



Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003.

File No. 16/8/Review/TISS/2018/RU-III

Date: 24.07.2018
25

To,

The Director,
Tata Institute of Social Sciences
V.N. Purav Marg, Deonar,
Mumbai

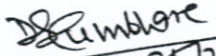
Sub: Review report of National Commission for Scheduled Tribes (NCST) on 05.06.2018 of the Tata Institute of Social Sciences, Mumbai for the effective implementation of Reservation Policy, Constitutional Safeguards and other measures for the protection welfare and socio economic development of the Scheduled Tribes in TISS.

I am directed to enclose herewith Review report of the National Commission for Scheduled Tribes (NCST) on 05.06.2018 to the Tata Institute of Social Sciences, Mumbai on the above cited subject.

It is, requested that action taken report in the matter may please be sent to the Commission within months' time.

Encl: As above.

Yours faithfully,


(D.S.Kumbhare) 25/7/2018
Under Secretary

Copy for information and necessary action to:

1. ✓ SAS, NIC, NCST upload on the web site.



भारत सरकार

Government of India
राष्ट्रीय अनुसूचित जन जाति आयोग
National Commission for Scheduled Tribes

REPORT AND RECOMMENDATIONS UNDER ARTICLE 338A (5) (e) OF THE CONSTITUTION ON THE MEASURES TO BE TAKEN BY THE TATA INSTITUTE OF SOCIAL SCIENCES (TISS), MUMBAI FOR THE EFFECTIVE IMPLEMENTATION OF RESERVATION POLICY, CONSTITUTIONAL SAFEGUARDS AND OTHER MEASURES FOR THE PROTECTION, WELFARE AND SOCIO-ECONOMIC DEVELOPMENT OF THE SCHEDULED TRIBES in TISS.

File No.: 16/8/Review/TISS/2018/RU-III
Date of Review: 05.06.2018



The National Commission for Scheduled Tribes (NCST) is a Constitutional Body set up under Article 338A of the Constitution of India to investigate and monitor all matters relating to protection, welfare and socio-economic development of the Scheduled Tribes in the country. As per constitutional provision, the Union and every State Government shall consult the Commission on all major policy/decisions affecting Scheduled Tribes. The Commission is required to present to the Hon'ble President reports upon working of those safeguards and all such reports are to be laid before each House of the Parliament along with memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for non-acceptance, if any, of any of such recommendations.

2. In pursuance of the above constitutional mandate, a review meeting was undertaken by full Commission under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on 05th June, 2018 in Tata Institute of Social Science at its Hqrs, Mumbai on evaluation and monitoring implementation of reservation policy (service safeguards) for Scheduled Tribes and schemes for their socio-economic development with the TISS Management, Scheduled Tribe students and representatives of TISS Employees Welfare Association of TISS.

3. The list of participants is annexed.

Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

Interaction with the Scheduled Tribe students of Tata Institute of Social Science

4. The Hon'ble Chairperson, NCST welcomed the participants and briefed about role and responsibilities of the National Commission for Scheduled Tribes under Article 338 A of the Constitution of India. Thereafter, he asked the tribal students to submit their point of views and grievances for taking up the same with the TISS management.
5. Shri Jaiprabhu Lakhda, Student representative has informed the Commission that the Institute did not implement the recommendations of the Commission given in the last meeting held on 16.05.2018 at Commission's Hqrs., Delhi. The Institute did not waive off full fees including Hostel and Dining Hall charges and due to this the tribal students are facing difficulties to continue their studies in the Institute. Moreover, due to high charges of Hostel and Dining Hall charges, intake of the ST students is being decreased.
6. Ms. Noli Nivedita Tirkey, PhD student has raised the grievances of harassment in respect of withholding of scholarship amount and withholding of her paper because she was protesting and notices issues to her.
7. Shri Pradeep Minz, PhD Student has informed the Commission that he was GOI-PMS student in 2014-15. He had applied for TA reimbursement at the time but the reimbursement was not made by the Institute.
8. Other Scheduled Tribe students who were present have raised the following grievances:
 - a) Arbitrary collecting Hostel and Dining Hall charges from First Year Students
 - b) Many ST students withdrew their admission due to high charges of Hostel and Dining Hall charges
 - c) Not giving a non-NET Fellowship
 - d) Course fees of the TISS is higher as compared to other seven deemed to be Universities.
 - e) Show Causes notices had been issued to the ST students on fake grounds.
 - f) TA reimbursement to ST students denied.
9. The Commission discussed the grievances raised by the ST students and assured them that the same will be taken up with the TISS Management. However, the Commission advised the ST students to not protest and not to participate in the protest march and focus on their studies.



