	Staff-Car Driver	C	1	--	--	1
8.	MTS	C	2	--	--	2
	Total		09	03		06

Annexure-IV**State Offices of NCSC**

Sl. No.	Address and Telephone Nos.	State Offices and Jurisdiction
1.	Tripura SC Finance Corporation Building, 3 rd Floor, Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Agartala (Tripura)
2.	2 nd Floor, Mavlankar Haveli, Vasant Chowk, Lal Darwaja, Ahmedabad-380001. 079-25509762, 25510717	Ahmedabad (Gujarat, Rajasthan, Dadra & Nagar Haveli and Daman & Diu)
3.	3 rd Floor, 'D' Wing, Kendriya Sadan, Koramangala, Bengaluru- 560034 080-25537155, 25527767	Bengaluru (Karnataka)
4.	6 th Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017 0172-2742561, 2743784	Chandigarh (Haryana, Punjab, HP, J&K, Ladakh & Chandigarh UT)
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Chennai (Tamil Nadu & Puducherry)
6.	7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Guwahati (Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram & Manipur)
7.	National Commission for Scheduled Castes, Room no. 005 ,ground floor, CGO Towers, Kabdiguda, Hyderabad-500080 040-27534907, 23754908 (Fax)	Hyderabad (Andhra Pradesh, Madhya Pradesh & Chhattisgarh)

Sl. No.	Address and Telephone Nos.	State Offices and Jurisdiction
8.	Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091 033-23370977, 23213259	Kolkata <i>(West Bengal, Orissa, Sikkim, Andaman and Nicobar Islands)</i>
9.	5 th Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024 0522-2330288 (Fax), 2323860	Lucknow <i>(Uttar Pradesh & Uttarakhand)</i>
10.	Karpuri Thakur Sadan, Kendriya karamchari Prishar, 5 th floor, F wing, Ashiana-Digha Road, Patna-800001 0612-2540285	Patna <i>(Bihar & Jharkhand)</i>
11.	Kendriya Sadan, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune 411044 020-27658033, 27658973 (Fax)	Pune <i>(Maharashtra & Goa)</i>
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014 0471-2327530	Thiruvananthapuram <i>(Kerala & Lakshadweep)</i>

Annexure-V

**LIST OF CPIOs AND 1ST APPELLATE AUTHORITIES IN RESPECT OF NCSC HQRS.
AND STATE OFFICES OF NCSC DURING 2020-21 & 2021-22**

Sl. No.	Address & Telephone Nos. OF Public Authorities	Name of CPIO and his/her designation	Name of 1 st Appellate Authority and his/her designation
1.	National Commission for Scheduled Castes, Pragati Road, Lake Chowmohani, Agartala-799001.	Shri Sasim Acharjee, UDC (Tel: 0381-2223140, 011.2315967)	Shri Tarun Khanna, Deputy Director (Tel: 0381-2223140, 011.2315967)
2.	National Commission for Scheduled Castes, 2 nd Floor, Mavlankar Haveli, Vasant Chowk, Lal Darwaja, Ahmedabad-380001	Shri M.Y. Patel, UDC (Tel: 079-25509762, 25510717)	Shri B. Saha, Under Secretary (Head Office) (Tel: 079-25509762, 25510717)
3.	National Commission for Scheduled Castes, 3 rd Floor, 'D' Wing, CGO Complex, Kendriya Sadan, Koramangala, Bangalore-560034	Smt. B. Kalaimathi U.D.C (Tel: 080-255509762, 2527767)	Shri Kaushal Kumar, Director, (Hqrs.) (Additional Charge) (Tel: 011-24606850, Fax: 011-24624731)
4.	National Commission for Scheduled Castes, 6 th Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017	Shri Rakesh Kumar Sharma, Research Officer, (Tele Fax: 0172-2742561, 2743784)	Shri Kaushal Kumar, Director, (Hqrs.) (Additional Charge) Tel: 0172-2742561, 2743784 Fax: 0172-2742561, 2743784
5.	National Commission for Scheduled Castes, 2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006.	Shri S. Lister Senior Investigator (Tel: 044-28276430, 28312851)	Dr. G. Sunil Kr. Babu Director (Addl. Charge) Tel: 044-28276430, 28312851)
6.	National Commission for Scheduled Castes, 7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005	Shri D. Deb, Senior Investigator (Tel: 0361-2347040, 2346885)	Shri Tarun Khanna, Deputy Director (Addl. Charge) (Tel: 0361-2347040, 2346885)

