

NATIONAL COMMISSION FOR BACKWARD CLASSES(NCBC)

NEW DELHI

MINUTES OF THE VIIIth COMMISSION (2nd MEETING) HELD

ON 17TH October, 2019

PRESENT:

Dr. Bhagwan Lal Sahni – Chairperson

Dr. Lokesh Kumar Prajapati- Vice- Chairperson

Shri Achary Thalloju- Member

Shri Kaushlendra Singh Patel- Member

Dr. Sudha Yadav- Member

OFFICERS PRESENT TO ASSIST THE COMMISSION MEETING:

Shri Ajoy Kumar – Secretary

Shri Braja Kishore Pati- Deputy Secretary

Dr. M.M. Chettopadhyay- Joint Director

Shri J. Ravishankar- Under Secretary

AGENDA ITEM NO. I: Confirmation of the Minutes of the 1st Meeting of the Commission dated 27.03.2019

Confirmed.

मंत्रीलाल सहनी
डॉ. भगवान लाल सहनी
अध्यक्ष
राष्ट्रीय पिछळा दर्जा आमेग
सामाजिक चाय और अधिकारों के लिए
भारत सरकार, नई दिल्ली

AGENDA ITEM NO. II: Action taken on the Minutes of the Meeting dated 27.3.2019.

The Commission noted the point-wise follow-up action taken. Hon'ble Vice-Chairman and Hon'ble Member (KSP) expressed their views that Reception Centre for visitors should be established.

AGENDA ITEM NO. III: Annual Accounts of NCBC for 2016-17.

The Annual Accounts of NCBC for 2016-17 prepared by Chartered Accountants M/s Sunil Kr. Gupta & Associates and signed by all concerned including Secretary, NCBC was approved by the Commission and it was decided to be sent to the Director General of Audit, O/O C&AG for certification audit, so that finally it could be included in the Annual Report.

AGENDA ITEM NO. IV: Progress in disposal of complaints/grievances.

From the progress report, it was noted that during January-August, 2019 a total of 671 grievances/complaints were received, out of which action has been taken in 214 grievances and 37 files have been closed. It was also noted that the grievance petitions sent to the NCSC earlier are being transferred by NCSC slowly in small numbers.

After hearing the observations of Member(KSP) regarding mismatch of figures sent to the Parliamentary Committee and that provided in the Meetings, the Chairman directed that the figures should be rechecked and reconciled.

AGENDA ITEM NO. V: Increase in Research Officer (RO), Research Investigator (RI) strength and post of Hindi Translator/Typist.

- a) It was noted that the present strength of 2 Research Officers and 4 Research Investigators is quite inadequate to deal with large number of complaints/grievances being received daily in NCBC. It was also noted that the Ministry has been taking considerable time for sanctioning the increased

manpower including interalia 24 ROs, 29 Sr Inv , 34 Inv, 1 SHT and 10 Hindi Typists, already projected vide NCBC Letters dated 13.11.2018 and 19.7.2019. It was also noted that NCBC vide letter no NCBC/40/06/2019- Admn. dated 22.04.2019 and reminder dated 30.08.2019 had requested Secretary, Official Languages for posting at least two JHTs/SHTs in NCBC but not received any response.

- b) Keeping in view the concerns expressed by the Vice-Chairman, Member(KSP) and Member (SY) regarding slow disposal of complaints due to inadequate manpower, it was decided to take up the matter of manpower increase through a D.O Letter from Chairman to the Minister MSJE.
- c) As regards establishment of Hindi Section in the Commission for preparing various Reports and other documentations like Annual Reports bilingually both in English as well as in Hindi, it was noted that it had to wait till the necessary manpower is sanctioned by the Government. However, for the time being, it was agreed to engage 2 Hindi Translators/Typists through the procedure of outsourcing.

AGENDA ITEM NO.VI: Appointment of Officers and Staff.

As regards consolidation of NCBC by making regular appointments in the HQ as well as opening Regional Offices, it was discussed and decided that a delegation of the Commission would meet the Minister, MSJE and other Ministers to emphasize and expedite the sanction of increased manpower for NCBC .

AGENDA ITEM NO.VII: Setting up of Regional Offices.

It was noted that NCBC had already vide its Letters dated 13.11.2018 and dated 19th July, 2019 had sent a proposal to MSJE to create 19 Regional Offices in various parts of the country. MSJE has made a query which is being replied to.

