



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. FA/3/2018/MHRD2/DEOTH/RU-III

6th floor, B Wing Loknayak Bhawan,
Khan Market,
New Delhi-110003

Dated: 16-05-2018

To,

1. The Secretary,
Ministry of Tribal Affairs,
Shastri Bhawan,
New Delhi-110 001
2. The Secretary,
Department of Higher Education,
Ministry of Human Resource Development,
Shastri Bhawan, New Delhi
3. The Chairman,
University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi -110002
4. The Director,
Tata Institute of Social Sciences (TISS),
V.N. Purav Marg, Deonar,
Mumbai-400 088

Sub Representation dated 28.02.2018 of Shri Fahad Ahmad, General Secretary, TISS Students Union, Tata Institute of Social Sciences, Deonar, Mumbai regarding post Matric Scholarship to the SC/ST and OBC students of Tata Institute of Social Sciences, Mumbai.

Sir,

I am directed to enclose herewith a copy of Proceeding of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, NCST on 12-04-2018 for information and urgent necessary action.

It is requested that action taken report in this regard may be submitted to this Commission within months' time.

Yours faithfully,

(R. K. Dubey)

Assistant Director

Copy for information and necessary action to:

1. Shri Fahad Ahmad, General Secretary, TISS Students Union, Tata Institute of Social Sciences, Deonar, Mumbai-400 088
2. Shri Chandrakant Gangurde, General Secretary, Tata Institute of Social Sciences Scheduled Caste Scheduled Tribes Employees Welfare Association, VN. Purav Marg, Deonar, Mumbai
- 3/ SAS, NIC, NCST uploaded on the web site.

National Commission for Scheduled Tribes

(F. No. FA/3/2018/MHRD2/DEOTH/RU-III)

Sittings taken by National Commission for Scheduled Tribes on the representations of (1) Shri Fahad Ahmad, General Secretary, TISS students union related to charging of high tuition fee and other charges including hostel and dining hall charges from ST/ SC students by Tata Institute of Social Sciences (TISS) and (2) representations of General Secretary, TISS SC, ST Employees Welfare Association regarding issues related to Roster, backlog of posts and SC/ST cell in the Institute.

Date of Sitting: 12.04.2018

List of Participants is annexed.

(1) Sitting on the representation of Shri Fahad Ahmad, General Secretary, TISS students union related to charging of high tuition fee and other charges including hostel and dining hall charges from ST/ SC students by Tata Institute of Social Sciences (TISS).

In the Sitting, the ST/SC students of the Union informed the Commission that TISS is fully Government funded Institution and receives regular grants from the Government. Adhering to the Government of India guidelines, students belonging to weaker and economically marginalized communities have the opportunity to study at TISS. However, since last few years students belonging to SC, ST and OBC category are facing problems to study in the Institute due to constant scholarship issues with special reference to the post- matric scholarship (GOI PMS) for the SC/ST/OBC categories.

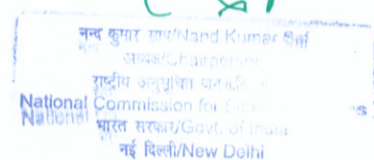
They informed the Commission that as the scholarship provided under GOI-PMS scheme was not sufficient to match the exorbitant fee structure at TISS, the administration had introduced a system of "fee exemption", where SC/ST/OBC were exempted from payment of the tuition, dining hall and hostel fee. This was done in the context where students from the said communities were not able to get into the Institute (according to the provisions of reservation) due to their incapability to cover their fee. The constitutional provisions of reservation for these categories were met only after the introduction of fee-exemption. Hence, they view this act not as a charity/ favour or even "free ship" done by either TISS or the Government of India but the entitlement and the right of the students, more importantly as the constitutional provision mandated by the Constitution of India.


