



No.6/8/NCSC/2010-C.Cell

Government of India

National Commission for Scheduled Castes

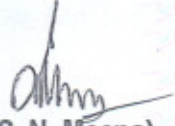
Floor Vth, Loknayak Bhawan,
Khan Market, New Delhi-110003

Dated: December 2, 2010

Subject: Minutes of the First Meeting of the National Commission for Scheduled Castes.

A copy of the approved Minutes of the First Meeting of the National Commission for Scheduled Castes held at 3.00 PM on 29.11.2010 is forwarded herewith for information.

Hindi Version will follow:


(S. N. Meena)


Under Secretary to the Government of India

1. Dr. P.L. Punia, Chairman
2. Shri Raj Kumar Verka, Vice-Chairman
3. Shri M. Shivanna, Member
4. Shri Raju Parmar, Member
5. Smt. Latha Priyakumar, Member

PA to JS

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

1. Dr. V.K. Rathi, Director (Admn.)
2. Shri Dhruv Kumar, Director (ESDW)
3. Shri S.Kesava Iyer, Deputy Secretary (SSW)
4. Shri S.N. Meena, Under Secretary (Admn.)
5. Shri Lokhan Marandi, Under Secretary (APCR)
6. Shri Kaushal Kumar, Deputy Director (ESDW)


(S.N. Meena)
Under Secretary

MINUTES OF THE FIRST MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES HELD AT 3.00 PM ON 29.11.2010 IN THE CONFERENCE ROOM OF THE COMMISSION.

The First Meeting of the National Commission for Scheduled Castes (NCSC) was held at 3.00 PM on 29.11.2010 under the Chairmanship of Dr. P.L. Punia, Chairman, NCSC in the Conference Room of the Commission. The list of participants is at Annexure-I.

2. At the outset JS welcomed the Hon'ble Chairman, Vice-Chairman and the Members of the National Commission for Scheduled Castes.

The Commission then discussed the following agenda items:-

Agenda Item No.1: Draft Cabinet note on the issue of revised instructions regarding maintenance of reservation for SCs, STs and OBCs in terms of the Supreme Court judgement in the case of R.K. Sabharwal Vs. UOI. . (Deferred from 28th meeting of the NCSC)

The matter was discussed in the Commission's (emergent) meeting held on 11.11.2010 and the recommendation of the Commission has already been forwarded to the DoPT vide 2/2/2008-SSW-III dated 12.11.2010.

Agenda Item No.1.1: DOPT is attempting to amend rules so as to 'de-reserve' seats meant for Scheduled Caste & other reserved categories

The Commission discussed the issue in detail. It was decided that the Commission does not agree to the OM issued by the DoPT. The Commission further recommended that DoPT should withdraw the OM No.36020/2/2007-Estt(Res) dated 7th December, 2009 immediately. (Action: SSW)

Agenda Item No.2: Discussing Grant of reservation to migrant SCs in Civil posts under the Government of NCT of Delhi subsequent to the judgement of the Hon'ble Supreme Court in SLP No.24327/2005 titled "Subhash Chandra & Another Vs. DSSSB & Ors." (Deferred from 28th meeting of the NCSC)

The Commission discussed the issue of grant of reservation to migrant SCs. It was decided that a Committee may be constituted under the Chairmanship of Shri Raju Parmar, Member, NCSC with Deputy Secretary (SSW) to act as the Secretary of the Committee. Chairman of the Committee may co-opt the expert members of the subject in the Committee. (Action: SSW)

Agenda Item No.3:

Discussing the issue regarding feasibility of according benefit to the members of Scheduled Castes who have migrated to other states other than their State of origin. (Deferred from 28th meeting of the NCSC)

The Commission discussed the issue of feasibility of according benefit of the reservation to the members of the SCs who have migrated to other States other than their State of origin. The Commission is of the view that there should be a single list of SCs for the whole country. However, the Commission recommended that a Committee under the Chairmanship of Shri Raju Parmar, Member, NCSC may look into this matter also and submit its report within three months. Deputy Secretary (SSW) will be appointed to act as the Secretary of the Committee. Chairman of the Committee may co-opt the expert members of the subject in the Committee. **(Action: SSW)**

Agenda Item No.4:

Forwarding comments on the Report of the National Commission of Denotified, Semi-Nomadic and Nomadic Tribes (NCDNT;s) to the Ministry of Social Justice & Employment.)

