Appendices

- Active MPs on the Dalit Matters
- Population of SC/STs in the Constituencies of Active Non-Dalit MPs
- Parliamentary Acts on SC/STs 1985-95
## Appendix I

### Active MPs on the Dalit Matters

<table>
<thead>
<tr>
<th>S.No</th>
<th>Name of the MP</th>
<th>Constituency</th>
<th>Category</th>
<th>Party</th>
<th>Education</th>
<th>Nature of Organisation</th>
<th>Previous Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ramashray P. Singh</td>
<td>Jahanabad</td>
<td>OT</td>
<td>CPI</td>
<td>UM</td>
<td>P</td>
<td>LA</td>
</tr>
<tr>
<td>2</td>
<td>Arvind Netam</td>
<td>Kanker</td>
<td>ST</td>
<td>Cong.</td>
<td>G</td>
<td>No</td>
<td>Y</td>
</tr>
<tr>
<td>3</td>
<td>Anadi Charan Das</td>
<td>Jajpur</td>
<td>SC</td>
<td>Cong.</td>
<td>M</td>
<td>P</td>
<td>Y</td>
</tr>
<tr>
<td>4</td>
<td>Amar Roy Pradhan</td>
<td>Coocwbehar</td>
<td>SC</td>
<td>FB</td>
<td>M</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>5</td>
<td>Uttam Rathod</td>
<td>Hingoli</td>
<td>OT</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>Y</td>
</tr>
<tr>
<td>6</td>
<td>Ganga Ram</td>
<td>Firozabad</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>M</td>
</tr>
<tr>
<td>7</td>
<td>Ram Bhadur Singh</td>
<td>Mahara Jgang</td>
<td>OT</td>
<td>JD</td>
<td>G</td>
<td>PS</td>
<td>LA</td>
</tr>
<tr>
<td>8</td>
<td>R.P. suman</td>
<td>Akbarpur</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>PS</td>
<td>N</td>
</tr>
<tr>
<td>9</td>
<td>Virdhi Chander Jain</td>
<td>Barmer</td>
<td>OT</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>Y</td>
</tr>
<tr>
<td>10</td>
<td>Ram Swaroop Ram</td>
<td>Gaya</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>Y</td>
</tr>
<tr>
<td>11</td>
<td>Bapu Lal Malviya</td>
<td>Shajapur (M.P.)</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>LA</td>
</tr>
<tr>
<td>12</td>
<td>Manikrao Hodlya Gavit</td>
<td>Nandurbar</td>
<td>ST</td>
<td>Cong.</td>
<td>M</td>
<td>P</td>
<td>Y</td>
</tr>
<tr>
<td>13</td>
<td>K.D. Sultan Puri</td>
<td>Shimla</td>
<td>SC</td>
<td>Cong.</td>
<td>UM</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>14</td>
<td>Ram Ratan Ram</td>
<td>Hajipur</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>LA</td>
</tr>
<tr>
<td>15</td>
<td>Ram Payare Panika</td>
<td>Robertsganj</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>16</td>
<td>Kammodilah Jatav</td>
<td>Morena</td>
<td>SC</td>
<td>Cong.</td>
<td>UM</td>
<td>P</td>
<td>LA</td>
</tr>
<tr>
<td>17</td>
<td>Manku Ram Sodi</td>
<td>Bastar</td>
<td>ST</td>
<td>Cong.</td>
<td>M</td>
<td>No</td>
<td>LA</td>
</tr>
<tr>
<td>18</td>
<td>K.S. Rao</td>
<td>Machilipatanam</td>
<td>OT</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>N</td>
</tr>
<tr>
<td>19</td>
<td>Harish Rawat</td>
<td>Almora</td>
<td>OT</td>
<td>Cong.</td>
<td>M</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>20</td>
<td>Syed Shahabuddin</td>
<td>Kishanganj</td>
<td>OT</td>
<td>Janta</td>
<td>G</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>21</td>
<td>G.S. Rajhans</td>
<td>Jhanjharpur</td>
<td>OT</td>
<td>Cong.</td>
<td>D</td>
<td>PS</td>
<td>N</td>
</tr>
<tr>
<td>22</td>
<td>Sunder Singh</td>
<td>Phillaur</td>
<td>SC</td>
<td>Cong.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>23</td>
<td>Phulrenu Guha</td>
<td>Contai</td>
<td>OT</td>
<td>Cong.</td>
<td>D</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>24</td>
<td>Mamta Bannerjee</td>
<td>Jadavpur</td>
<td>OT</td>
<td>Cong.</td>
<td>D</td>
<td>PS</td>
<td>N</td>
</tr>
<tr>
<td>25</td>
<td>Mayawati</td>
<td>Bijnor</td>
<td>SC</td>
<td>BSP</td>
<td>G</td>
<td>PS</td>
<td>N</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Constituency</td>
<td>Community</td>
<td>Party</td>
<td>Sex</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------</td>
<td>--------------</td>
<td>-----------</td>
<td>-------</td>
<td>-----</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>26.</td>
<td>R.N. Rakesh Chail</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>Khemchanbhai Somabhai Chandra Dhanduka</td>
<td>Patan</td>
<td>SC</td>
<td>JD</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>28.</td>
<td>Ratilal Kalidas Verma Dhanduka</td>
<td>Dhanduka</td>
<td>ST</td>
<td>BJP</td>
<td>G</td>
<td>PS</td>
<td>No</td>
</tr>
<tr>
<td>29.</td>
<td>Kalka Das Karol Bagh</td>
<td>SC</td>
<td>BJP</td>
<td>G</td>
<td>S</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Jagpal Singh Hardwar</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>31.</td>
<td>Prem Pradip Nawada</td>
<td>SC</td>
<td>CPM</td>
<td>G</td>
<td>PS</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>32.</td>
<td>Ram Sajiwan Banda</td>
<td>OT</td>
<td>CPI</td>
<td>G</td>
<td>PS</td>
<td>LA</td>
<td></td>
</tr>
<tr>
<td>33.</td>
<td>Hari Bhau Shankar Mahale</td>
<td>Malegoan</td>
<td>JD</td>
<td>UM</td>
<td>NO</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>34.</td>
<td>Satyanarayan Jatia Ujjain</td>
