

UT OF CHANDIGARH

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Annexure

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1 (3)	<p>Training of Officials-A 3-tier training programme for police and civil functionaries engaged in the implementation of laws and regulatory measures, which have a bearing on atrocities committed on SCs, may be implemented. The first tier of training may be imparted by National Police Academy and Lal Bahadur Shastri National Academy of Administration to cover only trainers from each State. The second tier training may be organized by a State Training Institution identified for this purpose by each State Government to cover officers of level of DSPs, SDMs, ADMs, etc. The third tier of training would deal with other civil and police officers at the lower level. This training may be organized by the DMs and SPs of the concerned Districts. The design and syllabi of training for the three training courses may be approved by the National Human Rights Commission.</p>	<p>Police Department, UT, Chandigarh has organized training programmes from time to time for the purpose. The Provisions of SC/ST Act are being taught to the trainees of basic, Intermediate School Course and Upper School Course at RTC Police Lines Sector-26, Chandigarh. The detail of the officials trained is as under:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th></th> <th>2009-10</th> <th>2010-11</th> <th>2011-12</th> </tr> </thead> <tbody> <tr> <td>Constable Recruits</td> <td style="text-align: center;">192</td> <td style="text-align: center;">447</td> <td style="text-align: center;">157</td> </tr> <tr> <td>Intermediate School</td> <td style="text-align: center;">50</td> <td style="text-align: center;">141</td> <td style="text-align: center;">-</td> </tr> <tr> <td>Upper School</td> <td style="text-align: center;">50</td> <td style="text-align: center;">82</td> <td style="text-align: center;">16</td> </tr> </tbody> </table> <p>During the year 2011-12 (year-2011) the workshops of Anti Human Trafficking have been conducted for 150 police personnel of different ranks for the period from 30.4.2011 to 4.6.2011 at Conference Hall Police Headquarters Sector-9, Chandigarh. Second tier training for police officials/officers (NGO/GOs) of Chandigarh Police was conducted at Regional Institute of Correctional Administration (RICA), Sector-26, Chandigarh.</p> <p>Director General, Mahatma Gandhi State Institute of Public Administration, Punjab, Institutional Area, Sector 26, Chandigarh has been requested to organize training for all levels of Civil and Police Functionaries.</p>		2009-10	2010-11	2011-12	Constable Recruits	192	447	157	Intermediate School	50	141	-	Upper School	50	82	16
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2. (3.1)	<p>An Annual Workshop of DMs and SPs on implementation of these laws may be organized in the State's Administrative Training Institute where the State Home and Social Welfare Secretaries and DGPs may interact with participants on the whole range of issues concerning the subject and specifically to identify problems experienced by them in investigation and trial of cases of atrocities, those experienced by victims and impact of measures undertaken to prevent recurrence of such incidents. Presiding officers of courts dealing with atrocities cases may be invited to these workshops to lecture on the shortcomings in investigation leading to acquittal. Based on this feedback, State Governments may take necessary corrective steps expeditiously to improve the administration of these laws.</p>	<p>Director General, Mahatma Gandhi State Institute of Public Administration, Punjab, Institutional Area, Sector 26, Chandigarh has been requested to organize training for all levels of Civil and Police functionaries including DMs and SPs.</p> <p>The UT Chandigarh police is actively participating in the workshop of SC/ST Rights and Act in which prominent personalities of SC/ST State Commission, Leading Lawyers, judges and NGOs are involved to give their opinion and suggestions for the betterment of SC/STs members of the society. Detail of workshops conducted at Police Headquarters for 150 police personnel during the year 2011 is as under:-</p> <ol style="list-style-type: none"> 1. On 30.4.2011 for 25 police personnel (SI-2, ASI-3, HC-10, C-10) 																