The Commission deferred the matter for the next meeting and desired that the following information should be collected and put up with the Agenda point;

- (i) The recommendation of NCST on the issue may be obtained.
- (ii) The details of the National Commission of Denotified, Semi-Nomadic and Nomadic Tribes (NCDNT;s) regarding number of Denotified, Semi-Nomadic and Nomadic Tribes and their population may be obtained from the Ministry of SJ&E. The list of the tribes alongwith their population which are proposed to be included in the SCs may also be obtained.

(Action: SSW)

Agenda Item No.5:

Issue of Instructions on Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in services under the Govt. of India.

The issue was discussed in the first emergent meeting of the Commission held on 11.11.2010. The minutes of the Commission has already been forwarded to the DoPT vide OM No.2/2/2008-SSW-III dated 16.11.2010.

Agenda Item No.6:

Clarification regarding SC/ST/OBC candidates applying as general category candidates.

The Commission discussed the issue in detail and recommended the following:-

- 1) An SC candidate can apply for recruitment to a post/services as a general candidates against unreserved post because it is open to all categories of person.
- 2) Once a candidate declares himself/herself as non-SC candidate, he/she should not be treated as SC candidate. Only in cases, where some caste is included in the list of Scheduled Castes by a subsequent Presidential order, a candidate can be treated as SC candidate.
- 3) If an SC candidate applies as a general candidate for appointment to a post and subsequently makes a request to be treated as SC candidate, may be accepted provided such a request is received by the concerned authority before the closing date of submission of application form.

(Action: SSW)

Agenda Item No.7:

The Second Commission in its Sixteenth meeting held on 21.10.2008 to discussed the recommendations of Justice Usha Mehra Committee Report regarding sub-categorization of Scheduled Castes in Andhra Pradesh. The decision is put up for the information of the Commission.

The Commission reconsidered the issue and desired that the issue may be put up in the next meeting of the Commission again with the details of the Rajasthan High Court Judgement in the matter of Akhil Bhartiya Balmiki Mahasabha Vs. National Commission for Scheduled Castes and State of Rajasthan, D.B. Civil Writ Petition (PIL) No.11152/2008 and also any other communication in the matter should be put up alongwith the Agenda point. **(Action: SSW)**

Agenda Item No.8:

The Second Commission in its twenty-fourth meeting to discussed the issue of dealing of complaints in Head Quarter and State Offices and decided that the individual complaints may be forwarded to respective State Offices of NCSC for action/enquiry. The decision is put up for the information of the Commission.

The Commission agreed that the process of sending complaints to respective State Offices should continue. The Commission desired that efforts should be made to fill up the vacancies in the State Offices and the HQ at the earliest. **(Action: Admn.)**

The meeting ended with a vote of thanks to the Chair.

**FIRST MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES
HELD AT 3.00 PM ON 29.11.2010 IN THE CONFERENCE ROOM OF THE
COMMISSION.**

PRESENCE OF MEMBERS AND OFFICERS

<u>S.NO.</u>	<u>NAME & DESIGNATION</u>	<u>SIGNATURE</u>
1.	Dr. P.L. Punia, Chairman	
2.	Shri Raj Kumar Verka, Vice-Chairman	
3.	Shri M. Shivanna, Member	
4.	Shri Raju Parmar, Member	
5.	Smt. Latha Priyakumar, Member	

Shri T.Theethan, Joint Secretary

Officers

1. Dr. V.K. Rathi, Director
2. Shri Dhruv Kumar, Director
3. Shri S.Kesava Iyer, Deputy Secretary
4. Shri Lokhan Marandi, Under Secretary
5. Shri S.N. Meena, Under Secretary
6. Shri Kaushal Kumar, Deputy Director