

CHAPTER I
STANDING COMMITTEE ON LABOUR AND WELFARE
(1999-2000)
(THIRTEENTH LOK SABHA) **MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT**
DEMANDS FOR GRANTS
(2000-2001)
FOURTH REPORT

LOK SABHA SECRETARIAT NEW DELHI APRIL, 2000/ CHAITRA 1922 (SAKA)

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Dr. Sushil Kumar Indora-ChairmanMEMBERS

LOK SABHA

2. Shri Daud Ahmad
3. Shri Alam Amir
- 4 \$. Shri Ashok Argal
5. Shri Denzil B. Atkinson
- 6 \$. Shri Sudip Bandyopadhyay
7. Smt. Sandhya Bauri
8. Shri Joachim Baxla
9. Shri Manibhai Ramjibhai Chaudhuri
10. Smt. Phoolan Devi
11. Shri Krishan Lal Diler
12. Shri Virendra Kumar
13. Shri C. Kuppusami
14. Shri Parsuram Majhi
15. Shri Ramjee Manjhi
16. Shri Bherulal Meena
17. Shri Rupchand Murmu
- 18 \$. Shri Raj Narain Passi
19. Shri R.S. Patil
20. Shri Madhab Rajbangshi
21. Shri P.A. Sangma
22. Shri Ram Shakal
23. Shri Charanjit Singh
24. Shri Khelsai Singh
25. Dr. Ram Lakhan Singh
26. Shri Mansukhbhai Vasava
27. Dr. N. Venkataswamy
- 28 \$. Shri K. Yerrannaidu

\$ Nominated to the Committee w.e.f. 6th April, 2000

RAJYA SABHA 29*. Shri Govindrao Adik

- 30*. Shri Sanatan Bisi
31. Dr. (Mrs.) P. Selvie Das
32. Shri Mohd. Azam Khan
33. Shri Ramachandra Khuntia
34. Shri Fali S. Nariman
35. Shri C.O. Poullose
- 36*. Shri Joyanta Roy
37. Shri Ka.Ra Subbian,
38. Ms. Frida Topno

* Ceased to be the Members of the Committee consequent upon their retirement from Rajya Sabha on 2nd April, 2000.

SECRETARIAT 1. Shri Joginder Singh - Joint Secretary

2. Shri J.P.Sharma - Deputy Secretary

3. Shri B. D. Swan - Under Secretary

4. Shri Jagdish Prashad - Committee Officer

INTRODUCTION I, the Chairman of the Standing Committee on Labour and Welfare (1999-2000) having been authorised by the Committee to submit the Report on their behalf, present this Fourth Report, on the Demands for Grants, 2000-2001 on the Ministry of Social Justice & Empowerment.

2. The Committee considered the Demands for Grants pertaining to the Ministry of Social Justice & Empowerment for the current year i.e. 2000-2001 which were laid on the Table of the House on 15 March, 2000. Thereafter, the Committee took evidence of the representatives of the Ministry of Social Justice and Empowerment on 24.3.2000. The Committee considered and finalised the Report at their sitting held on 13 April, 2000. 3. The Committee wish to express their thanks to the Officers of the Ministry of Social Justice and Empowerment for placing before them the detailed written notes on the subject and for furnishing the information the Committee desired in connection with the examination of the Demands for Grants and tendering evidence before the Committee.

4. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in a consolidated form in Appendix to the Report.

NEW DELHI;

DR. SUSHIL KUMAR

INDORA,

13 April,

2000

Chairman

n,

24 Chaitra, 1922 (Saka)

Standing Committee on Labour

and Welfare

CHAPTER I

INTRODUCTORY

1.1 The Committee have been informed that the Ministry of Social Justice and Empowerment is responsible for looking after the welfare of the disadvantaged and marginalised sections of society such as scheduled Castes, Minorities, Backward Classes, children in need for care and protection, Aged persons, persons with disability disabled and victims of drug abuse. The subject of Scheduled Tribes has been transferred to the Ministry of Tribal

Affairs which was created on 18.10.1999.

1.2 The basic objective of policies, programmes, laws and institutions of the Indian Welfare system is to bring target groups into the mainstream of development by making them self-reliant. In achieving the objective, the Ministry performs the task of implementation in accordance with the provisions under Chapters III and IV the Constitution deal with the development and welfare of the disadvantaged and marginalised groups mentioned above, and also give a concept of justice to include social and distributive aspects.

1.3 The Committee have further been informed that as per 1991 Census the total population of Scheduled Castes was 13.82 crore which constitute 16.73% (as 1/6 of the Country's Population). The Planning Commission had conducted a survey in 16 major cities during the year 1993-94 and estimated that 48.11% in rural areas and 49.48% in urban areas of Scheduled Castes Population were living below the poverty line. As per 1991 census population of minority groups constitutes 17.17% of the total population of the country.

1.4 The Ministry of Social Justice and Empowerment has implemented several schemes and programmes for the welfare of aforesaid target groups. While the schemes and programmes for Scheduled Castes have been in operation since Fourth Five Year Plan and in fact, in several cases also prior to that the schemes for the welfare of Minorities and OBCs are of recent origin. Programmes for the welfare of handicapped persons and for social defence are also comparatively new and are yet to stabilise and expand effectively to reach the target groups.

1.5 In order to achieve the objective stated above, the Ministry of Social Justice and Empowerment is divided into the following bureaux:-

- (a) Scheduled Caste Development
- (b) Handicapped Welfare
- (c) Social Defence and Child Welfare
- (d) Backward Classes and Minorities (Including Matters relating to Wakf)
- (e) Animal Welfare

1.6 The Ministry gets specialised and technical inputs from 5 National Institutes and 2 Apex Level Institute that work under the control of the Ministry of Social Justice and Empowerment. The National Institutes are:

National Institute of Social Defence, New Delhi.

National Institute for Visually Handicapped, Dehradun.

National Institute for Mentally Handicapped Secunderabad

National Institute for Hearing Handicapped, Bombay

National Institute for Orthopaedically Handicapped Calcutta.

Sl.No

Division

1999-2000

2000-2001

	BE	RE	EXP (upto 29.2.2000)	% of Exp.	BE	1.	Scheduled Castes Division
Plan	808.50	804.21	669.31		787.70	Total	817.36
Non-Plan	8.86	7.81	7.34		8.65		
812.02	676.65	83.35%	796.35	2.	Minoritiesa nd Backward Classes Division	Plan Non-Plan	156.30 5.21
145.81 5.57	12.44 4.95		119.87 6.39	Total	161.51	151.38	17.39
11.49%	126.26	3.	DisabilityDi vision	Plan Non-Plan	179.50 24.49	146.29 28.95	85.19 26.37
	230.10 31.05	Total	203.99	175.24	111.56	63.66%	261.15
4.	SocialDefe nce and Child Welfare Division	Plan Non-Plan	115.00 2.89	108.78 2.85	45.42 0.90		62.07 2.90
Total	117.89	111.63	46.32	41.49%	64.97	5.	AnimalWelf are Division
Plan	10.00	15.00	12.06		14.75	Total	10.48
Non-Plan	0.48	0.48	0.48		0.48		
15.48	12.54	81.01%	15.23	6.	Secretariat	Plan Non-Plan	0.70 8.98
1.98 9.37	0.50 9.04		0.51 7.92	Total	9.68	11.35	9.54
84.05%	8.43 +135.00		Sub-Total	Plan Non-Plan	1270.00 50.91	1222.07 55.03	824.92 49.08
	1350.00 57.39		Grand Total		1320.91	1277.10	874.00

(+ Lump sum Provision for North East and Sikkim)

2.3 From the above statement it has been noted that in 1999-2000 Rs.1320.91croreswere allocated to the Ministry which were slashed down to Rs.1277.10 croresat Revised Estimates

stage and the expenditure incurred upto 29th February, 2000 was Rs.874.00 crores i.e. 68.4%. During evidence the Committee asked the manner in which the Ministry would utilise the remaining Rs.403.10 crores in one month only. The Secretary of the Ministry stated that there are some major expenditure for which they could not get approval at the beginning of Financial Year. Besides some of the schemes depends on the State Governments/UTs. Until and unless they get proposals from them they are helpless to go ahead. It is their endeavour to improve the monitoring from the next financial year.

2.4 The Committee drew the attention of the Ministry to the Minorities and Backward Classes Division where out of Rs.151.38 crores they have utilised Rs.17.39 crore i.e. 11.49% upto the end of February, 2000 and asked the steps taken by the Ministry to avoid the adjustment of unutilised money in the last month of Financial Year. The Secretary, Ministry of Social Justice and Empowerment has informed the Committee during the course of evidence that they give corpus funds to the Financial Development Corporation. The loan is further given to the Minority and Backward Classes. Due to late receipt of funds, they could not sanction the loan which is given for the income generating purposes. The Ministry has started Worker Financing for those who are unable to get loan from the Financing Institutions.

2.5 The Planning Commission had allocated 0.87% of the country's total plan outlay to the Ministry of Social Justice and Empowerment during the Eighth Five Year Plan which has been raised to 1.35% during the Ninth Five Year Plan. Asked whether the Ministry is satisfied by the overall increase in the percentage of allocation by Planning Commission, the Committee was informed that the Ministry had initially projected its requirement of funds to the level of about Rs.33000 crores on the basis of recommendations of the expert groups. It was reduced to Rs.10501 crores by the Planning Commission. They again reduced it to the level of Rs.7100 crores (at 1996-97 prices). However, with the approval of National Development Council, it was further reduced to Rs.6608.13 crores (excluding SCA to TSP and Grants under Article 275(1) due to financial constraints and overall resource availability position for the Ninth Five Year Plan the limitation in availability of funds have a direct impact on the implementation and reach of the schemes and programmes of this Ministry.

2.6 The Budget Estimates are approved by the Parliament through Annual Budget of the Government of India usually in the months of March/April, whereas the funds are subsequently reduced at the Revised Estimate stage. When asked about the procedure for approval of Revised Estimates, the Committee were informed that the proposal for RE are considered by Ministry of Finance, Deptt. of Economic Affairs on the basis of performance during the first six months of the year at pro-rata basis. The reduction/increase in the allocation is made on the assessment with regard to utilisation of funds in the remaining part of the year.

2.7 The Ministry of Social Justice and Empowerment in a note furnished to the Committee has stated that a lump sum provision of Rs.135.00 crores which is equivalent to 10% of the Central Plan Outlay for 2000-01 for the benefit of North Eastern Region and Sikkim has been made in pursuance to the directives from the Planning Commission that all Central Ministries/Department to earmark 10% of their gross budgetary allocation for the North Eastern region and surrender the unspent balance to the non lapsable central pool of resources.

2.8 During evidence the Committee wanted to know the reasons for keeping 10% whereas the SC population in those States is 1.5%, the Secretary stated: "According to it, out of Rs. 787 crores, I should be allocating only about Rs. 15.6 crore to the North-Eastern States for Scheduled Castes Welfare against which I have to allocate Rs. 78 crores as per the Cabinet decision. Our Minister has taken up the matter with the Planning Commission saying that this is like diverting money which should be spent on SC welfare to other activities. From our own Ministry, we should not be spending Rs. 135 crore in North East."