<td>SC</td>
<td>BJP</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>35.</td>
<td>Keyur Bhushan Raipur</td>
<td>OT</td>
<td>Cong.</td>
<td>UM</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>36.</td>
<td>Chintamani Jena Balasore</td>
<td>OT</td>
<td>Cong.</td>
<td>UM</td>
<td>S</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>37.</td>
<td>Chhedi Paswan Sasaram</td>
<td>SC</td>
<td>JD</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>38.</td>
<td>Lalaram Ken Bayana</td>
<td>SC</td>
<td>Cong.</td>
<td>M</td>
<td>S</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>40.</td>
<td>Chinta Mohan Tirupati</td>
<td>SC</td>
<td>TDP</td>
<td>G</td>
<td>NO</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>41.</td>
<td>Narsinh Makwana Dhandhuka</td>
<td>SC</td>
<td>Cong.</td>
<td>UM</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>42.</td>
<td>M.R. Halder Mathurapur</td>
<td>SC</td>
<td>Cong.</td>
<td>PG</td>
<td>S</td>
<td>LA</td>
<td></td>
</tr>
<tr>
<td>43.</td>
<td>R.P. Das Krishnagar</td>
<td>OT</td>
<td>CPM</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>44.</td>
<td>Bangali Singh Hathras</td>
<td>OT</td>
<td>JD</td>
<td>G</td>
<td>S</td>
<td>LA</td>
<td></td>
</tr>
<tr>
<td>45.</td>
<td>Chhavi Ram Agral Morena</td>
<td>OT</td>
<td>BJP</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>46.</td>
<td>Ramji Lal Suman Firozabad</td>
<td>SC</td>
<td>JD</td>
<td>G</td>
<td>NO</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>47.</td>
<td>Het Ram Sirsa SC</td>
<td>JD</td>
<td>PG</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>48.</td>
<td>Than Singh Jatav Bayana</td>
<td>SC</td>
<td>BJP</td>
<td>G</td>
<td>PS</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>49.</td>
<td>Kusuma K. Murthy Amlapuram</td>
<td>SC</td>
<td>Cong.</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>50.</td>
<td>Gopal Pacherwal Tonk</td>
<td>SC</td>
<td>JD</td>
<td>M</td>
<td>PS</td>
<td>LA</td>
<td></td>
</tr>
<tr>
<td>51.</td>
<td>Bhagwan Das NA NA NA NA</td>
<td>SC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>52.</td>
<td>Ramnarain Berwa Saidpur</td>
<td>SC</td>
<td>BJP</td>
<td>G</td>
<td>P</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>53.</td>
<td>Rajnath Sonkarhastrti</td>
<td>SC</td>
<td>JD</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>54.</td>
<td>Mrutyunjaya Nayak Phulbani</td>
<td>SC</td>
<td>Cong.</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>55.</td>
<td>Govind Chander Munda Keonjhar</td>
<td>SC</td>
<td>JD</td>
<td>M</td>
<td>NO</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Constituency</td>
<td>SC/ST</td>
<td>Party</td>
<td>Qualification</td>
<td>Role</td>
<td>Y/N</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------</td>
<td>--------------</td>
<td>--------</td>
<td>------------------</td>
<td>---------------</td>
<td>------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>56.</td>
<td>Mukul B. Wasnik</td>
<td>Buldana</td>
<td>SC</td>
<td>Cong.</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>57.</td>
<td>Bhagey Gobardhen</td>
<td>Mayur Bhanj</td>
<td>SC</td>
<td>JD</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>58.</td>
<td>K. Pradhani</td>
<td>Nowrangpur</td>
<td>ST</td>
<td>Cong.</td>
<td>M</td>
<td>NO</td>
<td>Y</td>
</tr>
<tr>
<td>59.</td>
<td>Koddi Kunnil Suresh</td>
<td>Adoor</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>Y</td>
</tr>
<tr>
<td>60.</td>
<td>A.K. Patel</td>
<td>Mehsana</td>
<td>OT</td>
<td>BJP</td>
<td>PG</td>
<td>P</td>
<td>Y</td>
</tr>
<tr>
<td>61.</td>
<td>Phool Chand Verma</td>
<td>Shajapur</td>
<td>SC</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>Y</td>
</tr>
<tr>
<td>62.</td>
<td>Shravan Kumar Patel</td>
<td>Jabalpur</td>
<td>OT</td>
<td>Cong.</td>
<td>G</td>
<td>S</td>
<td>LA</td>
</tr>
<tr>
<td>63.</td>
<td>Ramvilas Paswan</td>
<td>Rosera</td>
<td>SC</td>
<td>JD</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td>64.</td>
<td>Pius Tirkey</td>
<td>Alipurduars</td>
<td>SC</td>
<td>RSP</td>
<td>M</td>
<td>NO</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Lalit Oraon</td>
<td>Lohardaga</td>
<td>ST</td>
<td>BJP</td>
<td>M</td>
<td>PS</td>
<td>LA</td>
</tr>
<tr>
<td></td>
<td>N.J. Rathva</td>
<td>Chhota Udaipur</td>
<td>ST</td>
<td>Cong.</td>
<td>PG</td>
<td>S</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Khelan Ram Jangde</td>
<td>Bilaspur</td>
<td>OT</td>
<td>BJP</td>
<td>G</td>
<td>NO</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Gabhaji Mangaji Takore</td>
<td>Kapadvanj</td>
<td>OT</td>
<td>BJP</td>
<td>M</td>
<td>NO</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>Chitubhai Gamit</td>
<td>Mandvi</td>
<td>ST</td>
<td>Cong.</td>
<td>G</td>
<td>PS</td>
<td>Y</td>
</tr>
<tr>
<td></td>
<td>P. Vallal Peruman</td>
<td>Chidamdaram</td>
<td>SC</td>
<td>Cong.</td>
<td>PG</td>
<td>PS</td>
<td>Y</td>
</tr>
</tbody>
</table>

