

**THE HONOURABLE PRIME MINISTER OF INDIA
NEW DELHI 110001.**

**SUBJECT: MEMORANDUM TO THE HONOURABLE PRIME MINISTER OF INDIA ON 4
DECEMBER 2009 ON THE OCCASION OF WORLD DIGNITY DAY - INTERNATIONAL DAY OF
SOCIALY EXCLUDED BEING OBSERVED ON 5 DECEMBER**

Sir,

The Constitution of India mandates all of us, the legislature, executive, judiciary and institutions of governance and development and the people of India to work towards the **JUSTICE**, social, economic and political; **LIBERTY** of thought, expression, belief, faith and worship; **EQUALITY** of status and of opportunity; and to promote among them all **FRATERNITY** assuring the dignity of the individual and the unity and integrity of the Nation.

National Confederation of Dalit Organisations (NACDOR) is the National Platform of more than 1200 organisations, community based formations and employee federations of Scheduled Castes, Scheduled Tribes, Backward Classes and Minorities spread across the country, works for the development, empowerment and promotion and protection of their rights. NACDOR requests the Government of India through the Honourable Prime Minister to consider following demands for appropriate legislative, executive, judicial, administrative pronouncements and decisions and their implementation in time bound manner.

Sir, we hope that the Government of India in your leadership would take urgent action to redress these issues at the earliest. We hope to hear back from your office.

With warm regards,

Yours faithfully,

Ashok Bharti B.E., M.E. (Australia)
Chairman
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POLITICAL EMPOWERMENT

1. It is general belief of the people, especially of Scheduled Castes and Backward Classes, that since the Department responsible for their development has been transferred from Home Ministry to Ministry of Welfare (earlier) and now to Ministry of Social Justice and Empowerment and Ministry of Tribal Affairs, the State Governments have stopped giving due attention to the requests, directions and instructions sent to them by these Ministries for the welfare of the Scheduled Castes, Scheduled Tribes and other Backward Classes. Same is true even for the Central Ministries. In the light of deep historical prejudices against Scheduled Castes, which the Honourble Prime Minister has rightly pointed out in one of his speech as 'apartheid', the National Confederation of Dalit Organisations requests the Prime Minister to head the Ministry to send a clear political commitment of the Government towards these sections. Appointing a state minister working directly under the supervision of the Prime Minister could do this.
2. Current form of representation of Dalits, Adivasis, Minorities and Women is unbecoming of their interests. We request to introduce separate electorate for the Dalits, Adivasis and Women to ensure that their real representative, are elected and they do represent these marginalized sections and their aspirations correctly in the Parliament and before the government for appropriate actions.
3. In a bicameral Parliament, the Rajya Sabha plays a very crucial role in the legislative work. Many bills affecting the interests of the Scheduled Castes and Scheduled Tribes are introduced in the Rajya Sabha. Due to non-representation of the Scheduled Castes and Scheduled Tribes, their interests are not duly taken care of. We request the Government to bring suitable constitutional amendments to introduce reservation in Rajya Sabha and make this mandatory to elect members of Scheduled Castes and Scheduled Tribes as per their share in the population in the state.
4. Sir, Women Representative Bill has been delayed inordinately, we request immediate passing of this bill to enable women to have fair representation, which is fundamental to the Parliamentary democracy. We demand that the representation of the Scheduled Castes and Scheduled Tribes women be protected in this Act as per the provision of the India's Constitution and special arrangement for the representation of the women of the other backward classes and minorities.
5. Sir, it has been observed that in many places duly elected SC/ST representatives are prevented from discharging their duties and even administration colludes with

the miscreants to hinder their work. It is requested that the administration be held accountable to ensure that these elected SC/ST representative discharge their appropriate duties unhindered and without fear.

ADMINISTRATIVE EMPOWERMENT

6. There is a constitutional mandate to provide fair representation to the Scheduled Castes and Scheduled Tribes in various administrative positions from lowest level to the highest level. But till date a large backlog remains unfilled in various departments and ministries. Government, from time to time, has taken up drives to fulfill this backlog. But due to half-hearted efforts, this has not produced desired results. We request that a special officer of not less than the rank of Joint Secretary in the Central Government be appointed in the Prime Minister's Office to ensure that this task is completed in time bound manner.
7. It is a widely known fact that despite a large number of Scheduled Castes, Scheduled Tribe Officers being recruited by the government, their representation at the decision-making positions is highly negligible. We request the Government to ensure that Cabinet Committee on Appointments to discourage all proposals that do not have desired number of candidates from Scheduled Castes and Scheduled Tribes. We request that this committee headed by the Honourable Prime Minister would ensure that the positions and posting of Joint Secretary and above are filled as per the norms of 15 % from Scheduled Castes and 7.5% from Scheduled Tribes officers in shortest possible time.
8. We request the Government to ensure 15% and 7.5% representation of Scheduled Castes and Scheduled Tribes in all Public Sector undertaking and other corporate and private bodies having government equity, subsidies and tax exemptions.

