

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city bui- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
ADMINISTRATION OF CRIMINAL LAWS : SCs/STs (POA) ACT, 1989/ PCR ACT, 1955						
GENERAL						
1.	<p>Preparation of a Manual - A Manual on the implementation of Protection of Civil Rights Act, 1955 (as amended), Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 may be prepared with the help of Human Rights organizations/ social activists and NGOs working with and for Scheduled Castes, specifying necessary steps for their effective implementation along with responsibility of concerned functionaries at various levels in dealing with their different provisions. This Manual may be translated by States into their regional language and made available to all the functionaries, police, civil & judiciary, responsible for implementation of the Act. The Manual should be available with all police stations and other concerned agencies involved in the implementation of the Acts. National Human Rights Commission may set up a group to prepare this Manual and approve its contents.</p>	✓				National Human Rights Commission
2.	<p>Central Government may issue a detailed circular indicating the necessary steps to effectively implement the SCs and STs (Prevention of Atrocities) Act, 1989 and Rules, 1995 and attach with it a copy of the Manual approved by the National Human Rights Commission.</p>	✓				MHA National Human Rights Commission
3.	<p>Training of Officials - A 3-tier training programme for police and civil functionaries engaged in the implementation of laws and regulatory measures, which have a bearing on atrocities committed on SCs, may be implemented. The first tier of training may be imparted by National Police Academy and Lal Bahadur Shastri National Academy of Administration to cover only trainers from each State. The second tier training may be organized by a State Training Institution identified for this purpose by each State Government to cover officers of level of DSPs,</p>	✓				National Human Rights Commission State Governments

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	SDMs, ADMs, etc. The third tier of training would deal with other civil and police officers at the lower level. This training may be organized by the DMs and SPs of the concerned Districts. The design and syllabi of training for the three training courses may be approved by the National Human Rights Commission.					
3.1	An Annual Workshop of DMs and SPs on implementation of these laws may be organized in the State's Administrative Training Institute where the State Home and Social Welfare Secretaries and DGPs may interact with participants on the whole range of issues concerning the subject and specifically to identify problems experienced by them in investigation and trial of cases of atrocities, those experienced by victims and impact of measures undertaken to prevent recurrence of such incidents. Presiding officers of courts dealing with atrocities cases may be invited to these workshops to lecture on the shortcomings in investigation leading to acquittal. Based on this feedback, State Governments may take necessary corrective steps expeditiously to improve the administration of these laws.	✓				MHA National Human Rights Commission State Governments
3.2	National Human Rights Commission may recommend to High Courts to organise Seminars for Presiding Officers of Special Courts as in-house training on the subject. Observations on infrastructural problems, conduct of cases, quality of investigation, etc. emerging from such training may be conveyed to the State Governments for effecting improvement.	✓				National Human Rights Commission
4.	States need to constitute exclusive special courts for dealing with atrocity cases in districts where volume of such cases is large. Special public prosecutors for this work may be selected on the basis of their competence and commitment and their level of remuneration should be adequate to sustain their interest in work. National Human Rights Commission may lay down norms for such selection to improve the level of motivation and performance.	✓				National Human Rights Commission State Govern- ments

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5.	<p>State level and district level vigilance and monitoring committees may meet regularly as per prescribed provisions. Human rights organizations and activists working for and with Scheduled Castes may be involved in their deliberations as members/invitees. Their proceedings may be adequately publicized and also placed on the website of the State Governments. National Human Rights Commission may suggest that State Home Minister and SC Welfare Minister may jointly hold an Annual meeting of heads of District Vigilance Committees. This would activate their functioning and provide them necessary guidance.</p>	✓				<p>National Human Rights Commission</p> <p>State Governments</p>
5.1	<p>National Human Rights Commission may hold a biennial (once in two years) meeting of Chiefs of State level vigilance and monitoring committees to raise the level of discourse in their deliberations and build up adequate pressure on the State Governments to take these committees seriously. Points emerging from these meetings may be followed up to keep up the pressure.</p>	✓				<p>National Human Rights Commission</p>
6.	<p>Ministry of Home Affairs should set up a cell to monitor implementation of Protection of Civil Rights Act, 1955 and SCs/STs (Prevention of Atrocities) Act, 1989. Ministry of Social Justice and Empowerment should be associated in the process of monitoring. National Human Rights Commission may prescribe parameters for annual monitoring of the implementation of the Protection of Civil Rights Act, 1955 and SCs/STs (Prevention of Atrocities) Act, 1989, including the format for submission of the report by the nodal Ministry to the Parliament.</p>	✓				<p>MHA</p> <p>National Human Rights Commission</p> <p>Social Justice and Empowerment</p>
7.	<p>State Governments should expeditiously identify atrocities prone areas and untouchability prone areas as per provisions contained in the respective laws and thereafter prepare Plan of Action for</p>	✓				<p>National Human Rights Commission</p>

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	eliminating untouchability practices and reducing incidence of violence against SCs through various regulatory and development measures. The norms for identification of such areas and framework of the Action Plan may be prescribed by the National Human Rights Commission in consultation with Human Rights organizations and NGOs/ activists working for the SCs. These norms may also be incorporated in the Manual.					State Governments
7.1	Meanwhile, on the basis of information available with the National Commission for SCs and STs, some atrocities prone areas and untouchability prone areas have already been identified. Until such time as fresh surveys are made on the basis of norms laid down by National Human Rights Commission, the presently identified areas may be taken up for preparing Plan of Action and seeking its approval from National Human Rights Commission.	✓				National Human Rights Commission NCSS
8.	State Governments may institute an Annual Award for the police station which emerges as the most responsive to the complaints of Scheduled Castes and has achieved significant success in taking preventive measures timely, registering all cases of violence and expeditious follow-up action on them.				✓	State Governments
9.	Central Government may institute an Award for the most responsive district to the complaints of Scheduled Castes among the atrocities prone states as a mechanism for encouraging behaviour change in public functionaries. Comprehensive norms may be laid down to qualify for the Award. Ministry of Social Justice and Empowerment may initiate action in this regard.				✓	Social Justice and Empowerment
10.	Rehabilitation - National Human Rights Commission may monitor provisions regarding payment of compensation to victims of atrocities and their rehabilitation.			✓		National Human Rights Commission
10.1	The Ministry of Social Justice and Empowerment may report the number of cases State-wise where compensation, as per norms, has					National Human Rights Commission

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	not been paid to the victims. It should arrange to provide central share for such cases and ensure that Planning Commission earmarks funds for the States' share in their Annual Plan for this purpose. National Human Rights Commission may prescribe a time frame within which all such payments as per norms should be made.	✓				Social Justice and Empowerment Planning Commission
10.2	Ministry of Social Justice and Empowerment may consider revising the Scheme so as to enhance the share of central assistance in view of the difficult financial position of most States which is responsible for non-payment of compensation in many States.				✓	Social Justice and Empowerment
10.3	States may be directed by National Human Rights Commission to make the District Magistrate solely responsible for ensuring that the compensation money given to the victims is effectively utilized to provide sustainable rehabilitation . The parameters of such rehabilitation may be laid down in the Manual. State and District level Monitoring and Vigilance Committees may monitor the status of rehabilitation.		✓			National Human Rights Commission State Governments
10.4	Appropriate instructions may be issued by National Human Rights Commission that value of property destroyed in the course of atrocities committed against Scheduled Castes is included in the compensation package provided to them.				✓	National Human Rights Commission State Governments
10.5	Special rapporteurs may report to the National Human Rights Commission about the status of rehabilitation and morale of victims of atrocities in important cases.			✓		National Human Rights Commission
10.6	Chairperson of National Commission for SCs and STs is an ex-officio member of the National Human Rights Commission. In view of the deliberate policy of some State Governments and the pronounced bias of some enforcement agencies not to apply provisions of SCs/STs (Prevention of Atrocities) Act, 1989 to atrocities cases, with a view to dilute the offence of the					