**Abbreviations:**
- **SC**: Scheduled Castes
- **ST**: Scheduled Tribes
- **OT**: Others (Non-SC/ST)
- **BJP**: Bhartiya Janta Party
- **Cong.**: Congress (I)
- **JD**: Janta Dal
- **CPI**: Communist Party of India
- **CPM**: Community Party of India (Marxists)
- **TD**: Telugu Desham Party
- **RSP**: Revolutionary Socialist Party
- **BSP**: Bahujan Samaj Party
- **PG**: Post Graduate
- **G**: Graduate
- **M**: Matric
- **UM**: Under Matric
- **D**: Doctorate
- **PS**: Political Social
- **S**: Social
- **P**: Political
- **NA**: Not Available
- **Y**: Member of Parliament
- **LA**: Member of Legislative Assembly
- **NO**: None
## Appendix II

**Population of SC/STs in the Constituencies of Active Non-Dalit MPs**

<table>
<thead>
<tr>
<th>Constituency</th>
<th>Total</th>
<th>SC</th>
<th>ST</th>
<th>Percentage of Dalits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Machilipatanam</td>
<td>3698833</td>
<td>613230</td>
<td>91767</td>
<td>19</td>
</tr>
<tr>
<td>Jhanjharpur</td>
<td>2832024</td>
<td>363687</td>
<td>597</td>
<td>12.8</td>
</tr>
<tr>
<td>Jahanabad</td>
<td>1174900</td>
<td>216083</td>
<td>238</td>
<td>18.4</td>
</tr>
<tr>
<td>Kishanganj</td>
<td>984107</td>
<td>65157</td>
<td>34830</td>
<td>10.16</td>
</tr>
<tr>
<td>Mehsana</td>
<td>2937810</td>
<td>263655</td>
<td>10907</td>
<td>9.34</td>
</tr>
<tr>
<td>Kapadvang</td>
<td>4801812</td>
<td>553846</td>
<td>42574</td>
<td>12.6</td>
</tr>
<tr>
<td>Morena</td>
<td>1710574</td>
<td>340241</td>
<td>95216</td>
<td>25.45</td>
</tr>
<tr>
<td>Jabalpur</td>
<td>2649962</td>
<td>339912</td>
<td>474466</td>
<td>30.73</td>
</tr>
<tr>
<td>Bilaspur</td>
<td>3793566</td>
<td>687221</td>
<td>873741</td>
<td>41.15</td>
</tr>
<tr>
<td>Raipur</td>
<td>3908042</td>
<td>563577</td>
<td>714027</td>
<td>32.67</td>
</tr>
<tr>
<td>Hingoli</td>
<td>2117035</td>
<td>233323</td>
<td>111470</td>
<td>16.29</td>
</tr>
<tr>
<td>Balasore</td>
<td>2802417</td>
<td>555069</td>
<td>197992</td>
<td>26.87</td>
</tr>
<tr>
<td>Barmer</td>
<td>1435222</td>
<td>225324</td>
<td>84232</td>
<td>21.57</td>
</tr>
<tr>
<td>Hathrus</td>
<td>3295982</td>
<td>758308</td>
<td>127</td>
<td>23.01</td>
</tr>
<tr>
<td>Maharajganj</td>
<td>1676378</td>
<td>325270</td>
<td>2691</td>
<td>19.56</td>
</tr>
<tr>
<td>Almora</td>
<td>8636617</td>
<td>184237</td>
<td>2739</td>
<td>22.35</td>
</tr>
<tr>
<td>Banda</td>
<td>1862139</td>
<td>432884</td>
<td>43</td>
<td>23.25</td>
</tr>
<tr>
<td>Krishnagar</td>
<td>3852097</td>
<td>1117506</td>
<td>90525</td>
<td>31.36</td>
</tr>
<tr>
<td>Contai</td>
<td>8331912</td>
<td>1361828</td>
<td>689636</td>
<td>24.62</td>
</tr>
<tr>
<td>Jadarpur</td>
<td>3729644</td>
<td>588907</td>
<td>10090</td>
<td>16</td>
</tr>
</tbody>
</table>