Sl. No.	Address & Telephone Nos. OF Public Authorities	Name of CPIO and his/her designation	Name of 1 st Appellate Authority and his/her designation
7.	Room No. 005, Ground floor , CGO Towers, Kabdiguda, Hyderabad-500080	Ms. Vidya Khobrekar, Senior Investigator (Tel:040-23734907, 23754808)	Dr. G. Sunil kumar Babu, Director (Tel:040-23734907, 23754808)
8.	National Commission for Scheduled Castes, Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091	Shri A.K. Bhattacharya Research Officer (Tel:033-233370977, 23213259)	Shri Sanjay Kumar Singh, Director (Addl. Charge) (Tel:033-233370977, 23213259)
9.	National Commission for Scheduled Castes, 5 th Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024	Shri Gireesh Kr. Rathore, Sr. Investigator (Tel:0522-2330288 2323860)	Shri Sanjay Kumar Singh, Director (Addl. Charge) (Tel:0522-2330288 2323860)
10.	National Commission for Scheduled Castes, Karpuri Thakur Sadan, Kendriya Karamchari Prishar, 5 th Floor, F Wing, Ashiana-Digha Road, Patna-800001	Shri Mohit Kumar, Sr. Investigator (Tel: 0612-2540285)	Shri Sanjay Kumar Singh, Director (Tel: 0612-2540285)
11.	National Commission for Scheduled Castes, Kendriya Sadan, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune-411044	Shri Rajesh N. Barapatra, Office Superintendent (Fax):020-24337510, Tel:020-24336124	Shri Kaushal Kumar, Director (Hqrs.) (Additional Charge) Tel:020-2765285, 020-24336124
12.	National Commission for Scheduled Castes, TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014	Smt. G. Dhanya, Investigator (Tel:0471-2327530)	Dr. G. Sunil kumar Babu, Director (Addl. Charge) (Tel:0471-2327530)

Annexure-VI**ALLOCATION OF FUND DURING THE FINANCIAL YEAR 2020-2021**

(Rs. in lakh)

S. No	Name of Office	Salaries	Wages	OTA	D.T.A	O.E	R.R.T	Medical	Professional Services	Total
	Code No.	01.00.01	01.00.02	01.00.03	01.00.11	01.00.13	01.00.14	01.00.06	01.00.28	
	State Office									
1	Ahmedabad	54.00	0.50	0.10	2.00	7.00	3.00	3.00	5.00	74.60
2	Chennai	82.00	0.30	0.10	4.00	4.00	0	5.00	10.00	105.40
3	Lucknow	77.00	1.50	0.30	4.00	4.00	0	3.00	14.00	103.80
4	Patna	56.00	0.50	0.10	2.50	5.38	0	3.00	5.00	72.48
5	Pune	56.00	0.20	0.10	2.50	6.36	0	5.00	7.00	77.16
6	Kolkata	77.00	0.50	0.10	3.50	4.76	3.00	3.00	6.00	97.86
7	Agartala	26.00	0.15	0.10	1.50	2.50	3.00	3.00	0	36.25
8	Guwahati	42.00	0.40	0.10	2.50	6.00	3.00	3.00	0	57.00
9	Bangalore	60.00	0.10	0.10	4.50	4.60	5.00	3.00	2.50	79.80
10	Chandigarh	64.00	0.40	0.10	3.50	4.00	0	3.00	10.00	85.00
11	Hyderabad	72.00	0.20	0.10	3.50	7.21	5.00	30.00	2.50	93.51
12	Trivandrum	44.00	0.40	0.10	3.50	4.60	5.00	30.00	0	60.60
Total State Office		710.00	5.15	1.40	37.50	60.41	27.00	40.00	62.00	943.46
Head Quarters		870.00	4.85	4.60	142.50	364.59	2.00	80.00	88.00	1556.54
Grand Total		1580.00	10.00	6.00	180.00	425.00	29.00	120.00	150.00	2500.00

ALLOCATION OF FUND DURING THE FINANCIAL YEAR 2021-22

(Rs. in lakh)