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	accused persons and deprive the victims of compensation, National Human Rights Commission and NCSS may decide how the victims of atrocities can be provided compensation in such circumstances.				✓	National Human Rights Commission NCSS
11.	The amendment of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 with a view to undoing the effect of the judgement of the Supreme Court in <i>Ganguli Ashok and others V/s State of Andhra Pradesh</i> may be taken up immediately for empowering special courts to take cognizance of offences under the Act as a court of original jurisdiction. National Human Rights Commission may direct Ministry of Social Justice and Empowerment to initiate action in this regard without further delay.				✓	National Human Rights Commission NCSS
12.	With regard to various other amendments proposed by the State Governments, NGOs, National Commission for SCs/STs, etc., Ministry of Social Justice and Empowerment may consult experts and thereafter finalize the changes proposed to be introduced. But the amendment proposed on the jurisdiction of special courts should not wait for deliberations of this expert consultation and the decision taken by the Government on them.				✓	Social Justice and Empower- ment
13.	Involvement of competent NGOs with good track record and known commitment to the welfare of Scheduled Castes is necessary to counteract official apathy and bias in dealing with cases of atrocities, provide necessary feedback to the implementing agencies and extend support to the victims in registration of cases, pursuing prosecution at various stages and rehabilitation after the incident, besides intervening in time to prevent such violence. Ministry of Social Justice and Empowerment may identify such NGOs, one in each atrocities prone district, to start with, and provide necessary financial assistance under their existing schemes to				✓	Social Justice and Empower- ment

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	discharge the responsibility envisaged for them.					
ACCOMMODATING GENDER CONCERNS						
14.	State Governments should train social workers, one male and one female, from the Scheduled Castes in each village of the atrocities prone areas to help victims of atrocities in taking up their complaints and in helping them to seek their rights and entitlements. These workers should set up an information kiosk in their village on a voluntary basis where all essential information which needs to be conveyed to SCs should be provided by the Government. These information kiosks should become centers for awareness creation among SCs in the area. These social workers should become the focal point of contact by official and non-official agencies who wish to communicate with SCs. These kiosks would be helped with information inputs only and no financial remuneration is intended to be provided to the social workers. The social workers willing to carry out this task voluntarily may be given identity card which would enable them to contact local officials without hassle. Since Ambedkar is an accepted icon for SCs across the country, these information kiosks could be named as Ambedkar Chetna Kendras. Ministry of Social Justice and Empowerment may meet the cost of this programme.	✓				Social Justice and Empowerment
15.	At least one women police functionary may be posted in each police station located in atrocities prone areas in the State. It should be endeavoured that, as far as possible, investigation into serious complaints of violence against SC women be carried out by the woman police officer and where this is not feasible, a woman police or civil functionary may accompany male police officer/officers during investigation.		✓			State Governments
16.	At the district level, women police station may be set up exclusively manned by women functionaries so that complaints of					

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	Scheduled Caste women, if not entertained elsewhere in the district, can be registered there. Where an exclusive police station for SCs has been set up at the District Headquarters, it could have a Women's Wing manned by women police functionaries to serve this purpose.		✓			State Govern- ments
17.	State Governments may notify a lady officer from among the staff posted in each block , such as the Social Welfare Officer or Women & Child Development Officer to entertain complaints regarding the ill-treatment of and violence committed against SC women not registered by the competent authority and officially pass it on to the concerned authority with a copy to the District Magistrate for taking up necessary investigation. This arrangement may be adequately publicized in SC habitations of the block.		✓			State Govern- ments
18.	Self-help groups of SC women should be formed in each village with sizeable SC population, in atrocities prone areas to start with and to other areas subsequently. These groups, apart from being mobilized for activities relating to thrift, credit and development may also be given elementary legal training along with sessions on confidence building which equips them with knowledge and strength to take up cases of violence and discriminations against SC women with Police/Civil functionaries and provide emotional support to the victims in situations of crisis. At least one or two women in each group may be specifically trained to draft complaints on behalf of the victims and despatch them to competent authorities and Human Rights organizations/activists, if any. Ministry of Social Justice and Empowerment may include this measure as a part of activities for administration of SCs/STs (Prevention of Atrocities) Act, 1989.		✓			State Govern- ments Social Justice and Empower- ment
18.1	National Commission for SCs and STs have access to material which has mapped districts/regions which are prone to crime					

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	<p>against women. The Commission may relate it to this data it has about crime against SC women and map districts and regions which are prone to crimes against SC women. This material may be provided to NCW and National Human Rights Commission. Since Chairmen of NCSS and NCW are also ex-officio members, the strategy to control atrocities on SC women may be evolved and National Human Rights Commission may issue comprehensive directions to State Governments in this regard.</p>	✓			✓	<p>NCW NCSS NHRC</p>
19.	<p>At the State level, a Women’s Non-Government Organization may be funded by the Ministry of Social Justice & Empowerment under its existing schemes to function as an umbrella organization for District level NGOs, activists, social workers helping SCs, members of women self-help groups, provide guidance and support to them, impart training and take up, where necessary, gender related issues in respect of SCs with concerned Government agencies. This capacity building measure may be progressively extended to Districts which throw up a large number of atrocity cases against SC women/ children.</p>				✓	<p>Social Justice and Empowerment</p>
20.	<p>National Human Rights Commission with the help of State Governments and Human Rights organizations should identify at the level of each district, where atrocities against SC women occur, a women’s organization or its branch, a lawyer/ lawyers, human rights activist/ activists or welfare agency/ agencies, social worker, who can be contacted by victims or members of her family in cases of complaints regarding gender related violence where the competent authorities do not respond or have shown obvious bias in dealing with it. The identified agency may take up the matter with the competent authority if the complaint has not been registered or is not being investigated properly. It may also, where necessary, take</p>			✓		<p>National Human Rights Commission State Govern-</p>

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	up the matter with an appropriate State or a National Commission (Human Rights/ SC&ST/Women).					ments
CUSTODIAL ATROCITIES						
21.	National Human Rights Commission has issued instructions that it should be informed within 24 hours of occurrence of any custodial death or custodial rape. Therefore, these two atrocities in respect of SCs also would be getting monitored. It would be desirable to also have a mechanism for obtaining such information from non-official sources such as a Dalit human rights organization, PUCL or any other such agency in order that possible attempts to disclaim or camouflage a case of custodial violence do not succeed. Special Rapporteurs for the State may evolve a suitable arrangement with such organizations at the State level and pass on the information to National Human Rights Commission.			✓		National Human Rights Commission
22.	National Human Rights Commission may rigorously enforce its directions to States on 'encounter killings'. Where complaint is received regarding non-adherence of these directions, National Human Rights Commission may take up investigation , at least in a sample of cases . It may also organize open hearing in areas from where large encounter killings have been reported to sustain / restore people's faith in rule of law.			✓		National Human Rights Commission
23.	National Human Rights Commission with the help of State Governments and human rights organizations may identify at the level of each district, a NGO , human rights activist or an organization with empathy for SCs which can be approached in case of custodial violence or any other atrocity by the victim's family or well wisher for help in taking up the matter with the competent authority and informing the National/State Human Rights Commission so that process of enquiry is initiated expeditiously.			✓		National Human Rights Commission State Governments