2.9 The Committee are concerned to note that out of allocation of Rs. 1277.10 crores for the financial year 1999-2000, the Ministry has utilised only Rs. 874.00 crores i.e. 68.44% of the Budget upto 29th February, 2000. The performance of the Minorities and Backward Classes Division is more dismal where the utilisation was 11.49% only. The arguments put forth by the Ministry for shortfall in expenditure that non receipt of proposals and non-receipt of utilisation certificates from the State Governments/UTs are of routine nature and not appealing to the Committee. In the opinion of the Committee, the Ministry should avoid bunching of release of funds towards the end of the financial year and improve their monitoring over the schemes so that the funds earmarked in a financial year are utilised fully.

2.10 The Committee take note of the fact that the projected requirements of funds to the tune of Rs. 33,000 crores for the Ninth Five Year Plan has been finally reduced to Rs. 6608.13 crores which will have a direct bearing on the implementation of the schemes/programmes of the Ministry. The Committee therefore, recommend that the Ministry should continue their efforts with the Planning Commission for higher allocation of funds so that on-going schemes do not suffer for want of funds.

2.11 The Committee further note that the Budget Estimates are approved by the Parliament through Annual Budget of the Government of India usually in the month of March/April which is subsequently reduced by the Ministry of Finance (Deptt. of Economic Affairs) at the Revised Estimates stage on the basis of performance during the first six months of the year at pro-rata basis. The heavy reduction of funds by the Ministry of Finance at the Revised Estimate stage reflects the level of planning of the Ministry in the utilisation of funds. The Committee, therefore, recommend that the Ministry should improve their planning and ensure that the expenditure should be at an even pace throughout the year so as to avoid reduction at Revised Estimate stage.

2.12 The Committee note that in pursuance to the directives from the Planning Commission, a lump sum provision of Rs. 135.00 crore which is equivalent to 10% of the Ministry's total plan outlay has been kept in Budget for the year 2000-2001 for the benefit of North-Eastern Region and Sikkim. The Committee feel that 10% allocation is more than enough keeping in view the fact that the SC population in the region is only 1.5%. Moreover the North-Eastern States have been exempted from their committed liabilities for some of the Centrally Sponsored schemes. The Committee desire that Ministry should apprise the Planning Commission of the fact and utilise the funds as per the proportion of SC population in the region so that their other schemes do not suffer for want of funds.

CHAPTER III

SCHEDULED CASTE DIVISION Major Head : 2225

Sub Head : 793

Detailed Head : 25,00,31

A.Liberation and Rehabilitation of Scavengers and their Dependents

3.1 The National Scheme for Liberation and Rehabilitation of Scavengers and their Dependents was launched by the Government of India on 22 March, 1992 in pursuance of the commitment to eliminate the inhuman practice of manual handling of night soil and filth by the end of VIII Five Year Plan period. There are three components of the Scheme viz. (i) identification; (ii) Training ; and (iii) rehabilitation of scavengers. The implementation of the scheme at the grass root level is looked after by the SCAs/SCDCs. The National Safai Karamcharis Finance and Development Corporation (NSKFDC) has been entrusted with the responsibility of day-to-day implementation and monitoring of the scheme as well as co-ordination and collaboration with the SCDCs in implementing the scheme. The training cost is borne by Government of India and during the course of training the trainee get stipend upto Rs.500/- per month besides honorarium to trainer upto Rs.300/- per month and tool kit allowance upto Rs.800/- as per the (TRYSEM) (Training of Rural Youth for Self Employment) norms .

3.2 Rehabilitation of Scavengers is attempted through sanction of projects costing upto Rs. 50,000 for each beneficiary funded by a prescribed financial package comprising of 50% subsidy subject to a ceiling of Rs. 10,000/- per project 15% of project cost as margin money loan (MNL) which is shared between the Central Government and State Government in the ratio of 49:51 and the rest through Bank Loan.

3.3 The scheme was last modified w.e.f. 1.4.1996 to bring further improvement in its implementation. The important modifications done are mentioned below:-

1. Release of Central Assistance to Scheduled Castes Development Corporations directly.
2. Adoption of TRYSEM norms for training.
3. Higher project cost of Rs.50,000/- per beneficiary, for rehabilitation.
4. Cluster approach for training & rehabilitation

3.4 The allocation of funds for the Ninth Five Year Plan is Rs.335.00 crores. The details of the Budget Estimates, Revised Estimates and Expenditure on the scheme for the last three Financial Years are as under: (Rs.in crores)

Year	BE	RE	EXP
1997-98	120.00	90.00	90.00
1998-99	90.00	20.00	5.90
1999-2000	70.00	70.00	0.00 (Upto 29.2.000)
2000-2001	75.00		

3.5 From the above statement it has been observed that out of Rs.335.00crores for Ninth FiveYear Plan, the Government have utilised only Rs.95.90crores i.e. about 28% in the first three years of the Plan period. Thereasons for shortfall in expenditure during 1998-99 are stated to be theavailability of unspent Central Assistance with the SCDCs.

3.6 When pointed out in what way the Ministry will utilise the saidamount in view of the fact that only 7 days have been left in closing theFinancial Year. The Secretary stated that they have kept the money withthe concerned State Governments. They have organised Training Programmefrom the beginning of April/May in every State where new methodology of sanitation will be given.

3.7 The Ministry of Social Justice and Empowerment has informed theCommittee that 5.77 lakh scavengers have been identified in 20 States/UTs.Out of this 1.12 lakh scavengers have been identified for training and2.62 lakh scavengers for rehabilitation during the 8th FiveYear Plan. A statement showing the number of scavengers who have been identified,trained and rehabilitated during 1996-97, 1997-98 and 1998-99 is givenbelow:-

1996-97			1997-98			1998-99	
Trained	Rehabilitated	Identified	Trained	Rehabilitated	Identified	Trained	Rehabilitated
Nil	519	14701	Nil	509	14701	65	1578
1250	Nil	16873	1204	226	16873	N.A	N.A
221	204	40249	Nil	Nil	40249	N.A.	N.A
44	1606	64195	Nil	1589	64195	N.A.	N.A
482	1790	25279	375	1859	25279	N.A	N.A
604	353	5100	325	249	5100	N.A	N.A
Nil	Nil	4150	N.A.	N.A	4150	N.A	N.A
83	146	14555	N.A	N.A	14555	N.A	N.A
Nil	Nil	1339	N.A	N.A	1339	N.A	N.A
4566	7216	80072	2592	4277	80072	N.A	N.A
1440	1442	42563	1218	2294	42563	645	1678
901	991	20179	1010	885	20179	336	1562
Nil	552	31290	N.A	N.A	31290	N.A	N.A

999	2374	57736	1005	1944	57736	115	1055
471	2048	35561	N.A	N.A	35561	N.A	N.A
10396	37416	72483	7630	14055	72483	N.A	N.A
100	3000	30000	N.A	N.A	30000	N.A	N.A
222	1112	17420	N.A	N.A	17420	N.A	N.A
Nil	Nil	1800	N.A	N.A	1800	N.A	N.A

3.8 From the above statement it may be seen that there is much difference among the number of scavengers who have been identified/Trained/Rehabilitated during the last three years and in some of the cases the Scavengers have been rehabilitated without giving the proper training. The Ministry in a note furnished to the Committee has explained the reasons for variation that the scheme though mentions that the input of training for acquisition/upgradation of skill for rehabilitating the scavengers is an essential pre-requisite for the rehabilitation programme, it also clarifies that after certain age, the competence of the scavengers to horizontally move to other alternative occupations become a little difficult and thus, those scavengers who maybe above 50 years need to be identified only for such trades/occupations which either do not require any training or only require very simple training. As such the scheme provides for training for only those scavengers who are in the age group 15-50 years. It is, therefore left to the implementing agency to assess the requirements for training of scavengers according to their age group. It follows therefore that it would not be essential for every scavenger irrespective of his/her age, to be imparted training before rehabilitation.

3.9 Asked whether any time bound programme has been fixed by the Ministry to rehabilitate remaining 3.15 lakhs scavengers, it has been stated by the Ministry that they are deeply concerned about the lack of adequate progress being achieved by the States/UTs under the scheme. It is under these circumstances that Ministry has proposed the adoption of the successful concept of Sanitary Marts in States and UTs, for liberation and rehabilitation of scavengers. It is expected that the scavengers would be able to find sustainable employment in these Marts. States like Andhra Pradesh, Gujarat, Madhya Pradesh, Orissa, Rajasthan and Tamil Nadu have already taken interest to adopt this alternate method and their proposals for assistance for the establishment of Marts are under process. It is felt that more States would also be soon sending their proposals. As such it is expected that the implementation of the scheme through the concept of Sanitary Marts will pick momentum and optimize coverage of scavengers. The Ministry would conduct a review of the success of the concept of Sanitary Marts in the coming financial year and thereafter fix a practical time frame for the liberation of the remaining scavengers.

3.10 During evidence, the Committee enquired whether the Ministry is satisfied with the progress of Training and Rehabilitation of the scavengers, the Secretary replied:

"I agree that it has not been adequate at all." 3.11 It has been further stated that the liberation and Rehabilitation scheme is to be implemented by the States/UTs. The Ministry has been

pursuing them to aggressively promote the scheme. Since their proposals were few and far between, the Ministry took the initiative of proposing the adoption of the concept of Sanitary Marts as is being successfully implemented in the State of West Bengal for the liberation and rehabilitation of scavengers. They have been requested to set up co-operatives of scavengers. The Sanitary Marts concept envisages not only providing sustainable employments to scavengers but would also help in improving sanitary levels in small towns. "The salient features of Sanitary Mart are summarized below:-

(a) Central Ministries and States/UTs implement several Schemes for conversion of dry latrines and for improving sanitation facilities in urban and rural areas. It is envisaged that the construction of waterborne flush latrines, conversion of dry latrines into waterborne flush latrines under all the schemes would be channelised through the Sanitary Marts.

(b) Sanitary Marts is a shopping place where the sanitary needs of the common man could be met. It serves both as a shop and as a service centre.

(c) It will serve as shop from where the necessary material required for construction latrines as well as toiletries such as soap, toilet brush, bleaching powder, phenol etc. can be purchased.

(d) It will provide services about construction of latrines of the type desired by a beneficiary and advice on the type of latrine that would be most suited to a location and financial capacity of a beneficiary.

(e) It will also have a production centre where the materials and equipment such as pans, traps would be produced.

(f) Sanitary Marts will function in geographically defined areas.

(g) The implementing agency for sanitary marts may be the SCDCs and where they are not in existence, it should be local bodies. The implementing agencies could steer the formation of Cooperatives of ideally 20-30 scavengers through NGOs and local bodies. The initial ground work of bringing together of the scavengers, assisting in the documentation etc. will have to be undertaken by the SCDCs with the help of NGOs/Local Bodies.

(h) Sanitary Marts are already being used as an alternate delivery system for the improvement of sanitation in the State of West Bengal and Uttar Pradesh. In West Bengal particularly, sanitary standards of the villages are being decisively improved with the active involvement of voluntary agencies that largely run the Sanitary Marts.