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अध्यक्ष/Chairperson
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नई दिल्ली/New Delhi

They further, informed the Commission that TISS administration suspended the fee exemption for the OBC NC students in the year 2014 and for the SC/ST students in the year 2016, and students have been opposing this since then. All of these students now need to pay the full fees as prescribed for the general category students. They have also observed through the RTI reply that since 2015, the enrolment rate of the students belonging from SC/ST and OBC is going down, as well as there is an increase in their drop-out ratio. It is understood that due to fund cuts for the public education, and socio-economically marginalized communities are becoming immediate victims of such policy. They have raised these concerns time and again with Institute authorities and would like to raise this issue with the Government of India, Ministry of Social Justice and Empowerment, and Ministry of Tribal Affairs, UGC, MHRD, Ministry of Finance, Ministry of Minority Affairs and the respective State Governments and other concerned Departments. They demanded that the scholarship should cover all expenses of the students towards their education and should include tuition fee, dining hall fee, hostel fee and personal sundry for which UGC should provide separate funds. Further, the courses of the Institute should be considered the Professional courses and 100% financial assistance should be provided under centrally sponsored scheme. They should be provided full amount of scholarship including fee for enrolment/ registration, tuition, sports, union, library, magazines, etc. The TISS may be asked not to charge any dining hall and hostel charges from the SC/ST students, as was done earlier and it should meet the expenditure incurred in this account from alternative arrangements.

TISS: Director, TISS informed the Commission that the fee exemption for OBC-NC students was suspended from the academic year 2014-15 as the DBT (Direct Benefit Transfer) system was started by the State Governments from that year and TISS stopped receiving any amount relating to scholarship from the State Governments (the money is now directly credited in to the student's bank account). For SC/ST GOI-PMS eligible students, there is a MHRD guideline not to charge upfront course fee. Hence, course fee waiver is continued for SC/ST students for current and future batches. TISS has also been extending waiver of Dining Hall and Hostel charges for SC/ST GOI-PMS student till last year, which has now been extended to current batches of SC/ST GOI-PMS students. They have been giving these waivers for SC/ST GOI-PMS students from Institute sources (despite not getting any reimbursement from State Governments).

For OBC-NC GOI-PMS students, TISS had to stop fee waiver from the academic year 2014-15 onwards, and to compensate this, they have been providing student aid every year ranging from Rs. 12,000/- to Rs. 50,000/- per student per year, based on needs assessment and



interview process. This year, apart from student aid already given to OBC-NC students, it has been decided to give additional student aid to all current batches of OBC-NC students, up to Rs. 30,000/- per student per year, based on their balance requirements.

For SC/ST eligible students, the course fee exemption and Dining Hall and Hostel charges waiver is continued for all current batches students as per the Plan of Action notified by TISS on 10/03/2018/ (copy attached). For future batches, course fee waiver for SC/ST eligible students shall continue. For future batches of OBC-NC students, upfront payment to be made at the time of admission has been reduced by Rs. 50,500/-. This means that at the time of admission, the OBC-NC GOI-PMS students would have to pay an average of Rs. 25,000/-. The remaining amount due from them would be payable after admission for which they are eligible to apply for student aid.

From the academic year 2018, SC/ST GOI-PMS students would have to pay Hostel and Dining Hall charges but this would be payable in instalments after admission. At the time of admission, SC/ST GOI-PMS students would have to pay Rs. 4,500/- as base fee (Caution Deposit + Medical Insurance + Student Union fee) and Rs. 5,000/- as first instalment for Hostel fees. There is no upfront payment for Dining Hall charges at the time of admission for SC/ST/OBC-NC students. For these students, Dining Hall charges would be payable as per actual in 2-3 instalments per semester.

All these concessions and facilities have been agreed to be provided to SC/ST /OBC-NC GOI-PMS students based on the continuous dialogue that TISS administration has been having with Students Union representatives and student delegates who have been protesting since 21/2/2018. The main demand of protesting students is to give full course fee waiver (including Hostel and Dining Hall charges) for SC/ST/OBC-NC eligible students for all future batches.