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24.	State Governments reporting a large number of cases of violence in judicial custody may constitute an ombudsman (Committee) headed by a retired judicial officer, with an eminent lawyer, NGO representative/social activist working for Dalits, public-spirited citizen and retired civil/police officer with high reputation which may be utilized by National Human Rights Commission to look into cases of custodial atrocities where prima facie State's version does not satisfy.			✓		State Govern- ments National Human Rights Commission
24.1	The Visitors Committee constituted for each jail and Special Rapporteurs visiting jails for inspection may specifically make discreet enquiries into conditions of SC Under Trials in jail, untouchability related practices and treatment meted out to them.			✓		State Governments NHRC
25.	In respect of Districts which have sizeable SC population, District Magistrate shall create a Cell in his office headed by the District Social Welfare Officer looking after the interests of SCs. The information about SCs in police and judicial custody should be maintained there. On demand made by human rights organizations/ social activists/ SC organizations, information in respect of SCs in custody may be provided to enable them to take up the matter in appropriate fora for seeking relief admissible under the law.			✓		State Govern- ments National Human Rights Commission
CONFIDENCE BUILDING MEASURES						
26.	Since National Human Rights Commission does not have adequate staff strength to take up this responsibility on the scale expected of it by the victims, it may maintain a panel of persons who may include lawyers, human rights activists, retired civil/ police/ judicial officers, academics, social welfare professionals, eminent persons with high reputation and, subject to their willingness, utilize them for carrying out enquiries/investigations and getting reports in respect of serious complaints of atrocities on SCs where, prima-facie, State Govt's version does not satisfy.			✓		National Human Rights Commission

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27.	National Human Rights Commission may undertake a visit to at least one major atrocities prone State in a year for a comprehensive review of implementation of the laws and programmes for prevention of atrocities against SCs and STs. This visit may be preceded by a thorough scrutiny of the performance of the State to be carried out by the officials of the Commission and its special rapporteur stationed there. During this visit, opportunity may be provided to NGOs, activists, social workers, lawyers, etc. to relate their experiences in this regard. The Commission may convey its observations and suggestions to the Chief Minister after the meeting. Action taken on the suggestions by the State Government may be monitored.			✓		National Human Rights Commission
28.	National Human Rights Commission may organize open hearing on violence against SCs, two in a year, if feasible, or at least one in a year, where the victims of major atrocities can present their experiences and grievances in seeking justice from Government agencies and Human Rights bodies/Non-governmental organizations/social workers and activists may apprise the Commission of difficulties encountered by them in taking up their complaints. In the interaction with the State Government subsequent to the hearing, the Commission may convey its observations and advice on various actions to be taken for effective enforcement of law, sustaining confidence of victims and, where required, looking into the conduct of officials coming in for adverse reference during the hearing. The follow up action on the hearings may be monitored.			✓		National Human Rights Commission
29.	Annual interactive sessions may be organized by National Human Rights Commission with representatives of Media, both electronic and print which may cover, among others, the following aspects: a) Highlighting important cases of violence and discrimination against SCs (also STs) where the enforcement machinery has failed to act as per provisions of law.					

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	<p>b) Status of prosecution and rehabilitation of victims in major cases of atrocities,</p> <p>c) Apathy/ bias of public functionaries in delivery of entitled benefits to SCs/STs under regulatory and development programmes,</p> <p>d) Publicizing positive steps taken by the Government/ Local officials which helped in reducing violence, and delivering entitled benefits to SCs/STs.</p> <p>e) Profile of untouchability related practices and changes occurring in respect of them,</p> <p>f) Feedback in respect of elimination of manual scavenging,</p> <p>g) Inaction in respect of complaints relating to land rights, bonded labour/ child labour system, etc.</p> <p>h) Social and customary practices which deeply hurt the human dignity but do not attract legal action.</p> <p>This would help the Commission in focusing its interventions in problem areas.</p>			✓		National Human Rights Commission
30.	<p>All relevant information on SCs relating to atrocities, reservation, development, including findings of Enquiry Reports, if any, should be placed on the website of the Ministry of Social Justice and Empowerment for greater transparency and wide accessibility. The material to be placed on the website of the State should include, in addition to the above, findings of inquiry ordered in respect of specific incidents, proceedings of State level Vigilance and Monitoring Committees, etc. A non-official group of persons interested in problems of SCs may be constituted at the State and Central level to regularly report on the material placed on the website, its shortcomings, what additional material can be brought on it, etc. It would be desirable for National Human Rights Commission to institutionalize this arrangement for ensuring greater transparency of information relating to SCs.</p>			✓		National Human Rights Commission State Govern- ments

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31.	National Commission for SCs/STs does not get cooperation of State Governments in proceeding against its officials found guilty of omissions and commissions. National Human Rights Commission, NCM and NCW may also have experienced similar handicap. The four Commissions should come to an understanding on how pressure could be exerted in such cases where serious human rights violations are involved. As Chairpersons of NCSS, NCM and NCW are ex-officio members of National Human Rights Commission, National Human Rights Commission may take initiative in evolving such an understanding and method of pursuing it.			✓		National Human Rights Commission
32.	A large number of reports and documents prepared by human rights organisations, Dalit NGOs, Inquiry Commissions, research bodies and open hearings have collected evidence to show that SC victims of serious atrocities have failed to get any justice. There is no known mechanism to ensure that these reports/documents are followed up, guilty officials identified and proceeded against and prosecution of offenders tightened by removing the lacunae pointed out in these documents. Apparently, no institution takes notice of them as a matter of mandated responsibility. This demoralizes the victims and generates loss of faith in the system to deliver justice. The organisations and individuals who have accomplished investigation also feel frustrated that their efforts are wasted. The concerned Governments hardly show any response unless pressured by a competent organization. As many of these cases are old by the time these documents appear, National Human Rights Commission is tied down by limitation imposed by Clause 36(2) and regulations framed by it. National Commission for SCs and STs not constrained by such limitation, may take note of all such cases which no other Commission is looking into and process			✓		NCSS

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	<p>them for further action with a view to fixing responsibility of officials found guilty and proceeding against them and lightening the prosecution of offenders by removing lacunae observed therein. It may also ask its field units to prepare a status report on the current condition of the victims of these atrocities. Non-cooperation from the concerned State Governments may also be highlighted. These cases should form part of special report. These cases may be raised in the meeting with SC/ST MPs which the Commission has been advised to organize as well as in the interface with SC/ST MLAs of the concerned States which the Commission has been advised to undertake.</p> <p>National Human Rights Commission may network with Human Rights/Dalit organizations in order that such serious cases are taken cognizance of by it within the period of limitation.</p>					
33.	<p>Special rapporteurs located in each State, in addition to the existing work entrusted to them may be utilized for gathering feedback on the current state of social relations and its impact on victim community in villages/nearby areas where major incidents of atrocities have occurred, progress made in preparation of action plan in relation to atrocities prone areas and its subsequent execution, rehabilitation of victims of atrocities, and the overall profile of implementation of SCs and STs (Prevention of Atrocities) Act, 1989 in the State and such other relevant information which may enable the Commission to measure improvement registered in reducing the level of atrocities and discrimination.</p>			✓		National Human Rights Commission
34.	<p>Where SC inhabitants of a locality/village feel traumatized by continuing harassment and violence from neighbouring social groups of other castes and legal action/administrative measures fail to generate requisite confidence and security in them and are forced to put up a demand for shifting</p>			✓		National Human Rights Commission