(i) The main plank of strategy would be to create demand for latrines through IEC (Information, Education and Communication), adopting the strategy used in West Bengal to generate demands.

3.12 The Ministry in their written replies has stated that three sample based research studies financed by the Ministry were conducted in the years 1998 and 1999, by Research Institutes viz, Society for Social Development, Nagercoil (Tamil Nadu), Social Science and Development Research Institute, Bhubaneswar (Orissa) and Centre for Research in Social Sciences, Coimbatore (Tamil Nadu). The important observations of these studies relates to (i) lack of awareness about the scheme, (ii) corresponding need for continuous awareness as well as active participation of target groups, (iii) taking up of such trades towards rehabilitation which do not require much of educational background, (iv) creation of an agency by scavengers themselves towards organising training as well as setting up of production units, and (v) attitudinal changes in society towards encouraging scavengers taking up alternative occupations.

3.13 When asked about the action taken by the Ministry on the observations of Research Studies, the Committee were informed that the reports of these Research Studies have already been sent

to the concerned State Governments for taking appropriate action.

3.14 The Committee drew the attention of the Ministry towards the fact that the sewage system has been introduced in all the major cities and there is no inhuman occupation of manually handling of night soil and filth in these cities and asked about the special efforts made by the Ministry for the elimination of system from the rural areas, the Secretary stated during evidence: "There is also a scheme for construction of rural latrines which is under the Rural Development Ministry. We need time for implementation of these schemes. We will also pursue with the State Government. I can only hope that we will succeed. Next year, we will be giving a better Report."

3.15 The Committee are concerned to note that out of Rs.335 crores allocated for the liberation and rehabilitation of the scavengers for the Ninth Five Year Plan, the Ministry has utilised only Rs.95.90 cores i.e. about 28% in the first three financial years of the plan. The reasons for shortfall put forth by the Ministry that during 1998-99 the Ministry could not utilise the entire funds due to availability of unspent Central assistance with the SCDCs is not palatable to the Committee particularly when Central Assistance is released to SCDCs directly. The Committee, therefore, desire that the Ministry should improve its monitoring and impress upon SCDCs to involve themselves aggressively in the task of liberation and rehabilitation of scavengers by providing them loan under the self employment schemes.

3.16 The Committee note that out of 5.77 lakh scavengers identified in 20 States/U.Ts during Eighth Five Year Plan, 1.12 lakhs were identified for training and 2.62 lakhs were identified for rehabilitation. The Committee feel that since the launching of the scheme during 1992, the Government was committed to eliminate the inhuman practice of manual handling of night soil and filth by the end of Eighth Five Year Plan but could not achieve the desired result and the scheme has been modified and extended to Ninth Plan Period. The Committee hope and trust that the Ministry would take all effective steps to eliminate the practice during the Ninth Five Year Plan itself.

3.17 The Committee note with concern that insofar as training and rehabilitation of scavengers is concerned, the progress is not satisfactory. It has been claimed by the Ministry that the concept of Sanitary Mart successfully adopted in the States of West Bengal would not only afford sustainable employment to the scavengers but would also help in improving the Sanitary levels in small towns. The Committee, therefore, recommend that the concept of Sanitary Marts may be popularised and extended to other States also. In order to liberate and rehabilitate the scavengers, a time bound action plan may be drawn and implemented through active involvement of SCDCs, NGOs and other local bodies more effectively.

3.18 The Committee further note that 3 sample based rehabilitation studies financed by the Ministry were conducted in the year 1998-99. The important observations of these studies relate to (i) lack of awareness about the scheme, (ii) corresponding need for continuous awareness as well as active participation of target groups, (iii) taking up of such trade towards rehabilitation which do not require much of educational background, (iv) creation of an agency by scavengers themselves towards organising training as well as setting up of production units, and; (v) attitudinal changes in society towards encouraging scavengers taking up alternative occupations. The Committee feel that such types of

Research studies involve much financial support and simply forwarding the Reports to the concerned States indicate nothing but casual approach to the scheme. The Committee, therefore, desire that the Ministry should take the observations of the research studies as guidelines and should make modifications in the scheme for its effective implementation.

3.19 The scheme defines scavengers as "one who is partially or wholly engaged in obnoxious and inhuman occupation of manually removing the night soil and filth," but it does not apply strictly in the case of metro cities where sewage system has been introduced and there is no inhuman occupation of manually handling of night soil and filth. The Committee, therefore, desire that the Ministry should focus their attention to semi-urban and rural areas where manual scavenging still prevails and draw up concrete schemes to liberate and rehabilitate the scavengers engaged in manually handling of night soil and filth in the rural areas. Major Head; 2225, 3601

Sub Head: 793, 341

Detailed Head: 03.01.31

B. Strengthening of Machinery for Implementation of Protection of Civil Rights Act, 1955 and Prevention of Atrocities Act, 1989.

3.20 Under the centrally sponsored scheme for implementation of Protection of Civil Rights Act, 1955 and Prevention of Atrocities Act, 1989, Central Assistance is provided to State Governments for measures undertaken/proposed by them for effective implementation of both the Acts. The Protection of Civil Rights Act, 1955 was enacted in furtherance of Article 17 of the Constitution, under which untouchability was abolished and its practice in any form forbidden. Subsequently, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was enacted to deter and penalise certain categories of crimes against Scheduled Castes and Scheduled Tribes by persons belonging to other communities. Both statutes prescribed punishments which are generally more severe than for corresponding offences under the Indian Penal Code. They also enjoin the State Governments to undertake various measures, such as strengthening of the administrative and enforcement machinery, provision of legal aid, specification of Special Courts, and relief & rehabilitation of victims and their dependants. Rules notified under the Scheduled Castes, and Scheduled Tribes (Prevention of Atrocities) Act, in March, 1995 lay down a systematic framework and procedures for implementation of that Act, including enhanced norms of relief and rehabilitation. Under this Centrally Sponsored Scheme, which was initiated during the Five Year Plan and subsequently extended to cover the 1989 Act. Central Assistance is provided to the State Governments on a 50:50 basis (100% to the Union Territories), over and above the committed liability which is to be borne by them, for all measures undertaken or proposed to be undertaken for the effective implementation of both Acts.

3.21 The Planning Commission has allocated Rs. 121.91 crores for the Ninth Five Year Plan. The allocation and expenditure for the last three Financial Years are as under:-

Year	BE.	RE.	(Rs. in crore)
			EXP.
1997-98	15.50	16.47	16.47

1998-99	15.50	15.50	15.34
1999-2000	25.00	25.00	25.00
2000-2001	30.00	-	-

3.22 The State/UT-wise and year-wise details of Central Assistance released under the Centrally Sponsored Scheme for implementation of the Protection of Civil Rights Act, 1955 and Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, during 1996-97, 1997-98, 1998-99 and 1999-2000 are as under:

States/UTs	1996-97	1997-98	1998-99	1999-2000
Andhra Pradesh	226.35	18.00	294.68	361.33
Assam	3.00			
Bihar	6.00	9.50	50.00	
Goa	0.10	0.70	0.575	
Gujarat	142.81	156.24	50.00	270.93
Haryana	17.113		21.70	7.83
Himachal Pradesh	1.00	1.00	1.81	
Karnataka	97.345	15.50	136.68	170.70
Kerala	6.982	2.50	2.00	10.00
Madhya Pradesh	189.978	500.85	682.06	732.96
Maharashtra	84.795	23.00	50.00	100.00
Orissa	5.00		3.60	4.00
Punjab	29.417	10.70	20.64	25.00
Rajasthan	83.60	16.00	50.00	50.00
Sikkim			0.25	1.00
Tamil Nadu	98.585	14.550	100.00	50.00
Uttar Pradesh	226.14	844.51	50.00	636.24
West Bengal	2.35			

atrocities, during investigation and trial of offence and provision for the economic and social rehabilitation of the victims of the atrocities.

3.26 As regards the number of cases registered and disposed of and pending in different courts during the last three years, the Committee was furnished the following statement.

Cases Under Protection of Civil Rights Act, 1955

State/UT	No. of cases in courts including B.F in 1998	No. of cases ended in conviction	No. of cases ended in acquittal	No. of cases pending with the end of
Andhra Pradesh	794	1	4	789
Goa	5	1	1	3
Gujarat	346	40	0	306
Haryana	13	0	3	10
Himachal Pradesh	16	0	3	13
Madhya Pradesh	1614	0	20	1594
Jammu & Kashmir	7	0	0	7
Kerala	21	0	7	14
Maharashtra	1763	5	26	1732
Orissa	128	0	0	128
Punjab	3	0	1	2
Uttar Pradesh	992	3	225	764
Chandigarh Admn.	1	0	0	1
Pondicherry	23	3	12	8
Total	5,726	53	302	5371

Note: 1. Nil data reported by (11 States viz.: Arunachal Pradesh, Assam, Meghalaya, Mizoram, Sikkim, Tripura, Dadra & Nagar Haveli, Daman & Diu, Andaman & Nicobar and Lakshadweep.

2. Bihar, Karnataka, Nagaland, Rajasthan, Tamil Nadu, West Bengal and Delhi-information not furnished.

Cases Under Scheduled Castes and Scheduled Tribes (Prevention Of Atrocities) Act, 1989

State/UT	No. of cases in Courts including B.F. in 1998	No. of cases ended in conviction	No. of cases ended in acquittal	No. of cases pending with at the end of
Andhra Pradesh	1335	2	0	1333
Assam	7	0	0	7
Goa	2	0	1	1
Gujarat	11839	9	1074	10756
Haryana	54	1	12	41
Himachal Pradesh	43	0	23	20
Karnataka	4169	0	40	4129
Madhya Pradesh	10653	851	2889	6913
Maharastra	8234	23	416	7795
Manipur	8	0	0	8
Punjab	9	0	0	9
Orissa	4454	4	37	4413
Rajasthan	7655	240	1600	5815
Sikkim	2	0	1	1
Uttar Pradesh	92122	509	21920	69693
West Bengal	33	0	0	33
Andman & Nicobar Island	1	0	0	1
Dadra & Nagar Haveli	5	0	1	4
Daman & Diu	5	0	1	4
Total	1,40,630	1639	28,015	1,10,976

Note: 1. Scheduled Castes and Scheduled Tribes (POA) Act, 1989. Not applicable in Jammu & Kashmir State.

2. Nil data reported by 7 States/UTs, Viz. Meghalaya, Mizoram, Nagaland, Tripura, Chandigarh,

Lakshdweep and Pondicherry.

