

NINTH REPORT

STANDING COMMITTEE ON LABOUR AND WELFARE  
(1999-2000)

(THIRTEENTH LOK SABHA)

MINISTRY OF SOCIAL JUSTICE  
AND EMPOWERMENT

*[Action Taken by the Government on the Recommendations/Observations  
contained in the Fourth Report of the Standing Committee on Labour  
and Welfare on Ministry of Social Justice and Empowerment—  
Demands for Grants (2000-2001)]*



LOK SABHA SECRETARIAT  
NEW DELHI

*November. 2000/Kartika. 1922 (Saka)*

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and Welfare held on 15 November, 2000

**COMPOSITION OF THE STANDING COMMITTEE ON LABOUR AND  
WELFARE**

(1999-2000)

Dr. Sushil Kumar Indora— *Chairman*

MEMBERS

*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. Sarldhya Bauri
8. Shri Joachim Baxia
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17. Shri Ramjee Manjhi
18. Shri Bherulal Meena
19. Shri Rupchand Murmu
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22. Shri Madhav Rajbangshi
23. Shri PA. Sangma
24. Shri Ram Shakal
25. Shri Charanjit Singh
26. Shri Khelsai Singh
27. Dr. Ram Lakhan Singh
28. Shri Mansukhbhai Vasava
29. Dr. N. Venkataswamy

*Rajya Sabha*

30. Shri Ram Kumar Anand
31. Shri B.P. Apte
32. Dr. (Mrs.) P. Selvie Das
33. Shri Mohd. Azam Khan
34. Shri Ramachandra Khuntia
35. Shri Fali S. Nariman
36. Shri C.O. Poullose
37. Shri Mirza Abdul Rashid
38. Shri Ka.Ra Subbian
39. Ms. Frida Topno

## 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 having been authorised by the Committee to submit the report on their behalf, present this Ninth Report on the action taken by the Government on the recommendations contained in the Fourth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) on the Ministry of Social Justice and Empowerment—Demands for Grants-2000-2001.

2. The Fourth Report was presented to Lok Sabha on 25 April, 2000. The Ministry of Social Justice and Empowerment furnished their replies indicating action taken on the recommendations contained in that Report on 24 July, 2000. The Report was considered and adopted by the Standing Committee on Labour and Welfare at their sitting held on 15th November, 2000.

3. The Report has been divided into following chapters:—

- I. Report.
  - II. Recommendations/Observations which have been accepted by Government.
  - III. Recommendations/Observations which the Committee do not desire to pursue in view of Government's reply.
  - IV. Recommendations/Observations in respect of which final replies of Government are still awaited.
4. An analysis of the action taken by the Government on the recommendations/observations contained in the Fourth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) is given in Appendix.

NEW DELHI;  
15 November, 2000  
24 Kartika, 1922 (Saka)

DR. SUSHIL KUMAR INDORA,  
*Chairman,*  
*Standing Committee on Labour and Welfare.*

## CHAPTER I REPORT

1.1 This Report of the Committee deals with the action taken by the Government on the recommendations contained in the Fourth Report (Thirteenth Lok Sabha) of the Committee on Labour and Welfare on the Ministry of Social Justice and Empowerment on Demands for Grants 2000-2001.

1.2 The Fourth Report was presented to Lok Sabha on 25 April, 2000. It contained 25 recommendations. Replies of Government in respect of all recommendations have been examined and are categorised as under:

(i) Recommendations and Observations which have been accepted by the Government:

SI. Nos. 1, 2, 4, 5, 9, II, 12, 13, 14, 17, 19, 20, 21, 23  
and 25

(Total 15 included in Chapter II of the Report)

(ii) Recommendations and Observations which the Committee do not desire to pursue taking into consideration the replies of the Government:

SI. Nos. 3, 7, 18, 22 and 24

(Total 5 included in Chapter III of the Report)

(iii) Recommendations and Observations, replies to which have not been accepted by the Committee and which require reiteration or merit comments:

SI. Nos. 8, 10, 15 and 16

(Total 4 included in Chapter IV of the Report)

(iv) Recommendations and Observations in respect of which final replies have not been received:

SI. Nos. 6

(Total 1 included in Chapter V of the Report)

1.3 The Committee desire that replies in respect of recommendations contained in Chapter-1 and final replies to the recommendations contained in Chapter-V for which only interim replies have been given should be furnished to the Committee expeditiously.

1.4 "The Committee will now deal with those action taken replies of the Government which need reiteration or merit comments.

## **A. LIBERATION AND REHABILITATION OF SCAVENGERS AND THEIR DEPENDENTS**

### **Recommendation (SI. No. 8, Para No. 3.16)**

1.5 The Committee noted that 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 extended to Ninth Five Year Plan. The Committee also emphasised that Government should take all effective steps to eliminate the practice during the Ninth Five Year Plan itself.

1.6 The Ministry of Social Justice and Empowerment in their Action Taken Note has stated that the Government is committed to eliminating the practice of carrying night soil as head load and rehabilitate the Scavengers in alternate dignified occupations. Despite the fact that large number of scavengers have been imparted training in different vocations, new individuals join ranks as the conversion of dry latrines to wet latrines is not able to keep pace with the training imparted. Therefore, the Ministry of Social Justice and Empowerment has already requested the State Govt. UTs to give first priority to conversion of dry latrines to wet latrines. The most important step would be the conversion so that the demand for such scavenging is eliminated and with the support of the Ministry's Scheme, the scavengers are provided financial support for taking up alternative occupations. The efforts of the Ministry are directed towards this goal.

**1.7 The Committee is totally dissatisfied with the reply of the Ministry as very little progress has been made in actually eliminating the practice of carrying night soil since the inception of this scheme in 1992, which has been corroborated by the fact that the conversion of dry latrines into wet latrines by the State Government is not keeping pace with the number of people imparted training. The Committee, therefore, reiterate its earlier recommendations and recommend that the Government should draw up a definite scheme with proper targets of conversion of dry latrines into wet one and imparting of training so that the people engaged in obnoxious and inhuman work could be driven to alternate occupations.**

## **B. LIBERATION AND REHABILITATION OF SCAVENGERS AND THEIR DEPENDENTS**

### **Recommendation (SI. No. 10, Para No. 3.18)**

1.8 The Committee observed that the Ministry of Social Justice and Empowerment had simply forwarded the reports of the research studies for the rehabilitation of scavengers to the concerned State which in the opinion of the Committee indicated nothing but casual approach to the scheme. The Committee, therefore, desired that the Ministry should take the observations of the research studies as guidelines and should make modifications in the scheme for its effective implementation.

1.9 In their action taken notes furnished to the Committee, the Ministry of Social Justice and Empowerment has stated that the recommendations of research studies would be taken into consideration while modifying in future, the existing National Scheme of Liberation and Rehabilitation of Scavengers and their dependents.