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	of their settlement to a safe location, the State Government should be duly bound to make such an arrangement in consultation with victim communities.					
34.1	There is urgent need for a Memorandum of Understanding between the National Human Rights Commission and the National Commission for SCs/STs and National Commission for Women for dealing with cases received by them, need for sharing available facilities and expertise for mutual benefit. While National Commission for SCs/STs would immensely benefit from the expertise of the Legal Wing and guidance of senior level police officials available with National Human Rights Commission in respect of atrocities on SCs/STs, National Human Rights Commission could avail of the Research Wing available with the National Commission for SCs/STs for analysis of some data or carrying out some investigations. A similar MOU could also be developed with National Commission for Women in respect of cases of atrocities on Scheduled Caste Women.		✓			National Human Rights Commission NCSS
CAPACITY BUILDING (NATIONAL COMMISSION FOR SCs/STs)						
35.	It is extremely necessary to have a strong investigation and law wing in the National Commission for Scheduled Castes and Scheduled Tribes. Considering the level at which the Commission would be required to interact with the State Governments the existing arrangement for investigation headed by a DIG rank officer needs to be upgraded and supporting staff and facilities should be provided. Also, a Law Officer with appropriate staff should be available to the Commission for advice on legal matters. Ministry of Social Justice and Empowerment should take expeditious action in the matter.				✓	National Human Rights Commission State Govern- ments
36.	National Commission for SCs/STs faces acute scarcity of sufficient funds to undertake field investigations and even to					

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	utilize its Research Wing optimally for carrying out various studies. Its entire budget provision is virtually consumed by establishment expenditure leaving little fund for investigations, consultations, studies, services of expert and even tours of its headquarters and field personnel. It is extremely necessary that the Commission's budgetary support is adequately enhanced to facilitate these tasks and utilizing services of outside experts for carrying out field enquiry, etc.			✓		Social Justice and Empowerment
37.	It is extremely essential to remove the grievance of the National Commission for SCs/STs that its recommendations are not implemented. The Ministry of Social Justice and Empowerment may arrange, under the Chairmanship of its Minister, a series of meetings between the Chairman of the National Commission for SCs/STs and the Ministers in-charge of the Ministries concerning which major recommendations have been made by the Commission and which have not been accepted or carried out. This would enable both sides to appreciate each other's points of view and help in arriving at a consensus on what action could be taken in respect of the recommendations.		✓			Social Justice and Empowerment
38.	The Commission should also have adequate computer capacity for data storage, analysis, retrieval to process directly received complaints on atrocities. This facility may also be utilised for storing and analyzing the data on atrocities relating to Scheduled Castes flowing to the three Commissions which could be followed up with analytical studies on problems, incidents, programmes and assessment of area specific shortcomings in the enforcement of laws and programmes and suggestions for corrective interventions.			✓		Social Justice and Empowerment
39.	Initiative taken by the National Commission for Scheduled Castes and Scheduled Tribes of organizing a meeting with SC and ST Members of Parliament is welcome. This process of interaction with MPs should			✓		NCSS

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	<p>continue and such meetings may be organized at least once in two years to apprise them of critical issues affecting the communities which they could raise in appropriate fora. It is also suggested that the National Commission for SCs and STs should likewise take initiative of meeting MLAs from SC and ST communities in various States both for the purpose of advocating specific measures for SC welfare as well as to gather feedback from them on their experience of raising issues among SCs. This would benefit the legislators as well as the Commission.</p>					
40.	<p>National Commission for SCs and STs should visit at least one State every year for a comprehensive review of all programmes concerning Scheduled Castes during which they should have a separate session with NGOs, social activists and other non-officials who have interest in or been working for the Scheduled Castes. In this review, the session with State Government officials may be preceded by a thorough scrutiny of various regulatory and development programmes implemented by the State in respect of SCs. This scrutiny may be undertaken by a team of experts from the Commission and, where necessary, inputs from a local research institution be taken. The observations emerging from this review may be communicated to the Chief Minister and follow-up action on it may be monitored.</p>			✓		NCSS
41.	<p>National Commission for Scheduled Castes and Scheduled Tribes should organize annual meeting with non-governmental organizations working for the Scheduled Castes so that NGOs working for the SCs may be able to apprise the Commission of their experience and problems.</p>			✓		NCSS
42.	<p>National Commission for SCs and STs may consider bringing out special reports on selected problem areas concerning SCs which would throw light on them comprehensively including State-wise picture</p>				✓	NCSS

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	<p>on the subject. Some of the suggested themes for such special reports may include Dalit women - sexual violence; Elected SC panchayat members; residential/ashram schools for SC children; SC migrant labour; SC Girl Child Labour; SCs engaged in specific traditional occupations; self financed employment ventures taken up by SCs, patterns of upward mobility among SCs.</p>					
43.	<p>All reports of the Commission should be priced and made easily accessible to the general public. The Commission may also consider getting its earlier reports printed so that they are available in public domain. A separate book may be prepared containing major recommendations of the Commission contained in its various reports, with annotated information on which of them have been acted upon and which are unimplemented but still relevant.</p>			✓		NCSS/ Social Justice and Empower- ment
CAPACITY BUILDING (NATIONAL COMMISSION FOR SAFAI KARAMCHARIS)						
44.	<p>The National Commission for Safai Karamcharis needs to be adequately equipped to carry out its functions by removing restrictions in its jurisdiction, providing it sufficient financial resources, arranging research inputs, facilitating its visits to towns with high concentration of scavenger population and specific establishments located there, holding of meetings and conferences and helping it with data collection from States and Establishments. Ministry of Social Justice and Empowerment may arrange to provide such assistance expeditiously.</p>		✓			Social Justice and Empower- ment
44.1	<p>The status of National Commission for Safai Karamcharis should be brought on par with National Commission for Human Rights and National Commission for Women to remove the feeling of discrimination from them.</p>		✓			Social Justice and Empower- ment
45.	<p>The Commission for Safai Karamcharis should also organize open hearing in at least two major towns every year where</p>		✓			NCSS

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	<p>scavengers, NGOs working for them, Development administrators implementing programmes for them and researchers, social activists fully conversant with their conditions can present issues and problems. A local research organisation/NGOs could be mobilised to prepare a profile of manual scavenging and its facets for this hearing and provide it with necessary secretarial support. The information gathered through these hearings would be valuable as inputs in making recommendations and suggesting policy interventions.</p> <p>Targetting Civil Society</p> <p>46. A massive public awareness campaign for elimination of untouchability practices may be launched by the Ministry of Social Justice and Empowerment in consultation with leaders of SC communities, social activists, legal experts, educationists, human rights organisations, leading NGOs, media representatives, etc. There should be a 10 year perspective plan for this campaign which should also include mechanism for measuring social change resulting from its impact so that corrective interventions can be put in place timely. A prestigious National Award may be announced which may be conferred on an individual or Organization which has done outstanding work in removing untouchability, promoting social integration and empowering SCs at the grass root level.</p> <p>47. Village and Block level Panchayats should be actively involved in programmes relating to elimination of untouchability, protection of SCs against atrocities and removal of discrimination against them, implementation of labour laws and extension of development programmes for SCs, etc. Intensive training may be provided to the elected members for this purpose. Elected members belonging to SCs should be specifically oriented to provide emotional support and counselling to victims of atrocities and for advocacy of their problems.</p>					<p>✓ Social Justice and Empowerment</p> <p>✓ Social Justice and Empowerment Rural Development</p>