3. The data furnished by Arunachal Pradesh, Bihar, Kerala, Tamil Nadu and Delhi inconsistent

and being verified .3.27 From the above statement it has been observed that out of the 5726 cases pending at the beginning of 1998, under PCR Act, 1955 only 355 cases were disposed and 5371 cases were pending at end of 1998. Similarly under the Prevention of Atrocities Act, 1989, the number of cases in the beginning of the 1998 were 1,40,630. Out of this 1639 cases ended in conviction and 28,015 ended in acquittal and the number of cases pending with courts at the end of 1998 were 1,10,976. The factors responsible for slow progress in the disposal of cases by the courts are stated to be the unwillingness on the part of the witnesses to attend courts, their loss of wages on the days they attend courts, the time spent and the expenditure incurred by them. With a view to removing this genuine difficulty, necessary provisions have been made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 for provision of adequate facilities, including legal aid to the persons subjected to atrocities, travelling and maintenance expenses to witness, including victims of atrocities, during investigations and trial of offences under the Act. Matching Central Assistance is also provided to the States and UTs for implementation of these provisions effectively. The matter has also been taken up with the Chief Ministers of the States where the pendency of the cases with the courts is large to take appropriate action including setting up of Exclusive Special Courts for speedy trial of the cases.

3.28 During evidence, the Committee asked, the steps taken by the Ministry for the quick disposal of cases, the Secretary stated:

"We will take it up with the Home Ministry to see how we can improve this. Basically, it is the Judiciary which has to pass the orders and decide the cases. We do not have any say in the matter."

3.29 The Committee pointed out that since many SC/ST are not aware of the provisions of the legal aids and other assistance provided towards the rehabilitation asked the efforts made by the Government to create awareness among SCs/STs about the benefit of both the acts, the Committee was informed that necessary provisions have been made under Rule 3(ix) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 to encourage Non-Government Organisations for establishing and maintaining Awareness Centres and organising Workshops by providing them necessary financial and other sort of assistance. Central Assistance is also released to the State Governments/UT Adms. for giving wide publicity about the provisions of both Acts.

3.30 The Committee are concerned to note that although there are provisions for setting up of Special Courts to enquire into the cases under Protection of Civil Rights Act, 1955 and Prevention of Atrocities Act, 1989 yet the States of Maharashtra, Tamil Nadu, Orissa and Uttar Pradesh where the crime rates are higher as compared to crimes in other States, have not set up such courts even after the lapse of 45 and 11 years of the enactment of respective statutes. The Committee, therefore, recommend that the Ministry should persuade these States to set up the Special Courts for the speedy disposal of cases.

3.31 The Committee note that out of 5726 cases pending at the beginning of 1998 under PCR Act, 1955, only 355 cases were disposed of and 5371 cases were pending at the end of

the year. The number of cases under the Prevention of Atrocities Act, 1989 at the beginning of 1998 were 1,40,630, out of which 1639 cases ended in conviction and 28015 ended in acquittal and the number of cases pending with courts at the end of 1998 were 1,10,976. The pendency of large number of cases in the Courts indicates the failure of administrative and enforcement machinery in the implementation of both the Acts. The Committee, therefore, recommends that the matter should be taken up with the Ministry of Home Affairs for strengthening of the enforcement machinery and also appointment of Special Public Prosecutors/ Advocates in the Courts for the speedy trial of the cases.

3.32 The Committee further notes that although the Ministry has taken a number of steps to create awareness through NGOs and by organising awareness workshops but still majority of the population belonging to SCs are ignorant about the relief/rehabilitation available to them under both the Acts viz. The Protection of Civil Rights Act, 1955 and Prevention of Atrocities Act, 1989. The Committee, therefore, feels that the Ministry should take steps to intensify their awareness programmes besides involving SC/ST Welfare Associations, the scheme should be given wider publicity through print and electronic media.

Major Head: 2225,3601-3602

Sub-Head: 793, 341

Detailed Head: 02.00.31

C. Special Central Assistance to Special Component Plan for Scheduled Castes

3.33 The Committee has been informed that the Central scheme of Special Central Assistance (SCA) to Special Component Plan (SCP) for Scheduled Castes was introduced in March, 1980 to give a thrust to the development programmes for Scheduled Castes for increasing the productivity of and income from their limited resources. The Special Central Assistance was expected to fill the gaps in any sector. The schemes/programmes are (i) Animal husbandry including dairying (ii) Schemes for poultry, piggery, goat rearing, sheep breeding etc.; (iii) Sericulture; (iv) Development of land holdings; (v) Improvement of the skills of the SCs in Cottage & Village Industries (vi) Artisans; (vii) Rehabilitations of those engaged in clearing of dry-latrines in alternative occupations.

3.34 The Criteria for the release of Special Central Assistance is as under:

(i) The SCA will be released to the States/UT Administrations on the basis of following criteria:-

- | | |
|---|-----|
| (a) on the basis of SC population of the States/UTs. | 40% |
| (b) on the basis of relative backwardness of the States/UTs (Inverse of State Per Capita Domestic Product) | 10% |
| (c) on the basis of the percentage of SC families in the States/UTs covered by composite economic development programmes in the plans to enable them to cross the poverty line. | 25% |
| (d) on the basis of the Special Component Plan to the Annual Plan as compared to the SC population percentage in the States/UTs. | 25% |

(ii) 2% of the total budget allocation for the scheme will be earmarked for North Eastern States which implement SCP for SCs.

(iii) 15% of the total SCA released to the States/UTs, on the basis of the criteria will be utilised by State Governments/UT Administrations exclusively on viable income generating economic

development programme for SC women.

(iv) 5% of the total SCA released to the States/UTs will be utilised by them exclusively for the economic development of disabled persons among SCs.

(v) 2% of the total SCA released to the States/UTs shall be utilised by the States/UTs for supervision, monitoring and evaluation of economic development schemes implemented. With the support of SCA funds.

(vi) SCA may now be utilised for infrastructural development programmes in villages with 50% or more of SC population, where infrastructural facilities for overall development of SCs are lacking. Only 10% of the total SCA released to the State/UT in a year should be utilised for infrastructural development programmes in the villages having 50% or more of SC population.

3.35 It has been further stated that the Planning Commission has approved Rs. 6194.00 crores to the Ministry of Social Justice and Empowerment for the Ninth Five Year Plan (1997-2002). Out of which, Rs. 2092.95 crores has been earmarked to the schemes for SCA to SCP. The year-wise allocation and expenditure is as under:-(Rs. in

Year	Amount	Expenditure
1997-98	308.41	308.2
1998-99	361.00	361.00
1999-2000	437.00	414.31 (upto 9.2.2000)
2000-2001	470.00	
2001-2002	516.54	-

Total **2092.95** 3.36 It has been observed from the above statement that more than one third of the total allocation is utilised on the Special Central Assistance Scheme. During evidence the Committee drew the attention of the Ministry to the fact that the SCA to SCP for Scheduled Castes is the only scheme where there is 100% utilisation of funds and asked whether there is any mechanism for the physical verification of utilisation of funds at any stage, the Secretary, stated that they have not done the physical verification and added: "I am not responsible for the physically verifying everything. It is not possible. The basic thing is that there has to be coordination between the States and us. And we have to rely on the States for this." 3.37

Asked about the action taken against the States who do not furnish the utilisation certificate, she stated: "We do not give them more money until that comes." 3.38 To a query whether the Ministry gets the complete information in the utilisation certificate. She stated that: "We do get some information. It may not be complete." 3.39

As per revised guidelines, 10% of the total SCA should be released to the States/UTs for the infrastructural development programmes in villages with 50% or more SC population under the minimum need programme, the following types of activities are considered under infrastructural Development programme.

1. Establishment of Dispensaries/Hospitals/Centres for Homeopathic, Naturopathic and Yogic cures in areas having 50% or more SC population.
2. Establishment of Mobile Medical Dispensaries so that all areas of SC concentration can be targeted for the provision of health services.
3. Provision of Electric Supply and Light to the SC habitats.
4. Provisions of Drinking water to SC habitats where there are no drinking water facilities.

5. Development of village link roads and small C.D works in areas/blocks having 50% or more of SC population.

3.40 From the above it has been observed that on one hand, according to the Ministry's instructions SCA shall not be used to substitute the obligations of the State Governments/UT Administration, on the other SCAs being utilised under Minimum Needs Programme for Infrastructural Development Programme like drinking water electricity supply, hospital, village link road, etc. Asked whether the above utilisation does not amount to diversion of funds, the Ministry in a note furnished to the Committee stated that under the Guidelines issued by the Ministry vide D.O Letter No. 11014/21/97-SCD-I dated 6th October, 1998, SCA is meant mainly for income generating activities for the persons belonging to SC. It is provided that the amount not exceeding 10% of the total funds released as SCA to States/UTs may be utilised for infrastructural development of village with 50% or more of SC population, where infrastructural facilities for overall development of SCs are lacking for supporting the income generating schemes meant for SC families. In view of this there is no question of diversion of funds.

3.41 During evidence the Committee wanted to know the mechanism for verifying infrastructural development of the village having 50% or more SC Population the Secretary stated:

"We do not have either the capacity or the infrastructure to check every proposal that comes to us. Only when we have certain complaints, we can check, otherwise we have faith and confidence in the State Governments that they are telling us the truth, they are sending us proposals according to the instructions that are there and they are following the norms. Same is true about every other organisation. NGOs also send us some proposals and some of them we might check, otherwise we take them at their face value in the hope that they have given us correct information."

3.42 The Committee have been apprised that more than one third of the Ministry's annual plan funds are earmarked for Special Central Assistance to Special Component Plan for Scheduled Castes scheme which is fully utilised by the States/UTs every year. The Committee are surprised to note that the Ministry does not carry out any physical verification of the utilisation of funds by the States/UTs at any stage rather they have to rely only on the utilisation certificates furnished by the States/UTs. Although States/UTs certify the utilisation of Special Central Assistance but the Committee feel that still the benefits of huge allocations made every year do not percolate to the Scheduled Castes living below the Poverty Line. The Committee, therefore, recommend that the Ministry should strengthen its monitoring and depute its teams to physically verify the progress/utilisation of funds released to States/UTs.

3.43 According to the criteria laid down for release of SCA to SCP, 10% of the total SCA, released in a year can be utilised for Infrastructural Development Programme in the villages having 50% or more SC population. The Committee fail to understand that the Ministry has no information of the villages having more than 50% SC population in the country rather they have to rely only on the feedback received from the State Governments. The Committee, therefore, desire that the Ministry should conduct an independent survey to identify the villages having 50% or more SC population to ensure fair distribution of SCA funds. The Committee further recommend that SCA funds should not be used to substitute the obligations of State Governments like drinking water, electricity supply, hospital and

village link- road etc. in the name of Infrastructure Development.

CHAPTER - IV

SOCIAL DEFENCE AND CHILD WELFARE DIVISION MAJOR HEAD : 2235

Sub-Head : 107

Detailed Head : 05.00.31

An Integrated Programme for Older Persons

4.1 The Ministry of Social Justice and Empowerment is the nodal Ministry for matters relating to older persons. The Ministry is implementing a Central Scheme of Assistance for Programmes relating to the Aged since November, 1992. Under the scheme, financial assistance is provided to voluntary organisations for establishing and maintaining Old Age Homes, Day Care Centres, Mobile Medicare Units and for supporting and strengthening Non-institutional services for the Aged. During 1996-97 a new Scheme of Assistance to Panchayati Raj Institutions/Voluntary Organisation for Construction of Old Age Homes was initiated. The Scheme aims at providing at least One Old Age Home per district. The assistance under the scheme is one time construction grant.