LAND AND AGRICULTURE

9. Government of India and State Governments have with them huge amount of land acquired under the land ceiling act. It is requested that the land be distributed to Dalits, Adivasis and other landless people immediately. We also request the government to Distribute excess land held by all government departments, agencies and public undertakings to the landless. At least 50% of this shall be distributed to the landless Dalits and Adivasis.
10. Government of India appointed a committee to look into the issue of Land Reforms. Unfortunately, this committee did not have adequate representation

form the Scheduled Castes and Scheduled Tribe representatives. Kindly ensure the adequate representation of SCs and STs in this committee. Kindly make this committee's work time bound, accountable and transparent.

11. Bharat Nirman is an ambitious programme being undertaken by the government. We request that all work being undertaken in this programme shall have proportionate creations of assets for Scheduled Castes and scheduled Tribes, including irrigation facilities, electricity connection, water, housing, all weather roads for the SC/ST habitations.
12. We welcome the efforts of the Government to confer land Rights on the Adivasis and traditional Forest Dwellers through the act of the parliament. However, Scheduled Castes have been prevented from the benefits of this act unless they have been living for last three generations (75 years) there. We request the Government to suitably amend this act so that they could also enjoy the land rights in forest areas if they are living there for more than 10 years from the date of enactment of the Forest and Traditional Forest Dwellers Act 2006. We also request that the dwellings and livelihoods of the Scheduled Castes also be protected. Speed up the enactment of the Act.

EDUCATIONAL EMPOWERMENT

13. Despite all efforts of the government, the Scheduled Castes and Scheduled tribes are illiterate people of this country and without their literacy needs are taken care of, India can not fulfill its pronounced obligations under Millennium Development Goals and National Development Targets. We request the Government of India to prepare a **National Dalit Education Policy** for compulsory, free and quality education to all Scheduled Casts, Scheduled Tribes and Muslim children up to the intermediate level.
14. Government of India and the state governments are undertaking a huge campaign of elementary education under the Sarva Siksha Abhiyan. We request the government to assess educational needs of the Scheduled Casts, Scheduled Tribes and Muslims, an earmark separate funds for them under the Sarva Siksha Abhiyan.
15. It has been observed that the teachers in rural schools discourage Scheduled Castes and Scheduled Tribes children from education, which amounts to discrimination and violence against them. We request to the Government of India to bring a mandatory notification in consultation with the state Governments to prevent the teachers from indulging in such activities.

16. It has been observed that the wards and the children of the personnel associated with the functioning of the government educational system are ignoring their duties towards improving the quality of school education. Even the children of the education policy makers and planning authority are not studying in the schools which they are supposed to manage. We demand that the educational authorities are made accountable for the poor performance of the government education system.
17. It has been observed that the hostels for the Scheduled Castes, Scheduled Tribes are poorly managed; resource starved and they have been quite poor in providing atmosphere conducive to the academic advancements of the students. Most of these hostels are managed by the state government, we request to review this and prepare and issue a comprehensive guidelines to facilitate better academic environment to the students. Each of these hostels shall be provided funds to open library containing multiple copies of the text books and other literatures.
18. There is acute shortage of hostels for the SC and ST girls. We request to government to take necessary steps to open new hostels in all states.
19. Government shall allocate 6% of GDP on education.
20. To speed up eradication of untouchability, the work of the cook and the contractor should be reserved for the SCs/STs in the mid-day meal scheme. It should also be ensured that the teachers and the students are not involved in cooking, serving or cleaning for the mid day meal and the studies are not disturbed.
21. Govt should consider developing equal and similar quality education for all the children in the nation. Dual education system should be abolished.