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		<p>2. On 7.5.11 for 25 police personnel (SI-3, ASI-2, HC-8, C-12)</p> <p>3. On 14.5.11 for 25 police personnel (SI-1, ASI-5, HC-9, C-10).</p> <p>4. On 21.5.11 for 25 police personnel (SI-2 ASI-2, HC-10, C-11)</p> <p>5. On 28.5.2011 for 25 police personnel (SI-3, ASI-3, HC-9, C-10)</p> <p>6. On 4.6.11 for 25 police personnel (SI-2, ASI-3, HC-10, C-10)</p>
3. (4)	<p>States need to constitute exclusive special courts for dealing with atrocity cases in districts where volume of such cases is large. Special public prosecutors for this work may be selected on the basis of their competence and commitment and their level of remuneration should be adequate to sustain their interest in work. National Human Rights Commission may lay down norms for such selection to improve the level of motivation and performance.</p>	<p>In exercise of the powers conferred by Section 14 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 with the concurrence of the Chief Justice of the High Court of Punjab and Haryana, Chandigarh, the court of Additional Sessions Judge, Chandigarh has been specified to be a Special Court to try the offences under the said Act.</p> <p>Further in exercise of the powers conferred by Section 15 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 the District Attorney, Chandigarh has been specified as Special Public Prosecutor for the purpose of conducting cases in the Special Court established under the said Act.</p>
4. (5)	<p>State level and district level vigilance and monitoring committees may meet regularly as per prescribed provisions. Human rights organizations and activists working for and with Scheduled Castes may be involved in their deliberations as members/ invitees. Their proceedings may be adequately publicized and also placed on the website of the State Governments. National Human Rights Commission may suggest that State Home Minister and SC Welfare Minister may jointly hold an Annual meeting of heads of District Vigilance Committees. This would activate their functioning and provide them necessary guidance.</p>	<p>In pursuance of rule 16 of the SCs and STs (Prevention of Atrocities) Rules, 1995, a State Level Vigilance and Monitoring Committee has been constituted to review the implementation of the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and relief and rehabilitation facilities provided to the victims. Last meeting of the State Level Vigilance and Monitoring Committee was held on 21.06.2011 under the Chairmanship of the Home Secretary-cum-Secretary Social Welfare, Chandigarh Administration. The proceedings of meeting dated 21.6.2011 have been publicized by uploading on the website of Chandigarh Administration. Future proceedings of the meeting will also be adequately publicized.</p>

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5. (7)	State Governments should expeditiously identify atrocities prone areas and untouchability prone areas as per provisions contained in the respective laws and thereafter prepare Plan of Action for eliminating untouchability practices and reducing incidence of violence against SCs through various regulatory and development measures. The norms for identification of such areas and framework of the Action Plan may be prescribed by the National Human Rights Commission in consultation with Human Rights Organizations and NGOs/ activists working for the SCs. These norms may also be incorporated in the Manual.	The UT of Chandigarh is a small city state and no atrocity prone area has been identified. Further Chandigarh being a modern city, population is homogeneously spread over and there are no separate abadis/ bastis exclusively inhabited by members of Scheduled Castes. Cases of atrocity on Scheduled Caste persons are few. During the year 2010, no case was registered. The problem of untouchability does not prevail in Chandigarh. It is a modern, well planned city having quite high literacy rate as compared to other states.
6. (8)	State Governments may institute an Annual Award for the police station which emerges as the most responsive to the complaints of Scheduled Castes and has achieved significant success in taking preventive measures timely, registering all cases of violence and expeditious follow-up action on them.	Annual award for the Police Station is being given for over all performance and this year Police Station Sector 31, Chandigarh was granted the annual award. Police Department has been requested that while finalizing the Annual Award, Police Stations may be judged on the basis of the criteria specified in this recommendation also, in addition to the present criteria.
7. (10.3)	States may be directed by National Human Rights Commission to make the District Magistrate solely responsible for ensuring that the compensation money given to the victims is effectively utilized to provide sustainable rehabilitation. The parameters of such rehabilitation may be laid down in the Manual. State and District level Monitoring and Vigilance Committees may monitor the status of rehabilitation.	This relates to National Human Rights Commission. However, cases of atrocity on Scheduled Castes persons are few. Only two cases have been reported for the last five years. Provision of funds has been made to provide compensation at the norms laid down under the Prevention of Atrocity Rules, 1995 by the Social Welfare Deptt. and the same is given immediately after registration of the complaint under above Act.
8. (10.4)	Appropriate instructions may be issued by National Human Rights Commission that value of property destroyed in the course of atrocities committed against Scheduled Castes is included in the compensation package provided to them.	It relates to National Human Rights Commission. However, the instructions recommendations will be examined.
9. (15)	At least one woman police functionary may be posted in each police station located in atrocities prone areas in the State. It should be endeavoured that, as far as possible, investigation into serious complaints of violence against Scheduled Caste women be carried out by the woman police officer and where this is not feasible, a woman police or civil functionary may accompany male police officer/ officers during investigation.	As earlier mentioned, there is no atrocity prone area in the Union Territory of Chandigarh. However, in all the police stations of Chandigarh, women desks have already been set up. A Sub - Inspector Level Woman Police Officer has been deputed round the clock on each woman desk set up in each police station of Chandigarh for investigation into serious complaints of violence against women/SC women and children etc.