4.2 The Budget Estimate, Revised Estimate and actual Expenditure incurred by the Ministry on the scheme are as under:-

	B.E.	R.E.	(Rs. in crore) Exp.
1997-98	12.50	8.87	6.10
1998-99	15.00	10.00	7.75
1999-2000	15.00	10.00	8.90 (upto 9.2.2000)
2000-2001	9.00		

4.3 The Planning Commission had allocated Rs.56.42 crores to the scheme for Ninth Five Year Plan (1997-2001). Out of this Ministry has utilised Rs.22.75 crores (upto 29.2.2000) and Rs.33.67 crores has been left with the Ministry. More funds will be required if the services are expanded to new areas as per the revised scheme.

4.4 Asked how the Ministry will utilise the entire funds when the Revised scheme is at implementation stage, the Committee was informed as under: "There is an increase in demand and the fund left under the scheme to the tune of Rs.32.53 crores with the Ministry for the years 2000-2001 and 2001-2002 will not be sufficient because of the following reasons:-

- There is an enhancement of financial support to the existing projects by 25% over the norms prescribed and in force since 1992. These enhanced norms have come into effect from 1.4.1999.
- During 1998-99, 242 new projects of 93 organisations and during 1999-2000 150 new projects of 119 organisations have been sanctioned which would also require support during the remaining years of plan period and will increase the committed liability in the scheme in addition to further sanctioning of new projects of various organisations in the remaining years of plan period.
- Several new initiatives like Helpline for Older Persons and Aadhar (A Secretariat for National Council for Older Persons) would require expansion to cover the entire country and therefore will require much larger allocation during the remaining years of plan period."

4.5 In a note furnished to the Committee the, Ministry has stated that a scheme viz. "An Integrated Programme for Older Persons" which was launched in 1999 is the revised and modified form of the earlier scheme namely "scheme of Assistance to Voluntary Organisation for programmes relating to Welfare of Aged." The basic difference between the Pre-Revised and Revised Schemes are as follows:-

Pre-Revised Scheme

The Objective was to provide Physical, Social, Emotional and Economic support to aged with a view to help them to continue as active Members of the community.

The Pre-revised scheme was being implemented through Voluntary Organisations, Panchayati Raj Institutions, Red Cross Societies and Municipal Bodies.

In the Pre-revised scheme, the Target Group was Aged (60 years and above)

Revised scheme

Basic objectives of the Revised Schemes as follows:-

1. Reinforce and strengthen the ability and commitment of the family to provide care to Older Persons.
2. Foster a viable multi-generational relationship;
3. Generate greater awareness on issues pertaining to Older Persons and enhance measures to address these issues.
4. Popularize the concept of Life Long Preparation for Old Age at the individual as well as at the societal level.
5. Facilitate Productive Ageing.
6. Promote programmes to meet Health, Housing and income security needs of persons.
7. Provide care to the destitute elderly.

The Revised Scheme is to be implemented through Non-Governmental Organisations, Institutions or Organisations set up by Government as Autonomous Bodies under an Act, Educational Institutions, Local Bodies, Co-operative Societies etc. In exceptional cases assistance could be provided to State Governments/UTs also.

Under the Revised scheme while the basic thrust of the programme is at Older persons age 60 years and above particularly the indigent, destitute and the widows amongst them, broad-based interventions targeting the family and the community could also be undertaken with the overall context of improving the quality of life of Older Persons.

In the Pre-revised scheme NGOs to be eligible to get financial assistance should be registered for a period of 2 years.

In the Revised scheme while the condition of registration for a period of 2 years is applicable to NGOs in general, in case of those existing in North Eastern Region, Jammu and Kashmir, Desert Areas and Under-served/Under-represented areas this condition does not apply.

Under the Pre-revised Scheme amount of grant was restricted to 90% of the total approved cost with the stipulation that the NGO will meet the remaining 10% out of its own resources. However, for Tribal and inaccessible areas the Ministry's contribution was 95%.

In the revised scheme while the condition of 10% being met by NGOs continues, in case of schools, colleges and recognised youth organisations undertaking programmes of services for Older Persons 100% cost of the project is to be provided by the Government. In cases where activity is taken by State Government/Local Bodies, Municipal Bodies, the funding pattern is 90:10 between the Government of India and State Government/Local Body. However, in case of UTs, 100% cost is to be met by the Government.

Under the Pre-Revised scheme funds were to be provided for establishment/running of Old Age Homes, Day Care Centres, Mobile Medicare Units for Older Persons as also for supporting and strengthening Non-institutional services for them.

Under the Revised scheme while all the activities will continue to be funded, assistance could also be provided for a number of interventions like establishment of Self-Help Groups of Older Persons, Income Security Health Care Services for Older Persons and

The Pre-revised Scheme provides for a recommendation and special report from the State Government for an NGO to be eligible to get the grant.

The Revised Scheme provides that the Ministry may specify the nature, type and periodicity of the inspection as also the designated agency to carry out inspection. It further provides for a payment upto 3% of the total budget of the scheme to such agencies in consultation with the Financial Adviser.

In the Pre-revised scheme, amounts for Old Age Homes, Day Care Centres and Mobile Medicare Units were fixed at a lower level.

In the Revised Scheme 25% increase has been allowed to compensate for cost escalation.

4.6 Asked whether the Government have identified the NGOs, Autonomous Bodies, Educational Institutions and Co-operative Societies through which the Scheme is likely to be implemented, the Ministry of Social Justice and Empowerment has stated that presently there is no system of preparing the list of NGOs, Autonomous Bodies, Educational Institutions and Co-operative Societies through which any scheme is likely to be implemented. However, Guidelines for assisting various organisations through schemes of this Ministry is being prepared by the NGO Division which will identify such organisations specially in the regions of the country where the scheme has not made inroads and to remove the regional imbalances in the implementation of

these schemes.

4.7 As regards the monitoring mechanism over the scheme the Committee have been informed that the Government did feel that the monitoring mechanism over the scheme has not been satisfactory and therefore an alternate system of inspection/monitoring/appraisal of the NGOs implementing the scheme by involving Schools of Social work in the country has since been enforced from the financial year 1999-2000.

4.8 The Committee note that out of total allocation of Rs.56.42 crores for the scheme in Ninth Five Year Plan Rs.22.75 crores have already been utilised during the first three years leaving thereby a balance of Rs.33.67 crores for the remaining two years of the plan period. The Committee further note that consequent upon the revision of scheme the funds available with the Ministry for the remaining two years may not be adequate to serve the additional projects as well as new initiatives taken by the Ministry for providing physical, emotional and economic support to the aged persons. The Committee, therefore, recommend that the Ministry should expand the schemes to the new areas expeditiously and if need be, the Ministry of Finance may be approached for additional funds.

4.9 The Committee are constrained to note that on the one hand the Ministry claims that the revised scheme has been launched in April, 1999 on the other, they are still in the process of identifying the organisations through which they would implement the scheme for the Older Persons. The Committee, therefore, desire that the Ministry should finalise their guidelines for assisting and identifying the organisations for implementing the scheme without further loss of time.

CHAPTER-V

DISABILITY DIVISION Major Head : 3601, 3602

Sub-Head : 359,

Detailed head : 01.00.31

Employment Of Handicapped

5.1 The Committee have been informed that the basic objective of the scheme is to help the disabled persons in getting gainful employment either through Special Cell in Normal Employment Exchanges or through Special Employment Exchanges located throughout the country. As per the survey conducted by National Sample Survey Organisation in 1991, about 16.15 million persons in the country are suffering from visual, hearing, speech and Locomotive disabilities. Under Section 33 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three per cent for persons or class of persons with disabilities of which one per cent each shall be reserved for persons suffering from (i) Blindness or low vision, (ii) Hearing impairment and (iii) Locomotor disability or cerebral palsy in the posts identified for each disability.

5.2 At present there are 51 Special Employment Exchanges and 39 Special Cells for disabled persons throughout the country for getting them registered for gainful employment. The scheme is implemented through the State Governments/UTs. Administrations 100% Financial Assistance is given in the case of Special Cell and 80% in the case of Special Employment Exchange.

5.3 The Budget estimate, revised estimate and the actual expenditure incurred on the scheme during the years 1997-98, 1998-99 and 1999-2000 are as under:-

(Rs. in

crores)

Years	BE.	RE.	EXP
1997-98	0.20	0.19	0.14
1998-99	0.20	0.20	0.18
1999-2000	1.45	1.69	0.37
			(upto
29.2.2000)			
2000-2001	1.60	-	-

5.4 From the above statement it appears that Rs.1.45 crores was allocated to the scheme in 1999-2000 out of which the Ministry has utilised Rs.0.37 crores upto 29.2.2000. Asked to explain the reasons for under utilisation of funds during the year 1999-2000, the Committee was informed that the full utilisation of funds in any financial year under this scheme depends on adequate proposals, complete in all respects, received from the State Government/UT Administrations for reimbursement on Special Employment and Special Cells. During the current financial year, 1999-2000, the matter was taken up with the State Governments/UT Administrations on 6.7.1999. Thereafter, a series of reminders were sent on 24.9.1999, 30.12.1999 and 9.2.2000. The proposals from six States, namely, Goa, Gujarat, Karnataka, Sikkim, Pondicherry and Tamil Nadu are still awaited. The clarification/additional information was called for and is awaited from eight States, namely, Punjab, West Bengal, Arunachal Pradesh, Nagaland, Tripura, Jammu and Kashmir, Bihar and Mizoram. The matter was also brought up during the State Secretaries meeting held on 15.2.2000. The efforts have been made to pursue the matter with the State Governments/UT Administrations. However, their response is not adequate and hence under utilisation of funds.

5.5 The Ministry of Social Justice and Empowerment has furnished the following statement showing the category-wise number of disabled registered and placement and number of persons on live Register at the end of 1997 and June, 1998:

Category	1997		1998		Live	
	Registration	Placement	Live-Register	Registration	Placement	Register at
the end			at the end			of
June			of			
1997		1998				
1. Visually Handicapped	2902	386	24215	1231	114	24446
2. Hearing Handicapped	2410	299	21510	1084	103	22095
3. Speech and Locomotion Handicapped						

4. Orthopaedically							
Handicapped	46138	3753	345278	20709	1462	350252	

5.6 From the above statement it has been observed that the number of total number of handicapped registered at the beginning of 1998 were 3,92,003 and the placement were 1670 i.e. 0.0043%. During evidence the Committee wanted to know the steps taken by the Ministry to fill up the 3% reserved posts for disabled. The Secretary replied that recruitment of persons comes under the Department of Personnel and Training. The Ministry of Social Justice and Empowerment has Employment Exchanges and Special Employment Exchanges, under which they register these people. She further added: "We can give employment in the non-governmental sector. But, this is the governmental sector. We are running our own scheme through which we are enabling disabled persons to take to self-employment. For example, we are trying to assist for getting employment and for standing on their own feet."