**Source:** Census/1991 of India, Final Population, Table SC/ST.
Appendix III

Parliamentary Acts on SC/STs 1985-95

Bill No. 93-F of 1987
THE CONSTITUTION (FIFTY-SEVENTH (AMENDMENT) BILL, 1987
(AS PASSED BY THE HOUSES OF PARLIAMENT)

A

BILL

Further to amend the Constitution of India.

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follow:-

1. (1) This Act may be called the Constitution (Fifty-seventh Amendment) Act, 1987.

(2) It shall come into force on such date as the Central Government may, by notification in the Official gazette, appoint.

2. (1) In article 332 of the Constitution, after clause (3), the following clause shall be inserted, namely:-

"(3A) Notwithstanding anything contained in clause (3), until the taking effect, under article 170, of the re-adjustment, on the basis of the first census after the year 2000 of the number of seats in the Legislative assemblies of the States of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland, the seats which shall be reserved for the Scheduled tribes in the Legislative Assembly of any such State shall be,-

(a) if all the seats in the Legislative Assembly of such State in existence on the date of coming into force of the Constitution (Fifty-seventh Amendment) Act, 1987 (hereafter in this clause referred to as the existing Assemble) are held by members of the scheduled Tribes, all the seats except one;

(b) in any other case, such number of seats as bears to the total number of seats a proportion not less than the number (as on the said date) of members belonging to the Scheduled tribes in the existing Assembly bears to the total number of seats in the existing Assembly."

(2) The amendment made to article 332 of the Constitution by sub-section (1) shall not affect any representation in the Legislative Assembly of the State of Meghalaya.
or the Legislative Assembly of the State of Mizoram or the Legislative Assembly of the State of Nagaland until the dissolution of the Legislative Assembly of the State of Arunachal Pradesh or the Legislative Assembly of the State of Meghalaya or the Legislative Assembly of the State of Mizoram or the Legislative Assembly of the State of Nagaland existing at the commencement of this Act.
to provide for the inclusion of certain tribes in the list of Scheduled
Tribes specified in relation to the State of Meghalaya.

BE it enacted by Parliament in the Thirty-eighth year of the Republic of India
as follows:-

1. (1) This Act may be called the Constitution (Scheduled Tribes) order

(2) It shall be deemed to have come into force on the 19th day of September, 1987.

2. In the Scheduled to the Constitution (Scheduled Tribes) Order, 1950 (hereinafter
referred to as the principal Order), in "Part XI. – Meghalaya", after item 14, the
following items shall be inserted, namely:-

"15. Boro Kacharis
16. Koch
17. Raba, Rava".

3. (1) The Constitution (Scheduled Tribes) Order (Amendment) Ordinance, 1987, is
hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the
principal Order, as amended by the said ordinance, shall be deemed to have
been done or taken under the principal Order, as amended by this Act.

ACT. No. 33 of 1989

(11th September, 1989.)

An Act to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:-

Chapter I

PRELIMINARY

1. Short title, extent and commencement. - (1) This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central government may, by notification in the Official Gazette, appoint.

2. Definition.— (1) In this Act, unless the context otherwise requires,—

(a) "atrocity" means an offence punishable under section 3;

(b) "code" means the Code of Criminal Procedure, 1973 (2 of 1974);

(c) "scheduled Castes and Scheduled tribes" shall have the meanings assigned to them respectively under clause (24) and clause (25) of article 366 of the Constitution;

(d) "special Court" means a Court of Session specified as a Special Court in section 14;

(e) "special Public Prosecutor" means a public Prosecutor specified as a Special Public prosecutor or an advocate referred to in section 15;

(f) words and expressions used but not defined in this Act and defined in the Code or the Indian Penal Code (45 of 1860) shall have the meanings assigned to them respectively in the Code, or as the case may be, in the Indian Penal Code.
(2) Any reference in this Act to any enactment or any provision thereof shall, in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

OFFENCES OF ATROCITIES

3. Punishments for offences of atrocities.- (1) Whoever, not being a member of a scheduled Caste or a Scheduled tribe...

(i) forces member of a Scheduled Caste or a Scheduled Tribe to drink or eat any inedible or obnoxious substance;

(ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a scheduled tribe by dumping excreta, waste matter, careasses or any other obnoxious substance in his premises or neighborhood.

(iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;

(iv) wrongfully occupies or cultivates any land owned by, or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled tribe or gets the land allotted to him transferred;

(v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;

(vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do 'begar' or other similar forms of forces or bonded labour other than any compulsory service for public purposes imposed by Government;

(vii) forces or intimidates a member of a Scheduled Caste or a Scheduled Tribe not to vote or to vote to a particular candidate or to vote in a manner other than that provided by law;

(viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;

(ix) gives, any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled tribes;

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled tribe with intent to dishonor or outrage her modesty;
(xii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;

(xiii) corrupt or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;

(xiv) denies a member of a scheduled Caste or a Scheduled tribes any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any section thereof have a right to use or access to;

(xv) forces or causes a member of a scheduled Caste or a scheduled Tribe to leave his house, village or other place of residence.

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

(2) Whoever, not being a member of a Scheduled Caste or Scheduled Tribe,-

(i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will there by cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is capital by the law for the being in force shall be punished with imprisonment for life and with fine; and if an innocent member of a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who gives or fabricates such false evidence, shall be punished with death;

(ii) gives or fabricates false evidence intending thereby to cause or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;

(iii) commits mischief by fire or any explosive substance intending to cause, or knowing it to be likely that he will thereby cause damage to any property belonging to a member of a Scheduled Caste or Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine;

(iv) commits mischief by fire or any explosive substance intending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or as a place for human dwelling or as a place for custody of the property by a member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for life and with fine;

(v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more against a person or property on the ground that such person is a member of a scheduled Caste or a Scheduled Tribe or
such property belongs to such member, shall be punishable with imprisonment for life and with fine;

(vi) knowingly or having reason to believe that an offence has been committed under this Chapter, causes any evidence of the commission of that offence to disappear with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for that offence; or

(vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

3. Punishment for neglect of duties—whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term with shall not be less than six months but which may extend to one year.

4. Enhanced punishment for subsequent conviction—whoever, having already been convicted of an offence under this Chapter is convicted for the second offence or any offence subsequent to the second offence, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

5. Application of certain provision of the Indian penal Code—Subject to the other provisions of this Act, the provisions of section 34, Chapter III, Chapter IV, Chapter V, Chapter VA, section 149 and Chapter XXIII of the India Penal Code (45 of 1860), shall so far as may be, apply for the purposes of this Act as they apply for the purposes of the Indian Penal Code.

6. Forfeiture of property of certain persons.—(1) Where a person has been convicted of any offence punishable under this Chapter, the Special Court may, in addition to awarding any punishment, by order in writing, declare that any property, movable or immovable or both, belonging to the person, which has been used for the commission of that offence shall stand forfeited to Government.

(2) Where any person is accused of any offence under this Chapter, it shall be open to the Special Court trying him to pass an order that all or any of the properties, movable or immovable or both, belonging to him, shall, during the period of such trial, be attached, and where trial ends in conviction, the property so attached shall be liable to forfeiture to the extent it is required for the purpose of realisation of any fine imposed under this Chapter.

7. Presumption as to offence.—In a prosecution for an offence under this Chapter, if it is proved that—

(a) the accused rendered any financial assistance to a person accused of, or reasonably suspected of committing, an offence under this Chapter, the Special Court shall presume unless the contrary is proved, that such person had abetted the offence;
(b) a group of persons committed an offence under this Chapter if it is proved that
the offence committed was a sequel to any existing dispute regarding lands or any
other matter, it shall be presumed that the offence was committed in furthermore of
the common intention or in prosecution of the common object.

8. Conferment of Power.— (1) Notwithstanding anything contained in the Code or in
any other provision of this Act, the State Government may, if it consider it necessary
or expedient so to do—

(a) for the prevention of and for coping with any offence under this Act, or

(b) for any case or class or group of cases under this Act,
in any district or part thereof, confer, by notification in the Official gazette, on any
officer of the State Government, the powers exercisable by a police officer under the
Code in such district to part thereof or, as the case may be for such case or class or
group of cases, and in particular, the powers of arrest, investigation and prosecution
of persons before any Special Court.

(2) All officers of police and all other officers of Government shall assist the
officer referred to in sub-section (1) in the execution of the provision of this Act or
any rule, scheme or order made thereunder.

(3) The provisions of the Code shall, so far as may be, apply to the exercise
of the powers by an officer under sub-section (1).

CHAPTER III
EXTERNMENT

10. Removal of person likely to commit offence.— (1) Where the Special Court is
satisfied, upon a complaint or a police repot that a person is likely to commit an
offence under Chapter II of this Act in any area included in "Scheduled Areas " or '
tribal areas' as referred to in article 244 of the Constitution, it may, by order in
writing direct such person to remove himself beyond the limits of such area, by such
route and within such time as may be specified in the order, and not to return to that
area from which he was directed to remove himself for such period, not exceeding
two years, as may be specified in the order.