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Meeting with TISS SC/ST Employees Welfare Association

10. The Commission welcomed the representatives of the TISS SC/ST Employees Welfare Association and asked them to present their issues for taking up the same with the TISS Management.

11. Shri Partha Sarathi Mondal, President, TISS SC/ST Employees Welfare Association welcomed the Commission and presented a Memorandum of the issues to the Commission. He highlighted the following issues before the Commission:

- a) Non preparation and maintenance of Reservation Rosters as per the Government guidelines for various category of posts in direct recruitment as well as promotion for the SC/ST.
- b) Non maintenance of Reservation Rosters for Contractual or limited time basis appointment.
- c) Irregular movement of UGC posts – In TISS most of the UGC sanctioned Non-Teaching posts have been allocated/designated by TISS to the Technical Posts (e.g. Asst. Engineer, Electrician, Technical Assistance, Professional Assistant, Junior/Senior DTP Operator) which do not have promotion ladders in the human resource structure of all the four TISS campuses/Off-campus (at Mumbai, Tuljapur, Guwahati and Hyderabad). This means that hardly any SC/ST Non-Teaching Posts are made available by TISS for the general administrative cadre of TISS, which has serious implications for TISS's governance and of social justice principles / norms.
- d) Non filling up of backlog ST vacancies and denial of promotion – No exact position of backlog of ST vacancies in various cadres/posts have been ascertained due to non maintenance of Reservation Rosters. It has been observed that the discrimination is being meted out in promotions of STs.
- e) Non appointment of Liaison Officer for SC/ST Special Cell - After intervention of the Commission, the TISS Management has appointed a Liaison Officer for SC/ST. However, a notification of appointment of Liaison Officer and Special Cell for SC/ST have not be intimated to the Association.
- f) Nil representation of SC/ST Employees in Statutory Bodies
- g) Non providing facilities/infrastructure to the TISS SC/ST Employees Welfare Association – TISS authority has not provided any office space to the SC/ST Employees



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Welfare Association since, its establishment in 1993 despite having given office space to the General Employees Association. No infrastructure i.e. furniture, telephone, notice board, room etc. have been provided.

h) Creation of fear atmosphere for SC/ST Employees.

During the meeting, other representatives of the SC/ST Employees Welfare Association raised the following grievances:

- i) Dr. P. Gopinath informed the Commission that no reservation policy is being followed in Government Funded Projects. The TISS Management did not response the communications made by the SC/ST officials.
- ii) Shri Valodra informed the Commission that no pre or post promotion training is being provided to the ST officials so they are deprived from their legitimate promotion. In addition, other issues i.e. no recognition to the Association after 25 years, no office space to the SC/ST Employees Welfare Association, bad treatment from the Management, not sharing of Government of India's orders related to SC/ST matters, non deduction of the union fees directly from the employee's salary, charging for Hall or Rooms use for association meeting, non providing office vehicle to the association members for official use etc. were raised before the Commission.
- iii) Dr. Vaishali Kolhe stated that the SC/ST Officials faced casteism from the senior colleagues and paper related works are not shared by the Seniors.

12. The Commission discussed all the issues raised by the Association and assured that their issue will be taken up with the TISS Management and will ask them to address the issues in positive way. During the meeting the Secretary, NCST has informed the participants that the Commission has taken a decision to request for deputing Experts from the Institute of Secretariat Training and Management (ISTM) to resolve issues related to the Reservation Rosters.

Meeting with the Director and other Senior Officers from TISS.

13. The Commission briefed about role and responsibilities of the Commission enshrined under Article 338 A of the Constitution of India. Before discussion, the Commission asked the Director, TISS to present action taken report on Commission's recommendations made during the Sitting held on 28.02.2018 in the Commission. Thereafter, the issues raised by the ST


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students and TISS Employees Welfare Association were discussed and the Commission asked the TISS Management to submit their points of view/action taken.