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10. (16)	At the district level, women police station may be set up exclusively manned by women functionaries so that complaints of Scheduled Caste women, if not entertained elsewhere in the district, can be registered there. Where an exclusive police station for SCs has been set up at the District Headquarters, it could have a Women's Wing manned by women police functionaries to serve this purpose.	A separate Women & Child Support Unit has been set up in Home Guard Building, Sector 17, Chandigarh. All Unit Incharges, including Women and Child Support Unit, have been sensitized to take prompt action on the complaints of SC women. Separate Women Police Stations are not required as the number of such cases are very few.
11. (17)	State Governments may notify a lady officer from among the staff posted in each block, such as the Social Welfare Officer or Women & Child Development Officer to entertain complaints regarding the ill-treatment of and violence committed against SC women not registered by the competent authority and officially pass it on to the concerned authority with a copy to the District Magistrate for taking up necessary investigation. This arrangement may be adequately publicized in SC habitations of the block.	There are women and child support units already established in Chandigarh. Moreover, no atrocity case has been reported for the last two years. Ms. Jaswinder Kaur, Child Development Project Officer, Integrated Child Development Services Scheme, UT, Chandigarh has been notified as Protection Officer to entertain complaints of ill-treatment and violence against SC/ST women as per the recommendation. The Officer has been requested to give quarterly progress report in the matter.
12. (18)	Self-help groups of SC women should be formed in each village with sizeable SC population, in atrocities prone areas to start with and to other areas subsequently. These groups, apart from being mobilized for activities relating to thrift, credit and development may also be given elementary legal training alongwith sessions on confidence building which equips them with knowledge and strength to take up cases of violence and discriminations against SC women with Police/ Civil functionaries and provide emotional support to the victims in situations of crisis. At least one or two women in each group may be specifically trained to draft complaints on behalf of the victims and dispatch them to competent authorities and Human Rights organizations / activists, if any. Ministry of Social Justice and Empowerment may include this measure as a part of activities for administration of SCs/STs (Prevention of Atrocities) Act, 1989.	Stretching over an area of 114 sq.kms, the Union Territory of Chandigarh has 13 villages around the city and all the villages are urbanised in character. However, Self Help Groups of women are functioning in village Khuda Jassu, Khuda Alisher, Kaimbwala and Behlana. There is sizeable SC population in villages namely Mauli Jagran, Dhanas, Sarangpur and Khuda Alisher. The SHGs for SC women, as recommended, will be formed in these villages. These SHGs for SC women will be mobilized for activities of thrift, credit and development and also will be given legal training to enable them to take up the cases of violence and discrimination against SC women with police authorities and also to make complaints to the competent authorities/ Human Rights Activists. The field staff of the Department of Rural Development and Panchayats i.e. Social Education & Panchayat Officer and Sr. Gram Sevikas have been directed to form the Self Help Groups of SC Women in the villages and may be mobilized for activities relating to thrift, credit and development and also impart elementary legal training to enable them to take up the cases of violence and discrimination against SC women with the police authorities/ Human Rights Activists

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		<p>effectively.</p> <p>The Block Development Panchayat Officer was requested to give the latest report on the recommendations and it has been informed that meeting with the women folk belonging to SCs/STs Community in villages Mauli Jagran, Dhanas, Sarangpur and Khuda Alisher have been held by the Senior Gram Sevika of the department. In the meetings, the need for thrift, credit and development activities has been explained and they have been motivated for forming the Self-Help Groups by explaining the advantages and utility of the SHGs to other SCs/STs women also.</p> <p>Another meeting with these SCs women is being shortly organised in which they will be motivated by Senior Officers of the Department to ensure early formation and functioning of SHGs.</p> <p>After the formation of the SHGs of SCs women in these villages, legal training will be arranged so that these women can take up the matter regarding violence and discrimination with the police authorities, human rights activists and other authorities.</p>
13. (20)	<p>National Human Rights Commission with the help of State Governments and Human Rights organizations should identify at the level of each district, where atrocities against SC women occur, a women's organization or its branch, a lawyer/ lawyers, human rights activist/ activists or welfare agency/ agencies, social worker, who can be contacted by victims or members of her family in cases of complaints regarding gender related violence where the competent authorities do not respond or have shown obvious bias in dealing with it. The identified agency may take up the matter with the competent authority if the complaint has not been registered or is not being investigated properly. It may also, where necessary, take up the matter with an appropriate State or a National Commission (Human Rights/ SC & ST /Women).</p>	<p>Steps are being taken to identify Human Rights Organization, NGOs and Social Workers in accordance with the recommendations.</p> <p>State Legal Services Authority will be requested to identify the Lawyers for this purpose.</p>
14. (23)	<p>National Human Rights Commission with the help of State Governments and human rights organizations may identify at the level of each district, a NGO, human rights activist or an organization with empathy for SCs which can be approached in case of custodial violence or any other atrocity by the victim's family or well wisher for help in taking up the matter with the competent authority and</p>	<p>Steps are being taken to identify Human Rights Organization, NGOs and Social Workers in accordance with the recommendations.</p>