**1.10 The Committee are disappointed to note that the Government have not responded positively to the recommendation of the Committee for making use of the findings of the research studies conducted for liberation and rehabilitation of scavengers. The scheme viz "Liberation and Rehabilitation of Scavengers and their Dependents" has been modified and extended to the Ninth Five Year Plan period. The Committee are of the opinion that if the Ministry is really serious towards the rehabilitation of scavengers, they should review their scheme in the light of the observations of the Research studies and apprise the Committee about the steps taken in this regard.**

### **C. MONITORING OF UTILISATION OF SPECIAL CENTRAL ASSISTANCE TO SPECIAL COMPONENT PLAN FOR SCHEDULED CASTES**

#### **Recommendation (SI. No. 15, Para No. 3.42)**

1.11 Despite the fact 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, the Ministry did not carry out any physical verification of the utilization of funds by the States/UTs at any stage rather they had to rely only on the utilization certificates furnished by the States/UTs. The Committee were of the view that the benefits of huge allocations made every year do not percolate to the Scheduled Castes living below poverty line. The Committee therefore, recommended that the Ministry should strengthen its monitoring and depute its teams to physically verify the progress/ utilization of funds released to States/UTs.

1.12 In their action taken note, the Ministry has stated that they have noted the recommendations of the Committee. It has been further stated by the Ministry that implementation of various scheme is monitored through quarterly/annual progress reports on utilization of funds furnished by States/UTs as well as during meeting with the States representatives and visit of officers of the Ministry to the States/UTs.

**1.13 There is no denying the fact that huge allocations are made every year by the Govt. under SCA to SCP and Ministry is also claiming that they are monitoring the scheme through quarterly/ annual progress reports or visit of Ministry's officials but still the Ministry is not having any data/information about the SC people who have actually crossed the poverty line after availing the financial assistance under the scheme. The Committee, therefore, feel that there is definitely some slackness in monitoring and implementation of the scheme and desire that the Ministry should take effective steps in improving and strengthening of their monitoring mechanism**

**and provide the necessary data of S.C. people who have actually crossed the poverty line.**

**D. SPECIAL CENTRAL ASSISTANCE TO SPECIAL COMPONENT PLAN FOR SCHEDULED CASTES**

**Recommendation (SI. No. 16, Para No. 3.43)**

1.14 The Committee noted that 10% of the total SCA were released to the villages having 50% or more SC population for infrastructure development programme but the Ministry was not having any authentic data such villages and they rely on the feedback received from the State Government. The Committee, therefore, desired 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 recommended that SCA funds should not be used to substitute the obligation of State Government like drinking water, electricity supply, hospital and villages link road etc. in the name of Infrastructure Development.

1.15 The Ministry of Social Justice and Empowerment in their Action taken note stated that the villages having 50% or more of Scheduled Caste population are identified using census data by the States. The Ministry is unable to undertake independent survey to identify villages having 50% or more SC population in the country due to lack of manpower and infrastructure. The Ministry has to depend on the report of the State Governments who are in better position to identify the villages having 50% or more SC population. Regarding utilization of SCA for Infrastructure Development like drinking water, electricity supply, hospital and village link road, the guidelines will be reviewed in the light of recommendations of the Committee and modification made if considered necessary.

1.16 The reasons advanced by the Ministry that they are unable to undertake independent survey for the identification of villages having 50% or more SC population in the country due to lack of manpower and infrastructure is not acceptable to the Committee. The Committee feel that such type of surveys could be undertaken by utilising the machinery at State and District level. They, therefore, recommend that the Ministry should impress upon the State Government to put the State Govt. Machinery into gear and identify the villages having 50% or more SC population which would help themselves for the fair distribution of SCA funds.

1.17 The Committee also urge upon the Ministry to review their guidelines to stop dilution of SCA to SCP funds by the State Governments in the name of infrastructure development of SC population. The steps taken in this regard may be communicated to the Committee.

**CHAPTER II**  
**RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN**  
**ACCEPTED BY THE GOVERNMENT**  
**Recommendation (SI. No. I, Para No. 1.15)**

2.1 The Committee appreciates the efforts of the Ministry that they have reviewed/revised almost all their schemes to give focused attention towards the conditions of socially disadvantaged and marginalised sections of the society in the new millennium. In the opinion of the Committee, the benefits of the Schemes/Programmes will not reach the targeted and vulnerable sections of the society unless the Ministry improves its monitoring mechanism.

**Reply of the Government**

2.2 Ministry has taken a number of steps to strengthen and improve the monitoring mechanism for effective implementation of the programmes and schemes of this Ministry. Besides, incorporating detailed formats within the schemes of the Ministry and taking periodical progress reports on the progress of financial and physical achievements, regular review meetings are being held at various levels within the Ministry as well as with State Governments and

implementing agencies. The Ministry sponsors research and evaluation studies through leading research organizations and university departments. The feedback from the information system built up and inputs from the research and evaluation studies is used to identify the shortcomings and take remedial measures to improve the monitoring and implementation besides making structural changes in the scope, norms and procedures. The field inspections being conducted by the State Governments have been augmented by involving independent organizations/individuals having expertise and established credibility in the concerned areas. The Designated Inspection Teams have proved very useful especially in the programmes relating to Social Defence. In addition, senior officers of this Ministry make surprise inspections of the NGOs assisted by this Ministry and also interact with concerned officers of the implementing agencies/State Governments to ensure the benefits of the schemes and programmes reach the target groups effectively. Bureau-wise some of the important measures taken are as follows.

**SCD:**

2.3 For the financial and physical monitoring of the performance of Centrally Sponsored Scheme of Post Matric Scholarship to SC and ST students and Pre Matric Scholarship to the children of those engaged in unclean occupations, a detailed proforma for each of the two schemes has been devised in which the States/UTs are required to furnish in detail the financial and physical performance of the Scheme during the last financial year as well as the anticipated expenditure for the current financial year. Similarly a proforma for monitoring physical and financial performance of the National Scheme of Liberation and Rehabilitation of Scavengers and their dependents has also been devised. The second instalment under the Central Sector Scheme of Special Educational Development Programme for SC girls belonging to very low literacy levels is sanctioned to concerned Zila Parishads only after having obtained from the concerned State Governments, a

details inspection report for which the proforma has been standardized, keeping in view the monitoring aspect of the Scheme. Steps would be taken to hasten the necessary documents from the States.

2.4 The Scheme of Assistance to Scheduled Castes Development Corporations (SCDCs) is implemented in 25 States/UTs for economic development of Scheduled Castes. The Government of India and State Governments participate in the Share Equity of the State SCDCs in the ratio or 49:51. Monitoring of the funds released by the Central Government is ensured through utilization Certificate, progress report submitted by concerned SCDCs and field visits of the Officers of the Ministry (SJ&E). Officers of the Ministry have also been nominated in the Board of Director of II State SCDCs. Similarly, officers from Small Scale Industries (SSI) have also been nominated in the BOD of 13 SCDCs. The representative of this Ministry is therefore in a position to closely watch the progress, the Corporations are able to achieve.

