

SC/ST Cell, CDS: Terms of Reference

I. Introduction:

a) The existence of a just and democratic space inside an academic institution is necessary for acquiring knowledge, take part in academic training and engage in the expansive knowledge production. Society like ours is with multiple levels of inequalities and discrimination, and same would reflect in our academic institutions. To deal with such complex social discrimination we have an elaborate mechanism in our Constitution. According to the Constitution of India, which resolved India into a sovereign socialist secular democratic republic, right to equality is a fundamental right that includes the right to equality before law. Article 15 (1) and (2) prohibit the state from discriminating any citizen on ground of *any religion, race, caste, sex, place of birth or any of them*. Article 16 provides equality of opportunities in matters of public employment. The Constitution further specifies that this will not prevent the state from making special provisions for women, children, scheduled castes and scheduled tribes. Article 17 seeks to abolish untouchability and to forbid all such practices. The Directive Principles of State Policy of the Constitution includes promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections (Article 46). Protection of Civil Rights 1955 provides measures to protect the lower castes and minorities from various grounds of discrimination. The Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 was enacted to prevent atrocities against scheduled castes and scheduled tribes. Commission for the Scheduled Castes and Scheduled Tribes was given constitutional status through 65th amendment in 1989.

Tribal advisory councils and separate departments are set up in states to promote the welfare and safeguard the interests of the Tribals (Article 164 and 338 and Fifth Schedule). Article 244 and Fifth and Sixth Schedules make special provision for administration and control of scheduled and tribal areas.

b) The Reservation Policy is a Constitutional device in the creation of society of equals. Reservation for SCs and STs is founded upon the ideology of compensatory justice for their sufferings for ages for no fault of theirs. Series of affirmative actions were enacted for the social and economic upliftment of the SC/ST community in India. The quota of reservation has been decided by the Constitution in accordance with the percentage of the population of SCs and STs, being 15% and 7.5%, respectively. Despite various measures adopted to improve the socio-economic conditions of the SCs and STs they remain vulnerable and are subject to various offences, indignities and humiliations and harassment.

c) In tune with these measures in the constitution, UGC came out with Guidelines in 1998 which focused on the welfare of the disadvantaged students and staffs during IX Plan period, directing academic institutions to establish SC/ST Cell. The cell is also entrusted with helping the SC/ST students to integrate with mainstream of the university

community and to help them achieving their level best during their academic training. This also includes assisting the institutions in implementing the reservation policy with regard to the admission of students and the recruitment of teaching and non-teaching staff at various levels.

d) CDS is a self-governing institution, funded by the Government of India (ICSSR) and the Government of Kerala. CDS is an institution of excellence in higher education that continually responds to the changing social realities through the development and application of knowledge, towards creating a people-centered egalitarian community, with special emphasis on marginalised and vulnerable groups. The SC/ST Cell at the Centre was constituted as a forum by the Committee of Directions (CD) in September 2017 as a step forward in achieving these goals.

II. Composition and Procedure for Internal Functioning:

a) The members of the cell are appointed by the Director of the Centre, in consultation with the SC/ST faculty. The tenure of the Cell shall be for two years.

b) A five member advisory committee will be responsible for the functioning of the Cell, which consists of two faculty members, two students and one administrative staff who all shall belong to SC/ST category. The student representatives should be elected by the SC/ST students through a General Body of SC/ST students.

c) The Chair of the Cell shall be one of the faculty members. In the absence of the Chair, the other faculty member will act as the Chair.

d) Functions of the Chair:

i) To keep the records; ii) To convene meetings of the Cell; iii) To receive complaints for grievance redressal and to take necessary actions to organise hearings; iv) To circulate communications from the GOI, UGC and the CDS administration to the Cell members on issues concerning SC/ST students, staff and the faculty.

e) The Cell will convene once every month to discuss issues related to the SC/ST students, staffs and the faculty in the institute.

f) A member may resign office, tendering resignation to the Director and cease to be a member from the date of acceptance of resignation.

g) A vacancy arising out of consecutive absence/resignation shall be filled within eight weeks of the date of occurrence of the vacancy by the Director.

h) Any member of the committee may request the Chair to call an emergency meeting. A notice of two working days shall be required for such a meeting to be called.

i) The Director will reconstitute the committee upon retirement, transfer, disqualification, death or prolonged illness of members.

III. Functions of the Cell:

The following functions of the cell are made in accordance with the 1998 UGC Guidelines and the instructions of MHRD for the formation of SC/ST Cell. (*See the Annexure I: UGC Guidelines for the formation of SC/ST Cell*).

- a) To monitor and evaluate the reservations policy in CDS and suggest measures for ensuring effective implementation of the reservation policy according to the GOI and UGC rules and regulations; to collect data regarding the implementation of the policies in admissions of students, appointments of teaching and non-teaching positions,; to suggest follow up measures for achieving the objectives and targets laid down for the purpose by the GOI and the UGC.
- b) To monitor the selection procedure for reserved positions in the institute for students; to conduct annual monitoring of the rosters maintained, keeping a record of such monitoring; to provide suggestions to various Institute Committees in respect of promotions/recruitment on the latest rule position concerning SC/ST reservations.
- c) To provide post-admission orientation to SC/ST students.
- d) To assist SC/ST students to improve their academic performance through organising remedial measures and capacity building programmes; with the help of faculty members for improving the academic performance of the SC/ST students.
- e) To organise interactive sessions and informal meetings with SC/ST students and staff in order to help them deal with, social and academic problems, and to organise meetings with members of the CDS community on the importance of an egalitarian and inclusive campus culture
- f) To collect and to circulate reports and information regarding the GOI and UGC orders on the various aspects of education, training and employment of Scheduled Caste and Scheduled Tribe candidates.
- g) To function as a Grievances Redressal Cell for the grievances of SC/ST students and employees of the institute.
- h) To submit annual reports to the Director.

IV. Grievance Redressal

- a) The SC/ST students and employees can approach the Chair of the Cell for redressal of any of their grievance(s) regarding academic, administrative or social problems face in CDS.
- b) Procedure to file a complaint and follow-up: A written complaint may be submitted to the Chair. Any student and employee of the institute can approach the Cell. Any complaint received by members should be immediately forwarded to the Chair and if the complaint falls within the purview of the Cell it should be taken up within a week of receipt of the complaint.
- c) The complaints that fall outside the scope of the Cell shall be forwarded to the Director.

- d) The Cell shall enquire into the complaint, observing the principles of natural justice and maintaining the norms of caste/gender sensitivity and arrive at a decision, taking cognizance of all aspects of the incident, the time, place and the context. The Cell shall complete the inquiry in the shortest possible time, not exceeding three months from the date on which the complaint is referred to it.
- e) The complainant and the respondent shall be given reasonable opportunity to present and defend their case. Witnesses may be called if deemed necessary.
- f) In case the respondent fails to attend consecutively for three hearings, the inquiry may be terminated and the decision may be taken on the complaint on ex-parte basis. The complainant and the respondent cannot bring lawyers on their behalf.
- g) On completion of an inquiry, the Cell will submit a detailed report of its findings to the Director within 10 days of completing the inquiry. If the accused is found guilty, the report should indicate the gravity of the offence, whether it is major or minor, and its suggestions for action.
- h) The concepts and categories for interpretation for grievance redressal shall be based on the UGC guidelines.

V. Miscellaneous

The CDS shall allocate the necessary funds every year from annual budget for the Cell to enable it to perform its functions as listed above. An annual budget can be prepared and approved by the finance committee before the beginning of every financial year up to a maximum of Rs 10,000 (Ten thousand) a year.