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	informing the National /State Human Rights Commission so that process of enquiry is initiated expeditiously.	
15. (24)	State Governments reporting a large number of cases of violence in judicial custody may constitute an ombudsman (Committee) headed by a retired judicial officer, with an eminent lawyer, NGO representative/ social activist working for Dalits, public-spirited citizen and retired civil / police officer with high reputation which may be utilized by National Human Rights Commission to look into cases of custodial atrocities where prima facie State's version does not satisfy.	The Union Territory of Chandigarh doesn't fall in this category.
16. (24.1)	The Visitors Committee constituted for each jail and Special Rapporteurs visiting jails for inspection may specifically make discreet enquiries into conditions of SC Under Trials in jail, untouchability related practices and treatment meted out to them.	The SC/ST prisoners are treated like other prisoners and no such complaint with regard to the violation of human rights of SC /ST has come to the notice of the jail authorities as well as to the visiting authorities. This recommendation has been included in the proforma meant for inspection by the Non Official Visitors. The recommendation of the Hon'ble Commission is also being displayed on the walls of Jail premises for the information of jail inmates.
17. (25)	In respect of Districts which have sizeable SC population, District Magistrate shall create a Cell in his office headed by the District Social Welfare Officer looking after the interests of SCs. The information about SCs in police and judicial custody should be maintained there. On demand made by human rights organizations/ social activists/ SC organizations, information in respect of SCs in custody may be provided to enable them to take up the matter in appropriate fora for seeking relief admissible under the law.	Home Secretary, Chandigarh Administration has been appointed as Nodal Officer for coordinating the functions of the District Magistrate and Superintendent of Police/ Other Officers authorized by him. Further a cell under PCR/POA Act has already been established in the Social Welfare Department, Chandigarh. This cell will maintain the information about SCs in police and judicial custody.
18. (30)	All relevant information on SCs relating to atrocities, reservation, development, including findings of Enquiry Reports, if any, should be placed on the website of the Ministry of Social Justice and Empowerment for greater transparency and wide accessibility. The material to be placed on the website of the State should include, in addition to the above, findings of inquiry ordered in respect of specific incidents, proceedings of State level Vigilance and Monitoring Committees, etc. A non-official group of persons interested in problems of SCs may be constituted at the State and Central level to regularly report on the material placed on the website, its shortcomings, what additional material can be brought on it, etc. It would be desirable for National	Cases of atrocity on Scheduled Caste persons are few. During the year 2010, no case has been registered. The Proceedings of the State Level Vigilance and Monitoring Committee have been uploaded on the website of Chandigarh Administration. Other relevant information will also be uploaded soon.

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	Human Rights Commission to institutionalize this arrangement for ensuring grater transparency of information relating to SCs.	
19. (35)	It is extremely necessary to have a strong investigation and law wing in the National Commission for Scheduled Castes and Scheduled Tribes. Considering the level at which the Commission would be required to interact with the State Governments the existing arrangement for investigation headed by a DIG rank officer needs to be upgraded and supporting staff and facilities should be provided. Also, a Law Officer with appropriate staff should be available to the Commission for advice on legal matters. Ministry of Social Justice and Empowerment should take expeditious action in the matter.	It pertains to the National Commission and the Ministry. In Chandigarh, all the cases are being investigated by the concerned wing of Chandigarh Police headed by DIG rank officer.
20. (57)	Until such time a Central Law is in position, National Human Rights Commission may direct that the concerned State Governments of Maharashtra, Andhra Pradesh and Kamataka may amend their existing law, remove loopholes, make it more stringent and activate the enforcement machinery to implement it effectively.	Chandigarh being UT and without legislature follows the guidelines/ instructions issued by the Govt. of India from time to time.
21. (58)	The concerned State Governments may, through the coordinated efforts of their Departments of Scheduled Castes Welfare, Woman & Child Development, Rural Development, etc. launch a massive awareness programme, particularly directed at the vulnerable communities regarding the abolition of divine prostitution system and availability of programmes for rehabilitation of liberated Devdasis. The programme should provide information on whom the women affected by the system, potential victims and their guardians should approach for seeking intervention of the Government. The temple priests should be targeted in this campaign for conveying the message that they incur criminal liability in encouraging or conniving at this practice. NGOs and social activists should be actively involved in this campaign.	Chandigarh is a modern well planned city. The social evil like Devdasi (Divine Prostitution System) does not exist here. Therefore, this recommendation is not relevant to Chandigarh.
22. (59)	Intensive survey should be carried out by the concerned State Governments in their respective areas to identify 'Devdasis' who have not yet been liberated from the practice as also those who have abandoned this practice but have not yet been brought within the ambit of	Chandigarh is a modern well planned city. The social evil like Devdasi (Divine Prostitution System) does not exist here. Therefore, this recommendation is not relevant to Chandigarh.