AGENDA ITEM NO. VIII: Conferring Cabinet Minister and Minister of State status to Chairman and Vice Chairman respectively.

It was noted that NCBC has already requested MSJE vide letter no. NCBC/Secy./ 680/2019 dated 05.03.2019 and 20.03.2019 along with reminders dated 29.05.2019. MoSJE vide their letter no. 12015/7/2017/BC-II dated 21.08.2019 had asked for Bio data of Chairman, Vice Chairman and all members which had been sent to MoSJE vide letter dated 03.09.2019 .NCBC is corresponding with MSJE regarding further development in the matter.

AGENDA ITEM NO IX: Constitution and strengthening of Information Technology(IT) Cell for website management and implementation of Online Centralized Public Grievance Redressal and Monitoring System.

(I). As regards the suggestion of Vice Chairman and Member(KSP) for establishment of an IT Cell for website management and Online Centralized Public Grievance Redressal and Monitoring System , it was decided that an IT Cell may be constituted as follows:

- a) Under Secretary- Head of the Cell & Nodal Officer
- b) Programmer- one
- c) Data Entry Operator- two (one in Hindi and one in English). Both will be engaged on out sourcing.
- d) Concerned Sections/persons in NCBC to provide data on regular basis to IT Cell to be fed in the web site.

(II). Regarding implementation of On Line Centralized Public Grievance Redressal and Monitoring System, Director NIC may be requested to submit a proposal because NCBC officials do not possess the required technical knowhow for the purpose. After submission of proposal by NIC NCBC may take further action.

AGENDA ITEM NO.X: Requirement of Additional Building Space.

It was noted that MSJE has been requested vide NCBC Letter dated 15.11.2018 to provide a suitable Office building with adequate space for effective functioning of the Commission. MSJE vide its letter dated 16.09.2019 has replied that Directorate of Estates is unable to provide additional office space in Delhi and that NCBC may hire space on its own after getting No Objection Certificate online. NCBC vide its letter No. NCBC/Secy/2151 dated 23.09.2019 has written to Ministry of Urban Development to allot space on 3rd floor of Trikoot 1 ,Bikhaji Cama Place as and when it is vacated by M/O Water Resources.

AGENDA ITEM NO. XI: To start Toll Free Number for registration of Complaints.

It was decided that SO (Admn.) will take necessary action in consultation with MTNL for setting up a dedicated toll free number to register and track complaints/grievances till their disposal .

AGENDA ITEM NO.XII: State Guest Facilities Issue.

As regards providing protocol facilities as State Guests to the Chairman/Vice Chairman/Members as per their entitlements during their tour to various States/UTs , it was noted that some States are not providing security cover and restricting the state guest facilities only for 5 days. It was decided to write Letters to all the State/UT Governments mentioning the status of all the Members, Vice-Chairman and Chairman so as to declare them State Guests by the concerned States and provide them protocol facilities such as Boarding/Lodging, Transport, Security , etc as per their rank and entitlement .

AGENDA ITEM NO. XIII: Provision /Proposal for providing residential training programmes:

- a) It was decided to write to MSJE for providing and organizing training from any recognized Institutes to the Personal Staff of Chairman, Vice Chairman and Members to understand reservation policies and handling complaints/grievances of OBCs .
- b) As regards employing the personal staff of Chairman, Vice Chairman and Members as Research Officers/RIs on permanent basis through lateral entry in Commission or Ministry, it was suggested that Personal staff of Chairman, Vice Chairman and members could apply as and when vacancy is published for the purpose.

AGENDA ITEM NO.XIV: Proposal for a two day Conference at New Delhi of all the State BC Associations /NGOs/ExMLAs,ExMPs and also with the All State BC Welfare Department Officials to know status of Backlog vacancies in the State Departments /PSUs etc & implementations of schemes, budget allocation and other matters related to OBCs.

It was felt that at present budget of NCBC is not sufficient to fund such events. It can be considered as and when MoSJE provides additional funds sought for the purpose in RE 2019-20.

AGENDA ITEM NO.XV: Preparation of detailed Questionnaire for seeking info from all State/UT Governments/PSUs for reply within 15 days.

It was informed that a Draft Questionnaire is being prepared/being circulated by the Research Section. In the meantime, Members and Vice Chairman may send their drafts/comments on Questionnaire to the Chairman within 10 days for onward transmission to Research Section.

AGENDA ITEM NO.XVI: State Review Minutes of Telangana, Andhra Pradesh, Tamil Nadu & Kerala not yet prepared.