5.7 Asked whether the Government have imposed any ban on the recruitment of disabled persons like other category of persons, the Committee was informed that the Ministry of Finance, Department of Expenditure vide their O.M.No.7(3)/E(Coord)/99 dated 5.8.1999 directed that the Ministries/Departments, which have not fully implemented the Government's decision to achieve 10% reduction in the number of posts (as on 1.1.1992), shall implement the said decision immediately. In addition, that Ministry further stated that every Ministry/Department shall undertake a review of all the posts which are lying vacant in the Ministry/Department and in the Attached and Sub-ordinate offices, etc. in consultation with the Ministry of Finance (Department of Expenditure). FAs will ensure that the review is completed in a time bound manner and full details of vacant posts in their respective Ministries etc. are available. Till the review is completed no vacant posts shall be filled up except with the approval of the Ministry of Finance (Department of Expenditure).

5.8 In view of above, the general ban on recruitment includes ban on recruitment of persons with disabilities also. However, a legal opinion was sought from Ministry of Law whether there was any conflict or over-riding effect between the Administrative Order and the statutory requirement of 3% reservation as provided under the PWD Act. The Law Ministry clarified that it is a matter of policy for the Government to make recruitments or not and that as and when recruitments are made, reservation of posts for the disabled has to be provided by the Government as per the Act.

5.9 During evidence, the Committee asked the fate of the disabled if the ban on recruitment is not lift for another ten years, the witness stated:

That is why we are developing these programmes whereby they will be self-reliant by giving them loans and providing them Vocational Trainings so that they can set up something on their own."

5.10 The Ministry in a note furnished to the Committee has stated that the disabled persons have not been included in the proforma for Census 2001. The Government has always been concerned about collecting accurate data on the number of disabled persons in the country. Data on disability was collected in 1981 census. The Ministry of Social Justice and Empowerment has taken up from 1997 onwards with the concerned authorities the issue of collection of disability data through the 2001 census. The Ministry has also offered to provide training to enumerators to be used for this purpose. However, in view of the technical difficulties in collecting accurate data on disabilities in the 1981 census, the Registrar General and Census Commissioner as well as the

Ministry of Home Affairs are of the view that census is not the right medium for collecting reliable data on disability. The Department of Statistics have, therefore, been requested to direct NSSO to undertake a comprehensive sample survey to collect data on the incidence of disability as was done earlier in 1991. This Ministry has no mechanism/option for ascertaining the disabled population other than requesting Ministry of Home Affairs and NSSO which has been done.

5.11 When asked whether the Ministry has prescribed any time-limit to NSSO for conducting the survey of the disabled persons in the country, the Ministry in their post evidence reply has stated that no time frame for conducting the survey has been prescribed.

5.12 The total number of handicapped registered at the beginning of 1998 were 3,92,003 and the placement were 1670 during the year which comes to 0.0043% whereas the 3% of posts in the Government jobs have been reserved for the disabled persons. To wipe out the gap, the Ministry has started a scheme through which assistance is given to disabled persons for their self-employment. In the opinion of the Committee, keeping in view the large number of handicapped on the live register of Special Employment Exchanges, the Ministry should encourage and assist them for self-employment scheme.

5.13 The Committee note with grave concern that the Ministry of Finance has imposed general ban on filling up the vacant posts in all the Government Departments through an administrative order which has effected adversely the 3% statutory reservation to the disabled under the "Persons with Disabilities Act, 1995". The Committee feel that the statutory provisions cannot be overruled by the Administrative Orders and therefore recommend that the matter may be pursued with the concerned Ministry/Department in the right earnest so that the disabled are not deprived of their legal rights.

5.14 The Committee take note of the fact that although the data on disability was collected in 1981 census but later on it was not included in 1991 census as also not proposed for 2001 census on the ground that census is not the right medium for collecting a correct and reliable data on disability. The Committee, therefore, desire that the matter may be entrusted to NSSO and request them to give the authentic data on disabled within a time bound programme.

CHAPTER-VI ANIMAL WELFARE DIVISION Major Head : 2406

Sub-Head : 0.5

Detailed head : 05.01.31

Scheme For The Welfare Of Animal

6.1 As per decision of the Cabinet, the subject Animal Welfare was transferred from the Ministry of Environment and Forest to the Ministry of Social Justice and Empowerment w.e.f 3.9.98. A large number of domestic, stray and uncared animals need care and protection particularly in times of natural calamities such as floods, droughts, famines, forest fires etc. As per rough estimate there are one billion animals in our country roaming around in the streets and everywhere. A number of them are not cared enough and are left in the streets either wounded or suffering from various diseases. For this, the Ministry of Social Justice and Empowerment has started two types of schemes in the Animal Welfare Division viz. (i) NGO schemes and (ii) Institutional set up scheme.

Under NGO scheme the following provisions have been made:-

- (i) Scheme for provision of Ambulance services to animal in distress.
- (ii) Scheme for provision of shelter houses for looking after the animal.
- (iii) Scheme for birth control and immunisation of stray dogs.

The following are the schemes under the institutional set up.

- (i) Animal Welfare Board of India.
- (ii) National Institute of Animal Welfare.
- (iii) A Committee for control and supervision on experiment on animal.

6.2 The details of Budget Estimates, Revised Estimates and Expenditure incurred by the Animal Welfare Division since 1999-2000 are as under:-

(Rs. in Crore)

No.	Programme/Scheme	Plan BE	1999- 2000 RE	EXP (upto 29.2.2000)	2000-2001
	Animal Welfare Board			4.70	4.98
	Shelter for Animals	2.50	4.89	4.20	3.60
	Ambulance for Animals	1.00	2.00	1.86	2.00
	Animal Birth Control	0.50	0.75	0.53	0.65
	National Instt. For Animals	0.80	2.00	0.77	2.60
	Scholarship to the Students	0.50	0.01	0.00	0.45
	Committee for the purpose of control & supervision of Experiments on Animals	0.00			0.35

Relief to Animals during Natural Calamities	0.00			0.60
Total	10.00	15.00	12.06	15.23

6.3 From the above, it has been observed that Rs.10.00 crore was allocated to the Division for the schemes which was increased to Rs.15.00 crores at Revised Estimate stage and the expenditure was of Rs.12.06 crores upto 29.2.2000. Asked about the necessity to enhance the Revised Estimate, the Committee was informed that since these schemes had been implemented initially on pilot basis, a lesser fund was initially allocated in the Budget Estimate. Subsequently, on evaluation of the scheme and approval of the Standing Finance Committee for continuation of the schemes on regular basis, the fund has been increased and the re-appropriated Revised Estimate is fully justified on the basis of the progress of expenditure under the scheme.

6.4 The Committee have been informed that the Planning Commission has allocated Rs.15.23 crores to the Animal Welfare Division for the year 2000-2001. Out of which Rs.4.98 crore will be utilised for on Animal Welfare Board and Rs.2.60 crores on National Institute for Animal Welfare. Asked whether Rs.7.65 crores will be sufficient to cater the needs of one billion animals, roaring around the streets and most of them are suffering from various diseases, the Ministry informed the Committee that this amount may not be sufficient for the various scheme during 2000-2001.

6.5 The Committee was informed that Rs.8.22 crores has been earmarked for the National Institute of Animal Welfare during the entire current Ninth Five Year Plan. Till date, expenditure of Rs.1.71 crore has been incurred for acquiring the land for the Institute and laying its Foundation stone at Village Sikri, District Faridabad, Haryana. However, recently a sudden development of constructing/widening the bypass/National Highway in the vicinity of the proposed land has come to the notice and the matter has been taken up at the level of the Chief Minister and Chief Secretary to the Government of Haryana for immediate resolution. In the above situation, the construction of the building of the Institute has been held up.

6.6 When asked whether the Ministry was not aware of the fact that the proposed land for construction of National Institute for Animal Welfare will fall within the vicinity of bypass/highway at the time of laying the foundation stone the Committee was informed that the Ministry was not informed by the State Government of Haryana who allotted the land of the fact that the proposed land for construction of National Institute for Animal Welfare was falling in the widening zone of the highway.

6.7 The Committee was informed that one of the major problem being faced by the Ministry in the implementation of the scheme is that the work has been transferred from the Ministry of Environment and Forest to the Ministry of Social Justice and Empowerment but no single staff has been provided. The work load is so high that it is very difficult to manage the work of this Division with a handful of skeleton staff in the long run.

6.8 The Committee note that Rs.8.22 crores were allocated to the Animal Welfare Division for the construction of National Institute of Animal Welfare. The Ministry has acquired the

land for the Institute and laid the foundation stone at village Sikri, District Faridabad, Haryana, but subsequently, the construction of the building of the Institute was held up due to constructing/widening of by-pass/ National Highway in the vicinity of the proposed site. The Committee, therefore, recommends that the Ministry should approach the State Government for providing an alternative land without further loss of time so that construction of the building for the National Institute of Animal Welfare is not delayed further.

6.9 The Committee notes that the subject of Animal Welfare has been transferred from the Ministry of Environment and Forest to the Ministry of Social Justice and Empowerment, on 3rd September, 1998 but adequate staff has not been provided for carrying out the work of the Division. The Committee, therefore, recommends that the matter may be pursued with the Planning Commission/Ministry of Finance etc. for sanctioning of adequate staff required for the implementation of the schemes efficiently.

CHAPTER-VII

NGO DIVISION

Grants-In-Aid To Voluntary Organisations

7.1 The Ministry of Social Justice and Empowerment implements number of Central Sector schemes with the help of voluntary organisations. The Ministry feels that the services being provided by the voluntary organisations are by and large innovative, participatory, personalised, efficient and cost effective. The details regarding grants-in-aid given to the Non-Governmental organisations are given below:-

(Rs. in crores)

SL.No	Name of the scheme/ programme	1997-98		1998-99		1999-2000		2000-2001			
		BE	EXP	BE	RE	BE	RE	BE	RE		
								Exp (as on 29.2..2000)	BE	1.	Grant-in-Aids to Vol.Org. for the Welfare of Scheduled Castes

20.00	10.00	10.03	18.00	18.00	18.01	30.00	30.00	20.48	26.00	2.	Assistance to Voluntary Organisation for handicapped
22.00	18.29	17.61	25.00	25.00	23.30	0.00	0.00	0.00	55.00	3.	Assistance to Vol. Organisations for Persons with cerebral Palsy and Mental Retardation
1.00	0.50	0.34	9.00	7.00	6.05	0.00	0.00	0.00	0.00	4.	Assistance to Voluntary Organisations for rehabilitation of Leprosy Cured Persons
1.50	1.00	0.92	2.00	2.00	1.97	0.00	0.00	0.00	0.00	5.	Assistance to Voluntary organisations for prohibition of Drug abuse prevention

17.50	11.00	11.52	16.00	16.00	15.15	20.00	19.00	12.47	18.51	6.	Assistance to Voluntary organisations for providing social defence service
0.38	0.36	0.32	2.00	0.98	0.52	2.00	1.00	0.72	1.51	7.	Scheme for assistance to Voluntary organisations for programme relating to aged persons
12.50	8.87	6.14	15.00	10.00	7.75	15.00	10.00	8.90	9.00	8.	Assistance to Vol. In the field of social welfare
0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	9.	Assistance to Vol. for OBCs
0.01	0.00	0.00	2.00	1.00	0.00	2.50	2.50	1.20	2.00		Total

7.2 The Ministry in a note furnished to the Committee has stated that upto the year 1998-99, the Ministry has been promoting voluntary action in the areas of disabled welfare by administering under mentioned schemes.