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	<p>rehabilitation. This task may be accomplished with the help of NGOs, Village Panchayats, women activists and social workers. The rehabilitation of such Devdasis may be taken up most expeditiously and completed within a specified time frame. The National Commission of Women may monitor this.</p>	
<p>23. (60)</p>	<p>The pattern and contents of the rehabilitation programme for Devdasis may be completely overhauled so as to incorporate the following:</p> <p>An integrated package which includes inputs of poverty alleviation, housing, health, nutrition for children, drinking water, education, PDS, Social Security, etc., through appropriate Confidence building measures.</p> <p>Special efforts aimed at saving the girl child of Devdasis from falling into this practice and removal of stigma from their children in schools.</p> <p>The liberated Devdasis should not be subjected to loan burden in the pattern of rehabilitation worked out for them.</p> <p>There should be a single window delivery of various admissible benefits to remove bureaucratic red tape and other hassles.</p> <p>The entire programme implementation should be entrusted to a single organization with a full time functionary at the State level executing it.</p>	<p>Chandigarh is a modern well planned city. The social evil like Devdasi (Divine Prostitution System) does not exist here. Therefore, this recommendation is not relevant to Chandigarh.</p>
<p>24. (61)</p>	<p>The liberated Devdasis may be organized into a Society at the District level. The Society may be associated with the entire programme concerning Devdasis and some components of programmes may be entrusted to it for implementation as well. An apex level organization at the State level headed by the Secretary, Woman and Child Development may coordinate the work of District level societies. This society should also liaise with Government agencies to sort out problems of their members and also ensure that ineligible persons do not corner benefits meant for genuine Devdasis.</p>	<p>Chandigarh is a modern well planned city. The social evil like Devdasi (Divine Prostitution System) does not exist here. Therefore, this recommendation is not relevant to Chandigarh</p>
<p>25. (62)</p>	<p>A Police Task Force should be set up in each concerned State Government to investigate complaints of trafficking in women and children. This Task Force should thoroughly investigate cases where Devdasis and / or their daughters have been pushed into brothels. It should build up information on agents, middlemen, religious priests and powerful local people who are still promoting this practice with a view to pursuing effective</p>	<p>The evil of Devdasis does not exist in Chandigarh. However, an Anti Human Trafficking Unit has already been established in Women & Child Support Unit, Home Guard Building, Sector 17, Chandigarh and one Inspector, 2 Sub Inspectors, 2 Head Constables and 2 Constables are posted for the purpose. The Unit is working to prevent Human Trafficking in the City including Women and Children</p>