Commission was informed that, the demands placed by the students in their representations dated 28/02/2018 basically pertains to policy decision of the Government. We would be grateful, if the same is considered by the respective State Governments, UGC, MoTA and Mo SJ&E as it will be helpful to the ST student's eligible for GOI-PMS scholarship. Moreover, TISS makes all effort to provide financial support to the ST students. For example, this is the only Institute which provides Travel Allowance to eligible ST students to attend Pre-Admission Orientation Programme, TISS National Entrance Test (TISS NET), Pre-Interview Test and Personal Interview, and travel at the time of joining the programme.


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The current financial situation of TISS does not permit continuing full waiver for all GOI-PMS students. TISS has done whatever is possible in the current situation for these students which is spelt out in the Plan of Action dated March 10, 2018. This Plan of Action alone is going to cause an additional financial burden of Rs. 12 crores, which the Institute will have to raise from various sources. TISS is in dialogue with the students protesting on the subject.


On query by the Commission, it was informed that presently 297 Tribal students are pursuing different courses in the Institute. The Institute also makes arrangements for placement of the students and they are offered in between Rs. 35, 000/- to Rs. 1,00,000/- per month by the employers. It was also noticed by the Commission that from the year 2015 onwards, the fee and hostel charges being charged have substantially increased in comparison to dining hall charges which has a gradual increase. For PG courses, the fee being charged is much more than the fee charged by other Institutes. Thus, there is a need to keep the fee, hostel and dining hall charges at a level which is affordable for poor and needy students.

MoTA: The representative of Ministry of Tribal Affairs informed that State Governments send their demands/ proposals to Ministry of Tribal Affairs in the matter of Post-matric scholarship and MoTA issues grants to them in this regard. The amount of fee for various courses in different Institute is decided by a Committee formed for the purpose by the State Governments which is not uniform in various States. The SC/ST students have to apply for scholarship which is online arrangement.

MHRD and UGC: The representatives of Ministry of Human Resource Development and University Grants Commission confirmed that TISS is a deemed University which is a private Institution for which 100% funding on salary is provided by UGC which amounted to Rs. 50 crores last year.

After understanding the issue and detailed discussion, the Commission recommends as under:

1. 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. This has been reportedly started this year by arranging Rs. 80 lakhs through various sources. However, this needs expansion. This fund should be utilised for meeting or minimising the expenditure on dining hall facility, hostel fee and other heads as the most of the Scheduled Tribe


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students are not in a position to bear this enhanced financial burden. This needs to be done urgently to protect the interests of poor students.


2. Further, Ministry of HRD and UGC should find out ways to support the Scheduled Tribe students so that they can continue to study in TISS and other such Institutions where fee and other charges are higher than the amount of post-matric scholarship received by them. If this is not taken care of, the Scheduled Tribe students will not be able to take admission or continue their education in such prestigious Institutes. Ministry of HRD and UGC should direct TISS to make the aforesaid provisions from the lump sum grants released by the Government of India to them.
3. Also, Ministry of Tribal Affairs should immediately make scheme to provide funds to TISS over and above amount of post-matric scholarship to meet the expenditure on Tribal students incurred by TISS.

2. Sitting on the representation of General Secretary, TISS SC, ST Employees Welfare Association regarding issues related to Roster, backlog of posts and SC/ST cell in the Institute.

