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# Over a dozen annual reports of SC, ST and OBC panels yet to be made public

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## Context

- More than a dozen crucial annual reports of the National Commissions for Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs) have not been made public for up to seven years now. While the National Commission for Scheduled Castes (NCSC) and the National Commission for Scheduled Tribes (NCST) have **not submitted their annual reports to the President** for the last two years, the National Commission for Backward Classes (NCBC) has not done so for three years.
- The three commissions have a **constitutional mandate to submit these reports to the President every year** with a **review of the implementation of safeguards meant for these communities**.

## National Commission for SCs and STs

### 65th Constitutional Amendment Act of 1990

- It amended **Article 338** of the Indian Constitution and provided for the establishment of a high-level multi-member **National Commission for SCs and STs**.
- This constitutional body **replaced the Commissioner for SCs and STs**.

### 89th Constitutional Amendment Act of 2003

- It further amended Article 338 and inserted a new Article 338-A in the Constitution.
- As a result of this amendment, the National Commission for SCs and STs was bifurcated into two separate bodies:

1National Commission for Scheduled Castes (NCSC) – **Article 338**.

2National Commission for Scheduled Tribes (NCST) – **Article 338-A**.

## NCSC

- The separate National Commission for SCs was finally established in 2004.
- It consists of a **Chairperson, a Vice-Chairperson, and three other members**.
- They are **appointed by the President** by warrant under his hand and seal.

**Kamaraj IAS Academy**

Plot A P.127, AF block, 6 th street, 11th Main Rd, Shanthi Colony, Anna Nagar, Chennai, Tamil Nadu 600040

Phone: **044 4353 9988 / 98403 94477** / Whatsapp : **09710729833**

- The Chairperson, the Vice-Chairperson, and other Members of the National Commission for SCs shall hold office for a **term of three years** from the date on which he/she assumes such office.
- The Chairperson, the Vice-Chairperson, and other Members shall **not be eligible for appointment for more than two terms**

## NCST

- NCST was set up **in 2004 by amending Article 338** and by inserting a **new article 338A** in the Constitution through the 89th Constitution Amendment Act, 2003. Hence, it is a **constitutional body**.
- By this amendment, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes was replaced by two separate Commissions namely: the National Commission for Scheduled Castes (NCSC), and the NCST
- It consists of a **Chairperson, a Vice-Chairperson and 3 other Members** who are **appointed by the President** by warrant under his hand and seal.
- • The Chairperson, the Vice-Chairperson and the other Members hold office for a **term of 3 years**.
- The members are **not eligible for appointments for more than two terms**.

## NCBC

- The National Commission for Backward Classes (NCBC) is a **constitutional body** in India.
- **Article 338-B** of the Indian Constitution deals with the provisions related to the National Commission for Backward Classes (NCBC).
- Complying with the **Mandal Case Judgment** of the Supreme Court, the Parliament enacted the **National Commission for Backward Classes Act, 1993**.
- The Act established the National Commission for Backward Classes (NCBC) **statutory body** under the Ministry of Social Justice and Empowerment.
- **102nd Constitutional Amendment Act of 2018**
- It inserted a **new Article 338-B** in the constitution, conferring the **constitutional status on the National Commission for Backward Classes (NCBC)**.
- It consists of a **Chairperson, a Vice-Chairperson, and three other** members.
- They are **appointed by the President** by warrant under his hand and seal.
- The Chairperson, the Vice-Chairperson, and other Members of the National Commission for Backward Classes (NCBC) shall hold office for a **term of three years** from the date on which he/she assumes such office.
- The Chairperson, the Vice-Chairperson, and other Members shall **not be eligible for appointment for more than two terms**.