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	<p>legal action against them. The inputs received from this investigation may be utilized for the Awareness Campaign suggested earlier. There should be regular consultation among the members of the Task Force in different States. Department of women & Child Development should coordinate and monitor this work with the help of Ministry of Home Affairs, where necessary.</p>	
<p>26. (63)</p>	<p>Enforcement of various labour laws, such as those relating to bonded labour system, minimum wages, equal remuneration, child labour, inter-state migrant labour, which have a bearing on the violence committed against the Scheduled Castes needs to be assigned high priority. The performance should also be intensively monitored at the central, State and District levels. Ministry of Social Justice and Empowerment should associate itself with such monitoring at the central level, if it is already being done by Ministry of Labour, particularly in respect of atrocities prone States. State Secretaries in charge of SC welfare should do likewise in respect of atrocities prone districts/areas in their States.</p>	<p>The Bonded Labour Act, Minimum Wages Act, Equal Remuneration Act, Child Labour Act and Inter State Migrant Labour Act are already being implemented in UT, Chandigarh. Under these Acts, no case of bonded labour, Inter State Migrant and Child Labour has come to the notice with regard to any atrocities committed on such type of labour. Regarding Minimum Wages and Equal Remuneration Act, the Assistant Labour Commissioner is exercising the quasi judicial powers. Chandigarh Administration has already constituted an Advisory Committee under Section 6 of the Equal Remuneration Act, 1976 under the Chairmanship of the Labour Commissioner, UT, Chandigarh vide Notification dated 14.9.2005. A Committee has also been constituted under Section 13 of the Bonded Labour System (Abolition) Act, 1976 under the Chairmanship of the District Magistrate, UT, Chandigarh. The matter to give representation to the Secretary, Social Justice and SC Welfare will be considered while reconstituting these committees.</p>
<p>27. (65)</p>	<p>The machinery for enforcement of above labour laws needs to be strengthened for intensive coverage and activated through training and appropriate capacity building, particularly in respect of atrocities prone districts. Trade Unions, NGOs, social activists should be involved for organizing labour and helping them avail of benefits of these laws. Legal aid should be mobilized in needy cases for this purpose. Ministry of Social Justice and Empowerment should take initiative to push up these measures with State Governments/Ministry of Labour.</p>	<p>There is no identified atrocity prone area in UT, Chandigarh. However, the Labour Department has already moved two proposals namely Strengthening of Industrial Disputes Redressal Machinery and Creation of Monitoring Cell under the Child Labour (P&R) Act, 1986 to the Govt. of India but no post under these schemes has been sanctioned so far by the Govt. of India.</p>
<p>28. (67)</p>	<p>The occupations which employ large number of SC labour, but have not yet been brought within the ambit of Minimum Wages Act may be included in the Schedule to provide protection to them with regard to wages and working</p>	<p>This issue relates to the occupations which employ large number of SC labour but have not yet been brought within the ambit of Minimum Wages Act, 1948. In the UT of Chandigarh, the minimum rates of wages are fixed in the</p>

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	<p>conditions. Ministry of Social Justice and Empowerment may pursue this matter with Ministry of Labour and State Governments. Necessary survey of such occupations may be carried out for this purpose if no information exists on the strength of such labour.</p>	<p>scheduled employments (44) in respect of all occupations where there is a large number of Scheduled Caste labour or not. However, if any specific request is received from any Scheduled Caste or Scheduled Tribe union/ workers with regard to any specific trade, the same is dealt with as per law. During the last three years, no request has been received from any Scheduled Caste or Scheduled Tribe union/workers.</p>
29. (77)	<p>National Human Rights Commission may direct Ministry of Labour to sponsor a comprehensive survey of child labour in the country. Meanwhile, Ministry of Social Justice and Empowerment may identify areas where SC child labour is employed in hazardous occupations and assist National Human Rights Commission in vigorous enforcement of the Act to get labour released and rehabilitation projects started by the concerned State Governments/Ministry of Labour in line with SC guidelines. It should also seek, if necessary, higher allocation under Special Component Plan of the Ministry of Labour for taking up sufficient number of such projects. It could also seek augmentation of its own resources to share the responsibility of Ministry of Labour.</p>	<p>There is no major hazardous unit functioning in the UT of Chandigarh and no comprehensive survey with regard to the detection of the SC child labour especially has been conducted in the UT, Chandigarh. A number of surveys with regard to the child labour belonging to all categories has already been conducted. However, as and when any survey is conducted with regard to Child Labour the field staff will be issued necessary direction to identify SC Child Labour separately.</p>
30. (86)	<p>Ministry of Social Justice and Empowerment in cooperation with Ministry of Labour may identify occupations where SC migrant labourers are employed as bonded Labour or child labour and assist National Human Rights Commission in their intensive inspection for their identification, release and rehabilitation by the State Governments.</p>	<p>There is no major hazardous unit functioning in the UT of Chandigarh and no comprehensive survey with regard to the detection of the SC child labour has been conducted in the UT, Chandigarh. A number of surveys with regard to the child labour belonging to all categories has already been conducted. Moreover, during the last so many years, no case of SC migrant labour employed as bonded labour has either been brought to the notice of the Labour Department or has come to the notice of the department during the visit by the inspectorate staff.</p>
31. (88)	<p>A labour catchment area development programme may be initiated to target those areas which push a large number of labourers to other States in search of work. Appropriate package of development measures may be implemented to remove conditions which force labourers from these areas to migrate. Ministry of Social Justice and Empowerment with the help of Ministry of Labour may identify such areas from where SC labour migrates, get projects prepared and proactively work to get them included in the Special Component</p>	<p>No package of development measures are required to be implemented in UT, Chandigarh as this issue relates to the Labour Catchment Development Programme which targets those areas which push a large number of labourers to other states in area of work. Rather, the position in UT, Chandigarh is contrary to this fact. In UT, Chandigarh labourers from other states come for work as labourer and no labour from Chandigarh prefer to go for work in other states.</p>