**DD:**

2.5 The schemes/programmes are reviewed from time to time on the basis of experience gained in the process of their implementation. It is a continuous process. Each National Institute/Apex Institute has an Executive Council (EC) which meets periodically to review its functioning. The Executive Council is headed by the Joint Secretary of the Programme Division. The General Council (GC) under the Chairmanship of Secretary (SJ&E) meets annually to review the progress of the concerned Institute and provides guidance. In addition, each Institute also submits quarterly reports furnishing details of activities, undertaken and other initiatives.

**Social Defence:**

2.6 Already an alternative system of monitoring has been established by making Schools of Social Work responsible for monitoring the functioning of various NGOs receiving grants from this Ministry under the following schemes:

- (i) An Integrated Programme for Older persons.
- (ii) Scheme of Assistance to Panchayati Raj Institutions/ Voluntary Organisations. Self Help Groups for Construction of Old Age Homes/Multi Service Centres for Older Persons.
- (iii) An Integrated Programme for Street Children.
- (iv) Scheme of Assistance to Voluntary Organisations for providing Social Defence Services. This system is in operation since the financial year 1999-2000. This is in addition to inspection and monitoring done by State Governments.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000<:dn,, dated 24 July, 2000]**

**Recommendation (SI. No. 2, Para No. 1.16)**

2.7 The Committee commend the action of the Ministry for bringing out a Compendium which provides complete information about all the programmes and schemes and would be a handy document for all, especially the State Governments/UTs NGOs involved in the implementation of the schemes. The Committee, therefore, desires that the Compendium should also be prepared in regional languages for the use of beneficiaries/applicants.

**Reply of the Government**

2.8 English/Hindi copies of the Compendium have been sent to all the concerned State Governments/UT Administrations. They have been apprised of the recommendation of the Committee and requested that the copies of the Compendium may be got prepared in the regional languages and widely circulated for the use of beneficiaries/applicants. Further, the Compendium may be given wide publicity through local media to create awareness and promote voluntary action. NGOs may be encouraged to send the proposals for financial assistance available under the scheme to enhance the coverage of the target groups more effectively.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000<:dn., dated 24 July, 2000]

**Recommendation (SI No. 4, Para No. 2.10)**

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

**Reply of the Government**

2.10 The observation of the Hon'ble Committee has been noted and efforts of the Ministry would continue with the Planning Commission for higher allocation of funds. However, it may be mentioned that in the disability sector, there has been adequate increase in the allocation of funds and the shortage of funds has never been a hindrance in implementing schemes and programmes in the Sector.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000<:dn.,dated 24 July, 2000]

**Recommendation (SI. ~Jo. 5, Para No. 2.11)**

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.

### **Reply of Government**

2.12 In respect of Schemes of Post Matric Scholarship for SC & ST students, Pre Matric Scholarship to the Children of those engaged in unclean occupations. Central Sector Scheme of Special Educational Development Programme for SC girls belonging to very low literacy levels, the States/UTs, are addressed in the first quarter of the financial year itself for seeking complete proposals in the prescribed proforma so that the due Central assistance can be expeditiously sanctioned. The States/UTs are subsequently reminded also towards expediting the proposals. Persistent efforts are, thus, made to obtain complete proposals from States/UTs, with an objective to sanction them due funds much before the close of the financial year. The endeavour is thus, to optimize timely sanctioning of Central assistance for which persistent efforts are made to obtain complete proposals from States/ UTs. As a result of this effort, at the RE stage there was no reduction under the Centrally Sponsored Schemes of Post Matric Scholarship to SC & ST students, Pre Matric Scholarship to the children of those engaged in unclean occupations and National scheme of Liberation and Rehabilitation of Scavengers. However, the observation made by the Hon'ble Committee has been noted for guidance and compliance.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]**

### **Recommendation (SI. No. 9, Para 3.17)**

2.13 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 Marts successfully adopted in the State 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 popularized 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.

### **Reply of the Government**

2.14 This Ministry is making all efforts to impress upon the States, which were given central assistance during 1999-2000, to expedite launching of Sanitary Marts with active participation of NGOs and other local bodies. Efforts would continue during the year 2000-2001 as well as to provide Central assistance to more States so that the

implementation of National Scheme of Liberation and Rehabilitation of Scavengers & their dependents picks up further momentum. It may be added that a Central team headed by the Secretary herself had by July 9, 2000, visited 9 States and held elaborate meetings with the State officials. Public Representatives, NGOs, Leaders of the Safai Karamchati Unions to explain the modalities of implementing the scheme of Sanitary Marts.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]**

**Recommendation (SI. No. II, Para 3.19)**

2.15 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.

**Reply of the Government**

2.16 The National Scheme of Liberation and Rehabilitation of Scavengers and their dependents defines "Scavenger" as "one who is partially or wholly engaged in the obnoxious and inhuman occupation of manually removing night soil and filth". The Scheme, therefore, covers only Safai Karamcharies who fall within the scope of the Scheme and who are primarily in smaller town and semi-urban areas. The Central assistance under the Scheme is provided to State SCDCs based on their specific proposals to financially assist scavengers for their training and rehabilitation. In the approach paper sent to the various States and UTs, it *has been* specifically mentioned that smaller and semi-urban areas should be the primary focus. Further, to ensure that "new scavengers do not take the place of those who have been trained in different vocations and to prevent those who have been trained from returning to their old professions, the States have been requested to simultaneously convert the dry latrines, serviced by those who have been trained, to wet ones to eliminate the need for scavenging itself. Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn.,

**Recommendation (SI. No. 12, Para No. 3.30)**

2.17 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 ever after the lapse of 45 and 11 years from 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.

**Reply of the Government**

2.18 For speedy disposal of cases the Ministry had requested the State Chief Ministers *vide* D.O. letter dated 5.1.99 to set up more special Courts, where pendency of cases is large. This Ministry has again requested the State Governments of Maharashtra, Tamil Nadu, Orissa and Uttar Pradesh for setting up the Special Courts for the speedy disposal of cases where the crime rates are higher.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dt. 24 July, 2000]

**Recommendation (SI. No. 13, Para No. 3.31)**

2.19 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, recommend 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.

**Reply of the Government**

2.20 The Ministry of Home Affairs in their letter dated 12.11.1998 addressed to Chief Secretaries of States/UTs had requested them to accord higher priority in the framing, implementation and monitoring of the policies/schemes under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and to consider an appropriate mechanism for this purpose. "This Ministry has requested the Ministry of Home Affairs for taking necessary action on the recommendation/observation of the committee for strengthening of the enforcement machinery and also appointment of Special Public Prosecutors/Advocates in the Courts for the speedy trial of the cases.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/20(X~Cdn, dated 24th July, 2000]

### **Recommendation (SI. No. 14, Para No. 3.32)**

2.21 The Committee note 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/rehabilitaion available to them under both the Acts viz. (i) The Protection of Civil Rights Act, 1955 and (ii) Prevention of Atrocities Act, 1989. The Committee, therefore, feel 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.