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city bui- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	<p>Ministry of Social Justice and Empowerment may take up the matter with the Ministry of Rural Development to start this work at the earliest. Until such a programme is finalised Ministry of Social Justice and Empowerment could start on an experimental basis training of elected SC members of Panchayat in some atrocities prone areas.</p>					
48.	<p>Ministry of Rural Development may ins- titute Award, by way of providing additional funds, to a Panchayat in each State which has shown best performance in:</p> <p>a) facilitating registration of complaints of atrocities against SCs and STs under the law,</p> <p>b) mobilizing general support against such incidents and isolating the perpetrators of atrocities,</p> <p>c) delivery of necessary relief and rehabi- litation to victims of atrocities by the competent authority,</p> <p>d) helping victims of atrocities establish contact with Human Rights organi- zations/ workers, social activists, sym- pathetic non-government organizations for obtaining support, counseling and legal assistance,</p> <p>e) supporting programmes which reduce atrocities such as land reforms, minimum wages, elimination of bonded labour system, manual scavenging, child labour, etc.</p> <p>f) taking up development schemes for them beyond the earmarked percentage,</p> <p>g) establishing complementarity with NGOs for the benefit of SCs,</p> <p>h) Mobilizing liberal sections of civil society against caste oppression. Ministry of Social Justice and Empowerment could also consider taking this initiative as a part of its responsibility regarding administration of Protection of Civil Rights Act and SCs and STs (Prevention of Atrocities) Act.</p>			✓		Rural Development

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
49.	<p>Ministry of Human Resources Development should introduce necessary changes in the school curricula/ teaching practices with a view to changing the prevailing values and behaviour pattern based on caste system as a long-term measure for inducing social change.</p> <p>IMPLEMENTATION OF SOCIAL LEGISLATION [EMPLOYMENT OF MANUAL SCAVENGERS AND CONSTRUCTION OF DRY LATRINES (PROHIBITION) ACT, 1993</p> <p>MANUAL SCAVENGING</p>				✓	<p>HRD Social Justice and Empower- ment</p>
50.	<p>The current approach to elimination of manual scavenging as evidenced in its programmes suffers from inadequate comprehension of the complex nature of the practice and ignores the difficulties in the design and structures of implementation. Considering the slow pace of progress and limited achievement, both the law and the programmes may be reviewed. A radically altered approach to deal with the problem needs to be introduced which takes into account, inter-alia, (a) Jajmani character of the practice, (b) gender inequities in the vocation, (c) force exerted on scavengers, (d) degraded environment of scavenger colonies, (e) inadequate pressure for conversion of dry latrines into wet ones, (f) fragmented responsibility for delivery of results, (g) weak enforcement of law, (h) Need for psychological transformation, (i) official insensitivity, etc. Some problems have also been brought out in the reports of the National Commission of Safai Karamcharis. A comprehensive and integrated scheme should be designed to cover all these aspects and a single agency be entrusted with the task of implementation of both the law and the scheme. National Human Rights Commission may request Planning Commission to undertake this task expeditiously as two Ministries of Central Govt. are at present concerned with the programme.</p>				✓	<p>National Human Rights Commission Planning Commission</p>

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
50.1	The preamble and provision as to the extended applicability of Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 should be amended to make it automatically applicable to the entire country by linking it with Entry 24 of the Concurrent List of the Constitution with regard to legislative competence, instead of Entry 6 of the State List as was done in 1993. While doing so, appropriate prior and effective arrangements may be made to ensure that existing Safai Karamcharis do not suffer loss of employment or income.				✓	MUD National Human Rights Commission Social Justice and Empower- ment
50.2	Every child of the families of existing Safai Karamcharis anywhere should be admitted to Government residential schools/hostels and in case of their non-availability in certain locations be provided with an adequate scholarship under the existing centrally sponsored scheme for children of families engaged in unclean occupations. This scheme should be expanded so that adequate number of residential schools and hostels are set up for this purpose. The entire expenditure on this scheme should be centrally funded so that financial position of States does not come in the way of its implementation.				✓	Social Justice and Empower- ment
51.	National Human Rights Commission may direct Ministry of Urban Development to ensure that Municipal bodies provide protective equipment and devices to those handling filth, garbage, solid waste, medical waste and dead animals and cleaning dry latrines, open drains, cesspools, septic tanks, etc. It may also introduce mechanical devices for such operations as unclogging sewers, etc., where such technology is available.				✓	National Human Rights Commission MUD
51.1	It should also work out a scheme of social security for those who are exposed to severe health hazards and risk of death in the course of sanitation work including rehabilitation package for those who lose life or suffer disability resulting from this work. While working out such measures, representatives				✓	National Human Rights Commission MUD

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	of scavengers/sanitation workers may also be involved.					
51.2	All Municipalities should be mandated to promote Cooperative Group Housing Society for Safai Karamcharis employed by them with a view to providing clean living environment for them. They should put in place an effective mechanism to redress grievances of Safai Karamcharis regarding irregular payment of salaries, non-payment of retirement benefits, etc. The educated sons/daughters of deceased Safai Karamcharis employed on compassionate grounds should be deployed on jobs commensurate with their qualification [Safai supervision for example] rather than on safai work to remove resentment and frustration in them and break caste-occupation nexus.				✓	MUD
52.	Scavenging and sanitation workers engaged in households, private establishments, and other places, whether on a full time or part time basis, other than those appointed to regular posts in Government establishments or otherwise covered by a wage structure, should be brought within the ambit of Minimum Wages Act, so as to eliminate their acute exploitation. Ministry of Social Justice and Empowerment may take up with the Ministry of Labour on a top priority basis.	✓				Social Justice and Empower- ment Labour
52.1	All scavengers who are privately employed should be liberated from engagement in this occupation by appropriately bringing them within the ambit of rehabilitation programme under the existing scheme.	✓				Social Justice and Empower- ment
53.	Ministry of Social Justice and Empowerment, with the help of Ministry of Labour, should collect information on Government/Semi Government establishments which are engaging contractors for sanitation work against the provisions of law and Supreme Court judgement and should intervene to ensure that contract system is discontinued. It should also watch out for attempts being made by many Government establishments	✓				Social Justice and Empower- ment Labour