14. Prof. Shalini Bharath, Acting Director, TISS welcomed the Commission and introduced herself and members of the Management. She gave a brief account of the activities undertaken by the Institute. She informed the Commission that the Commission's recommendations were received recently and an action taken report on this is being prepared. However, the Institute is committed to follow the reservation policy and other safeguards provided to Scheduled Tribes in true spirit. She requested Dr. C.P. Mohan Kumar, Registrar, TISS to highlight the works undertaken by the TISS in the welfare of Scheduled Tribes. Accordingly, the Registrar, TISS submitted the following:

- i) TISS has nominated one Member from the SC/ST category in its Governing Board, Finance Committee and Academic Council (which has a power to approve the curriculum, courses, schools and centres).
- ii) The Institute follows the Govt. of India rules and regulations in respect of recruitment process and implementation of reservation policy.
- iii) The Institute has GOI-PMS, Scholarship from the Ministry of Tribal Affairs and State Governments. However, TISS name does not appears on online portal of State Government and they are denying Scholarship on the ground of outside the State. Similarly, online portal for National Fellowship for STs for M.Phil/Ph.D does not have the name of TISS.
- iv) A proposal was sent to the Ministry of Social Justice and Empowerment for seeking approval for 1000 seat of Hostel (500 for Girls and 500 for Boys).
- v) Liaison Officer was appointed and a SC/ST Cell have been created.
- vi) With regard to backlog Teaching and non-Teaching posts, there are two ST vacancies in teaching category (one for Professor and one for Associate Professor) and three vacancies in non-teaching category posts. The Institute have advertised the vacancies in 2016 and 2017. But no suitable candidate found fit for selection.
- vii) Regarding implementation of reservation policy in the Projects allotted to the Institute on tenure based, it was informed that projects allotted to the Institute are of very short term period and after completion the project is over. Hence, it is practically not possible to implement reservation policy.




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- viii) The Institute provides one-time TA reimbursement to attend pre-admission orientation, admission, pre-interview test, verification of the documents and joining. If a candidate has already availed the facility, then there is no facility for second time.
- ix) The Institute has a complaint Register for STs to address the grievances/complaints of the SC/ST students and staff. In addition, the Institute has Standing Advisory Committee, Social Protection Office. If it is still not resolved, then the Registrar and the Director will resolve.
- x) The Institute has earlier made expenditure towards waiving charges for Hostel and Dining Hall through the Non-Plan maintenance Grant. However, the UGC cut the grant from Rs. 22.00 crore to Rs. 6.00 crores with condition that the Institute can support this facility by collecting the fees from the students. There is a deficit of Rs. 21.00 crore in account of Hostel and Dining Hall charges. Hence, the Institute is not able to waive off the Hostel and Dining Hall charges for the ST students.
- xi) Regarding Scholarship issues, the matter is being pursued with the concerned State Governments.

15. After detailed discussion the Commission observed that there are some issues related to waiver of Hostel and Dining Hall charges, maintenance of Reservation Rosters, reimbursement of TA to ST students and non-providing facility to the SC/ST Employees Welfare Association, wherein, the TISS Management has to give attention to address the grievances.

16. The Commission recommends as follows:

- The Commission's recommendations made during the Sitting held on 28.02.2018 in the Commission should be implemented in true spirit.
- The Commission earlier recommended that the Institute should waive off Dining and Hostel Charges for the ST students as was done earlier. However, the Commission's recommendations have not been implemented. The Commission reiterates and strongly recommends that Tata Institute of Social Sciences should come forward with a plan for arranging funds from various sources to meet the requirement of funds for dining and hostel charges of students of SC/ST category, as was done earlier and waive off charges keeping




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in view the financial position of the ST students. This needs to be done urgently to protect the interests of poor students.

- TA reimbursement amount should be paid to the ST students.
- Course fees of the TISS should be prepared in line with other deemed to be Universities and should consider to reduce in the interest of the ST students.
- Action should be taken to redress all grievances of ST students and it may ensure that no injustice may be meted out against the ST student.
- It was noted that the Reservation Rosters for various cadres/posts have not been maintained as per the Government of India's guidelines. Hence, the Institute should send a proposal to the Institute of Secretariat Training Management (ISTM) to depute Experts for specific tenure to prepare Reservation Rosters and providing training on implementation on Reservation Policy at the Institute Hqrs., Mumbai. The Commission will also help to follow up the matter with the ISTM. The Institute should also consider to have presence of two representatives of the SC/ST Employees Welfare Association at the time of preparation of Reservation Roster by the ISTM.
- All backlog ST vacancies should be filled up in a time bound manner by launching Special Recruitment Drive. In this regard an action plan should be prepared.
- The reservation policy should be followed in the recruitment of project staff which are sponsored by the Government of India and Government entity.
- It was observed that as on 01.01.2018, the representation of STs in services in Group –A (6%) and Group – B (5.12%) category posts is very less against prescribed 7% reservation to STs. Hence, the prescribed 7% reservation for STs should be maintained in all cadre posts and in this regard efforts for filling up of all ST unfilled vacancies should be made.
- Pre-promotion, training should be provided to the ST officials so that they did not deprive from their legitimate promotion.
- All infrastructure facilities i.e. Office space, furniture, telephone with internet, notice board, stationary etc. should be provided to the TISS SC/ST Employees Welfare Association.