(2) The Special Court shall, along with the order under sub-section (1),
communicate to the person directed under that sub-section the grounds on which
such order has been made.

(3) The Special Court may revoke or modify the order made under sub-section (1),
for the reasons to be recorded in writing, on the representation made by the person
against whom such order has been made or by any other person on his behalf within
thirty days from the date of the order.

11. Procedure on failure of person to remove himself from area and enter thereon
after removal.— (1) If a person to whom a direction has been issued under section
10 to remove himself from any area—
(a) fails to remove himself as directed; or

(b) having so removed himself enters such area within the period specified in the order,

Otherwise than with the permission in writing of the Special Court under sub-section (2), the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

(2) The Special Court may, by order in writing, permit any person in respect of whom an order under section 10 has been made, to return to the area from which he was directed to remove himself for such temporary period and subject to such conditions as may be specified in such order and may require him to execute a bond with or without surety for the due observation of the conditions imposed.

(3) The Special Court may at any time revoke any such permission.

(4) Any person who, with such permission, returns to the area from which he was directed to remove himself shall observe the conditions imposed, and at the expiry of the temporary period for which he was permitted to return, or on the revocation of such permission before the expiry of such temporary period, shall remove himself outside such area and shall not return thereto within the unexpired portion, specified under section 10 without a fresh permission.

(5) If a person fails to observe any of the conditions imposed or to remove himself accordingly or having so removed himself enters or returns to such area without fresh permission the Special Court may cause him to be arrested and removed in police custody to such place outside such area as the Special Court may specify.

12. Taking measurements and photographs, etc, of persons against whom order under section 10 is made.— (1) Every person against whom an order has been made under section 10 shall, if so required by the Special Court, allow his measurements and photographs to be taken by police officer.

(2) If any person referred to in sub-section (1), when required to allow his measurements or photographs to be taken resists or refuses to allow his taking of such measurements or photographs, it shall be lawful to use all necessary means to secure the taking thereof.

(3) Resistance to or refusal to allow the taking of measurements or photographs under sub-section (2) shall be deemed to be an offence under section 186 of the Indian Penal Code (45 of 1860).

(4) Where an order under section 10 is revoked, all measurements and photographs including negative) taken under sub-section (2) shall be destroyed or made over to the person against whom such order is made.

13. Penalty for non-compliance of order under section 10.— Any person contravening an order of the Special Court made under section to shall be punishable with imprisonment for a term which may extend to one year and with fine.
CHAPTER IV

SPECIAL COURTS

14. Special Court.— For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of High Court, by notification in the Official Gazette, specify for each district a Court of Session to be a special court to by the offences under this Act.

15. Special public Prosecutor - for every special court the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

CHAPTER V

MISCELLANEOUS

16. Power of State Government to impose collective fine.— The provisions of section 10A of the Protection of Civil Rights Act, 1955 (22 of 1955) shall, so far as may be, apply for the purposes of imposition and realisation of collective fine and for all other matters connected therewith under this Act.

17. Preventive action to be taken by law and order machinery.— (1) A District Magistrate or a Sub-divisional Magistrate or any other Executive Magistrate or any police officer not below the rank of a Deputy Superintendent of Police may, on receiving information and after such inquiry as he may think necessary, has reason to believe that a person or a group of persons not belonging to the Scheduled Castes or the Scheduled Tribes, residing in or frequenting any place within the local limits of his jurisdiction is likely to commit an offence or has threatened to commit any offence under this Act and is of the opinion that there is sufficient ground for proceeding, declare such an area to be an area prone to atrocities and take necessary action for keeping the peace and good behaviour and maintenance of public order an tranquility and may take preventive action.

(2) The provision of Chapters VIII, X and XI of the Code shall, so far as may be, apply for the purposes of sub-section (1).

(3) The State Government may, by notification in the Official Gazette, make one or more schemes specifying the manner in which the officers referred to in sub-section (1) shall take appropriate action specified in such scheme or schemes to prevent atrocities and to restore the feeling of security amongst the members of the Scheduled Castes and the Scheduled Tribes.

18. Section 438 of the Code not to apply to persons committing an offence under the Act.— Nothing in section 483 of the Code shall apply in relation to any case involving the arrest of any person on an accusation of having committed an offence under this Act.

19. Section 360 of the code of the provisions of the Probation of Offender Act not to apply to persons guilty of an offence under the Act - The provisions of section 360
of the code and the provisions of the Probation of Offenders Act, 1958 (20 of 1958) shall not apply to any person above the age of eighteen years who is guilty of having committed an offence under this Act.

20. Act to override other laws.— Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

21. Duty of Government to ensure effective implementation of the Act.— (1) Subject to such rule as the Central Government may make in this behalf, the State Government shall take such measures as may be necessary for the effective implementation of this Act.