S. No	Name of Office	Salaries	Wages	OTA	D.T.A	O.E	R.R.T	Medical	Professional Services	Total
	Code No.	01.00.01	01.00.02	01.00.03	01.00.11	01.00.13	01.00.14	01.00.06	01.00.28	
	State Office									
1	Ahmedabad	35.00	0.50	0.10	2.50	3.00	5.00	3.50	1.00	50.60
2	Chennai	40.00	0.30	0.10	4.00	5.50	0.00	5.50	7.50	62.90
3	Lucknow	55.00	1.50	0.30	4.00	5.50	5.00	3.50	14.00	88.80
4	Patna	60.00	0.50	0.10	3.00	6.50	0.00	3.50	2.50	76.10
5	Pune	45.00	0.20	0.10	3.00	4.00	5.00	5.50	1.00	63.80
6	Kolkata	60.00	0.50	0.10	3.50	6.50	5.00	3.50	6.00	85.10
7	Agartala	20.00	0.15	0.10	1.50	2.00	5.00	3.50	1.00	33.25
8	Guwahati	40.00	0.40	0.10	2.50	2.00	5.00	3.50	1.00	54.50
9	Bangalore	30.00	0.10	0.10	4.50	3.00	7.00	3.50	2.50	50.70
10	Chandigarh	50.00	0.40	0.10	3.50	3.00	5.00	3.50	2.50	68.00
11	Hyderabad	75.00	0.20	0.10	3.50	4.00	7.00	3.50	1.00	94.30
12	Trivandrum	28.00	0.40	0.10	3.50	3.00	7.00	3.50	1.00	46.50
Total State Office		538.00	5.15	4.40	39.00	48.00	56.0	99.00	124.00	1925.45
		1092.00	4.85	5.00	176.00	449.00	30.00	113.00	131.00	2184.95
Grand Total		1630.00	10.00	6.00	200.00	484.00	60.00	145.00	165.00	2700.00

Annexure-VII**HEARINGS / SPOT VISITS / DIVISIONAL DISTRICT REVIEW**

	Hearing Held	Case Closed	Spot Visits		Div / Distt. review	
			Place	Date	Place	Date
Hon'ble Chairman	420	34	Sangrur, Punjab	24.03.2021	Faridabad, Haryana	
			Moga, Punjab	24.03.2021	Shipyard, Goa	09.04.2021
			Devwal, Hoshiarpur	02.04.2021	Jammu	17.04.2021
			Adampur, Jalandhar	13.04.2021	Hoshiarpur, Punjab	23.04.2021
			Pandori, Mukerian, Hoshiarpur	23.04.2021	Nainital, Uttarakhand	18.06.2021
			VPO Balcaba, East Bardhaman, West Bengal	13.05.2021	Gujrat Refinery, Rajkot	24.06.2021
			Shri Nijanand Ashram Rattanpuri, Mujaffarnagar	11.10.2021	Gwalior, Madhya Pradesh	16.07.2021
			Hanumangarh	13.10.2021	Perugate Bhawe High School, Pune, Maharashtra	05.08.2021
			Ghazipur Bakra Mandi	23.10.2021	DC, SP Dehradun, ONGC Uttarakhand	12.08.2021
			Ludhiana	24.12.2021	SBI, Mumbai, Maharashtra	01.10.2021
			Sahahadra	-----	Jhansi, Uttar Pradesh	07.10.2021
			Jail Road, Gurdaspur, Punjab	13.04.2021	Sri Ganganagar, Rajasthan	13.10.2021
			VPO Sarisa, Distt. South 24 Parganas	14.05.2021	Udaipur & Bhilwara Rajasthan	08.11.2021
			Phaphre Bhaikhe, Mansa	04.06.2021	Chennai, Tamil Nadu	03.01.2022
					Nainital, Uttarakhand	18.06.2021

	Hearing Held	Case Closed	Spot Visits		Div / Distt. review	
			Place	Date	Place	Date
Hon'ble VC	424	37	Nalkora, North 24 Parganas	26.02.2021	LIC, Mumbai	19.07.2021
			VPO Balcaba, East Bardhaman, West Bengal	13.05.2021	Kanchipuram District	01.11.2021
			VPO Sarisa District, South 24 Parganas, West Bengal	14.05.2021	Sikkim State	15.11.2021
			Hyderabad	10.08.2021	Madurai Distt., Tamil Nadu	23.12.2021
			Hyderabad	18.08.2021	Kerala State	27.12.2021
			Guntur, Andhra Pradesh	24.08.2021	V.O. Chidambaranar Port Trust, Tamil Nadu	14.03.2022
			Ramgarh, Jharkhand	18.09.2021	NLC India Ltd., Tamil Nadu	14.03.2022
			VNR, Engineering College, Hyderabad	15.02.2022		
			Coimbatore, Tamil Nadu	12.03.2022		
Hon'ble Member (SRP)	381	82	Jalgaon, Maharashtra	26.02.2021	Aurangabad, Maharashtra	19.07.2021
			Sirana, Distt. Pali, Rajasthan	25.03.2022 to 26.03.2022	Western Coalfield Ltd. (WCL), Nagpur, Maharashtra	14.10.2021
			Distt. Kota, Rajasthan	09.04.2021	Central Coalfield Ltd. (CCL), Ranchi, Chhattisgarh	11.11.2021
			Guntur, Andhra Pradesh	24.08.2021	Bharat Cooking Coalfield Ltd.(BCCL), Ranchi, Chhattisgarh	11.11.2021
			District Barmer, Rajasthan	24.08.2021 to 25.08.2021	Vishakhapatnam Port Trust, Bhilai, Chhattisgarh	04.12.2021
			District Amrawati, Maharashtra	26.10.2021	Vishakhapatnam Steel plant, Bhilai, Chhattisgarh	04.12.2021