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- Quarterly meetings in between Liaison Officer and representatives of TISS SC/ST Employees Welfare Association should be held. In addition, a meeting in between Director, TISS and the representatives of the Association be held once a year and action should be taken to resolve the grievances of the STs. The minutes of the meeting and other circulars should be provided to the Association.
- The TISS Management will send proposal to improve the Institute's financial position to the UGC and MHRD and the Commission will follow up the matter.
- The Scholarship issues should be taken up with the concerned State Governments and concerned Ministries and the same should be resolved in the interest of the Scheduled Tribe students.
- The TISS Administration should examine the grievances of Ms. Noli Nivedita Tirkey and Shri Pradeep Minz and necessary corrective action should be taken to redress the grievances with submission of report to the NCST.
- TISS should be conscious of its position as an Institute of excellence and ensure that there is complete harmony between various social Communities.
- An action taken report on Commission's recommendations should be sent to the Commission within 30 days.

The meeting was ended with thanks to the Chair.


19.7.18
Nand Kumar Sar
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

No. 16/8/Review/TISS/2018/RU-III

List of participants in the meeting held on 05.06.2018 at 10.30 A.M to 2.00 PM in the Old Conference Hall, TISS Mumbai.

❖ The National Commission for Scheduled Tribes:

1. Shri Nand Kumar Sai, Hon'ble Chairperson In Chair
2. Miss. Anusuiya Uikey, Hon'ble Vice-Chairperson
3. Shri Hari Krishna Damor, Hon'ble Member
4. Shri Harshadbhai Chunilal Vasava, Hon'ble Member
5. Smt. Maya Chintamn Ivnate, Hon'ble Member
6. Shri Raghav Chandra, Secretary
7. Shri Sisir Kumar Rathod, Joint Secretary
8. Shri Y.K. Bansal, Research Officer
9. Shri Satyadev Sharma, Honorary Advisor to the Hon'ble Chairperson
10. Shri Sudhir Atram, PS to Hon'ble Member (MCI)

❖ The Management of the Tata Institute of Social Sciences, Mumbai

1. Prof. Shalini Bharath, Acting Director
2. Prof. Surinder Jaswal, Deputy Director (Research)
3. Dr. C.P. Mohan Kumar, Registrar
4. Prof. A. Ramaiah, Liaison Officer for SC/ST
5. Prof. P.K. Shajahan, Dean, Students Affairs
6. Prof. Vijay Raghavan Formal Dean, Social Protection Office
7. Prof. Helarius Beck,
8. Dr. Alex Akhup
9. Prof. Bipin Jojo
10. Mr. Bodhi S.R.
11. Ms. Indira Pasupathy, Deputy Registrar,
12. Ms. Roja Pillai, Assistant Registrar (P&A)
13. Mr. Mustafa Momin, Assistant Registrar (Academic)
14. Mr. Vinayak Shinde, Section Officer (SC/ST Cell).



❖ SC/ST Employees Welfare Association, TISS Mumbai

1. Mr. Partha Sarathi Mondal, President, TISSSCSTEWA
2. Dr. Bal Rakshase
3. Dr. Helarius Beck
4. Dr. P. Gopinath
5. Dr. Vaishali Kolhe
6. Mr. Damu Bhalerao, Assistant Registrar (ID&S)
7. Mr. Prabhu Gaddimani
8. Mr. C. S. Gangurde
9. Mr. Vijender Singh
10. Ms. Vidya Sartape
11. Mr. Purushottam Valodra, President of TISS Employees' Union

❖ List of the students :

1. Mr. Gofort Langhu
2. Ms. Kennedy Haokip
3. Mr. Albert /tovah
4. Mr. Vishnu Mohan
5. F (not legible)
6. Menokhono
7. Zajano Z. Yanthan
8. Mr. Lakhindar Soren
9. Nondiya Hanth
10. Terimago Thumra
11. Yamiam
12. B Lakra
13. Mr. Rajnikant
14. Mr. Benjamin
15. Hinotoli

16. Somingam P S
17. Mr. Anurag Sonal Kachhop
18. Genuine Norzary
19. Mr. Abhishek Bhagat
20. Mr. Yashwant
21. Ms. Shephali Kullu
22. Mr. A. Ajmal
23. Mr. Deepak Kumar Nada
24. Ms. Disha K. R,
25. Mr. Akshay Datte Mere
26. Mr. Vinoto Shohe
27. Mr. Bodhi Ratan Chakma
28. Mr. Heman Pagag
29. Subra Chikma
30. Ms. Daisy Kujur