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	to privatize sanitation work in the wake of economic reforms and make timely intervention to protect the interests of Safai Karamcharis. Wherever employment of contract labour is unavoidable and has been legally permitted in certain establishments, it should be ensured that provisions of law relating to contract labour are rigorously enforced.					
54.	Ministry of Health and Family Welfare should get a comprehensive study carried out by its Institute of Occupational Health regarding health status of scavengers and sanitation workers employed in different establishments in the country and various health hazards they are occupationally exposed to. The study should also suggest measures which all establishments employing them should implement mandatorily to protect them from serious health risks. Ministry of Social Justice and Empowerment should render whatever assistance necessary for this study to be carried out most expeditiously.		✓			Health Social Justice and Empower- ment
55.	Scavenger community is afflicted with serious problems of alcoholism, chronic indebtedness, etc. which worsen their already degraded condition. Manual scavengers are largely concentrated in identified towns in 5-6 major States. Ministry of Social Justice and Empowerment should take up a programme of social awareness and transformation in their community through NGOs with good track record and adequate empathy and commitment for the beneficiary group. Such a programme should get integrally linked to the existing scheme for rehabilitation of liberated scavengers, wherever it is being implemented. Scavengers in each such town should be encouraged to form a registered society which could be promoted over a period of time into a NGO and trained to look after their own problems.				✓	Social Justice and Empower- ment
55.1	With a view to breaking the caste-occupation nexus in deployment of group 'D' staff in Government/PSU, etc. establishments, a					

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city bui- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	programme should be operated by all such establishments which provides incentives/facilities to them for upgrading their skills thereby enabling them to shift to other jobs in the organization. The expenditure incurred on this arrangement should be an integral part of its establishment component. In respect of smaller and resource deficient establishments, as an interim measure, Ministry of Social Justice and Empowerment may provide assistance by expanding the scope of its present scheme relating to manual scavengers.			✓		National Human Rights Commission Department of Personnel & Training Social Justice and Empower- ment
DIVINE PROSTITUTION: DEVDASI SYSTEM ABOLITION ACTS						
56.	Existing State Laws on abolition of Devdasi system in Maharashtra, Andhra Pradesh and Karnataka are inadequate and suffer from loopholes, Central Government may therefore consider enacting a comprehensive law to abolish the system of divine prostitution known as “Devdasi System” or by other names in different States and regions. Such a law may also bring within its ambit other customary practices leading to sexual exploitation of SC and ST women, enactment of this law may be preceded by meticulous collection of customary practices leading to sexual exploitation of women across the country to facilitate their incorporation within it. The National Commission for Women may take this work.				✓	NCW DWCD
					✓	NCW DWCD
57.	Until such time a Central Law is in position, National Human Rights Commission may direct that the concerned State Governments of Maharashtra, Andhra Pradesh and Karnataka may amend their existing law , remove loopholes, make it more stringent and activate the enforcement machinery to implement it effectively.				✓	National Human Rights Commission State Governments
58.	The concerned State Governments may, through the coordinated efforts of their Departments of Scheduled Castes Welfare, Woman & Child Development, Rural Development, etc. launch a massive	✓				State Governments

Sl. No	RECOMMENDATIONS	Activa- ting the system	Capa- city bui- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	<p>awareness programme, particularly directed at the vulnerable communities regarding the abolition of divine prostitution system and availability of programmes for rehabilitation of liberated Devdasis. The programme should provide information on whom the women affected by the system, potential victims and their guardians should approach for seeking intervention of the Government. The temple priests should be targeted in this campaign for conveying the message that they incur criminal liability in encouraging or conniving at this practice. NGOs and social activists should be actively involved in this campaign.</p>					
59.	<p>Intensive survey should be carried out by the concerned State Governments. in their respective areas to identify ‘Devdasis’ who have not yet been liberated from the practice as also those who have abandoned this practice but have not yet been brought within the ambit of rehabilitation. This task may be accomplished with the help of NGOs, Village Panchayats, women activists and social workers. The rehabilitation of such Devdasis may be taken up most expeditiously and completed within a specified time frame. The National Commission of Women may monitor this.</p>	✓				State Governments
60.	<p>The pattern and contents of the rehabilitation programme for Devdasis may be completely overhauled so as to incorporate the following :</p> <p>An integrated package which includes inputs of poverty alleviation, housing, health, nutrition for children, drinking water, education, PDS, Social security, etc., through appropriate convergence of existing programmes.</p> <p>Confidence building measures</p> <p>Special efforts aimed at saving the girl child of Devdasis from falling into this practice and removal of stigma from their children in schools.</p> <p>The liberated Devdasis should not be subjected to loan burden in the pattern of rehabilitation worked out for them.</p>				✓	State Governments

Sl. No	RECOMMENDATIONS	Activating the system	Capacity building	Enhance Accountability	Advocacy	Jurisdiction for action
	<p>There should be a single window delivery of various admissible benefits to remove bureaucratic red tape and other hassles.</p> <p>The entire programme implementation should be entrusted to a single organization with a full time functionary at the State level executing it.</p>					
61.	<p>The liberated Devdasis may be organized into a Society at the District level. The Society may be associated with the entire programme concerning Devdasis and some components of programmes may be entrusted to it for implementation as well. An apex level organization at the State level headed by Secretary, Woman and Child Development may coordinate the work of District level societies. This society should also liaise with Government agencies to sort out problems of their members and also ensure that ineligible persons do not corner benefits meant for genuine Devdasis.</p>				✓	State Governments
62.	<p>A Police Task Force should be set up in each concerned State Government to investigate complaints of trafficking in women and children. This Task Force should thoroughly investigate cases where Devdasis and/or their daughters have been pushed into brothels. It should build up information on agents, middlemen, religious priests and powerful local people who are still promoting this practice with a view to pursuing effective legal action against them. The inputs received from this investigation may be utilized for the Awareness Campaign suggested earlier. There should be regular consultation among the members of the Task Force in different States. Department of Women & Child Development should coordinate and monitor this work with the help of Ministry of Home Affairs, where necessary.</p>	✓				State Governments DWCD

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city bui- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	<p>Implementation of Economic Legislation: Checking exploitative terms of work:</p> <p>LABOUR LAWS</p> <p>General</p>					
63.	<p>Enforcement of various labour laws, such as those relating to bonded labour system, minimum wages, equal remuneration, child labour, inter-state migrant labour, which have a bearing on the violence committed against the Scheduled Castes needs to be assigned high priority. The performance should also be intensively monitored at the Central, State and District levels. Ministry of Social Justice and Empowerment should associate itself with such monitoring at the central level, if it is already being done by Ministry of Labour, particularly in respect of atrocities prone States. State Secretaries in charge of SC welfare should do likewise in respect of atrocities prone districts/areas in their States.</p>	✓				<p>Labour</p> <p>Social Justice and Empowerment</p> <p>State Governments</p>
64.	<p>Liberal availability of legal aid to SCs under existing schemes is crucial in their efforts to seek justice under regulatory measures, particularly social and economic legislation enacted for their benefit. Ministry of Social Justice and Empowerment may expeditiously review the reasons for very poor access of SCs to legal aid and identify steps necessary to promote access and availability of this aid for seeking various entitlements under social and economic legislation.</p>				✓	<p>Social Justice and Empowerment</p>
65.	<p>The machinery for enforcement of above labour laws needs to be strengthened for intensive coverage and activated through training and appropriate capacity building, particularly in respect of atrocities prone districts. Trade Unions, NGOs, social activists should be involved for organizing labour and helping them avail of benefits of these laws. Legal aid should be mobilized in needy cases for this purpose. Ministry of Social Justice and Empowerment should lake initiative to push up these measures with State Governments/ Ministry of Labour.</p>	✓				<p>State Governments</p> <p>Labour</p> <p>Social Justice and Empowerment</p>