	Hearing Held	Case Closed	Spot Visits		Div / Distt. review	
			Place	Date	Place	Date
Hon'ble Member (AB)	207	2522			AIIMS, Raipur	27.12.2021
					Bhilai Steel Plant, Bhilai, Chhattisgarh	28.12.2021
			Mahoba, Uttar Pradesh	17.06.2021	Mahoba, Uttar Pradesh	11.06.2021
			Noorpur, Aligarh, Uttar Pradesh	11.06.2021	Barabanki, Uttar Pradesh	10.08.2021
			Sitapur, Uttar Pradesh	28.06.2021	Katra, Jammu and Kashmir	15.12.2021
			Bilgram, Hardoi, Uttar Pradesh	30.06.2021	Shimla, Himachal Pradesh	05.01.2022
			Delhi Cantt., Delhi	02.08.2021	Hapur, Uttar Pradesh	04.02.2022
			Safdarjung, Barabanki, Uttar Pradesh	10.08.2021	Mysore, Karnataka	14.02.2022
			Lalganj, Basti, Uttar Pradesh	25.08.2021		
			Bilhaur, Kanpur, Uttar Pradesh	16.09.2021		
			Greater Noida, U.P.	02.11.2021		
			Alipur, Delhi	22.11.2021		
			Hapur, Uttar Pradesh	04.01.2022		

Annexure-VIII

States wise allocation and expenditure under SCSP for the years 2020-21 and 2021-2022

(Rs. In Crores)

S.NO.	State/ UT	% of SC population (2011 Census)	2020-2021						2021-2022					
			4	5	6	7	8	9	Total Plan Allocation	Total Plan Expenditure	Allocation For SCSP	%SCSP Allocation	Expenditure under SCSP	% of SCSP Expenditure to SCSP Allocation
1	Andhra Pradesh	17.08	NA	NA	15735.68	NA	13265.49	NA	NA	NA	17403.14	-	14449.66* (as on 15.03.2022)	83.02
2	Bihar	15.91	108210.00	69095.67	16842.50	15.56	9146.83	54.31	128318.53	58405.85	16563.81	12.91	1584.98	9.57
3	Goa	1.74	66.05	NA	1.00	1.51	NA	NA	31.55	NA	0.68	2.17	NA	-
4	Haryana	20.17	39506.79	34177	7984.69	20.21	7161.17	89.69	45066.16	NA	9092.55	20.18	NA	-
5	Kerala	9.1	27610	31415.54	2708.54	9.81	2439.25	-	27610	27807.58	2708.54	9.81	2349.8	86.75
6	Rajasthan	17.83	112362.72	101924.96	20065.75	17.86	18137.13	90.39	153369.87	138138.26	26437.29	17.24	22058.89	83.43
7	Punjab	31.94	19620.82	18163.19	6867.96	35	6616.29	96.33	33399.14	25537.8 (tentative)	11569.48	34.64	8370.88 (tentative)	72.35
8	Telangana	15.45	104612.62	66185.49	16534.97	15.81	8299.05	50.19	126272.59	94895	21306.85	16.87	15677.68	73.58
9	Tripura	17.83	10252.15	7098.96	948.01	9.24	923.20	97.38	11607.37	-	1404.01	12.09	-	-
10	UP	20.70	54454.23	NA	26163.95	4.81	18995.92	72.60	593231.19	-	30362.91	5.12	18491.11	60.90
11	West Bengal	23.51	95203.74	70628.52	21114.3	22.17	13378.51	63.36	123018.79	69793.89	28587.09	23.23	13398.66	46.87
12	Madhya Pradesh	15.62	124719.46	122210.85	19570.98	15.69	18370.56	93.86	150784.81	133052.01	19584.55	12.99	17479.92	89.25
13	Chhattisgarh	12.81	76469.73	67649.10	7557.66	9.88	4757.79	62.95	76905.27	48411.83	6559.37	10.71	5377.96	65.26
14	Puducherry	15	9000	NA	348.07	3.87	271.77	78.07	10414	NA	411.25	3.95	331	80.48
15	Himachal Pradesh	25.19	7900	1245.96	1990	25.19	1623.07	81.56	9405.41	1653.29 (tentative)	2369.22	25.19	2044.97 (tentative)	86.31
16	Maharashtra	11.81	115000	14344.84	9668	8.41	8456.57	87.46	130000	15230.65	10635	8.18	8927.65	83.94

Source: Letters and SCSP documents of the State Govts.