### **Reply of the Government**

2.22 For wide publicity and awareness of the provisions of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, some State Governments/UT Admns., have published information through their State languages, organised Sadbhawwana Shibir, Seminars, Training Programmes at Bloks, District levels and State level, arranged sports, film shows and exhibitions on the communal harmony, exhibition of slides at cinema halls, publicity through Posters and Kalapathak, Posters are also displaced on State Transport Buses for removal of practices of untouchability/atrocities. Publicity by using back side of railway reservation tickets has also been done by adopting quotes at prominent places.

The following agencies, of the Ministry of Information and Broadcasting publicised the theme of eradication of untouchability in several ways:—

1. All India Radio
2. Doordarshan
3. Press Information Bureau
4. Publications Division
5. Directorate of Advertising & Visual Publicity (DAVP)
6. Directorate of Field Publicity
7. Song and Drama Division
8. Films Division

As per the advice of the Committee's all the States/UTs have been requested to give wider publicity to special measures for welfare of SC/ST through print and electronic media.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]**

**Recommendation (SI. No. 17, Para No. 4.8)**

2.23 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 utilized 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.

**Reply of the Government**

2.24 There may be shortage of funds under the scheme "An Integrated Programme for Older Persons" for which M/o Finance/ Planning Commission will be approached for higher allocation/ additional funds.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]

**Recommendation (SI. No. 19, Para No. 5.12)**

2.25 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 have 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.

### **Reply of the Government**

2.26 A number of steps are being taken to promote self-employment, such as:

- (i) The Vocational Rehabilitation Centres under the Directorate General Employment and Training, Ministry of Labour, provide for vocational training and placement of persons with disabilities;
- (ii) The National Handicapped Finance and Development Corporation is providing soft loans to persons with disabilities for taking up entrepreneurial activities;
- (iii) Voluntary Organizations are also being assisted by the Ministry of Social Justice and Empowerment for providing, *inter-alia*, vocational training to persons with disabilities.
- (iv) In order to provide job opportunities to the persons with disabilities, a provision has already been made under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 the appropriate governments and the local authorities shall, within the limits of their economic capacity and development, provide incentives to employers both in public and private sectors to ensure that at least five per cent of their work force comprises of persons with disabilities.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]

### **Recommendation (SI. No. 20, Para No. 5.13)**

2.27 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.

### **Reply of the Government**

2.28 The matter was taken up with the Ministry of Finance, Department of Expenditure on 28.3.2000. They have been reminded on 25.4.2000 and 19.5.2000. In their I.D. Note dated 21.6.2000 that Ministry has conveyed their decision to exempt the vacancies to be filled up by the persons with disabilities from the applicability of that Ministry's ban

order dated 5.8.1999. The above decision has been conveyed to the Department of Personnel and Training, Department of Public Enterprises, etc.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]

**Recommendation (SI. No. 21, Para No. 5.14)**

2.29 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 2000-01 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.

**Reply of the Government**

2.30 The Ministry of Home Affairs in a meeting taken on 10th May, 2000 with the Ministry of Social Justice and Empowerment, have agreed to include question on disability in the questionnaire during census 2001. Formal communication from the Ministry of Home Affairs is awaited in this regard. Besides, the matter regarding conducting survey for ascertaining the number of disabled persons in the country by the NSSO has been taken up simultaneously since April, 1997. They have been last reminded on 5.7.2000.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn.,dated 24 July, 2000]

**Recommendation (SI. No. 23, Para no. 6.9)**

2.31 The Committee note that the subject of Animal Welfare has been transferred from the Ministry of Environment and Forests 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, recommend 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.

**Reply of the Government**

2.32 The proposal to provide adequate staff for the efficient implementation of scheme has been submitted to Ministry of Finance for their approval.

**[Ministry of Social Justice and Empowerment O.M. No. 1-17/2000-Cdn.,dated 24 July, 2000]**

**Recommendation (SI. No. 25, No. Para 7.12)**

2.33 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 installment is released to the NGO only after getting satisfactory inspection reports 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.

#### **Reply of the Government**

2.34 As a step towards an initiative to check fake organizations, this Ministry has assigned all officers (Dir/DS) of the Ministry from all branches to undertake surprise checks. This exercise has commenced from the month of June 2000. All available resources like the National Institutes have also been assigned their share of inspection. In addition to the State Government carrying out inspection, designated inspecting agencies have also been activated to carry out inspections. Where instances of non-existence of an NGO have been reported, the Ministry has taken appropriate steps in informing the State Government to recover grants released to the organization by way of booking the value as arrears of Land Revenue, and also to initiate penal action through filing of FIR.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]

**CHAPTER III**  
**RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE**  
**DO NOT DESIRE TO PURSUE IN VIEW OF THE**  
**GOVERNMENT'S REPLY**  
**Recommendation (SI. No. 3, Para No. 2.9)**

3.1 The Committee are concerned to note that out of allocation of Rs. 1277.10 crores for the financial year 1999-2000, the Ministry has utilized only Rs. 874.00 crores *i.e.* 68.44% of the Budget upto 29<sup>th</sup> February, 2000. The performance of the Minorities and Backward Classes Division is more dismal where the utilization was 11.49% only. The arguments put forth by the Ministry for shortfall in expenditure that non-receipt of proposals and non-receipt of utilization 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 hunching of release of funds towards the fag end of the financial year and improve their monitoring over the schemes so that the funds earmarked in a financial year are utilized fully.

**Reply of the Government**

3.2 In respect of Schemes of Post-Matric Scholarship for SC & ST students, Pre-Matric Scholarship to the Children of those engaged in unclean occupations, Central Sector Schemes of Special Educational Development Programme for SC girls belonging to very low literacy levels, the States/UTs are addressed in the first quarter of the financial year itself for sending complete proposals in the prescribed proforma so that the due Central Assistance can be expeditiously sanctioned. The States/UTs are subsequently reminded also towards expediting the proposals. Persistent efforts are, thus, made to obtain complete proposals from States/UTs with an objective to sanction them due funds on time, much before the fag end of the financial year. For instance in the case of the Post Matric Scholarship scheme alone 10 number of letters/reminders were sent to States/UTs to send their proposals. It may also be added that at the end of the financial year, the expenditure incurred was 119% of the BF. In other words, due to constant monitoring, the Ministry was able to utilize 25.90 crores additionally under the scheme.

3.3 The Schemes of pre-matric, post-matric scholarships for OBCs and Hostels for OBC boys and girls were launched in 1998-99. After persuasion, complete proposals were received towards end of 1999. These were considered as per provision of the schemes. Amount provided under these schemes was utilized during 1999-2000. Minorities

3.4 Minority Cell is dealing with the following Plan Schemes for the welfare of Minorities:-

- (i) Preparation of Multi-sectoral Dev. Plan for the welfare of Minorities
- (ii) National Minorities Development and Finance Corporation (NMDFC)

It has been observed that under scheme at (i) above utilization of funds was on lower side. This occurred on account of lack of response on the part of State Govt.'s/UT Administrations to send their proposals for release of grants. As regards NMDFC the entire allocation of Rs. 20 crore for the year 1999-2000 was utilized.