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
66.	<p>States may identify endemic areas which supply child labour from SC families. These areas are also likely to have high incidence of bonded labour system and would also be pushing a large number of unorganised labour outside the State on migration. Such pockets would most certainly have low wage levels. As these features are linked to high levels of poverty and exploitation, these areas are most likely to be prone to higher incidence of violence against SCs as well. An integrated programme of enforcement of labour laws, employment generation and poverty alleviation may be drawn up for such areas in which Village & Block Panchayats may be actively involved. Ministry of Social Justice and Empowerment may liaise with Ministry of RD and State Governments in preparation of Projects for such an integrated programme and allocation of funds for them. It should monitor the impact of these measures on the incidence of violence against SCs.</p>				✓	Social Justice and Empower- ment
MINIMUM WAGES ACT, 1948 AND EQUAL REMUNERATION ACT, 1976						
67.	<p>The occupations which employ large number of SC labour, but have not yet been brought within the ambit of Minimum Wages Act may be included in the Schedule to provide protection to them with regard to wages and working conditions. Ministry of Social Justice and Empowerment may pursue this matter with Ministry of Labour and State Governments. Necessary survey of such occupations may be carried out for this purpose if no information exists on the strength of such labour.</p>				✓	State Governments Labour Social Justice and Empower- ment
68.	<p>Cases of violence against SCs resulting from non-payment of minimum wages should be brought within the ambit of S.3 of the SCs and STs (Prevention of Atrocities) Act, 1989 and should merit higher punishment than what is admissible under the Minimum Wages Act. Ministry of Social Justice and Empowerment may process this proposal</p>				✓	Social Justice and Empower- ment

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	along with proposed amendments suggested by other agencies.					
69.	<p>Employment generation programmes may be specifically concentrated in low wage pockets of rural labour so as to strengthen their bargaining position in the struggle for enforcement of minimum wages and equal remuneration among male and female workers. Ministry of Social Justice and Empowerment may identify such pockets in rural areas where SC predominate as agricultural labourers and liaise with the Ministry of RD in operationalising this suggestion.</p>				✓	<p>Rural Development Social Justice and Empowerment</p>
BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976						
70.	<p>The work relating to identification of bonded labour, their release and rehabilitation should be allotted high priority in the duties assigned to the District Magistrates and political signal to this effect should be clearly conveyed to them, National Human Rights Commission is already engaged in this exercise and is monitoring the implementation of this Act under the directions of the Supreme Court. It is also taking assistance of NGOs, social activists, welfare agencies in identifying individual cases of bonded labour so that their release and rehabilitation can be taken up.</p>			✓		<p>National Human Rights Commission</p>
71.	<p>National Human Rights Commission may collect information through the large number of human rights organizations, NGOs/social activists it is in touch with about pockets / occupations where bonded labour system prevails so that it could pressure State agencies to launch an intensive campaign for identification of bonded labourers. It has already made a beginning with some pockets in UP, Karnataka and Gujarat. Similar pockets may be identified in other States for exerting pressure on concerned State Governments and District Magistrates to release and rehabilitate bonded labourers trapped in these areas.</p>			✓		<p>National Human Rights Commission</p>

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
72.	Ministry of Labour, in consultation with Ministry of Social Justice and Empowerment and Tribal Affairs should sponsor a study on State-wise status profile of released and rehabilitated bonded labourers and those released but not rehabilitated within a specified time frame so that rehabilitation of bonded labourers released earlier, but not yet been assisted and those who have relapsed into bondage due to unsatisfactory rehabilitation efforts may be taken up on priority with the help of National Human Rights Commission which is already pursuing this aspect. Necessary inputs for more effective implementation of the programme in future could also be provided on the basis of this study.				✓	Labour Social Justice and Empower- ment Tribal Affairs National Human Rights Commission
73.	The prosecution of offenders under the Act has suffered a great deal of neglect and needs to be invigorated by intensive monitoring regarding registration of cases, empowerment of Executive Magistrates for conducting trial and disposal of cases. National Human Rights Commission is already monitoring this aspect in the identified pockets of three States. But this monitoring may be extended to all the States for identifying districts with poor performance in this regard. Monitoring of performance by National Human Rights Commission would exert pressure on the District Magistrate to show progress.			✓		National Human Rights Commission
74.	The debt relief legislation passed by most State Governments which provides for registration of money lenders, limitations on gross interest to be charged, nullification of loans by unlicensed money lenders are not being implemented for many years. Ministry of Rural Development should get an All India Review of debt relief legislation carried out in order to provide national guidelines for their implementation. It could also prepare a draft model law for adoption by States so as to achieve some uniformity in the country.		✓			Rural Development

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city bui- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
75.	Ministry of Social Justice and Empowerment in consultation with Ministry of Rural Development should launch a programme to organize self-help groups in each village among the SCs (if necessary for men & women separately) for thrift and credit and link them with existing financial institutions, both commercial and cooperative, for improving the availability of credit for consumption purposes which no financial institution at present is catering to.				✓	Social Justice and Empower- ment Rural Develop- ment
75.1	Ministry of Social Justice and Empowerment may launch or persuade Ministry of Rural Development to introduce a scheme for establishing Grain Banks in SC villages on the pattern adopted for STs which may provide food grains to needy SCs on loan during lean season which they may pay back from wages earned by them when employment is available.				✓	Social Justice and Empower- ment
CHILD LABOUR (PROHIBITION & REGULATION) ACT, 1986						
76.	There should be special targeting of endemic areas which supply child labour from SC families under compulsion of poverty. Programmes for poverty alleviation and employment generation combined with other development schemes for welfare of SCs may be implemented there in a convergent mode and focused manner to plug supply of child labour therefrom. Ministry of Social Justice and Empowerment should initiate action to implement this proposal with the help of Ministry of Rural Development.				✓	Social Justice and Empower- ment Rural Development
77.	National Human Rights Commission may direct Ministry of Labour to sponsor a comprehensive survey of child labour in the country. Meanwhile, Ministry of Social Justice and Empowerment may identify areas where SC child labour is employed in hazardous occupations and assist National Human Rights Commission in vigorous enforcement of the Act to get labour released and rehabilitation projects started by the concerned State	✓				National Human Rights Commission Labour State Governments

Sl. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	<p>Governments /Ministry of Labour in line with SC guidelines. It should also seek, if necessary, higher allocation under Special Component Plan of the Ministry of Labour for taking up sufficient number of such projects. It could also seek augmentation of its own resources to share the responsibility of Ministry of Labour.</p>					
78.	<p>Where SC children are employed in occupations permitted by Law, Ministry of Social Justice and Empowerment apart from liaising with Ministry of HRD for extending Sarva Shiksha Abhiyan to cover such children through innovative schooling programme suitable to the situation of the child labour of the area, take up with State Governments and Ministry of Labour for vigorous enforcement of the Act. It may mobilize NGOs working in these areas to extend certain services to SC children such as protection against abuse, counseling, elementary health care, supply of protective gear, non-formal education, emergency help in case of accident, etc. Necessary financial assistance may be provided to such NGOs for this additional work. These NGOs should also be asked to seek help of labour enforcement agencies in regulating the working conditions of such child labour according to law.</p>				✓	<p>Social Justice and Empowerment HRD Labour</p>
79.	<p>Ministry of Social Justice and Empowerment should liaise with the Ministry of HRD, and failing which on its own, launch innovative schooling programme for SC boys/girls such as shepherd schools (Charwaha Vidyalayas) which can be implemented in harmony with their existing employment pattern permitted by law and with suitable adjustments of the time schedule and venue of their work. For this purpose, it may identify occupations and their work pattern and design innovative schooling system for them with the help of experts and NGOs. Ministry of HRD may dovetail such</p>				✓	<p>Social Justice and Empowerment HRD</p>