1. Scheme of Assistance to Voluntary Organisation for the disabled.
2. Scheme of Assistance to Voluntary Organisation for the Rehabilitation of Leprosy Cured Persons.
3. Scheme of Assistance to Voluntary Organisation for Special Schools for Handicapped Children.
4. Schemes of Assistance to Voluntary Organisation for Persons with Cerebral Palsy and Mental Retardation.

7.3 It was observed that the segmentation of the NGO based schemes for the welfare of the disabled, with scope limited within each segment, was not proving to be satisfactory in as much as it was felt to be very restrictive. Besides, the organisations were required to apply under different schemes leading to procedural delays and avoidable paper work. Therefore the need was felt to combine all the schemes including the existing schemes for Leprosy Cured and Cerebral Palsied and Mentally Retarded into one umbrella scheme and make it a broad based and flexible one with a view to achieve the responsibilities assigned under the Act.

7.4 In reply to a question, the Committee was informed that the following difficulties were being faced by NGOs in the implementation of various schemes, the complaints broadly pertain to:-

- (i) Delay in release of Grants;
- (ii) Non-sanctioning of the amount requested against that recommended by inspecting agency;
- (iii) The State Governments recommendations/inspection reports are often delayed and are generally received during the last month of the financial year, inevitably resulting in delay in project approvals or release of grants to ongoing projects.

(iv) In a number of new cases recommended by the inspecting agency it is also often seen that they have no experience in the area of activity proposed to be covered by the project.

7.5 Asked about the steps taken by the Ministry of Social Justice and Empowerment to resolve the above complaints, the Committee was informed that action is in progress to address the problem relating to the above complaints. Fresh guidelines are being issued for NGO Sector wherein the scheduled for submission of Inspection Reports and Recommendations for release of funds to the NGOs have been underscored. It is expected that the timely receipt of the reports and recommendations from the designated agencies would have a positive effect on the expeditious release of grants-in-aid/assistance to the NGOs. As regards complaints on non-sanctioning of the amounts requested by the NGOs against the recommendations of the designated agency, it is submitted that the project cost norms drawn up by the Ministry are only illustrative and do not imply that each project would be entitled for the ceiling cost with references to the illustrative norms of the Ministry.

7.6 The Ministry has furnished the following statement of voluntary organisations who have been black-listed by the Ministry of Social Justice and Empowerment during the last three years.

Name of NGOs	Remarks-Action Taken
Sri Chand Andh Vidhyala, Haridwar, Uttar Pradesh	A complaint had been received from the employee of the organisation regarding misappropriation of funds and mismanagement of funds by the organisation. The complaint was referred to State Government requesting for an inquiry. We have not been receiving recommendations of the State Government in respect of this organisation since 1996-97.
Smarak Sansthan, Kanpur, Uttar Pradesh	On the report from the State Government that the organisation is not functioning as VRC for the blind detailed report was called. Recommendations for the period 1997-98 to 1999-00 has been received only recently after completion of inquiry. State Government has been asked to confirm the genuine recommendation.

Sansthan, Hardwar, UP

On the report that the organisation is bogus the State Government asked to recover the amount.

Shri Aryan Seva Sansthan, Barabanki

On the report that the organisation is bogus the State Government asked to recover the amount.

Shri Aryan Sansthan, Lucknow

On the information provided by the State Government that the organisation is not running any school for the blind they have been asked to report. No State Government recommendations are received in respect of the organisation since the last 4 years.

Shri Aryan Sansthan, Lucknow

The State Government has been asked to conduct inquiry on alleged mismanagement. Now after finding the working of the State Government started recommending the organisation proposal which have been approved on merits.

Shri Aryan Mahila Seva Sansthan, Purnia, Bihar

Shri Aryan Psychological Sufferers, Patna

These have been blacklisted on the basis of the recommendations of CAPART.

Shri Aryan and Dumb Society, Delhi.

Against a complaint of misuse of funds Government of NCT was asked to conduct an inquiry and a separate special audit was conducted by CCA of CCA. The grant to the organisation has been stopped since 96. Detailed report of CCA is being sent to Government of NCT of Delhi for detailed investigations.

Shri Aryan Paradise, Kankipadu

The complaints are under investigation by CBI.

Shri Aryan Daya Sewa Samiti, Chittoor Sri Durga Educational Society, Chittoor

Shri Aryan Daya Sewa Samiti, Chittoor

Grants have been stopped on receipt of complaints. A joint inspection by the Ministry had conducted inspection and has submitted a report. The matter is at advanced stage of consideration.

Shri Aryan Adarsa

The organisation was black listed and the Grants to it has been stopped.

Shri Aryan Chit Jati Vikas Sangh, Gopalganj, Bihar

Grant-in-aid has been kept in abeyance and State Government of Bihar is investigating the matter. Further action will be taken after receipt of report from the State Governments.

Shri Aryan Organisation for Welfare, Employment and Rural Development,

Grant-in-aid has been kept in abeyance. State Government of Orissa informed that Special Audit Inspection is being conducted and further action will be taken after receipt of detailed report from the State Government of Orissa.

Shri Aryan Akhya Committee, Orissa

Grant-in-aid has been kept in abeyance. State Government of Orissa informed that the matter is under investigation. Further action will be taken after receipt of detailed report from the State Government of Orissa.

Shri Aryan Samaj, Midnapore, West Bengal

On receipt of complaints Grants was Stopped. The Government of West Bengal has been asked to submit a special court report on the matter.

7.7 In reply to a question regarding source of complaints against NGOs, the Committee have been informed that complaints are received from a number of sources against NGOs, the primary source, being the inspecting agency. In the first instance, the Ministry normally would take steps to stop the grant and call for a detailed report from the inspecting agency or any other designated agency. If, on the basis of the report of the inspecting agency/designated agency, complaints are found to be baseless and the inspecting agency/designated agency recommends the restoration of the grant, the grants are restored. If the report is negative, steps are taken by advising the State Government to recover the misappropriated funds and also to proceed with such action as deemed fit and also to blacklist the organisation. Besides FIR are also lodged against the black listed NGOs.

7.8 When asked whether the Government has fixed any responsibility on the recommendatory authority of Bogus NGOs, the Committee was informed that the State Government authorities are expected to make further investigations and bring to book such officials/officers who have been responsible for wrong reporting, if any. On the part of the Ministry, action directing the State Government to initiate stern and appropriate action is invariably issued.

7.9 In reply to a question whether the Ministry feel that there should be an exclusive mechanism with them to check the growth of fake NGOs, the Ministry in a note furnished to the Committee has stated the existing mechanism of monitoring envisages, checks and balances on two fronts to ensure utilisation of funds and proper working of the organisation. The first aspect relates to furnishing of documents such as audited accounts of the previous years; utilisation certificate duly attested by the Chartered Accountant; item wise break-up of actual expenditure incurred against the sanctioned amount of last year. On the basis of examination of these documents unspent balance if any against last year's grant is deducted from the current year's grant. The second segment relates to insistence of the report of the satisfactory working of the organisation by the inspecting agency/recommending agency after on the spot verification before release of 2nd instalment; freezing further release of grants on the event of complaints received against working of the organisation, etc.

7.10 In the context of substantial growth of NGOs in terms of number and amount disbursed over the last 3 years, the Ministry has been feeling the need to strengthen the existing mechanism, particularly the second aspect referred above, but has been constrained by lack of adequate manpower. The existing mechanism is time tested and only needs to be strengthened in the light of current scenario. With a view to achieve better controls, it is proposed to issue fresh guidelines for NGO-Division, which will also address the matter relating to the monitoring mechanism.

7.11 The Committee note that a number of Central Sector Schemes are implemented with the help of voluntary organisations. The difficulties faced by the NGOs broadly pertain to (i) delay in release of grants, (ii) Non-sanctioning of amount requested against that recommended by inspecting agency (iii) The State Governments recommendation/ inspection reports are often delayed and are generally received during the last month of the

financial year. In order to remove the above difficulties, fresh guidelines are being issued for NGO sector wherein the schedule for submission of inspection reports and recommendation for release of funds have been underscored. The Committee, therefore, urge upon the Government to follow up the guidelines in letter and spirit and ensure that the Grants-in-aid to voluntary organisations should be released in time so that the NGOs could implement the scheme efficiently.

7.12 The Committee note with great concern that Grants-in-aid to 17 NGOs have been stopped following serious complaints of misappropriation of funds during the last three years. In so far as the growth of fake NGOs is concerned, the Committee feel that the Ministry has passed the buck to the State Governments by taking a plea that the second instalment is released to the NGO only after getting a satisfactory inspection report from inspecting/recommending agencies and officials responsible for wrong reporting are also brought to book by the State Government only. The Committee, therefore, recommend that in order to ensure, better control and effective mechanism over the scheme, the NGO Division should be strengthened and Ministerial Inspection Teams be constituted to check the growth of fake NGOs. NEW

DELHI

13 April, 2000 .

24 Chaitra, 1922 (Saka)
Labour & Welfare

DR. SUSHIL KUMAR INDORA,

*Chairman,
Standing Committee on*

**APPENDIX STATEMENT OF RECOMMENDATIONS/OBSERVATIONS
CONTAINED IN THE REPORT**

Para No.

Conclusions/Recommendations

1.15

The Committee appreciate the the Ministry that they have reviewed/ revised almost all their schemes to give focused towards the conditions of socio disadvantaged and marginalised sections of the society in the millennium. In the opinion of the Committee, the benefits of the Schemes/ Programmes will not targeted and vulnerable section of society unless the Ministry implement monitoring mechanism.

1.16

2.9

The Committee commend the Ministry for bringing out a COMP which provides complete information all the programmes and schemes would be a handy document for especially the State Governments/UTs/NGOs in the implementation of the schemes.

2.10

The Committee therefore desire Compendium should be prepared in regional languages also for the use of beneficiaries/applicants.

2.11

The Committee are concerned to out of allocation of Rs.1277.10 crore in the financial year 1999-2000, the has utilised only Rs.874.00 crore 68.44% of the Budget upto 29th February, 2000. The performance of Minorities and Backward Classes is more dismal where the utilisation is 11.49% only. The arguments put the Ministry for shortfall in expenditure non receipt of proposals and non utilisation certificates from the State Governments/UTs are of routine and not appealing to the Committee. In the opinion of the Committee, the Ministry should avoid bunching of releases

2.12

3.15

fundstowards the fag end of the year and improve their monitoring schemes so that the funds earned in financial year are utilisedfully.

The Committee take note of the the projected requirements of fundstune of Rs.33,000 crores for the Year Plan has been finally reduced to Rs.6608.13 crores which will have bearing on the implementation of schemes/programmes of the Ministry. Committee therefore, recommend the Ministry should continue their efforts with the Planning Commission for

3.16

allocation of funds so that on-going schemes do not suffer for want of funds.