(2) In particular, and without prejudice to the generality of the foregoing provision, such measures, may include,—

(i) the provision for adequate facilities including legal aid, to the persons subjected to atrocities to enable them to avail themselves of justice;

(ii) the provision for travelling and maintenance expenses to witnesses, including the victims of atrocities, during investigation and trial of offences under this Act;

(iii) the provision for the economic and social rehabilitation of the victims of the atrocities;

(iv) the appointment of officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act;

(v) the setting up of committees at such appropriate levels as the State Government may think fit to assist that Government in formulation or implementation of such measures;

(vi) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provisions of this Act;

(vii) the identification of the area where the members of the Scheduled Castes and the Scheduled Tribes are likely to be subjected to atrocities and adoption of such measures so as to ensure safety for such members.

(3) The Central Government shall take such steps as may be necessary to co-ordinate the measures taken by the State Governments under sub-section (1).

(4) The Central Government shall, every years, place on the table of each House of Parliament a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this section.

22. Protection of action taken in good faith.— No suit, prosecution or other legal proceedings shall lie against the Central Government or against the State Government or any officer or authority of GOVERNMENT or any other person for anything which is in good faith done or intended to be done under this Act.

23. Power to make rules.— (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
(2) Every rule 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 rule or both Houses agree that the rule should not be made, the rule 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 amendment shall be without prejudice to the validity of anything previously done under that rule.

Bill No. 98-F of 1990

THE CONSTITUTION (SIXTY-FIFTH AMENDMENT) BILL, 1990

(As Passed by the Houses of Parliament)

A

BILL

Further to amend the constitution of India.

Be it enacted by Parliament in the Forty-first year of the Republic of India as follow:-

1. (1) This Act may be called the Constitution (Sixty-fifth Amendment) Act, 1990.

(2) It shall come into force on such date as the Central Government may, by notification in the Official gazette, appoint.

2. In article 338 of the Constitution,-

(a) For the marginal heading, the following marginal heading shall be substituted, namely:­

"National Commission for Scheduled Castes and Scheduled Tribes.";

(b) For clauses (1) and (2), the following clauses shall be substituted, namely:­

"(1) There shall be a Commission for the Scheduled Castes and Scheduled Tribes to be known as the National Commission for the Scheduled Castes and Scheduled Tribes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and five other Members and the Conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Member so appointed shall be such as the President may by rule determine.
(3) The Chairperson, Vice-Chairperson and other Member of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure.

(5) It shall be the duty of the Commission-

(a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes and Scheduled Tribes;

(c) to participate and advise on the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and to evaluate the progress of their development under the Union and any State;

(d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;

(e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the scheduled Castes and Scheduled Tribes; and

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes and Scheduled Tribes as the President may, subject to the provision of any law made by Parliament, by rule specify.

(6) The President shall cause all such report to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State government is concerned a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person from any part of India examining him on oath;
(b) requiring the discovery and production of any document;
(c) receiving evidence on affidavits;
(d) requisitioning any public records or copy thereof from any court of office;
(e) issuing commissions for the examination of witnesses and document;
(f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled castes and Scheduled Tribes."

(c) existing clause (3) shall be renumbered as clause (10).
a bill to provide for the inclusion of certain tribes in the list of Scheduled Tribes specified in relation to the State of Karnataka.

Be it enacted by parliament in the Forty-second Year of the Republic of India as follows:

1. (1) This Act may be called the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 1991.

(2) It shall be deemed to have come into on the 19th day of April, 1991.

2. In the Schedule to the Constitution (Scheduled Tribes) order, 1950, in "Part VI. Karnataka", in item 38, the following shall be inserted at the end namely:

"Naik, Nayak, Beda, Bedar and Valmiki".
Bill No. 56 of 1993

THE NATIONAL COMMISSION FOR SAFAI KARAMCHARIS BILL, 1993

A BILL

To constitute a National Commission for Safai Karamcharis and to provide for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

5. (1) This Act may be called the National Commission for Safai Karamcharis Act, 1993.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

(4) It shall cease to have effect after the 31st day of March, 1997, except as respects things done or omitted to be done before such, and upon such section 6 of the General Clauses Act, 1897, shall apply as if this Act had then been repealed by a Central Act.

Definitions - 2. In this Act, unless the context otherwise requires,-

(a) "Chairperson" means the Chairperson of the Commission;

(b) "Commission" means the National Commission for Safai Karamcharis constituted under section 3;

(c) "Member" means a Member of the Commission;

(d) "Prescribed" means prescribed by rules made under this Act;

(e) "Safai Karamchari" means a person engaged in or employed for manually carrying human excreta;

(f) "Vice-Chairperson" means the Vice-Chairperson of the Commission.
CHAPTER II

THE NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

3. (1) The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the National Commission for Safai Karamcharis to exercise the powers conferred on, and to perform the functions, assigned to, it under this Act.

(2) The Commission shall consist of -

(a) a Chairperson;

(b) a Vice-Chairperson;

(c) Five Members;

To be nominated, from amongst the persons of eminence connected with the socio-economic development and Welfare of Safai Karamcharis, by the Central Government;

Provided that at least one of the Members shall be a woman.

