

**Comments of Department of Higher Education on the recommendations, contained in Shri K.B. Saxena's report on 'Prevention of Atrocities against SCs'**

National Policy on Education – 1968 (as modified in 1986 and 1992), which gives special emphasis on the removal of disparities and to equalize educational opportunity by attending to the specific needs of those who have been denied equality so far. It also stressed that appropriate formal and non-formal programmes of technical education will be devised for the benefit of women, the economically and socially weaker sections, and the physically handicapped.

2. Accordingly, various programmes/schemes have been launched by the Ministry of Human Resource Development for educational development of weaker sections, including Scheduled Castes. The Central Educational Institutions (Reservation in Admission) Act, 2006, provides 15%, 7.5% and 27% reservation in admission to the students belonging to SCs, STs and OBCs respectively to Central Educational Institutions, established, maintained or aided by the Central Government. A brief of these schemes/programmes and a copy of the Act are enclosed.

3. Further, vide, letter, dated 4-2-2011 (copy enclosed) this Department has requested heads of all Centrally Funded Educational Institutes/Autonomous Organisation/attached offices in the Ministry of Human Resource Development to strictly instruct the officials under their control to ensure that none official belonging to Schedule Castes be harassed.

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**VARIOUS SCHEMES OF DEPARTMENT OF HIGHER EDUCATION TO  
FACILITATE SC/ST STUDENTS PURSUING HIGHER AND TECHNICAL  
EDUCATION**

The programmes/Schemes of the Ministry of Human Resource Development may be divided into two categories (i) Programmes/Schemes which have significant bearing on educational development of these groups like Expansion of Polytechnics, Setting up of 374 model colleges in districts having GER for higher education less than the national average, etc. and (ii) Programmes/ Schemes as enumerated below, which are formulated exclusively to provide interventions for educational development of weaker section of the society.

**1. Central Educational Institutions (Reservation in Admission) Act, 2006**

The Act provides 15%, 7.5% and 27% reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes respectively to Central Educational Institutions established, maintained or aided by the Central Government.

**2. Central Educational Institutes/Universities**

**(i) Indira Gandhi National Tribal University, Amarkantak**

This university was set up by an Act called the Indira Gandhi National Tribal University Act, 2007, facilitate and promote avenues of higher education and research facilities for the Tribal Population in India and to provide for matters connected therewith or incidental thereto.

**(ii) Babasaheb Bhimrao Ambedkar University, Lucknow**

Babasaheb Bhimrao Ambedkar University was established in Lucknow on 10<sup>th</sup> January, 1996 as a Central University by an Act of the Parliament with the objectives to promote advanced knowledge by providing instructional and research facilities in Science, key and frontier areas of technology and other allied disciplines, to offer appropriate courses relevant for the development of society and economically depressed section of the people and to promote the study of the principles, for which Babasaheb Bhimrao Ambedkar worked during his life time.

**(iii) Central Universities in the North Eastern Region**

There are nine Central Universities in the North East Region, namely, Assam University, Tezpur University, Mizoram University, North East Hill University (NEHU), Manipur University, Nagaland University, Rajiv Gandhi University (Arunachal Pradesh) Tripura University and Sikkim University.

**3. University Grants Commission (UGC)**

- The University Grants Commission (UGC) issues guidelines/ directives/instructions from time to time for implementation of reservation policy of the Government of India.
- There is relaxation in the minimum qualifying marks for admission for SC/ST/OBC candidates.
- UGC implements the Career Orientation programme for the graduates for gainful employment for all including SCs/STs and OBCs

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- UGC provides financial assistance for extension activities to SCs/STs and OBCs.
- UGC has created a Central Pool Database of eligible SC/ST/OBC candidates and recommends their candidature for teaching positions in universities and colleges.