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	Plan of the concerned State Government and sectoral programmes of concerned Ministries for implementation.	
32. (96)	Where SC beneficiaries have been distributed land under any programme but they have not been given formal possession of it, possession may be delivered to them in respect of such land and entry to this effect may be made in relevant revenue records. Contentious cases should be sorted out within a time frame and those which are pending in courts should be expeditiously fought out at the State's cost.	No land has been distributed under any program/ scheme of the Government to the Scheduled Caste persons, so the information in the regard may be treated as NIL.
33. (97)	Where SCs are cultivating land which belongs to the Government/Gram Sabha/ Panchayat, etc. for which they have not got ownership rights, such ownership may be conferred on them in accordance with the provisions of law, rules of the Government instructions pertaining to such lands in the concerned State.	There are no cases where the land of Gram Panchayat in UT, Chandigarh is being cultivated by the persons belonging to SC community. Therefore, no action for making such S.C. cultivators, the owners of the land is required to be taken. The Gram Panchayats in UT, villages are not having much land resources and they depend on nearby acquired land for facilities like community centre, Sehaj Safai Kendra etc.
34. (98)	Where SCs are working as insecure tenants or share croppers their status may be entered in the revenue records to facilitate security of tenure and protection against arbitrary eviction in accordance with provisions contained in the relevant Land Reform laws of the State.	The Union Territory of Chandigarh being single district has limited area. However, there are no SCs working as insecure tenants or share croppers status entered in the Revenue Record.
35. (99)	Government land, Bhoodan land and surplus ceiling land available for distribution but not yet allotted may be distributed to eligible SCs (also STs as per priorities laid down in respective States) so that they are helped to disengage themselves from their traditional degrading occupations.	There is no Bhoodan land, Government land and surplus ceiling land available for distribution to eligible SC /ST in UT, Chandigarh. The Gram Panchayats themselves depend on acquired land for provisions of facilities like community centres, sehaj safai kendras, school buildings, playgrounds etc.
36. (100)	Top priority should be given to get expeditious court decisions on huge area of surplus ceiling land which is locked in litigation so that it is available for distribution to SCs and other poor.	There is no surplus ceiling land, so there is no court case is in this regard.
37. (101)	In cases where non-Scheduled Caste persons have encroached upon the land which are owned/cultivated by members of SCs, action may be taken to restore these lands to them. In case of litigation, either the State Government should fight out the case or provide legal aid to the	In UT, Chandigarh, there is no non- SC person who has encroached upon the land which is owned/ cultivated by the members of Scheduled Castes; or court case pending in this regard. However, during the last three years Legal Aid was given to SCs by State

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Sl. No.	Recommendations	Reply															
	affected SCs.	Legal Services Authority as per detail given below: <table border="1" data-bbox="726 328 1189 584"> <thead> <tr> <th>Sr. No.</th> <th>Year</th> <th>No. of SCs/STs's whom Legal Aid was provided.</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>2008</td> <td>03</td> </tr> <tr> <td>2.</td> <td>2009</td> <td>02</td> </tr> <tr> <td>3.</td> <td>2010</td> <td>03</td> </tr> <tr> <td>4.</td> <td>2011(upto June)</td> <td>Nil</td> </tr> </tbody> </table>	Sr. No.	Year	No. of SCs/STs's whom Legal Aid was provided.	1.	2008	03	2.	2009	02	3.	2010	03	4.	2011(upto June)	Nil
Sr. No.	Year	No. of SCs/STs's whom Legal Aid was provided.															
1.	2008	03															
2.	2009	02															
3.	2010	03															
4.	2011(upto June)	Nil															
38. (102)	State may also make provisions in their Land Reforms Laws which prohibits alienation of land owned by SCs to Non-SCs for this purpose.	It is intimated that there is very less land in UT Villages. However, the recommendations will be examined.															
39. (103)	States may take adequate steps to ensure that SCs are enabled to enjoy equal rights on community land and other common property resources and that their rights of grazing or way, etc. are not restricted.	In UT, Chandigarh, the SCs are able to enjoy equal rights and other common property resources and also their right of grazing or way etc., are not restricted by anyone.															
40. (104)	Where SCs are residing in houses constructed on the land of other persons or on Government land in rural areas, they may be provided ownership rights in respect of those lands as per provisions existing for this purpose in the laws/ instructions/ guidelines of concerned State.	As far as UT villages are concerned, no case of persons belonging to Scheduled Caste community residing in houses constructed on the land of other persons or on the Govt. land has come to notice. Therefore, no action is called for to provide the ownership rights of such land to the SC persons. However, 1125 EWS/Flats have been allotted/ proposed to be allotted by the Chandigarh Housing Board, Chandigarh to SC persons.															
41. (105)	In case of SCs who have no land for residential houses in rural areas, if no vacant Government land in the area is available for allotment to them, land may be acquired for this purpose and minimum land for construction of a house may be allotted to them in order to provide security of a habitat to such persons. Benefit of House Construction Schemes may be made available to such allottees.	No case of members of SC community without land for residential houses in U.T. villages has come to notice, which could be settled by acquiring the land.															
42. (107)	District Magistrates may carry out investigation into complaints relating to v payment of bank loan to SCs under various Development/ Poverty Alleviation programmes, such as under payment, nonpayment and fraudulent drawal of loan amount in their name by other, etc. While appropriate punitive action may be taken for proceeding against the guilty officials intermediaries and perpetrators of fraud, protection may be given to affected victims of these malpractices against harassment.	No such complaint has been received.															

