

BC panel will get more powers

Can summon anyone, seek evidence

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People belonging to the Other Backward Classes will soon be able to approach a new National Commission for Backward Classes (NCBC) with Constitutional status to get their grievances redressed.

The panel that will come into being following the passage of the 123rd Constitutional Amendment Bill by the Lok Sabha a few days ago will be able to enforce the safeguards provided to the Socially and Educationally Backward Classes (SEBCs) and solve their grievances.

The present NCBC can only recommend inclusion and exclusion of castes on the OBC list and the income ceiling to determine the “creamy layer”, which does not get the benefit of reservation.

Till now, it was the National Commission of Scheduled Castes that addressed the grievances of the OBCs. Article 338 of the Constitution, which provides for a “Special Officer for the Scheduled Castes and Scheduled Tribes” to investigate all matters relating to the safeguards available to them under the Constitution, says categorically that SC/STs “shall be construed as including references to Other



Backward Classes”, once a Commission decides who they are.

So, with OBC reservations becoming a reality in the 1990s, the mandate of the SC Commission got extended. These functions will now get transferred to the new panel, said a senior Social Justice and Empowerment Ministry official.

P.S. Krishnan, former Secretary of the erstwhile Welfare Ministry, told *The Hindu*: “In the case of grievances related to non-implementation of reservations, economic grievances, violence, etc., people from the SEBC category will be able to move the Commission.”

Clause-3 (5) of the Bill gives the proposed Commission the power to inquire into complaints of deprivation of rights and safeguards. Clause 3 (8) gives it the powers of a civil court and allows it to summon anyone, call for documents to be produced, and receive evidence on affidavit.