**(i) Establishment of SC/ST Cells in Universities**

The UGC introduced the scheme of Establishment of SC/ST Cells in Universities in the year 1983. The main objective of the scheme is to improve the status of SCs and STs who are socially and educationally backward so that they can have their rightful place in the main-stream of the society. One time grant of ` 2.00 lakhs for establishing the office of Equal Opportunity Cell is provided. During 11<sup>th</sup> plan equal opportunity cell in 101 State Universities, 1066 colleges and 27 Central Universities have been established

**(ii) Establishment of Residential Coaching Academy (RCA) for Minorities and SC/ST/ Women in Universities**

The main objective is to establish Residential Coaching Academy in Universities and Colleges, through which to run schemes like 'Coaching for students at UG/PG level', 'Coaching for students to prepare for NET', 'Coaching for students for entry in services covered under Central and State Governments'. The aim of these schemes is to prepare students for NET and all India & State Services examinations and UG/PG level examinations. All the schemes are being supported with grants under Merged Schemes with General Development Grant Scheme. During the reporting year, four universities (3 Central and one Deemed Universities) have been approved for the establishment of RCAs and a total grant of ` 7.50 crores has been released to them up to 31<sup>st</sup> December, 2010.

Five Central Universities have been selected under this scheme and provided an allocation of ` 61317.72 lakhs during the XI Plan period.

**(iii) Remedial Coaching schemes for SCs, STs, OBC (non-creamy layer), Minorities:**

The UGC has been providing separate assistance during the XI Plan to the universities (i) for remedial coaching at UG and PG level (ii) coaching for entry into services (iii) coaching for NET to SC, ST and minority candidates to improve their status socially and educationally so that they can take their rightful place in the main stream of the society.

**Status of Colleges**

S.No.	Name of the Scheme	Physical target achieved during XI Plan (2007-11)	Financial Target achieved during XI Plan (2007-11)
1.	Remedial Coaching for SC/ST/OBC (non-creamy layer) & Minorities	3779	17567.67
2.	Coaching for NET/SET for SC/ST/OBC (non-creamy layer) & Minorities	813	2869.84
3.	Coaching class for Entry in Services for SC/ST/OBC (Non-creamy layer) & Minorities	2451	10185.46

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**Status of Central Universities**

( ` in Lakhs)

S.No.	Name of the Scheme	Physical target achieved during XI Plan (2007-11)	Financial Target achieved during XI Plan (2007-11)
1.	Remedial Coaching	27	839.00

**Status of State Universities**

(in Lakhs)

S.No.	Name of the Scheme	Physical target achieved during XI Plan (2007-11)	Financial Target achieved during XI Plan (2007-11)
1.	Remedial Coaching	132	4104.25

**Status of Deemed Universities**

( ` in Lakhs)

Sl. No.	Name of the Scheme	No. of Deemed to be Universities to whom the Grant allocated	Total Allocation of grant during XI Plan	Total sanction of grant to for the scheme(combined grant sanctioned for 16 merged scheme)	Expenditure incurred in the scheme by the Universities
1.	Construction of Women's Hostel	19	1938.11	2685.23	644.48
2.	Basic facilities for women	15	682.00		312.07
3.	Equal Opportunity Cell	12	24.00		4.02
4.	Coaching schemes for SCs,STs,OBC(non-creamy layer), Minorities	11	324.00		108.51
	<b>Total:</b>		2968.11	2685.23	1069.08

**4. Scholarship Schemes**

**(i) Scholarship for College and University Students**

15% and 7.5% of 82000 scholarships under the Central Scheme of Scholarship for College and University Students is being implemented from the year 2008-09, have been earmarked for Scheduled Castes and Scheduled Tribes respectively.

**(ii) Post-Graduate Scholarships for Students belonging to SCs/STs**

This scheme has been initiated keeping in view the social background of the candidates from deprived sections of the society and to provide them an opportunity to undertake post-graduate level studies for SC/ST students. The scholarship amount is `5,000/-per month for M.Tech. Courses and ` 3,000/- per month for Master of Pharmacy and Management courses. The contingency for the above scheme is ` 15,000/- and ` 10,500/-per annum respectively.

