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How far do you agree that the National Commission for SCs is able to tackle the problem faced by Dalits in India? Critically Analyse.

Structure –

- Intro - Brief about NCSC.
- Body - Issues prevailing among the NCSC and then write about the reasons behind these Issues. Also talk about the positives of NCSC (So as to give a holistic view about NCSC).
- Conclusion - Measures that needs to be taken in order to improve the functioning of NCSC.

Answer-

Article 338 established National Commission for Scheduled Castes (NCSC) in order to provide them safeguards against exploitation and to promote their social, economic, educational and cultural development.

However, in the recent past several issues have popped up dealing with functions and functioning of the commission like –

- Huge pendency and Increasing atrocities - As per the RTI data, over 22,000 complaints are pending for disposal and also the number of cases filed under SC/ST prevention of atrocities act are only increasing. Example being Dalit lynching in Una, Caste related honour killings in Haryana.
- Discrimination on the basis of caste- Article 15 prohibits discrimination on the basis of caste. However, discrimination is still not uncommon. The case of Rohith Vemula reflects that the discrimination till date is omnipotent.
- Failure to bring awareness and sensitivity - SC decision on diluting the provisions of SC/ST act demonstrated that the issue of SC/STs is seen as exaggerated even by the apex court.
- Delay in appointment - The commission remained headless for months during Hathras case in UP.

Inefficiency in functioning and inadequate attention to the issues faced by dalits is causing denial to their constitutional rights under article 14,14,16,17. These are due to various reasons like

- Non-Binding Recommendations - Even though the Commission has extensive powers of investigation and inquiry in this area and can fix responsibility and recommend action, its recommendations are not binding.
- Delay in appointment - The commission remained headless for months during Hathras case in UP.
- Annual Reports not frequently discussed and remain only paper.

But if we look at the half-filled glass, then NCSC has been successful in achieving its mandate through works like –

- Services Safeguards and Monitoring - Over the years, the Commission has conducted several on the-spot inquiries into complaints of atrocities.
- Special Cells - Institutionalised the system of liaison officers and special SC and ST cells in all central ministries and PSU's has been setup.
- Worked Effectively towards education and providing strong economic front to Schedule Castes.

In order to remove the lacunas and improve the functioning of NCSC, following measures can be taken –

- Strengthening the legal and judicial protection of Dalits under the Scheduled Castes and Tribes (Prevention of Atrocities) Act like facilitating online reporting and tracking of crime.
- Capacity building and sensitisation of the Institutions - The Commission can help in capacity building of lawyers, judges and policemen, ensuring their empathetic engagement with members from Scheduled Castes.
- Ensuring effective implementation of existing Govt policies- The Commission can discuss with legislators and prioritise outcome-oriented fund expenditure across the Ministries and schemes such as STAND UP INDIA scheme.