NATIONAL COMMISSION FOR SCHEDULED CASTES (SC), SCHEDULED TRIBES (ST), AND BACKWARD CLASSES (BC)



Introduction

- The **National Commission for Scheduled Castes (SC)**, **Scheduled Tribes (ST)**, and **Backward Classes (BC)** are constitutional bodies created to protect the rights, welfare, and interests of these marginalized groups. These commissions play an essential role in ensuring social justice, addressing grievances, and providing recommendations to the government for policies and schemes aimed at improving the socio-economic conditions of these communities.

1. National Commission for Scheduled Castes (SC)

- ◆ **Constitutional Provisions**
- **Article 338**: This article deals with the establishment of the **National Commission for Scheduled Castes**. It specifies the role and functions of the Commission to monitor and evaluate the progress of the **Scheduled Castes (SC)** in various aspects of life, including social, economic, and educational fields.
- The Commission consists of a **Chairman** and **other members**, all of whom are appointed by the **President of India**.

◆ Functions of the National Commission for SCs

- **Monitors** the welfare programs and policies intended for Scheduled Castes.
- **Inquires into complaints** regarding the violation of rights of SCs.
- **Recommends measures** to address issues such as **discrimination**, **untouchability**, and **marginalization** faced by SCs.

Indra Sawhney v. Union of India (1992):

- In this landmark case, the **Supreme Court** upheld the **reservation for backward classes** (including Scheduled Castes and Tribes) and clarified the **criteria for identifying backward classes**. The case highlighted the role of the National Commission for Backward Classes (NCBC) in recommending and identifying backward classes.

2. National Commission for Scheduled Tribes (ST)

- ◆ **Constitutional Provisions**
- **Article 338A**: This article was inserted by the **99th Constitutional Amendment** (2014) to create a separate Commission for Scheduled Tribes, recognizing their distinct social and cultural identity. The **National Commission for Scheduled Tribes** was established to specifically focus on issues concerning STs.
- The Commission's **structure** and **powers** are similar to the National Commission for SCs, and it includes a Chairman and other members appointed by the President of India.

◆ Functions of the National Commission for STs

- **Monitors** the implementation of welfare schemes for Scheduled Tribes.
- **Investigates complaints** related to the violation of STs' rights.
- **Makes recommendations** on improving the conditions of STs, particularly in areas like land rights, education, and healthcare

Case Laws Involving the National Commission for STs

- **T. Devadasan v. Union of India (1957)**: This case dealt with the issue of **reservation** for Scheduled Tribes in jobs and educational institutions. The court emphasized the need for **social justice** and the role of commissions like the National Commission for STs to protect these communities' interests.

3. National Commission for Backward Classes (BC)

- ◆ **Constitutional Provisions**

- **Article 338B**: This article was added by the **102nd Constitutional Amendment** (2018) to provide for the establishment of the **National Commission for Backward Classes** (NCBC). The NCBC is tasked with protecting the rights of **backward classes** (OBCs), a group historically subjected to social and economic exclusion.

- The NCBC is empowered to examine matters related to **reservation** in education and employment for backward classes and make recommendations on the inclusion or exclusion of certain groups in the list of OBCs.

◆ Functions of the National Commission for BCs

- **Inquires** into complaints of discrimination and backwardness faced by OBCs.
- **Advises** the government on the inclusion or exclusion of communities from the OBC list.
- **Reviews** the socio-economic conditions of OBCs and suggests measures for their upliftment.

Case Laws Involving the National Commission for BCs

- **M. Nagaraj v. Union of India (2006)**: The Supreme Court in this case upheld the **constitutional validity of reservations for OBCs** but added that it must be backed by **data** proving the backwardness of communities. This case emphasized the importance of the National Commission for Backward Classes in providing recommendations for including communities in the OBC list.
- **Indra Sawhney v. Union of India (1992)**: This case was significant for its interpretation of **reservation for backward classes** (OBCs). The Supreme Court clarified that OBCs should be identified based on criteria suggested by the National Commission for Backward Classes.

4. Functions Common to All Commissions (SC, ST, BC)

- ◆ **Safeguarding Constitutional Rights**
- All three commissions (SC, ST, BC) work to ensure that the rights guaranteed to these communities under the **Constitution of India** (such as the right to equality and protection from discrimination) are upheld. They play an essential role in ensuring the **social, educational, and economic upliftment** of these communities.

◆ Investigating Complaints of Discrimination

- Each of these commissions investigates complaints of **discrimination, injustice, or denial of rights** against SCs, STs, and BCs. They have the authority to **recommend corrective measures** to address these issues.

Ensuring Effective Implementation of Policies

- These commissions monitor the implementation of various **government schemes**, including reservation policies, educational grants, and welfare programs, to ensure their **proper execution** and that they benefit the intended communities.

5. Limitations and Challenges Faced by the Commissions

- ◆ **Political Influence**
- These commissions often face **political influence** when making recommendations, especially on sensitive issues like **reservation** and **resource allocation**.
- ◆ **Implementation of Recommendations**
- While the commissions play an advisory role, their **recommendations** are not always implemented in a timely or effective manner by the government.

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- ◆ **Data Collection and Analysis**
- One significant challenge is the lack of **accurate and comprehensive data** on the socio-economic conditions of SCs, STs, and BCs, making it difficult to assess the impact of welfare measures accurately.

Conclusion

- The **National Commissions for SC, ST, and BC** are vital institutions in ensuring **social justice** and **equitable development** in India. They provide a platform for addressing grievances, recommending policies, and promoting the welfare of marginalized communities. Through their **investigations, reports**, and **recommendations**, they play a crucial role in empowering these communities and enabling them to exercise their rights as equal citizens of India. However, despite their importance, these commissions face several challenges in **ensuring full implementation** of their recommendations and **addressing systemic issues of exclusion** and **discrimination**.