

GOVERNMENT OF TELANGANA
ABSTRACT

SCDD – Telangana State Commission for Scheduled Castes and Scheduled Tribes – Constituted – Notification Orders – Issued.

SCHEDULED CASTES DEVELOPMENT (POA.A1)DEPARTMANT

G.O.Ms.No. 9

Dated: 26-02-2018

Read the following:-

1. State Commission for Scheduled Caste & Scheduled Tribes Act, 2003 (Act No.9 of 2003).
- 2.Andhra Pradesh Re-Organisation Act, 2014 (Act.No.6 of 2014)
- 3.G.O.Ms.No.4, SCD(POA) Department, Dt.05.03.2016.
- 4.G.O.Rt.No.6, General Administration(General L&C) Department, dated:2.1.2018.

ORDER:

In the reference 3rd read above, Andhra Pradesh Commission for Scheduled Castes and Scheduled Tribes Act, 2003 (Act No.9 of 2003) was adapted along with the amendments made from time to time, for the purpose of facilitating its application in the State of Telangana under section 101 of the Central Act.No.6 of 2014 and changed the nomenclature of said commission as Telangana State Commission for Scheduled Castes and Scheduled Tribes.

2. Government hereby direct that the following notification shall be published in the Extraordinary issue of Telangana Gazette, dated. 26.02.2018:-

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 5 of Telangana State Commission for Scheduled Castes and Scheduled Tribes Act, 2003 (Act.No.9 of 2003) as amended by Telangana State Commission for Scheduled Castes and Scheduled Tribes vide G.O.Ms.No.4, SCD(POA) Department, dated:05.03.2016 and G.O.Rt.No.6, General Administration(General L&C) Department, dated:2.1.2018, appointed the following persons as Chairman and Members of the Telangana State Commission for Scheduled Castes and Scheduled Tribes:-

1.	Dr. Errolla Srinivas, S/o Vijjaiah, SC Madiga, Siddipet District	Chairman
2.	Sri Boyuilla Vidhyasagar S/o Ramachandraiah SC-Mala, Suryapet District	Member
3.	Sri.M.Rambal Naik S/o Gopya, ST-Lambada, Ranga Reddy District	Member
4.	Smt.Kusram Neela Devi W/o Keshav ST-Gondu, Adilabad District	Member
5	Sri.Sunkapaka Devaiah S/o Durgaiah SC-Madiga, Secunderabad, Hyderabad	Member
6.	Sri.Chilakamari Narsimha S/o Ramaiah SC-Madiga, Ranga Reddy District	Member

3. The term of office and conditions of Services of Chairman & Members prescribed under section 6 of the State Commission for Scheduled Castes and Scheduled Tribes Act, 2003(Act 9 of 2003) is as follows:

- 1) The Chairman or the Members shall, unless otherwise, disqualified for continuing as such under the rules, hold office for a term of three years from the date he assumes office and shall be eligible for re-appointment for a second term only.
- 2) The Chairman or the Member may by writing under his hand addressed to the Government resign from the office, but he shall continue in office
- 3) till his resignation is accepted by the Government or his successor is appointed.
- 4) The Successors so appointed under sub-section(2) shall hold office for the remainder of the term of his predecessor.

[p.t.o....]

5) The Government may remove a person from the office of Member, if that person:-

- a) becomes an undischarged insolvent;
- b) is convicted and sentenced to imprisonment for an offence which in the opinion of the 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) without obtaining leave of absence from the commission, absents himself from three consecutive meetings of the commission;
- f) has in the opinion of the Government, so abused the position of the member as to render that person's continuance in office detrimental to the interest of Scheduled Castes and Scheduled Tribes in the State or the public interest:

Provided that no person shall be removed under this clause until that person has been given an opportunity of being heard in the matter.

4. The powers of the Commission under section 11(1), the Commission shall, while performing its functions under powers of the section (12) the State Commission for Scheduled Castes and Scheduled Tribes Act, 2003(Act 9 of 2003), have the powers of a Civil Court trying a suit and its Commission particulars, in respect of the following matters namely:-

- i) Summoning and enforcing the attendance of any person from any part of the State and examining him on oath;
- ii) requiring the discovery and production of any document;
- iii) receiving evidence on affidavits;
- iv) requisitioning any public record or copy thereof from any court or office;
- v) issuing Commissions for the examination of witnesses or documents; and
- vi) any other matter which may be prescribed.

(2) Any proceedings before the Commission shall be deemed to be a judicial proceedings within the meaning of sections 192 and 228 of the Indian Penal Code and the Commission shall be deemed to be a court for the purpose of section 195 of the code of Criminal Procedure, 1973

(3) The Commission shall have the powers to requisition such information, document and such assistance as may be required from any department of the Government for the effective implementation of the provisions of this Act.

5. The functions of the Commission under section 12 of the Act, the Commission shall perform the following functions namely:-

(a) Inquire, suo motu or on a petition presented to it by a victim or by any person of his behalf, into complaint of:

(i) Violation of any rights provided in the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and rules thereon or abetment thereof.

(ii) negligence in the prevention of such violation, by a public servant.

(iii) inquire and recommend to the concerned disciplinary authority to initiate disciplinary action in cases where the Commission is of the view that any public servant has been grossly negligent or grossly indifferent in regard to the discharge of his duties in relation to the protection of the interests of Scheduled Castes and Scheduled Tribes.

(b) to investigate and monitor all matters relating to the safe-guards provided for the Scheduled Castes and Scheduled Tribes under the 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.