It was decided that the State Review Minutes/Tour Reports are to be prepared by the concerned Members/Vice Chairman and Chairman as per their allocation of work and tours conducted by them.

AGENDA ITEM NO.XVII: **Review by NCBC on Backlog vacancies in all State Govt./PSUs/Educational Universities/Institutes etc.**

It is noted that Letter no. NCBC/11/09/12/2019-RW dt. 17.09.2019 has been sent to Secretary of all Ministries /Departments of Govt. of India regarding review of backlog vacancies.

Letter regarding Backlog vacancies in Educational Universities/Institutes etc. is being sent.

AGENDA ITEM NO.XVIII: **Discussions on Draft Rules of Procedure for NCBC**

Draft Rules of Procedures were prepared in English and with approval of Chairman, was *circulated* on 01.08.2019 to all Members of the Commission for comments. The draft amended and signed by all Members , Vice Chairman and Chairman has been received back on 21.10.2019 which is being compared and put up on file for approval before notification in the NCBC website.

AGENDA ITEM NO. XIX: **NCBC should ask for report from all States regarding data of OBCs population and percentage. It should also ask percentage of reservation for OBCs.**

It was noted that Letter no. NCBC/11/09/11/2019-RW dt. 17.09.2019 has been sent to All Chief Secretaries of State Government/ UTs of India regarding status of percentage of reservation provided for OBCs in all States.

It was informed that a Draft Questionnaire is being prepared/being circulated by the Research Section to seek all information from the State/UT Governments. In the meantime, Members and Vice Chairman may send their drafts/comments on

Questionnaire to the Chairman within 10 days for onward transmission to Research Section.

AGENDA ITEM NO.XX: Discussion on all appointments made in NCBC in past.

Noted

AGENDA ITEM NO.XXI: Speedy implementation of pay grade of PS/PA.

In this regard, it was noted that clarification was sought from DoSJE vide letter No. NCBC/13/2/2018-Admn dt. 09/04/2019 and reminder to the letter is being sent to DoSJE(BC-II).

AGENDA ITEM NO.XXII: Constitution of separate Ministry/Department for OBCs with proper budgetary support for the welfare of OBCs.

The matter was discussed and it was decided to write to Secretary, DoSJE for creating a separate Department for Development of OBCs with a separate Secretary in charge to give focus to the issues of OBCs.

AGENDA ITEM NO.XXIII: Bring separate legislations such as Prevention of Atrocities Act to protect the OBCs against atrocities and exploitations by the forward community individual or the State Officials.

It was discussed and decided to write to the Secretary for bringing separate legislations such as Prevention of Atrocities Act to protect the OBCs against atrocities and exploitations by the forward community individual or the State Officials.

AGENDA ITEM NO.XXIV: Reservations for OBCs.

It was decided to write to the Ministry for the following;

- a) To provide reservation for the OBCs in Judiciary and private sectors as there is very less vacancy available in government sector and privatizations of many sectors is in process.
- b) Provide reservations in promotions for OBCs in State/ Central Government.
- c) Penalize officers who do not follow Reservation Rules for OBCs.
- d) To include subject of social justice in educational curriculum to appraise the youth of this country of discrimination and oppression faced by the deprived Classes.

AGENDA ITEM NO.XXV: Awareness camps to be conducted by Central/State Government with the coordination of organization/NCBC to educate the public regarding various welfare schemes of the Govt.

Letters may be written to the State/UT Govts and MoSJE in this regard .

AGENDA ITEM NO.XXVI: Renovation of the Chambers/ NCBC office.

It was noted that there is an absolute need for renovation of the Chambers of Hon'ble Chairman, Vice-Chairman and Members. However, it could not be carried out due to paucity of funds and the Ministry has not yet sanctioned additional funds of Rs.75 lacs requested by NCBC towards renovation of Chambers. Again NCBC has included the requirement of Rs 75.00 lacs for renovation in RE 2019-20. As soon as NCBC gets the funds sanctioned, the renovation work can be taken up. In the meantime CPWD may be reminded to expedite their Chamber-wise Estimates. Renovation of visitor's room should be done on priority, subject to availability of funds.

AGENDA ITEM NO.XXVII: Auction of Waste Materials/Obsolete stores

It was decided that the waste materials, obsolete stores/furniture's and other scrap items need to be auctioned/disposed in a time bound manner and in accordance

with prescribed procedures to clean/vacate the scarcely available space and make the Office neat & clean.