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	innovative schools in their programme, Some experimental projects may be taken up by the Ministry of Social Justice and Empowerment under its ongoing schemes to provide a lead in this direction.					
80.	States which contribute most to SC child labour have very few residential schools for SC children per unit of SC population. These States should be targeted by Ministry of Social Justice and Empowerment to set up Residential Schools in the locations/ areas which send large number of SC children to work. These residential schools should also cater to SC children rescued from bondage, degrading occupations and other forms of acute exploitation. Ministry of Social Justice and Empowerment should provide financial assistance and incentives to States for this purpose.			✓		Social Justice and Empower- ment
81.	Ministry of Social Justice and Empowerment administer programmes for street children, irrespective of caste, through NGOs. Other agencies also administer programmes for them. The coverage of street children in these programmes, however, is very limited. It is also not known how many of those covered are SCs. NGOs working for SCs , funded by Ministry of Social Justice and Empowerment in big cities, should be additionally mobilized to expand their activities to cover SC street children by providing certain minimum facilities/ services, such as (a) safe shelter and protection from urban predators (b) drinking water, toilet facilities (c) elementary health care (d) literacy (e) recreation and (f) if feasible, some vocational training, etc. at timings convenient to them.				✓	Social Justice and Empower- ment
82.	Ministry of Social Justice and Empowerment in cooperation with Ministry of Labour should identify areas where SC girl children are employed in home based industries, agriculture and allied occupations. Such girl children are not covered under the existing				✓	Social Justice and Empower- ment Labour

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	<p>law on child labour. Ministry of Social Justice and Empowerment should prepare innovative projects for their rehabilitation and implement them under its ongoing scheme for low literacy pockets of the girl child by suitably expanding its objectives. Under such projects, welfare schemes for the girl child implemented by other Ministries may also be dovetailed. These projects should also focus on ways to correct gender based inequities in treatment of child labour within the family and outside.</p>					
83.	<p>Ministry of Social Justice and Empowerment should network with Dalit activists, SC welfare organizations, social workers and NGOs working for women and children to identify persons and agencies involved in sexual abuse, drug pedaling and trafficking of children. While liaising with law enforcement agencies for criminal action against them and for rescuing the victims, it should launch awareness programme among SC families in areas which supply child labour for conveying the risks in sending their children to work. Information kiosks managed by social workers suggested in this paper may cover such areas also.</p>				✓	Social Justice and Empowerment
84.	<p>Massive sensitization programme should be carried out by the Ministry of Labour against employment of child labour and their ill-treatment directed at not only the industry, trade and business, but even the higher and middle class families which are increasingly employing children as domestic help and whose record of treatment of such labour does not do them credit.</p>				✓	Labour
	<p>INTER-STATE MIGRANT WORKERS (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICES) ACT, 1979</p>					
85.	<p>The Act virtually remains unimplemented due to apathy, if not hostility of States which receive huge supply of migrant labour. Political will, therefore, has to be generated in these States for its</p>					

Sl. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	implementation by building up enough pressure on them. National Human Rights Commission may take up the matter with the Ministry of Labour and State Governments in this regard. A small beginning has been made by National Human Rights Commission with regard to Punjab State. As there are large pockets of both child and bonded labourers among the migrant labourers, specific information on such pockets may be collected through non-official channels. Thereafter pressure should be mounted on enforcement of the Act and other labour laws and for release and rehabilitation of such labour. This task may be accomplished and monitored through Special Rapporteurs and Bonded Labour Cell in the Commission.			✓		Social Justice and Empower- ment National Human Rights Commission
86.	Ministry of Social Justice and Empowerment in cooperation with Ministry of Labour may identify occupations where SC migrant labourers are employed as bonded Labour or child labour and assist National Human Rights Commission in their intensive inspection for their identification, release and rehabilitation by the State Governments.	✓				National Human Rights Commission Labour State Governments
87.	The loopholes in the existing law are so serious and glaring that employers can violate it with impunity. Proposals for amendments to remove such loopholes are already available with Labour Ministry. A detailed memorandum by a TU Organisation has recently been submitted to the Prime Minister on the need for taking various institutional measures along with making amendments in the law. These proposals need to be taken up most expeditiously. National Human Rights Commission may take up this matter with the Ministry of Labour.		✓			National Human Rights Commission Labour
88.	A labour catchment area development programme may be initiated to target those areas which push a large number of					

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	labourers to other States in search of work. Appropriate package of development measures may be implemented to remove conditions which force labourers from these areas to migrate. Ministry of Social Justice and Empowerment with the help of Ministry of Labour may identify such areas from where SC labour migrates, get projects prepared and pro-actively work to get them included in the Special Component Plan of the concerned State Governments and sectoral programmes of concerned Ministries for implementation.	✓				Social Justice and Empower- ment Labour State Governments
89.	Migrant Labour Welfare Boards may be set up in each State to provide guidance and counselling to migrant labour about the potential areas of employment as well as to document information about their working conditions and problems they encounter. These Boards may also register migrant labour and issue identity cards to them to enable them to access various benefits. National Human Rights Commission may take up the matter with the Ministry of Labour.				✓	National Human Rights Commission Labour
90.	Skill Development programme may be undertaken for labourers who wish to migrate in search of better prospects voluntarily. Ministry of Social Justice and Empowerment may identify such skills for SC migrants area-wise and ensure that programmes for their development are included in the Annual Plans of the concerned State Governments and the concerned Ministries. It may also take up such programmes within its existing schemes, where feasible.				✓	Social Justice and Empower- ment Rural Development
91.	Panchayats may be made nodal agencies for recording information about migration of labour from their area and all the relevant details concerning them. This arrangement may be officially authorized by the concerned State Governments. Ministry of Labour may take up the matter with		✓			Rural Development Labour

SI. No	RECOMMENDATIONS	Activa- ting the system	Capa- city buil- ding	Enhance Account- ability	Advo- cacy	Juris- diction for action
	Ministry of Rural Development to operationalise this arrangement by issuing necessary guidelines to State Governments.					
92.	During the peak season of migration, railways should provide additional coaches and even additional trains from areas where labour usually migrates to destinations where such labour is employed. Strong measures for checking corrupt practices of railway staff/ Railway Protection Force and other anti-social elements regarding extortion of money and other harassment during journey may be introduced in consultation with Trade Unions. National Human Rights Commission may take up the matter with Ministers of Labour & Railways.				✓	National Human Rights Commission Railways
93.	At the place of destination, Trade Unions, non-governmental organisations and social activists may be involved in identifying migrant labour, maintaining their records, creating awareness among them and taking up their problems with the concerned State agencies. States which send large number of migrant labour may open offices in States which employ such labour to render necessary assistance to them as permitted by the Supreme Court. All India level Trade Union Organisations which have presence both in the recipient State as well as the State from where labourers migrate, would be very effective in providing minimum necessary assistance to such labourers. With a view to avoiding conflict between local labour and migrant labour in the same occupations, issues where interests of local and migrant labour converge, such as access to Public Distribution System, drinking water, housing, minimum wages, health care and toilet facilities, etc. may be taken up on priority. National Human Rights Commission may take up the matter with Ministry of Labour.				✓	National Human Rights Commission Labour
94.	Ministry of Social Justice and Empowerment, in cooperation with Department of					