Society & Social Justice · GS - II

Do constitutional bodies like the National Commission for Scheduled Castes (NCSC) and the National Commission for Scheduled Tribes (NCST) possess adequate enforcement powers to secure substantive social equality ? Suggest measures to enhance their institutional effectiveness.

EXAM YEAR	PAPER	SUBJECT
2026	GS - II	Society & Social Justice

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Articles 338 and 338A, constitutional safeguards, civil court powers, investigation, summons, recommendations, advisory nature, implementation gap, independence, binding recommendations, resources, accountability

Model Answer

The NCSC and NCST are constitutional bodies established under Articles 338 and 338A to monitor safeguards, investigate complaints and advise governments on measures for the protection and socio-economic advancement of Scheduled Castes and Scheduled Tribes.

They possess powers resembling those of a civil court while investigating matters, including summoning persons and examining documents. However, their enforcement capacity remains limited because many of their recommendations are advisory rather than legally binding. The NCSC itself has highlighted that its civil-court powers do not extend to granting injunctions and has recommended stronger enforcement powers and greater institutional authority.

Their effectiveness can be enhanced by making recommendations binding in specified safeguard-related matters, with reasons required from authorities for non-compliance. Adequate financial and investigative resources,

independent staffing, fixed timelines for government responses and stronger parliamentary oversight can improve accountability. Regular publication of action-taken reports can further strengthen transparency.

Thus, the commissions provide an important constitutional mechanism for substantive equality, but stronger follow-up and enforcement mechanisms are required to translate constitutional safeguards into effective outcomes.

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