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**Expenditure incurred during XI Plan and number of beneficiaries till 31<sup>st</sup> March 2011**

( in Lakh)

Year	Allocation	Expenditure	No. of beneficiaries
2007-08	700.00	3.46	846
2008-09	1050.00	839.25	517
2009-10	1600.00	709.81	941
2010-11	300.00	1240.08	

**(iii) Rajiv Gandhi National Fellowships for SC/ST**

The Ministry of Social Justice & Empowerment and Ministry of Tribal Affairs have entrusted and funded the UGC for implementation of the scheme of Rajiv Gandhi National Fellowship for SC and ST candidates by providing 2000 slots per year i.e. 1333 for SC category and 667 for ST category.

The main objective is to minimize the social disparities in the field of Higher Education. The Central Government through UGC provides 2000 Junior Research Fellowships for SC/ST candidates to undertake advanced studies and research leading to M.Phil/Ph.D. degrees in Sciences, Humanities and Social Sciences including languages and Engineering & Technology. The tenure of the fellowship is for five year

**Expenditure incurred during XI Plan**

( in Lakhs)

Year	RGNF For SC	RGNF For ST
	Allocation	Allocation
2007-2008	6317.50	2637.77
2008-2009	10609.57	3961.54
2009-2010	6198.00	3033.49
2010-2011	8842.48	4362.26

**No. of beneficiaries till 31<sup>st</sup> March 2011**

Year	No. of SC beneficiaries	No. of ST beneficiaries
2007-2008	1333	667
2008-2009	1333	667
2009-2010	1333	667
2010-2011	2000	667

**(iv) Post-Doctoral Fellowships for SC/ST**

The UGC initiated the scheme of post-doctoral fellowship for SC/ST candidates who have obtained a doctorate degree and have published research work to their credit.

**Expenditure incurred during XI Plan and number of beneficiaries till 31<sup>st</sup> March 2011**

( in Lakhs)

Year	Allocation	Expenditure	No. of beneficiaries
2007-2008	985.00	998.00	91
2008-2009	539.00	504.78	100
2009-2010	750.00	435.87	100
2010-2011	300.00	379.67	The selection for 2010-11 is under process

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(v) **Post Graduate Scholarship for Professional Courses For SC/ST Candidates**

**Status of the implementation of the scheme**

The scheme of Post Graduate Scholarship for Professional Courses for SC/ST candidates has been initiated since 2006 keeping in view the social background of the candidates from deprived section of the society and to provide them opportunity to undertake Post graduate level studies in Professional subjects like Engineering & Technology, Management, Pharmacy etc in Indian Universities/Institutions/Colleges.. The objective of the scheme is to provide financial assistance to 1000 SC/ST candidates to pursue Post Graduate level studies in Professional subjects at recognized universities/ institutes/colleges.

The tenure of the award is for two years with no provision for further extension. The number of slots available under the scheme is 1000 per year.

**Expenditure incurred during XI Plan and number of beneficiaries till 31<sup>st</sup> March 2011**

(` In Lakh)

Year	Expenditure	No. of beneficiaries
2007-2008	3.46	368
2008-2009	839.25	846
2009-2010	709.81	517
2010-2011	1240.08	941

**5. Central Scheme to provide full interest subsidy**

The Central Government has launched a new Central Scheme to provide full interest subsidy during the period of moratorium on educational loans for students belonging to economically weaker section (with partially family income from all sources less than ` 4.5 lakh annually) from scheduled bank under the Education Loan Schemes of the Indian Banks' Association (IBA) for pursuing courses of studies in professional/technical streams from recognized institutions in India. The scheme is effective from academic year 2009-10. The scheme is base solely on Income criteria and not social background. All banks have been advised by this Ministry to Implement this Scheme vide this Ministry's letter No. 11-4/2010-U.5 dated 25.5.2010 and letter No. 11-10/2010U5 dated 16.7.2010. Indian Bank's Association (IBA) has also issued a Circular no. SB/Govt./10-21/dated 2<sup>nd</sup> July, 2010 to all its Member Banks in informing them that the scheme is an overlay on the existing IBA Model Educational Loan Scheme and that banks may support this Scheme.

**6. Sub-Mission on Polytechnics :** The Ministry of Human Resource Development under the Sub-Mission on Polytechnics has sanctioned 300 Polytechnics for the unserved/underserved areas which cater the need of weaker sections, especially SCs/STs/Minorities/OBCs etc.



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 5] नई दिल्ली, बृहस्पतिवार, जनवरी 4, 2007 / पौष 14, 1928  
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 4th January, 2007/Pausa 14, 1928 (Saka)*

The following Act of Parliament received the assent of the President on the 3rd January, 2007, and is hereby published for general information:—

### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) ACT, 2006

No. 5 OF 2007

[3rd January, 2007.]

An Act to provide for the reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes of citizens, to certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Central Educational Institutions (Reservation in Short title. Admission) Act, 2006.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "academic session" means the period in a calendar year, or a part thereof, during which a Central Educational Institution is open for teaching or instruction in any branch of study or faculty;

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(b) "annual permitted strength" means the number of seats, in a course or programme for teaching or instruction in each branch of study or faculty authorised by an appropriate authority for admission of students to a Central Educational Institution;

(c) "appropriate authority" means the University Grants Commission, the Bar Council of India, the Medical Council of India, the All India Council for Technical Education or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(d) "Central Educational Institution" means—

(i) a university established or incorporated by or under a Central Act;

(ii) an institution of national importance set up by an Act of Parliament;

(iii) an institution, declared as a deemed University under section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government; 3 of 1956.

(iv) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in clause (i) or clause (ii), or a constituent unit of an institution referred to in clause (iii);

(v) an educational institution set up by the Central Government under the Societies Registration Act, 1860; 21 of 1860.

(e) "faculty" means the faculty of a Central Educational Institution;

(f) "Minority Educational Institution" means an institution established and administered by the minorities under clause (1) of article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004; 2 of 2005.

(g) "Other Backward Classes" means the class or classes of citizens who are socially and educationally backward, and are so determined by the Central Government;

(h) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution;

(i) "Scheduled Tribes" means the Scheduled Tribes notified under article 342 of the Constitution;

(j) "teaching or instruction in any branch of study" means teaching or instruction in a branch of study leading to three principal levels of qualifications at bachelor (undergraduate) masters (postgraduate) and doctoral levels.

Reservation of seats in Central Educational Institutions.

3. The reservation of seats in admission and its extent in a Central Educational Institution shall be provided in the following manner, namely:—

(i) out of the annual permitted strength in each branch of study or faculty, fifteen per cent. seats shall be reserved for the Scheduled Castes;



(ii) out of the annual permitted strength in each branch of study or faculty, seven and one-half per cent. seats shall be reserved for the Scheduled Tribes;

(iii) out of the annual permitted strength in each branch of study or faculty, twenty-seven per cent. seats shall be reserved for the Other Backward Classes.

4. The provisions of section 3 of this Act shall not apply to—

(a) a Central Educational Institution established in the tribal areas referred to in the Sixth Schedule to the Constitution;

(b) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Act:

Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule;

(c) a Minority Educational Institution as defined in this Act;

(d) a course or programme at high levels of specialisation, including at the post-doctoral level, within any branch of study or faculty, which the Central Government may, in consultation with the appropriate authority, specify.

5. (1) Notwithstanding anything contained in clause (iii) of section 3 and in any other law for the time being in force, every Central Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats in a branch of study or faculty over and above its annual permitted strength so that the number of seats, excluding those reserved for the persons belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, is not less than the number of such seats available for the academic session immediately preceding the date of the coming into force of this Act.