3.17

The Committee further note that Budget Estimates are approved by Parliament through Annual Budget of Government of India usually in the month of March/April which is subsequently reduced by the Ministry of Finance (Ministry of Economic Affairs) at the Revised Estimates stage on the basis of performance during the first six months of the year at pro-rata basis. The heavy reduction of funds by the Ministry of Finance at the Revised Estimates stage reflects the level of planning of the Ministry in the utilisation of funds.

3.18

Committee, therefore, recommend the Ministry should improve their monitoring and ensure that the expenditure is at an even pace throughout the year to avoid reduction at Revised Estimates stage.

The Committee note that in pursuance of directives from the Planning Commission a lump sum provision of Rs.135.00

3.19

which is equivalent to 10% of the total plan outlay has been kept in for the year 2000-2001 for the benefit of the North-Eastern Region and Sikkim. The Committee feel that 10% allocation is not more than enough keeping in view the size of the SC population in the region which is only 1.5%. Moreover the North-Eastern States have been exempted from their

3.30

liabilities for some of the Centrally Sponsored schemes. The Committee desire that Ministry should apprise the Planning Commission of the fact and utilise the funds as per the proposed population in the region so that the schemes do not suffer for want of funds. The Committee are concerned that

3.31

out of Rs.335 crores allocated for the liberation and rehabilitation of the scavengers for the Ninth Five Year Plan, the Ministry has utilised only Rs.95 crores i.e. about 28% in the first two financial years of the plan. The remaining shortfall put forth by the Ministry in 1998-99 the Ministry could not utilise the entire funds due to availability of Central assistance with the SCDCs. This is palatable to the Committee particularly

3.32

when Central Assistance is released to SCDCs directly. The Committee desire that the Ministry should improve monitoring and impress upon SCDCs to involve themselves aggressively in the work of liberation and rehabilitation of scavengers by providing them employment under the self employment scheme.

3.42

The Committee note that out of 20 State SC scavengers identified in 20 States during Eighth Five Year Plan, 10 were identified for training and 2 were identified for rehabilitation. The Committee feel that since the law

3.43

the scheme during 1992, the Government was committed to end the inhuman practice of manual scavenging of nightsoil and filth by the end of the Five Year Plan but could not achieve the desired result and the scheme had to be modified and extended to Ninth Five Year Plan. The Committee hopes that the Ministry would take all effective steps to eliminate the practice during the Ninth Five Year Plan itself.

4.8

The Committee notes with concern that insofar as training and rehabilitation of scavengers is concerned, the present practice is not satisfactory. It has been claimed by the Ministry that the concept of Sanitary Marts successfully adopted in the State of West Bengal would not only afford sustainable employment to the scavengers but would also help in improving sanitary levels in small towns. The Committee, therefore, recommends that the concept of Sanitary Marts may be popularised and extended to other States also. In order to liberate and rehabilitate scavengers, a time bound action plan should be drawn and implemented through the active involvement of SCDCs, NGOs and local bodies more effectively.

4.9

The Committee further notes that the field based rehabilitation studies financed by the Ministry were conducted in the year 1999. The important observations of these studies relate to (i) lack of awareness about the scheme, (ii) corresponding need for continuous awareness as well as active participation of target groups in taking up of such trades towards rehabilitation which do not require much of educational background and (iv) creation of an agency by scavengers themselves towards organising

5.12

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5.14

well as setting up of production
(v) attitudinal changes in society
encouraging scavengers taking
alternative occupations. The Com
feel that such types of Research
involve much financial support and
forwarding the Reports to the co

6.8

States indicate nothing but casual
approach to the scheme. The Com
therefore, desire that the Ministry
take the observations of the res
studies as guidelines and should
modifications in the scheme for
effective implementation.

6.9

The scheme defines scavengers
who is partially or wholly engaged
obnoxious and inhuman occupa
manually removing the night soil
but it does not apply strictly in the
metro cities where sewage systems
been introduced and there is no
occupation of manually handling
soil and filth. The Committee,
therefore, desire that the Ministry

7.11

focus their attention to semi-urban
and rural areas where manual so
still prevails and draw up
concrete schemes to liberate and
rehabilitate the scavengers engaged
manually handling of night soil and
the rural areas.

7.12

The Committee are concerned t
although there are provisions for
of Special Courts to enquire into
under Protection of Civil Rights Act,
and Prevention of Atrocities Act,
the States of Maharashtra, Tamil
Orissa and Uttar Pradesh where
crime rates are higher as compared
crimes in other States, have not
up such courts even after the lap

and 11 years of the enactment of respective statutes. The Committee, therefore, recommend that the Ministry should persuade these States to set up the Special Courts for the speedy disposal of cases.

The Committee note that out of 1,40,630 cases pending at the beginning of 1998 under PCR Act, 1955, only 355 cases were disposed of and 5371 cases were pending at the end of the year. The number of cases under the Prevention of Atrocities Act, 1989 at the beginning of 1998 were 1,40,630, out of which 2,000 cases ended in conviction and 2,000 cases ended in acquittal and the number of cases pending with courts at the end of 1998 were 1,10,976. The dependency of the number of cases in the Courts is due to the failure of administrative and enforcement machinery in the implementation of both the Acts. The Committee, therefore, recommend that the matter should be taken up with the Ministry of Home Affairs for strengthening the enforcement machinery and also for the appointment of Special Public Prosecutors/ Advocates in the Courts for the speedy trial of the cases. The Committee further note that although the Ministry has taken a number of steps to create awareness through NGOs and organising awareness workshops, the majority of the population belonging to SCs are ignorant about the relief/rehabilitation available to them under both the Acts viz. The Protection of Civil Rights Acts, 1955 and Prevention of Atrocities Act, 1989. The Committee, therefore, feel that the Ministry should take steps to intensify their awareness.

programmes besides involving Self Help Groups, Welfare Associations, the schemes should be given wider publicity through electronic media.

The Committee have been apprised that more than one third of the Ministry's plan funds are earmarked for Special Central Assistance to Special Component Plan for Scheduled Castes schemes. It is fully utilised by the States/UTs every year. The Committee are surprised that the Ministry does not carry out physical verification of the utilisation of funds by the States/UTs at any stage. They have to rely only on the utilisation certificates furnished by the States/UTs. Although States/UTs report the utilisation of Special Central Assistance but the Committee feel that still a large number of huge allocations made every year do not percolate to the Scheduled Castes living below the Poverty Line. The Committee, therefore, recommend that the Ministry should strengthen its monitoring and depute its teams to physically verify the progress/utilisation of funds by the States/UTs.

According to the criteria laid down for release of SCA to SCP, 10% of the SCA, released in a year can be utilised for Infrastructural Development Programmes in the villages having 50% or more SC population. The Committee fail to understand that the Ministry has no information of the villages having more than 50% SC population in the country rather they have to rely only on the feedback received from the State Governments. The Committee, therefore, desire that the Ministry should conduct an independent survey to identify the

having 50% or more SC population to ensure fair distribution of SCA funds. The Committee further recommends that the funds are not used to substitute the obligations of State Government for drinking water, electricity supply, and village link- road etc. in their Infrastructure Development.

The Committee note that out of the allocation of Rs.56.42 crores for the scheme in Ninth Five Year Plan, Rs.22.75 crores have already been utilised in the first three years leaving the balance of Rs.33.67 crores for the remaining two years of the plan. The Committee further notes that consequent upon the revision of the funds available with the Ministry, the remaining two years may not be able to serve the additional projects and new initiatives taken by the Ministry providing physical, emotional and economic support to the aged persons. The Committee, therefore, recommends that the Ministry should expand the scheme to new areas expeditiously and the Ministry of Finance may be requested for additional funds.

The Committee are constrained to note that on the one hand the Ministry has stated that the revised scheme has been launched in April, 1999 on the other hand they are still in the process of identifying organisations through which they can implement the scheme for the Old Age Persons. The Committee, therefore, recommends that the Ministry should finalise the guidelines for assisting and identifying organisations for implementing the scheme without further loss of time. The total number of handicapped

registered at the beginning of 1990 were 3,92,003 and the placement were 3,92,003 during the year which comes to 100% whereas the 3% of posts in the Government jobs have been reserved for the disabled persons. To wipe out the reservation for the disabled persons the Ministry have started a scheme under which assistance is given to disabled persons for their self-employment. In the opinion of the Committee, keeping in view the large number of handicapped persons in the live register of Special Employment Exchanges, the Ministry should encourage them and assist them for self-employment under the scheme.

The Committee note with grave concern that the Ministry of Finance has issued a general ban on filling up the vacancies in all the Government Departments by issuing an administrative order which has adversely affected the 3% statutory reservation for the disabled under the "Persons with Disabilities Act, 1995". The Committee is of the opinion that the statutory provisions cannot be overruled by the Administrative Order and therefore recommend that the matter may be pursued with the concerned Ministry/Department in the right spirit so that the disabled are not deprived of their legal rights.

The Committee take note of the fact that although the data on disability was collected in 1981 census but later it was not included in 1991 census and is not proposed for 2001 census on the ground that census is not the right method for collecting a correct and reliable data on disability. The Committee, therefore, recommend that the matter may be entrusted to NSSO and request them to give authentic data on disabled within

boundprogramme.

The Committee note that Rs.8.2 crore were allocated to the Animal Welfare Division for the construction of National Institute of Animal Welfare. The Ministry has acquired the land for the Institute and laid the foundationstone at village, District Faridabad, Haryana, but subsequently, the construction of building of the Institute was held up on account of constructing/widening of by-pass road on Highway in the vicinity of the project site. The Committee, therefore, recommend that the Ministry should approach the State Government for providing an alternative land with a view to further loss of time so that construction of the building for the National Institute of Animal Welfare is not delayed further.

The Committee note that the subject National Institute of Animal Welfare has been transferred to the Ministry of Environment and Forests and the Ministry of Social Justice and Empowerment, on 3rd September 2004, but adequate staff has not been provided for carrying out the work of the Department. The Committee, therefore, recommend that the matter may be pursued with the Planning Commission/Ministry of Environment and Forests etc. for sanctioning of adequate staff required for the implementation of schemes efficiently.

The Committee note that a number of Central Sector Schemes are implemented with the help of voluntary organisations. The difficulties faced by the NGOs pertain to (i) delay in release of funds and (ii) Non-sanctioning of amount recommended by

inspecting agency (iii) The State Governments recommendation/reports are often delayed and are received during the last month of financial year. In order to remove difficulties, fresh guidelines are being issued for NGO sector with schedule for submission of inspection reports and recommendation. The release of funds have been underscored. The Committee, therefore, urge upon the Government to follow guidelines in letter and spirit and that the Grants-in-aid to voluntary organisations should be released so that the NGOs could implement schemes efficiently.

The Committee note with great concern that Grants-in-aid to 17 NGOs has stopped following serious complaints of misappropriation of funds during three years. In so far as the growth of NGOs is concerned, the Committee note that the Ministry has passed the guidelines to State Governments by taking a provision that the second instalment is released to NGO only after getting a satisfactory inspection reports from inspecting/recommending agency. The officials responsible for wrong release are also brought to book by the State Government only. The Committee, therefore, recommend that in order to ensure, better control and effective mechanism over the scheme, the Division should be strengthened and Ministerial Inspection Teams be constituted to check the growth of fake NGOs.