EMPLOYMENT AND RESERVATION

22. We request the government to make Reservation a fundamental rights of the Dalits, Adivasis and OBCs and bring necessary legislation in this connection.
23. In the new paradigm of economy and governance, government is relying more and more on the private sector. While having reservations on the government policy of privatisation and disinvestments, we request the government to bring necessary legislation to provide reservation to the SC/ST/OBC in the private sector jobs, services, contract, purchases, and all other activities having potential for socio-economic development of these communities.
24. National Rural Employment Guarantee Act has no provision for employment quota to SCs/STs under the Act, which is contrary to the constitutional provisions. We

urge the government to amend this Act and provide constitutional quota to SC/ST in NREGA employment as per the proportion of these community in the village, taluka, districts and state.

25. It is worth noting that despite SCs and STs are the poorest of the poor, the judiciary without having any data or evidence has observed creamy layers among these communities. It is requested that government must bring a suitable amendments to nullify such pronouncement of the Judiciary.
26. The government should consider extending the reservations to dalits in Muslim and Christian community.
27. Number of employment days under NREGA should be increased from 100 to 200, at least in the distress districts. Dalit CSOs should be formally involved in monitoring and evaluation of the NREGA.
28. For urban poor, an Urban Employment Guarantee Scheme should be brought in.
29. All SC/ST families should be considered under BPL schemes except those who are in govt jobs or have more than 5 acres of irrigated lands.

HEALTH

30. In the light of setting up of a Commission on Social Determinants of Health by the World Health Organisation (WHO), we request the Government to constitute a National Commission on Social Determinants of Health in India, which should study the different aspects of the health status of the Dalits and to recommend necessary changes in the health delivery system in India. This is also important as the current health indicators of the Dalits such as maternal mortality rates, under five children mortality rates, anaemia among the children and women of these communities are far below than the rest of the population of the country.
31. We request enhanced public spending as per the internationally agreed norms on health services.
32. Government shall make provision to spend at least 3% of GDP on health.
33. Health services shall be made free and all fee or user charges shall be withdrawn.

DEVELOPMENT PLANNING AND BUDGETARY ALLOCATIONS

34. National Confederation of Dalit Organisations has carried out a survey of all five year plans of the Government of India and has found that the development expenditure on SCs and STs through Development Planning has remained negligible (less than 2%). NACDOR submitted many memorandums to the Prime Minister and

Deputy Chairman. It is requested that the Government should allocate resources as per the proportion of population of the Dalits in the country.

35. National experience about the efficacy of Scheduled Caste Sub Plan and Tribal Sub-plan has been questioned time and again. National Confederation of Dalit Organisations (NACDOR) feels that due to non-existence of an appropriate mechanism, the purposes of this lofty programme have failed. We request the government to create a department of Special Component Plan and Tribal Sub-Plan in each and every Ministry to ensure proportionate allocation of financial resources in the Ministry, develop plans, schemes and projects under these in consultation with the organisations of Dalits and Adivasis keeping in view the needs of the Dalits and Adivasis and implement and monitor them with top priority.
36. Instances of transfer of funds from SCP and TSP must stop forthwith and achievements of the funds under TSP and SCP must be made public through news papers
37. Percentage allocation to the Ministries responsible for the empowerment of the dalits, adivasis, OBCs and Minorities remain pitiably negligible. We request the Government to enhance budgetary allocations as per the guidelines SC and ST sub Plans for the socio-economic development of the Dalits and as per their share in the population.

ATROCITIES AND VIOLATION OF HUMAN RIGHTS

38. It has been observed that many a places, police do not register cases of atrocities due to inherent caste bias of its officials. We request the Government to create a parallel system of filing the complaints. In this regard, village panchayats, state and national human rights commission should be authorized for receiving the complaint and acting upon them with the police.
39. Establish Monitoring and Vigilance Committees for the implementation of the Atrocities Act 1989 in all the districts as per the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act 1989).
40. A national committee to monitor the violation of Human Rights and atrocities on Dalits shall be created and it shall have representation of the organisations of SCs and STs. The committee could be headed by the Minister of Social Justice and Empowerment.
41. Establish a separate cell in every police station for investigation and prosecution of offences under the PCR Act and POA Act in the areas with significant SC/ST population

42. Make it mandatory for the revenue and police departments to register cases under Scheduled Castes and Tribes (prevention of atrocities) Act, 1989 in cases of atrocities related to land.
43. Impose both individual and collective fine on the members of society who socially boycott members of Scheduled Castes and Tribes communities and persecute them.
44. We demand that NHRC publishes report regarding the action taken in cases of atrocities registered under the atrocities act
45. NHRC should institute an annual survey to see whether the atrocities act has been implementation or not properly. It should publish an Annual Report on the violation of Human Rights of the SCs and STs.

