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Reimagining the National Commission for Scheduled Castes

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This article is based on the **Towards a more equal future** which was published in The Indian Express on 22/07/2020. It discusses how the National Commission for Scheduled Castes can help in socio-economic empowerment of Dalits in contemporary India.

Though the Indian constitution envisages the **abolition of 'untouchability'** and an end to discrimination, prejudice is rampant in society and entrenched social discrimination and existing socio-economic realities add to the disadvantages faced by Scheduled Castes in India.

For the past many years the two main concerns of the group- **protection from atrocities, and adequate representation**, have not been addressed effectively by most of the stakeholders in Indian society- citizens, civil society, and governments.

One can still find incidents where a Dalit has been murdered for breaking bigoted social barriers or for marrying outside his or her caste or a Dalit who died while being forced to clean sewers.

It is in this backdrop that the role of **National Commission for Scheduled Castes** (NCSC) can be diversified to add to the sensitive and inclusive reforms in the society.

National Commission for Scheduled Castes

- In order to provide the Scheduled Castes of Indian society safeguards against exploitation and to promote their social, economic, educational and cultural development, the Commission was set up by the Government of India.
- The National Commission for Scheduled Tribes (NCST) was established by amending Article 338 and inserting a new **Article 338A** in the Constitution through the Constitution (89th Amendment) Act, 2003.

- By this amendment, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes was replaced by two separate Commissions namely- the National Commission for Scheduled Castes (NCSC), and the National Commission for Scheduled Tribes (NCST) from February, 2004.
- It consists of a chairperson, a vice-chairperson and three other members. They are appointed by the President by warrant under his hand and seal.
- Lack of infrastructure, lack of powers to take affirmative action (Commissions recommendations are not binding) have been some of the issues faced by the NCSC. It has been criticised for inefficient functioning, vague selection and appointment process, exorbitant budget etc.

Steps That Can Be Taken Up By the NCSC

- **Strengthening the legal and judicial protection of Dalits under the Scheduled Castes and Tribes (Prevention of Atrocities) Act**
 - The Commission can facilitate **online reporting and tracking** of crime.
 - It can make people aware of the process of filing the cases by framing and making available simplified Standard Operating Procedures in local languages at all the police stations.
- **Capacity building and sensitisation of the institutions:** The Commission can help in capacity building of lawyers, judges and policemen. This can ensure their empathetic engagement with members from Scheduled Castes.

The Commission can help sensitize at least the government institutions and organisations by regularly monitoring their grievance redressal mechanisms like internal complaints committee.
- **Ensuring effective implementation of existing government policies:** The Commission can discuss with legislators and prioritise outcome-oriented fund expenditure across the Ministries.
 - Each ministry is supposed to set aside 15% of its spending in a Scheduled Caste Sub Plan. The Commission can restructure these funds for employment generation and self-employment, capacity building, including soft skills of Dalits.
 - Effectiveness and impacts of existing schemes can be monitored by the Commission regularly.

Scheduled Caste Sub Plan

- Every year, the Union Budget makes allocations exclusively for the Scheduled Caste and Scheduled Tribe.
- This fund is spent through the Scheduled Caste Sub Plan (SCSP) and the Tribal Sub Plan (TSP).

- All Central Ministries and departments are obligated to set aside funds under the SCSP and the TSP.
- **Incentivise Good Social Work:**
 - Innovation, effectiveness, and positive impact of the work done by a department or a body can be rewarded by the Commission.
 - The Commission has a constitutional mandate to participate in the social and economic planning for SC welfare — it should use this mandate to guide the civil services that engage with the ground level realities in the country.
- **Better engagement with civil society:** The Commission can create a platform for structured engagement with civil society groups working on Dalit issues.
- **Behavioural nudge:** The Commission can identify social practices that promote discrimination and can help civil society and the government organise debates, deliberations, awareness campaigns around them.
- **Facilitate economic empowerment and entrepreneurship:**
 - It can discuss and encourage Universities to frame short term courses on entrepreneurship. It can also ensure that measures taken by the government in this direction reach their beneficiaries- for example **Stand Up India Scheme.**
 - It can encourage a participative approach to promote economic empowerment by engaging with the ideas proposed by the members of the community.
 - It can promote skills and small business development in the service economy.
 - Members of Scheduled Castes are not usually landowners or agriculturists. So they need help in integrating and competing with local and other markets which can be done through mentoring and other non-financial support.
- **Preparing for future challenges by facilitating inter-disciplinary research:** The Commission can invite Central universities and civil society to first identify the five biggest challenges that Dalits are likely to face in the next five years and to suggest ways to mitigate them.

Conclusion

Social identities are so entrenched in our society that they often decide the fate of individuals. Jobs, schemes and policing are not the only things that can ensure equality of social representation and access to dignity in India. Restructuring the tasks of NCSC can only be one among the many steps in this direction.

Empowerment in its real sense can only be brought by creating sensitive and empathetic societies that acknowledge their responsibility to work for the removal of suffering and stigma of exploited and deprived sections.

Drishti Mains Question

Autonomous bodies like the National Commission for Scheduled Castes are not able to bring justice in true sense and are a drain on the state exchequer. Critically analyse.