D.D.

3.5 The utilisation of funds during the last financial year, 1999- 2000, has more or less, been phased in the disability sector except in case of new schemes. S.D.

3.6 The observation of the Hon'ble Committee has been noted for necessary action.

[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]

**Statement showing the action taken by the Government on the recommendations/observations contained in the Fourth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha)—on Demands for Grants 2000-2001 of Ministry of Social Justice and Empowerment**

**Recommendation (SI. No. 7, Fara No. 3.15)**

3.7 The Committee are concerned to note that out of Rs. 335 crores allocated for the liberation and rehabilitation of scavengers for the Ninth Five Year Plan, the Ministry has utilized only Rs. 95.90 crores *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 utilize 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.

**Reply of the Government**

3.8 The Ministry is seized of the situation and the Government intends to take all possible steps to liberate the scavengers. Keeping in view this objective this Ministry took an initiative *in.* the last quarter of the year 1999-2000 and suggested States/UTs to implement the National Scheme of Liberation and Rehabilitation of Scavengers and their dependents (NSLRS) through setting up of Sanitary Marts by forming cooperative of about 20-25 scavengers. The objective of setting up of Sanitary Marts under NSLRS is not only to wean the scavengers away from their existing profession and provide them alternative sustainable employment in production and sale of sanitary items, but also to generate demand for wet toilets leading to conversion of dry latrines in small towns', which they otherwise would be servicing as scavengers. Accordingly, Central Assistance of Rs. 70.00 crores was released to States/UTs during the last month of 1999-2000 towards setting up of 3336 sanitary marts. The Secretary, Ministry of Social Justice and

Empowerment alongwith other senior officers of the Ministry also visited several States during April to July, 2000 to have : in-depth discussion with the Chief Secretaries and other senior officers of the State Governments, besides with some representatives c»f NGOs, so that the launching of Sanitary Marts is expedited.

**[Ministry of Social Justice and Empowerment O.M. No. 1-17/:MX)0-Cdn., dated 24 July, 2000]**

**Recommendation (SI. No. 18, Para No. 4.9)**

3.9 The Committee are constrained to note that on the one hand the Ministry claims that the revised schemes 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.

**Reply of the Government**

3.10 The Ministry has received the model of Old Age Home to be constructed for 20 inmates at an approximate cost of Rs. 3.00 lakhs by an expert agency. This model is being tried through Panchayati Raj Institutions, Red Cross Society and NGOs who have their own land. The construction of the model Old age home will be done by the agency "Development Alternative", New Delhi on experimental basis. This scheme would be launched on regular basis if the experiment is successful.

[Ministry of Social Justice & Empowerment O.M. No. 1-17-Cdn., dated 24 July, 2000]

**Recommendation (SI. No. 22, Para No. 6.8)**

3.11 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.

**Reply of the Government**

3.12 The matter regarding providing alternative site for the proposed National Institute for Animal Welfare building at village Sikri, District Faridabad, Haryana was taken up with Government of Haryana. The State Government has agreed to give substitute land available with the Village Panchayat Sikri at same place in case the existing land is covered in the extension of by-pass on National Highway No. 2, which is not yet finalized. The Ministry is already in

the process of selecting an architectural/consultancy firm for construction of the building of National Institute for Animal Welfare.

[Ministry of Social Justice and Empowerment O.M. No. 1-17/2000-Cdn., dated 24 July, 2000]

**Recommendation (SI. No. 24, Para No. 7.11)**

3.13 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 the 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. In order to remove the above difficulties, fresh guidelines are being issued for NGO sector wherein the schedule for submission of inspection reports and recommendations 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 schemes efficiently.

**Reply of the Government**

3.14 Fresh guidelines have been prepared. Copies of these are furnished herewith Appendix-1 for the perusal of the Honourable Members of the Committee. In addition, the Ministry has revised the formats for applications for new projects as well as first and second installment application proformas. The purpose was to evolve forms which are user friendly and less complex, and at the same time ensuring clarity in the information being solicited. The Ministry is seized of the fact that installments due to organizations are often delayed due to late receipt of Inspection reports from the monitoring agencies. Besides emphasizing the need to hasten the submission of inspection and recommendation by these agencies, other designated agencies to supplement the task of inspection have also-been appointed by this Ministry.

**[Ministry of Social Justice and Empowerment, O.M. No. 1-17/2000-Cdn.,dated 24 July 2000]**

**CHAPTER IV**  
**RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH**  
**REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY**  
**THE COMMITTEE AND WHICH REQUIRE REITERATION**  
**Recommendation (SI. No. 8, Para No. 3.16)**

4.1 The committee note that out of 5.77 lakh scavengers identified in 20 States/UTs 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 hopes and trust that the Ministry would take all effective steps to eliminate the practice during the Ninth Five Year Plan itself.

**Reply of the Government**

4.2 The Government it committed to eliminating the practice of carrying night soil as head load and rehabilitate the scavengers in alternate dignified occupations. Despite the fact that large number of scavengers have been imparted training in different vocations, new individuals join ranks as the conversion of dry latrines to wet latrines is not able to keep pace with the training imparted. Therefore, this Ministry has already requested the State Govts./UTs to give first priority to conversion of dry latrines to wet latrines. The most important step would be the conversion so that the demand for such scavenging is eliminated and with the support of this Ministry's Scheme, the scavengers are provided financial support for taking up alternative occupations. The efforts of this Ministry are directed towards this goal.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn.,dated 24 July, 2000]**

**Comments of the Commttee**  
**(Please See Para 1.7 of Chapter I of the Report.)**  
**Recommendation (SI. No. 10, Para No. 3.18)**

4.3 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 awarness 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. The Committee feels 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 of its effective implementation.

### **Reply of the Government**

4.4 The recommendations of research studies would be taken into consideration while modifying in future, the existing National Scheme of Liberation and Rehabilitation of Scavengers and their dependents.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn, dated 24 July, 2000]**

#### **Comments of the Committee**

**(Please see Para 1.10 of Chapter of I of the Report)**

**Recommendation (SI. No. 15, Para No. 3.42)**

4.5 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 utilized by the States/UTs every year. The Committee are surprised to note that Ministry does not carry out any physical verification of the utilization of funds by the States/UTs at any stage rather they have to rely only on the utilization certificates furnished by the States/UTs. Although States/UTs certify the utilization 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 poverty line. The Committee, therefore, recommend that the Ministry should strengthen its monitoring and depute its teams to physically verify the progress/utilization of funds released to States/ UTs.

### **Reply of the Government**

4.6 The recommendations of the Committee have been noted, Implementation of various scheme is monitored through quarterly/ annual progress reports on utilization of funds furnished by States/ UTs as well as during meeting with the States representatives and visit of officers of this Ministry to the States/UTs.