ENTERPRISE DEVELOPMENT AND BUSINESS LEADERSHIP

46. Make it mandatory for all public and private banks and all government agencies to provide 1/4 of their loans to Dalits and Adivasis entrepreneurs.
47. Provide Tax exemption to Dalit entrepreneurs
48. Ensure 100% utilisation of the budget allotted for all the schemes made for SC/STs
49. Provide 50 % business shops constructed at commercial sites in urban areas for Dalit entrepreneurs
50. The government must free SC and ST households from indebtedness
51. Ensure 50 percent government purchase from the Dalit entrepreneurs
52. Award 50 percent of the construction contracts costing up to Rs. 5 Lakh to the contractors, suppliers belonging Scheduled Castes and Scheduled Tribes and amend the Work Code of Public Works Department
53. Provide interest free loans and grants to Dalit leaseholders having Patta for mining by the Panchayats concerned.
54. Provide training to Dalits in modern agricultural techniques including herbal farming and organic farming in all the agricultural universities

FOOD SECURITY AND LIVELIHOODS

55. Establish Grain Banks for food security in all Dalit and Adivasis villages
56. Ensure Proportionate allocation of public distribution system shops for Dalits and Adivasis
57. PDS shops must be made available in all villages

58. Provide supplies under PDS schemes through mobile van scheme in the remote hamlets/ *dhanies*

HOUSING

59. Launch a special housing scheme for Dalits all across the country

60. Make housing scheme such as Indira Awas Yojana completely grant based with the provision of transparent and participatory process for the allotment of the housing and identification of the beneficiaries

61. Residential units must be constructed for economically weaker section of this category by the housing development authorities

62. Access and ownership of the infrastructure and facilities created under Provision of Urban Amenities in the rural areas (PURA) must be ensured proportionately for the various social groups

63. Demolitions and evictions of slums and low income colonies should be stopped and the these habitations should be provided adequate water, roads, electricity and sanitation.

INCLUSIVE JUSTICE IN DEVELOPMENT WORK

64. Involve organisations led by Dalits, Muslims, Adivasis, disabled in planning, managing and executing the development work

65. Development support organisations and government agencies such as CAPART must ensure involvement of organisations led by Dalits in planning, managing and executing the development work

66. Organisations receiving national and international funds from public sources must institute mechanism for ensuring inclusion of all the social groups at all levels of their functioning

INCLUSIVE JUSTICE IN MEDIA

67. Provide representation of Dalits in Radio, TV and Print journalism through modification in the HR policies

68. Provide adequate time allocation for Dalit issues on public and private media channels for ensuring inclusion of the excluded in the development process

69. Cultural representations for nation and states must ensure the use of cultural symbols and ideals for all the social groups

70. The Government should take necessary action for adequate representation of SCs/STs in judiciary at all levels.

CONVERSION AS FUNDAMENTAL RIGHT

71. Religious freedom is the corner stone of India's Constitution and citizens are free to choose any religion as and when they like. This fundamental right of the people must be protected and all laws made to nullify this freedom by different states must be repealed.

UNORGANISED SECTOR

72. Make provision for protecting the livelihoods of Dalits in the unorganized sector

73. Government must create mechanisms for protecting the rights to minimum and fair wage and livelihoods

SOCIAL SECURITY

74. Adopt the concept of universally guaranteed basic income line than the below poverty line

75. Government must institute mechanism for providing universally guaranteed basic income required for serving the basic needs such as food, water, housing, clothing, health and education

NATIONAL DALIT DEVELOPMENT FUND

76. Create National Dalit Development Fund and collect donations especially for supporting programmes by the Dalit led institutions and then for providing direct assistance.

77. Fund collection through donations must be in addition to the plan allocations for the development of Dalits, Adivasis and minorities.

Climate Justice

78. Government of India should ensure that there is a fair and binding deal on climate change where the developed countries take proper responsibility to cut their carbon emissions and provide assistance to developing countries to adopt clean technologies.

79. It should be ensured that all spending and assistance provided to mitigate climate change pays due care to the needs and problems of SCs/STs affected by climate

change (including changing patterns and reduction of rainfalls, floods, droughts etc).

80. India also makes a commitment to cut carbon emissions without compromising the interest of the SCs/STs in the country.

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