List of Abbreviations

Ministry/Department	
DFS	Department of Financial Services
DoPT	Department of Personal Training
DoSJ&E	Department of Social Justice and Empowerment
DoT	Department of Telecommunications
DPE	Department of Public Enterprises
MEA	Ministry of External Affairs
MHA	Ministry of Home Affairs
MHRD	Ministry of Human Resource Development
MoCA	Ministry of Corporate Affairs
MoF	Ministry of Finance
MoH&FW	Ministry of Health and Family Welfare
MoH&UA	Ministry of Housing and Urban Affairs
MoL&E	Ministry of Labour and Employment
MoL&J	Ministry of Law and Justice
MoMA	Ministry of Minority Affairs
MoMSME	Ministry of Micro, Small and Medium Enterprises
MoPA	Ministry of Parliamentary Affairs
MoPR	Ministry of Panchayati Raj
MoRD	Ministry of Rural Development
MoTA	Ministry of Tribal Affairs
MoW&CD	Ministry of Women and Child Development
MSJE	Ministry of Social Justice & Empowerment
NCBC	National Commission for Backward Classes

NCDRC	The National Consumer Disputes Redressal Commission
NCM	National Commission for Minorities
NCRB	National Crime Records Bureau
NCSC	National Commission for Scheduled Castes
NCSK	National Commission for Safai Karamcharis
NCST	National Commission for Scheduled Tribes
NCW	National Commission for Women
NHRC	National Human Rights Commission
PC	Planning Commission
SSC	Staff Selection Commission
VC	Vigilance Commission
Central & State Government	
GoI	Government of India
UTs	Government of Union Territories
Designation	
CM	Chief Minister
CMD	Chairman and Managing Director
CP	Commissioner of Police
CS	Chief Secretary
DGP	Director General of Police
DIG	Deputy Inspector General of Police
DM / DC	District Magistrate / District Collector
DS	Deputy Secretary
HS	Home Secretary
IGP	Inspector General of Police
IO	Investigation Officer
JS	Joint Secretary
PM	Prime Minister
PPS	Principal Private Secretary

PS	Principal secretary
RO	Research Officer
SIO	Senior Investigation Officer
SoI	Secretary of India
SP	Superintendent of Police
SPP	Special Public prosecutor
SSP	Senior Superintendent of Police
US	Under Secretary
Acts and Laws	
MS Act	Manual Scavenging Act
PCR Act	Protection of Civil Rights Act
PoA Act	The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act
PoA Rules	The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules
POCSO	Protection of Children from Sexual Offences
Others	
APCR	Atrocities and Protection of Civil Rights Wing
BISAG-N	Bhaskaracharya National Institute for Space Applications and Geo-informatics
CESD	Centre for Equity and Social Development
COI	Court of Inquiry
CPSB	Central Public Sector Banks
Cr PC	Criminal Procedure Code
CSR	Corporate Social Responsibility
DAPSC	Development Actions Plan for SCs
DLVMC	District Level Vigilance Monitoring Committee
EFC	Expenditure Finance Committee
ESDW	Economic and Social Development Wing
FC	Facilitation Centre

FIR	First Information Report
GeM	Government e Marketplace
GFR	General Financial Rules, 2017
GOs	Government Orders
HC	High Court
IPC	Indian Penal Code
ITBP	Indian Tibetan Border Police
LBSNAA	Lal Bahadur Shastri National Academy of Administration
LIC	Life Insurance Corporation
MoU	Memorandum of Understanding
MTNL	Mahanagar Telephone Nagar Limited
NBCC	National Buildings Construction Corporation
NIRDPR	National Institute of Rural Development and Panchayati Raj
OBCs	Other Backward Castes
PSUs	Public Sector Undertaking
RGI	Registrar General of India
ROP	Rules of Procedure
RR	Recruitment Rules
SC	Scheduled Castes
SC	Supreme Court of India
SCSP	Scheduled Caste Sub Plan
SFC	Standing Finance Committee
SLVMC	State Level Vigilance Monitoring Committee
SSW	Service Safeguard Wing
ST	Scheduled Tribes
UGC	University Grants Commission