### **Comments of the Committee**

**(Please See Para 1.13 of Chapter I of the Report)**

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn.,dated 24 July, 2000]**

### **Recommendation (SI. No. 16, Para No. 3.43)**

4.7 According to the criteria laid down for release of SCA to SCP, 10% of the total SCA released in a year can be utilized 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 obligation of State Governments like drinking water, electricity supply—hospital and villages link road etc. in the name of Infrastructure Development.

### **Reply of the Government**

4.8 Villages having 50% or more of Scheduled Caste population, are identified using census data by the States. The Ministry is unable to undertake independent survey to identify villages having 50% or more SC population in the country, due to lack of manpower and infrastructure. The Ministry has to depend on the reports of the State Governments who are in better position to identify the villages having 50% or more SC population. Regarding utilization of SCA for Infrastructure Development like drinking Water, electricity supply, hospital and village link road, the guidelines will be reviewed in the light of recommendations of the Committee and modification made if considered necessary.

**CHAPTER V**  
**RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH**  
**FINAL REPLIES OF GOVERNMENT HAVE NOT BEEN RECEIVED**  
**Recommendation (SI. No. 6, Para No. 2.12)**

5.1 The Committee note that in pursuance to the directives from the Planning Commission, a lump sum provision of Rs. 133.00 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 desires that Ministry should apprise the Inarming 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.

**Reply of the Government**

5.2 The observations of the Committee have been brought to the notice of the Planning Commission and Department of Expenditure They have been requested to revise the earmarked budget for North Eastern States in respect of this Ministry. Since the budget for Scheduled Caste Development for 2000-01 is Rs. 864.50 crores, a provision of Rs. 17.29 crores is to be made as per norms fixed for SCA. 10% of the remaining would work out to Rs. 48.55 crores. Thus, a total of Rs. 65.84 crores may, therefore, be provided for North East as against 135.00 crores.

**[Ministry of Social Justice & Empowerment O.M. No. 1-17/2000-Cdn.,dated 24 July, 2000]**

NEW DELHI;  
15 November, 2000  
24 Kartika, 1922 CSflte)

DR. SUSHIL KUMAR INDORA  
*Chairman*  
*Standing Committee on Labour and Welfan*

## APPENDIX I

### MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT GUIDELINES FOR ASSISTING NON-GOVERNMENTAL ORGANIZATIONS/VOLUNTARY ORGANIZATIONS\*

#### 1. THE BACKGROUND

1. The Ministry is charged with the promotion of welfare, ensuring social justice for an empowerment of disadvantaged and marginalized sections of society. It is the responsibility of the Ministry to reach the target group which includes the Scheduled Castes, Minorities, Backward Classes, Disabled, Aged Persons, Street children and victims of Drug Abuse. The objective is to bring them into the mainstream of development by assisting them to overcome their social, physical and educational handicaps. In this manner, this progress through capacity building can be ensured. This would equip them to employ their capabilities to their fullest potential reducing their reliance/dependence on others and achieving independence to the maximum extent possible- the ultimate goal of such assistance extended by the Govt.

2. The financial resources available with the Central and State Governments are limited and therefore it is necessary to ensure that the resources of the State are optimally utilized to bring maximum benefit to maximum number.

3. It has been recognized that along side the efforts of the state, the services of the voluntary organization in assisting the target groups are indispensable. They supplement the efforts of the state in ensuring that the benefits reach the maximum number. In certain cases, it is the voluntary organizations that are in a better position to implement the schemes of the Govt. in a more efficient manner than Govt. itself. This is primarily attributable to the highly committed and dedicated human resources that are available with the voluntary organizations. Further, they often have better expertise and are more knowledgeable about the local conditions that make them a better delivery system than what the Govt. can put together. Therefore increasing participation of the voluntary organizations in nation and society building is not only desirable but also crucial.

**\*The Ministry is dealing with "Animal Welfare" and the provision regulating GIA assistance for VOs working in this area will be revised later as the schemes have recently been introduced.**

4. The presence of voluntary organizations is not uniform throughout the nation. Similarly, there are certain spheres of activities that attract more voluntary organizations just as their concentration in some regions. This twin situation often results in disparate development of regions as well as of sectors. It is the intention of the Ministry to encourage the horizontal spread of development alongside sectoral growth in spheres that have received comparatively less attention or may need more attention.

5. It is also the experience of the Ministry that some voluntary organizations are better equipped to avail of the financial assistance from the Ministry than others. Ideally, the scarce resource should be available to voluntary organizations according to the regions and sectors that require intervention according to the problems the society may be confronted with and the priorities identified by the Govt.

6. Some voluntary organizations also thrive exclusively on aid from Govt. This is a situation that needs to be reversed. Voluntary organizations should be able to build on the support from the Govt. and establish other support systems that would gradually reduce their dependence on Govt. Such a policy would enable the growth of more voluntary organizations that can work in more sectors. The objective of the Govt. is not the support of existing voluntary organizations alone, but to encourage growth of new ones as well.

7. It should be the intention of the voluntary organizations to obtain support of other sources for their operation. This could be achieved after they are able to establish themselves with the support of the Govt. and prove their usefulness to the society at large. With the credibility that they may be able to earn, they would be able to enlist the support of corporate houses and even the community. Contributions both in kind and finances would become easily available once credentials are firmly recognized. Additional resources could be mobilized in this manner.

8. Enlisting of the support of the community at large is a time-tested method of harnessing resources for the functioning of voluntary organizations. Organizations in developed nations mainly rely on this strategy to make their functioning more effective. Appeals to the community receive committed responses from socially minded individuals and organizations. There are several of them who would contribute willingly to development in areas that may hold their concern but may not be aware of the method of involving themselves in such activities. Harnessing the vast reservoir of goodwill is something that should receive increasing attention of the voluntary organizations.

9. Voluntary organizations should also accord increasing priority to the involvement of the community in the social activity that the organization may be undertaking. Community involvement in projects has several apparent and consequential or spin-off benefits. It helps in improving the efficacy of the programme, effecting attitudinal changes towards the beneficiaries, identification of those acutely in need of the assistance and change in the psyche (feeling of acceptance or recognition by society can lead to increased motivation) of those affected and the like.

10. Voluntary organizations be encouraged through a system of matching grants to raise resources from the public, business houses, national and international organizations.

## **1. ADVANCE ACTION TO BE TAKEN BY MINISTRY**

1. The Ministry could in the beginning of every two years take out advertisements in all the states through newspapers inviting voluntary organizations to register with the Ministry. This would enable the Ministry to have a database about the voluntary organizations spread throughout the nation. This is important because it would provide

a wealth of information about the various organizations such as their organizational strength, human resources capacity, expertise, reach/presence etc. At times of need the Ministry could intervene socially in regions and areas that may require special attention by assisting such organizations according to the exigencies of time.