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43. (111)	Social Welfare Departments of State Governments may make institutional arrangements within their organization to look after the needs and problems of DNT's, the way Government of Maharashtra has done. Ministry of Social Justice & Empowerment may pursue the matter with concerned State Governments. Ministry of Social Justice and Empowerment like-wise should create a cell to coordinate this work as a nodal agency at the central level.	This recommendation is not relevant to Chandigarh.
44. (112)	At least one NGO in each major State may be funded by the Ministry of Social Justice and Empowerment [in case of DNTs notified as SCs/OBCs] / Ministry of Tribal Affairs [in case of DNTs notified as STs] for liaising with State agencies, providing necessary support to members of DNT's and acting as an umbrella organization for social workers from villages of DNTs and mobilize necessary legal assistance for DNTs in distress. DNTs in the State may be encouraged to organize themselves as a society to take up their common problems with the various Government agencies.	This recommendation is not relevant to Chandigarh.
45. (113)	Local Panchayats, in whose jurisdiction DNTs reside, may be sensitized about the need for their development and rehabilitation needs and, in particular, about changing peoples' attitude towards them. Training programmes contemplated in National Human Rights Commission recommendations may cover this aspect also. Ministry of Social Justice and Empowerment may pursue the matter with the State Governments.	UT, Chandigarh is not a Tribal area. It is intimated that no persons belonging to DNTs are residing in the area of Gram Panchayats of UT, Chandigarh. Hence, this recommendation is not relevant to UT of Chandigarh.
46. (114)	Ministries of Social Justice and Empowerment/Tribal Affairs, may sponsor research studies on various problems relating to DNTs. (of specific tribes/communities, where necessary) to obtain valuable insights and necessary inputs concerning them for undertaking policy interventions on their upliftment, destigmatization and mainstreaming.	There is no tribal area in UT, Chandigarh and no caste/ community has been declared as Scheduled Tribe. Hence, this recommendation is not relevant to Chandigarh.
47. (121)	Similar exercise should be carried out by the State Governments in respect of the reserved posts under them and their PSUs, etc. where reservation is applicable.	Chandigarh being UT and without legislature follows the guidelines / instructions on reservation issued by the Govt. of India from time to time.
48. (130)	Under-utilization, diversion and misutilization of fund allocated for SC development under SCP and Sectoral	Necessary directions have been issued from the Finance Deptt., Chandigarh Administration to all the Heads of

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	<p>Schemes in various States is emerging a matter of serious concern. Planning Commission should collect details of these features state-wise and arrange discussion with defaulting States and work out strong measures to stop diversion and misutilization of funds and promote their full and proper utilization. It should devise effective mechanisms such as punitive financial consequences which create adequate pressure on State Governments against repetition of these practices. National Commission for SCs and STs may visit defaulting States for discussion to accelerate the pressure. Ministry of Social Justice and Empowerment may monitor the impact of these measures with the help of competent research organizations.</p>	<p>Departments/ Offices to utilize the funds on the items for which the provision of funds are made from time to time. The expenditure is being reviewed on monthly/ quarterly basis in the Senior Officers' Conference headed by the Advisor to the Administrator, UT, Chandigarh.</p>