AGENDA ITEM NO.XXVIII: Discussion on all the Answers given by the Commission on the queries being asked by the Parliamentary Standing Committee.

The matter was discussed in detail. It was decided that in future whenever Parliamentary Standing Committee on Welfare of Other Backward Classes seeks information the information may be send only after approval of the Commission. If there is paucity of time then additional time may be requested from the Committee.

AGENDA ITEM NO.XXIX: Appointment of Legal Consultant/Legal Experts.

It was noted that there is an absolute need for Legal Advisors/Law Officers to assist the Commission in dealing with the large number of grievances/complaints/court cases and also during hearings held in the Commission. It was informed that proposal of NCBC for increasing the sanctioned strength already includes 1 Law Officer.

AGENDA ITEM NO.XXX: Ensuring accurate and quick issue of Minutes of Meeting/Hearing, etc.

- i. It was reiterated that for ensuring accuracy and quick issue of minutes, the concerned Officers i.c. the dealing ROs, RIs and PS/PA of concerned Member/Chairman should prepare the draft minute at the end of each hearings. This should be finalized after approval by the concerned Members, Vice-Chairman and Chairman as per their allocation of States / Departments.
- ii. The Research Wing should immediately diaries/scrutinize the grievances / representations / complaints received from various states / individuals and

hand over them in file to the O/O concerned Members/Vice Chairman and Chairman as per their allocation of work.

AGENDA ITEM NO.XXI: Funds Position and Budget Position.

Noted

AGENDA ITEM NO.XXII: Any Other Item.

- i. For ensuring proper safety and security of the Members/Vice Chairman/ Chairman and for facilitation of visitors, there is a need for a Reception Counter with trained Security Guards . It was informed that it is very difficult to regulate the visitors and ensure safety/security as there is no CISF staff and there are 3 different Offices located in the Building. However, it was felt that NCBC should write to the MHA for providing CISF security cover for the Building.
- ii. It was understood that the Expert Committee set up under Shri BP Sharma, Retd former Secretary (DoPT) for simplification of Creamy Layer guidelines has submitted their Report to the MoSJE, without consulting with NCBC. It was decided that NCBC should immediately write to DoSJE to give a copy of the Report and not to take any final policy decision without consulting NCBC.
- iii. To improve the cleanliness in and out of the Premises, the number of outsourced SKs may be increased to 4.
- iv. In order to supplement the Staff shortage and to give exposure to the educated unemployed/Students regarding the work being done by NCBC , a suitable 1month/3 month internship programme during Summer/Winter Vacations may be devised.

२०२२
डॉ. भगवान लाल सहनी
अध्यक्ष
राष्ट्रीय पिछळा वर्ग आयोग
सामाजिक न्याय और अंथकारिता मंत्रालय
भारत सरकार, नई दिल्ली

**AGENDA ITEM NO.XXXIII: Procedure for inclusion/exclusion of
caste/communities in the Central List of OBCs.**

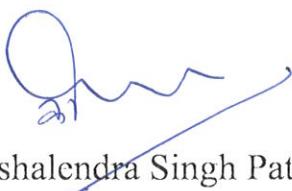
It was informed that as regards the Draft procedure for future inclusion of communities in the Central List of OBCs circulated by BC-II Letter dated 3.7.2019 and discussed in a Meeting held by Joint Secretary (BC) on 16.7.2019, no formal minutes have been received.

Till a clear-cut decision and procedure is finalized by the Ministry, the Commission may prepare a list of all such proposals for inclusion/exclusion/correction and send them for consideration/necessary action to the Ministry in terms of Article-342A, as no role for NCBC has been given in this regard as per the 102nd (Amendment) Act and Article 338B.



(Shri Achary Thalloju)

Member



(Shri Kaushalendra Singh Patel)

Member



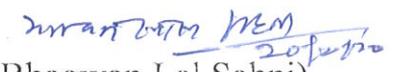
(Dr. Sudha Yadav)

Member



(Dr. Lokesh Kumar Prajapati)

Vice- Chairperson



(Dr. Bhagwan Lal Sahni)

Chairperson

२०१९
डॉ. भगवान लाल सहनी
अध्यक्ष
राष्ट्रीय पिछड़ा वर्मा अधियोग
सामाजिक न्याय और अधिकारिता मंत्रालय
भारत सरकार, नई दिल्ली