2. Evolve annual action plans according to the priorities that the Govt. of the day may have to intervene in regions and sectors to beget the desired changes.
3. Assistance to agencies could be based on such priorities rather than waiting for voluntary agencies to approach the Govt. for assistance. In this manner there can be a concerted attack on social evils/problems or areas to engender change with the Govt. sponsoring such metamorphosis. This would be a potent instrument in Govt. hands. Used wisely it could be an instrument of positive change.
4. According to the data collected, organizations may be grouped according to their expertise and geographical regions of operation and the manpower at their command.
5. The exercise for the identification should be undertaken in the month of December so that the plan could be launched as soon as the financial year begins.
6. An amount of around 10% of the funds earmarked by the Ministry for assistance to voluntary organizations will be reserved for utilization in areas where the Ministry sees a need for special intervention on account of social problems that may have arisen on account of natural and other calamities or other unforeseen developments.

### **III. PRIORITIES TO BE ACCORDED BY GOVERNMENT**

1. A transparent system be developed in the Ministry for processing release of grants to Voluntary Organizations.
2. As far as possible, new projects shall be approved in respect of those voluntary organizations which locate these in rural areas which are not benefiting from voluntary action at present. However, this would not only in the case of schemes which are specifically aimed at tackling problems relating, to urban areas.
3. Since the funds available for assisting the efforts of the voluntary sector in the field of social welfare are limited, assistance from the Govt. shall be limited to a duration of 10 years in case of new project. Those on-going projects that have been receiving assistance for the last 5 years and above will be given a phase out period of 5 years and in respect of those assisted for a lesser period the phase out period shall be 10 years. Where the phase out period is 5 years grants shall be reduced by an amount of 20% every year. In case of a phase out period of 10 years the reduction in grants shall be 10% every year.
4. Voluntary organizations shall recover some proportion of the expenses incurred on the beneficiaries through user charges from families of beneficiaries or beneficiaries themselves for the services rendered. "The user charges may be fixed by the NGO

keeping in view the income strata of the population benefiting by voluntary action. The scale of charges shall be displayed prominently through a board put up in public view. The user charges recovered shall be fully accounted for in the annual audited accounts of the NGO.

5. Monitoring of utilization of funds released by the Ministry be ensured through periodical reports from the assisted organization and field inspections by representatives of independent organizations/State Government/Others.

6. Voluntary organizations may be required to display boards which should be erected at each service centre clearly indicating that the organization is running under the aegis of the Ministry of Social Justice and Empowerment.

7. Public should be able to register their suggestions for the improvement of the functioning of the organizations and suggestion box may be provided at all such service centres. Inspection agencies and the Ministry officials may have access to them. Making suitable changes according to the suggestions received may help in making the organizations more responsive to local problems/needs.

8. Releases should be time bound and progress determined. The voluntary organization should be able to in advance project their requirements and the achievements they would be able to register. Releases thereafter should not be time-consuming and should be made time-bound. Once there is evidence of progress, advances should be released.

9. Professionalism in voluntary organizations and involvement of qualified persons should be promoted.

10. The releases of funds made by the Ministry to voluntary organizations should be adequately publicised so that the general public is aware of the activities of the Voluntary Organizations in the area and periodic feedback is available to the Ministry through public representatives, local bodies and the press on the performance of these organizations.

11. At least one branch of a Voluntary Organization should be inspected once a year. Schedule for inspection may be prepared by March itself and a format should be prepared to make the assessment of the performance.

12. Each Voluntary Organization shall submit an Annual Report to the Ministry. They will include the per capita expenditure incurred on the beneficiaries. This would be one of the key instruments to measure the efficiency of the organizations and would provide a comparison between organizations and regions.

#### **IV. PRIORITIZATION GUIDELINES FOR FUNDING PROJECTS RUN BY VOLUNTARY ORGANIZATIONS**

1. New project will be favoured in rural areas, urban areas in cases of extreme need and in States where voluntary action has so far not been significant.
2. In order to be eligible for assistance, a Voluntary Organization should have been registered for a period of at least two years and should have been actively working in its sector for a period of two years. Such projects will not be taken up for assistance where the activities are proposed to commence after the project is sanctioned and funds released by the Ministry. Besides, the NGO would be required to maintain its level of contribution at least at the level of expenses that were being incurred by it before assistance from the Ministry commenced. An undertaking in this regard would be required from the Voluntary Organization at the time of submission of the initial application for grant.
3. Such projects will be favoured for sanction where the Voluntary Organization is locally based and its operations reflect involvement with the community.
4. Projects proposed for implementation by established Voluntary Organization in green field areas by setting up their local chapters, will be favoured.
5. A Project proposal complete in all respects (as per guidelines issued by the Ministry) will be funded initially for a period of one year at a time for five years.
6. No grants will be released for acquisition of immovable assets or the construction of buildings during the initial five year period of assistance by the Ministry to any NGO.
7. Release of further grants will be conditional on satisfactory operation of the activities of the organization as established through monitoring reports and periodical inspections.
8. Voluntary Organizations would be expected to raise resources through donations from general public, business houses etc. beyond initial retirement of 10% to be contributed by the Voluntary Organization itself so that the activities of the project become self sustainable and grants from the Ministry can be tapered off through a cut of around 15% every year after the first five years.
9. Voluntary Organization would be expected to progressively professionalise their management and increase proportion of qualified staff.
10. The Ministry would release grant in aid for a project at a particular location for a maximum period of 10 years.
11. In case of Voluntary Organizations seeking grant for a new project it would be required to furnish complete information about all sources of funding and a list of projects financed/ supported through such funding.

## **V. PROCEDURE FOR PROCESSING GRANT-IN-AID CASES IN RESPECT OF VOLUNTARY ORGANIZATIONS**

### **(A) Application:**

(a) Format for making application for release of grant in aid are part of the prescribed schemes (which would be consolidated into a reference compendium for the use of the Voluntary Organizations).

(b) Cases for sanction of new projects should be received latest by 30th Sept. of the financial year in question.

(c) In respect of continuing projects, cases for first instalment shall be forwarded by the implementing Voluntary Organizations by 31st May and for second instalment by 30th October to the designated agency/State Govt. which shall be required to complete the inspection and ensure that the cases for release of the first and second instalments reach the Ministry of 30th June and 30th October, respectively.

(d) In case the inspection is to be carried out by the State Govt., the District Magistrate (or DWO through DM) can send his/her report directly to the Ministry which shall await the State Government's recommendations for a period of one month and failing its receipt shall proceed on the recommendations made by the District Magistrate.

### **(B) Processing of cases:**

(a) Each Voluntary Organization assisted by the Ministry will be assigned a registration number which will be used in tracking cases.

(b) Application received in the Ministry will be processed within 30 days and queries, if any, will be referred to the Voluntary organization within this period.

(c) Funding by the Ministry is not a matter of right even if the NGO fulfils all eligibility conditions but the application for assistance will be considered on merits keeping in view the need for intervention through voluntary action in the particular sector and area, number of organizations already funded in the area/State and availability of financial resources with the Ministry. The Ministry's decision in this regard will be final.

(d) Quantum of assistance would depend on the area of operation of the Voluntary organization. The financial norms indicated in the schemes are only indicative and the actual funding may be lower keeping in view the local situation. Special consideration may have to be made in the case of hilly .and difficult areas and the island UTs.