(2) Where, on a representation by any Central Educational Institution, the Central Government, in consultation with the appropriate authority, is satisfied that for reasons of financial, physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit by notification in the Official Gazette, such institution to increase the annual permitted strength over a maximum period of three years beginning with the academic session following the commencement of this Act; and then, the extent of reservation for the Other Backward Classes as provided in clause (iii) of section 3 shall be limited for that academic session in such manner that the number of seats available to the Other Backward Classes for each academic session are commensurate with the increase in the permitted strength for each year.

6. The Central Educational Institutions shall take all necessary steps, which are required in giving effect to the provisions of sections 3, 4 and 5 of this Act, for the purposes of reservation of seats in admissions to its academic sessions commencing on and from the calendar year, 2007.

7. Every notification made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

Act not to apply in certain cases.

Mandatory increase of seats.

Reservation of seats in admissions to begin in calendar year, 2007.

Laying of notifications before Parliament.

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THE SCHEDULE  
[See section 4(b)]

S. No.	Names of the Institutions of Excellence, etc.
1.	Homi Bhabha National Institute, Mumbai and its constituent units, namely:— <ol style="list-style-type: none"> <li>(i) Bhabha Atomic Research Centre, Trombay;</li> <li>(ii) Indira Gandhi Centre for Atomic Research, Kalpakkam;</li> <li>(iii) Raja Ramanna Centre for Advanced Technology, Indore;</li> <li>(iv) Institute for Plasma Research, Gandhinagar;</li> <li>(v) Variable Energy Cyclotron Centre, Kolkata;</li> <li>(vi) Saha Institute of Nuclear Physics, Kolkata;</li> <li>(vii) Institute of Physics, Bhubaneshwar;</li> <li>(viii) Institute of Mathematical Sciences, Chennai;</li> <li>(ix) Harish-Chandra Research Institute, Allahabad;</li> <li>(x) Tata Memorial Centre, Mumbai.</li> </ol>
2.	Tata Institute of Fundamental Research, Mumbai.
3.	North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.
4.	National Brain Research Centre, Manesar, Gurgaon.
5.	Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.
6.	Physical Research Laboratory, Ahmedabad.
7.	Space Physics Laboratory, Thiruvananthapuram.
8.	Indian Institute of Remote Sensing, Dehradun.

K. N. CHATURVEDI,  
Secy. to the Govt. of India.

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D.O. No. 9-1/2010/SC/ST

4<sup>th</sup> February, 2011

Dear

As you are aware, the National Commission for Scheduled Castes has been constituted under Article 338 of the Constitution of India for addressing the grievances of members of Scheduled Caste community. The members of the community have a legitimate right to approach the Commission.

2. In exercise of their legitimate right a number of persons belonging to scheduled caste approach the commission for redressal of their grievances. The Commission in turn takes up the matter with authorities concerned. At times the representation/complaint of the individual is forwarded to the authority concerned, in original.

3. It has been alleged that when the officials handling such subject come to know about the fact of the Commission being approached by some persons, they start further harassing the representationist /complainant. The instances of such harassment included transfer to far away places or suspension etc. on flimsy ground.

4. Chairman, National Commission has taken a serious view of this trend of increasing harassment and approached Hon'ble Minister for HRD to instruct the officials under the administrative control of the Ministry to not to resort to such undesirable practices.

5. Though we in the Ministry are not aware of details of individual cases, the allegations if true are very serious and the individual concerned deserved corrective and punitive action.

6. I, therefore, request you to kindly look into the matter personally and issue strict instructions to the officials under your control to ensure that officials/officers belonging to Scheduled Castes are not harassed for approaching the Commission for protection of safeguards as provided in the Constitution of India.

With regards,

Yours sincerely,

(R.C. Meena)

Heads of all Centrally Funded Educational Institutes/Autonomous Organisation/attached offices in the Ministry of Human Resource Development

Copy to

1. All Bureau Heads in the Ministry of Human Resource Development
2. PSO to Education Secretary
3. PSO to Secretary, Department of School Education & Literacy.