The Commission requested the representatives of TISS SC/ST Employees Welfare Association (TISSCSTEWA) to present their case. A Memorandum/ Charter of Demands were presented by them before the Commission. The main issues are highlighted as under:

1. Roster

- a) Providing a Certified photocopy of Hand-written Roster Registers (separately for direct recruitment and for promotion) since 1889 for Teaching, Non-Teaching and Ad-hoc SC/ST employees.
- b) We have observed from the Roster for Faculty (not certified) which has been uploaded by the Institute on the Institute official website (Institute Intranet) and was available/ accessed on January 19, 2018 that many faculty those who are from the unreserved category are recruited (appointed) from the SC/ST quota and vice-versa. Further, SC/ST posts. Either the uploaded document is wrong or the Roster has not been maintained properly, which is unlawful and against the guidelines of the Supreme Court.
- c) It has also been observed that in several projects and other official activities of the Institute that reservation has not been implemented vis-à-vis SC/St employees


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employed in those projects and activities. Reservation in such domains is required by law.

- d) Providing a Certified photocopy of Hand-written Roster for Institute Quarter Allotment. In this context, halt the misinterpretation of Quarter Allotment Rules and consequent discrimination and harassment.
2. Fill backlog of Posts Reserved for SC/ST Employees immediately.
 3. Restore the SC/ST Cell and Liaison Officer as per UGC Guidelines and Separate the Cell from the Social Protection Office.
 4. Immediate Cessation of Harassment and De-motivation of SC/ST Employees.
 - a) There is deliberate non-communication (written and verbal) from the side of the administration when communications are sent by the SC/ST employees.
 - b) SC/ST employees are not involved or encouraged to participate in the Institute processes of decision making and relevant deliberations.
 - c) Specify the criteria for selection of employees for Institute training programmes inside or outside Mumbai (for both GoI and Non-GoI Funding) as it has been noticed that more often than not general category people are being deputed to programmes (often the same general category employees).
 5. Providing Representation of SC/ST Employees in the Statutory Bodies of the Institute.
 6. Providing Notice Boards for TISSSCSTEWA in Central Location of the Institute Main Campus and New Campus.
 7. Copy of all GoI Circulars etc. regarding SC/ST Received by the Institute to be Marked to the General Secretary, TISSSCSTEWA and a Copy to be Posted in the TISSSCSTEWA Notice- Boards in Main Campus and New Campus.

The Commission noticed that the demands relate to maintenance of Rosters, filling up of backlog posts reserved for SC/ST category, restoration of SC/ST Cell and Liaison Officer, Harassment/ De-motivation of Employees, representation in various statutory bodies, providing notice boards for Association and supply of GoI circulars related to the Association for which instructions already existed and these issues can be easily sorted out why the Administration of TISS. Hence, **the Commission directed TISS to place the Rosters of the Organizations on the website of the Organization and advised the representatives of Association to hand over a copy of their letter and demands to the Director, TISS who will take decisions on the issues as per instructions on the subject**

and inform the Commission about action taken by TISS within 1 month of receipt of proceedings.

Annexure

List of participants in the meeting held on 12.04.2018 at 05.00 PM in the National Commission for Scheduled Tribes, HQ, New Delhi.

National Commission for Scheduled Tribes

1. Shri Nand Kumar Sai, Hon'ble Chairperson
2. Miss Anusuiya Uikey, Hon'ble Vice- Chairperson
3. Shri H.K. Damor, Member
4. Shri Harshadbhai Chunilal Vasava, Member
5. Smt. Maya Chintamn Ivnate, Member
6. Shri Sisir Kumar Ratho, Joint Secretary
7. Shri R.K. Dubey, Assistant Director
8. Shri D.C. Katoch, Consultant

Officer of Ministry of Ministry of Tribal Affairs

1. Shri J. S Kochher, Joint Secretary

Officer of Ministry of Human Resource Development

1. Shri S.K. Sule, Joint Secretary

Officers of Ministry of University Grants Commission

1. Shri Rajnish Jain, Secretary
2. Dr. Sunita Siwach, Joint Secretary

Officers of Tata Institute of Social Sciences

1. Prof. Shalini Bharat, Director (Acting)
2. Shri C.P. Mohan Kumar, Registrar

Petitioners

1. Shri Fahad Ahmad
2. Shri Chandrakant Gangurde