(e) If the application is complete in all respects, grant in aid will be sanctioned within 45 days in eligible cases.

(f) Where voluntary organization is connected with e-mail, this facility will be used for communicating with the voluntary organization and receiving return responses.

(g) After a period of 45 days has elapsed from the receipt of application in the Ministry, the concerned voluntary organization will be entitled to obtain the status of the case through e-mail.

(h) Procedure will separately be prescribed for accelerated release of instalments in case of established voluntary organizations.

**(C) Disbursement of funds:**

(a) After sanction order is issued by the Ministry duly filled in bond will be called from the voluntary organization with pre-receipted bill for the amount sanctioned to the voluntary organizations.

(b) Undertaking regarding immovable assets created and developed through assistance from Ministry devolving to local body/State Govt/body to be prescribed by Ministry in case of unsatisfactory utilization of the same by voluntary organization to be furnished before release of funds.

(c) Funds will be released through Demand Draft to be issued in favour of the voluntary organization payable into designated account.

(d) The feasibility of direct transfer of funds from the Ministry's bankers to the designated bank account of the voluntary organization would be explored.

**VI. INSPECTION AND MONITORING PROCEDURE**

1. State-wise panels would be prepared by each Bureau/NGO Division. The application for the new projects would be sanctioned on the recommendation of the State Panel/State Government.

2. The assisted voluntary organization would be required to submit annual reports in the prescribed format indicating physical achievements and utilization progress regarding released funds. In addition, voluntary organizations shall be required to incorporate in their report the actual number of beneficiaries who may have been rehabilitated in different callings where the voluntary organizations are involved in such tasks. Keeping data on this aspect also would help the Ministry to make an assessment of the impact of its policies on the ultimate beneficiary and also help in grading voluntary organizations. "The Annual Report that would be submitted shall include the details of the entire gamut of their activities and the financial assistance they may be receiving from all the sources for all the projects they are undertaking. Financial assistance received under any head may also be included in the report with the purpose for which the assistance may have been extended. Periodic interaction on regional basis between voluntary organizations, beneficiaries, and Ministry's officials should be arranged. Whenever funds are released,

information about it should be sent to the District Authorities, Zila Parishad, the MP and MLA representing the region. In a prescribed format, the voluntary organization should report the progress achieved on half yearly basis. This shall enable comparison with the project projections that may have made at the beginning of the year. State-wise panels of designated agencies would be prepared by each bureau/NGO Division for carrying out periodic physical inspection of the working of the assisted Voluntary Organization. These agencies could be the National Institutes, Institutes of Social work. Universities etc. in the respective States. For ongoing projects, inspection would be carried out by teams deputed by the designated agency for this purpose.

10. Inspection would be carried out by Ministry officials each year in 5% of the cases.

11. The designated agency would be released an amount of Rs. 3000/- per month or the amount that may be agreed upon for the maintenance of records and would perform its role as such for a period of two years.

12. The inspection team from the designated agency shall also be paid remuneration that would not exceed 1% of the assistance that is being given to the NGO and which would further be subject to the ceilings prescribed from time to time by the Ministry.

#### **VII. PENALTIES IN CASE OF MISUTILIZATION OF GRANTS**

1. The members of the executive of the Voluntary Organization would be liable for recovery of misused grants. The V.O. as well as members of its Managing Committee would also be blacklisted by the Ministry.

2. All immovable assets created out of the funds from the Govt. shall be in the name of the Govt. and ownership shall be with the Ministry of Social Justice and Empowerment. Immovable assets created from the funds of the Ministry, if not utilized as envisaged in the scheme, would be taken over by the local body/State Government/body prescribed by Ministry.

#### **VIII. CESSATION OF VOLUNTARY ORGANIZATION ACTIVITIES**

In the case of permanent closure of a project in any area by the Voluntary Organization, immovable assets created through assistance of the Ministry would be handed over through the State Govt. to local body/Panchayat.

#### **IX. RELAXATION**

The Ministry of SJ&E shall have the power to relax any part of these guidelines in favour of a voluntary organization if it is seen that the V.O. is working in a tribal/SC dominated area or in poor districts where SCs/STs are the target groups of the programme and where the V.O. may face genuine difficulty in raising resources to sustain its activities.

APPENDIX II

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE  
FOURTH REPORT OF THE STANDING COMMITTEE ON  
LABOUR AND WELFARE (THIRTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	25	
II. Recommendations/Observations which have been accepted by Government (Nos. 1, 2, 4, 5, 9, II, 12, 13, 14, 17, 19, 20, 21, 23 and 25)	15	60
III. Recommendations/Observations which 20 \ the Committee do not desire to pursue in view of Government's replies (Nos. 3, 7, 18, 22 and 24)	5	
IV. Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee (Nos. 8, 10, 15 and 16)	4	16
V. Recommendations/Observations in respect of which final replies of Government are still awaited (No. 6)	1	4

*ANNEXURE*

MINUTES OF THE FOURTEENTH SITTING OF THE STANDING  
COMMITTEE ON LABOUR AND WELFARE HELD ON 15TH NOVEMBER,  
2000

The Committee met from 11.30 hrs. to 13.00 hrs. in Committee Room T)' Parliament House Annexe, New Delhi.

PRESENT

Dr. Sushil Kumar Indora— *Chairman*

MEMBERS

*Lok Sabha*

2. Shri Ashok Argal
3. Shri Denzil B. Atkinson
4. Smt. Sandhya Bauri
5. Shri Joachim Baxia
6. Shri Manibhai Ramjibhai Chaudhuri
7. Shri Virendra Kumar
8. Shri Brahma Nand Mandal
9. Shri Bherulal Meena
10. Shri Khelsai Singh
11. Dr. Ram Lakhan Singh
12. Dr. N. Venkataswamy

*Rajycl Sabha*

13. Shri Ramachandra Khuntia
14. Shri C.O. Poulouse
15. Shri Mirza Abdul Rashid
16. Shri Ka. Ra Subbian

SECRETARIAT

1. Shri Joginder Singh — *Joint Secretary*
2. Shri J.P. Sharma — *Deputy Secretary*
3. Shri B.D. Swan — *Under Secretary*

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3. The Committee then took up the draft Ninth Report on Action Taken by the Government on the recommendation/observations contained in the Fourth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) on Demands for Grants-Ministry of Social Justice and Empowerment 2000-2001 and adopted the Report with the following modification:—

S.No.	Para No.	Lines	Amendment
1.	1.13	<i>add at the end-</i>	"and provide the necessar data of S.C. people who have actually crossed the poverty line"

5. The Committee authorised the Chairman to finalise the Report in the light of above amendments and present the same to Parliament on their behalf.

6. The Committee then placed on record their deep appreciation and thanks to the officers and staff of the Lok Sabha Secretariat for their hard work and valuable assistance rendered by them to facilitate the work of the Committee in all matters and in preparing their draft report.

*The Committee then adjourned.*