4. (1) The Chairperson, Vice-Chairperson and every Member shall hold office for such period not exceeding three years as may be specified by the Central Government in this behalf or up to 31st day of March, 1997, whichever is earlier.

(2) The Chairperson, Vice-Chairperson or a Member may, by notice in writing, addressed to the Central Government, resign from the office of Chairperson, Vice-Chairperson, or as the case may be, of the Member at any time.

(3) The Central Government shall remove a person from the office of Chairperson, Vice-Chairperson or a Member if that person-

(a) becomes an undercharged insolvent;

(b) is convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude;

(c) becomes of unsound mind and stands so declared by a competent court;

(d) Refuses to act or becomes incapable of acting;

(e) is, without obtaining leave of absence from the commission, absent from three consecutive meetings of the Commission; or

(f) in the opinion of the Central Government has so abused the position of Chairperson, Vice-Chairperson or Member as to render that person's continuance in office detrimental to the public interest;

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.
(4) A vacancy caused under sub-section (2) or sub-section (3) or otherwise shall be filled by fresh nomination and a person so nominated shall hold office for the unexpired period of the term for which his predecessor in office would have held office if such vacancy had not arisen.

(5) The salaries and allowances payable to and other terms and conditions of service of the Chairperson, Vice-Chairperson and Members shall be such as may be prescribed.

(1) The Central Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act.

(2) The salaries and allowances payable to, and other terms and conditions of service of, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

6. No act or proceeding of the Commission shall be questioned or shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

7. (1) The Commission shall meet as and when necessary and shall meet at such time and place as the Chairperson may think fit.

(2) The Commission shall regulate its own procedure.

(3) All orders and decisions of the Commission shall be authenticated by the Chairperson or any other officer of the Commission duly authorised by the Chairperson in his behalf.
CHAPTER III
FUNCTIONS AND POWERS OF THE COMMISSION

8. (1) The Commission shall perform all or any of the following functions, namely:-

(a) recommend to the Central Government specific programmes of action towards elimination of inequalities in status, facilities and opportunities for Safai Karamcharis under a time-bound action plan;

(b) study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis and make recommendations to the Central Government and State Governments for better co-ordination and implementation of such programmes and schemes;

(c) investigate specific grievances and take *suo moto* notice of matters relating to non-implementation of;

   (i) programmes or schemes in respect of any group of Safai Karamcharis;

   (ii) decisions, guidelines or instructions, aimed at mitigating the hardship of Safai Karamcharis;

   (iii) the provisions of any law in its application to Safai Karamcharis;

And take up such matters with the concerned authorities or with the Central or State government;

(d) make periodical reports to the Central and State Governments on any matter concerning Safai Karamcharis, taking into account any difficulties or disabilities being encountered by Safai Karamcharis;

(e) any other matter which may be referred to it by the Central Government.

(2) In the discharge of its functions under sub-section (1), the Commission shall have power to call for information with respect to any matter specified in that sub-section from any Government or local or other authority.
CHAPTER IV
MISCELLANEOUS

9. The Chairperson, Vice-Chairperson, Members, officers and other employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

10. The Central Government shall consult the Commission on all major policy matter affecting Safai Karamcharis.

11. The Commission shall prepare in such form and at such time for each financial year as may be prescribed its annual report giving a full account of its activities during the previous financial year and forward a copy thereof to the Central government.

12. (1) The Central Government shall cause the annual report to be laid before each House of Parliament along with the memorandum explaining the action taken or proposed to be taken on the recommendations contained therein in so far as they relate to the Central Government and the reasons for non-acceptance, if any, of any such recommendation.

(2) Where the said report or any part thereof relates to any matter with which a State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any such recommendation or part.

13. The Commission may, by general or special order, delegate to the Chairperson, Vice-Chairperson or any Member or to any officer of the Commission subject to such conditions and limitations, if any, as may be specified therein, such of its powers and duties, under this Act as it may deem fit.

14. No suit, prosecution or other legal proceeding shall lie against the Central Government, Commission, Chairperson, Vice-Chairperson, Members or any officer or other employees of the Commission for anything which is in good faith done or intended to be done under this Act.

15. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provision of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--

(a) Salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson, Vice-Chairperson and Members under sub-section (5) of section 4 and of officers and other employees of the Commission under sub-section (2) of sections 5;
(b) The form in, and the time at, which the annual report shall be prepared under section 11.

(c) Any other matter which is required to be or may be or may be, prescribed.

(3) Every rule 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 rule or both Houses agree that the rule should not be made, the rule 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 anything previously done under that rule.
Bill No. 43-F of 1995.
THE CONSTITUTION (SEVENTY-SEVENTH AMENDMENT)
BILL, 1995
(as passed by the Houses of Parliament)
A
BILL

further to Amend the Constitution of India.

Be it enacted by Parliament in the Forty-sixth year of the Republic of India as follows:--

1. This Act may be called the Constitution (Seventy-seventh Amendment) Act, 1995.

2. In article 16 of the constitution after clause (4); the following clause shall be inserted, namely:--

"(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the States, are not adequately represented in the services under the State."