(c) to evaluate the working of various safeguards and civil rights accruing to a person as stipulated in the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for the protection of Scheduled Castes and Scheduled Tribes

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and in laws and regulations and any other orders passed by the Union and State Governments, to investigate and monitor all matters relating to safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution or under any other law.

- (d) to make recommendations with a view to ensure effective implementation and enforcement of all safeguards under protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989 and other laws and the rules.
 - (e) to undertake a review of the implementation of the policies pursued by the Union and the State Government with respect to the Scheduled Castes and Scheduled Tribes.
 - (f) to look into specific complaints regarding deprivation of rights and safeguards in the interest of the Scheduled Castes and Scheduled Tribes.
 - (g) to enquire into any unfair practice take decision thereon and recommend to the Government the action to be taken in that matter.
 - (h) to spread literacy among various sections regarding the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989 and to promote awareness of the safeguards available for the Protection of these rights through publications the media, seminars and other available means.
 - (i) to conduct studies, research and analysis on the question of avoidance of discrimination against Scheduled Castes and Scheduled Tribes.
 - (j) to suggest appropriate legal and welfare measures in respect of Scheduled Castes and Scheduled Tribes to be undertaken by the Government.
 - (k) to enquire into any unfair practice:-
 - (i) on receiving a written complaint from any Scheduled Castes or Scheduled Tribes women alleging that she has been subjected to any unfair practice or father or sister or brother or from any organizations.
 - (ii) to cause investigations or inquires to be made by the Commissioner of Social Welfare (SCDD) on issues of importance concerning Scheduled Castes and Scheduled Tribes particularly SC/ST women and issued concerning unfair practice and to report thereon to the Government on the corrective measures to be taken.
 - (l) the monitoring of the working of laws in force concerning Scheduled Castes and Scheduled Tribes women with a view to identifying the areas where the enforcement of laws is not adequately effective or has not been streamlined and recommending executive or legislative measures to be taken.
 - (m) to invite one or more prominent persons to participate in the meetings of the Commission to advice on such matters as may be necessary.
 - (n) to encourage the efforts of non-governmental organizations and institutions working in the field of human rights and for the up-liftment and betterment of Scheduled Castes and Scheduled Tribes .
 - (o) to make periodical reports at prescribed intervals to the Government.
 - (p) to exercise such other powers and perform such other functions as may be conferred or rejoin upon it by this Act or the rules made thereunder and
 - (q) the recommendations of National Commission for Scheduled Castes and Scheduled Tribes will prevail in case of conflicting recommendations on the same issue by the Telangana State Commission for Scheduled Castes and Scheduled Tribes and the National Commission for Scheduled Castes and Scheduled Tribes.
6. The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Government in consultation with the Accountant General, Telangana State.
7. The accounts of the Commission shall be audited by the Accountant General, Telangana State at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Accountant General, Telangana State.

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8. 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 Government.
9. The Headquarter of the Commission will be located at Hyderabad.
10. The Commission shall:-
- i) meet as and when necessary at such time and place as the Chairperson may think fit;
 - ii) regulate its own procedure;
 - iii) all orders and decisions of the Commission shall be authenticated by the Secretary or any other officer of the Commission duly authorised by the Secretary in his/her behalf.
11. The Chairman and Members of Telangana State Commission for Scheduled Castes and Scheduled Tribes except Secretary shall hold office for a term of three years from the date of assumption of office.
12. All the Departments of the Government will furnish such information and documents and provide such assistance as may be required by the Commission from time to time.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**DR.BUDDHAPRAKASH JYOTI
SECRETARY TO GOVERNMENT**

To

The Chairman & Members concerned through the Secretary, Telangana State Commission for Scheduled Castes and Scheduled Tribes.

The Secretary, Telangana State Commission for Scheduled Castes and Scheduled Tribes Hyderabad.

The Commissioner, Printing, Stationery and Stores Purchase (Ptg. Wing) Department, Telangana, Hyderabad (with a request to publish it in the extraordinary gazette and furnish (25) copies)

The Director, Scheduled Castes Development, TS, Hyderabad.

The Commissioner, Tribal Welfare, TS, Hyderabad.

The Director General of Police, TS, Hyderabad.

The Additional Director General of Police (CID, PCR Cell), TS, Hyderabad.

The Secretary to Government of India, Ministry of Social Justice & Empowerment, Department of Social Justice & Empowerment, Shastri Bhavan, New Delhi-110001.

The Director, Government of India, National Commission for Scheduled Castes, 204, Maithriviham, Ameerpet, Hyderabad-500038.

All HODs in Telangana State
All District Collectors in the State
All Superintendents of Police in the State
All DSCDOs in the Telangana State.

through
Secretary, Telangana
State Commission for
Scheduled Castes &
Scheduled Tribes.

Copy to:

The G.A(Genl. L&C)Department.

The G.A(Poll.C)Department.

The Secretary to Government, Law Department, Telangana State.

The Advocate General, High Court of Judicature at Hyderabad for the State of Telangana, Hyderabad.

The P.S. to the Spl. Secretary to Hon'ble CM(BR).

The P.S. to Hon'ble Minister for Scheduled Castes Development Department.

The P.S. to Hon'ble Minister for Tribal Welfare Department.

The P.S. to Advisor to Government(Welfare)

The PS to Chief Secretary to Government, Telangana State

The PS to Secretary to Govt., Scheduled Castes Development Department.

The PS to Secretary to Govt., Tribal Welfare Department

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER