

- Composition - Chairperson, Vice-Chairperson and three other Members appointed by the president.

Power and Duties

- To investigate and monitor all matters relating to the safeguards provided for the SEBC and to evaluate the working of such safeguards.
- To inquire into specific complaints with respect to the deprivation of rights and safeguards of the SEBC. To present to the President reports upon the working of those safeguards.
- To recommend measures that should be taken for the effective implementation of safeguards and other measures for the protection, welfare and socio-economic development of SEBC.
- To participate and advise on the socio-economic development of the socially and educationally backward classes and to evaluate the progress of their development.
- NCBC has the powers of a civil court.

Role of NCBC as an agency for welfare of OBC

- Recently NCBC, summoned the Government Medical College and Hospital, Chandigarh regarding non-allotment of seats in the institute to OBC students as per the provision of the reservation.
- National Commission for Backward Classes has issued a notice to the health ministry complaining that the post-Mandal 27 per cent quota was not implemented systematically.

Limitations

- **Non-Binding Recommendations** - Recommendations are not binding on the government.
- **Multidimensional challenges** - Mere granting constitutional status will not result in advancement of OBCs as it consists of very diverse communities with different socio-economic backgrounds and challenges.
- **Ignores SC directives** - It does not reflect the features of an expert body as mandated by the Supreme Court. Such as the Act does not talk about the periodic revision of the backward class list in consultation with the NCBC as recommended by the Supreme Court.
- **No power to define** - NCBC has no power to define backwardness. Hence it cannot resolve the issue of demands of various castes to be included as BCs.
- There is **no expert body provided under the NCBC** as recommended by the Supreme Court.
- Many states have not yet implemented the 27% reservation to OBCs.
- The Supreme Court and High Courts have a small representation of OBCs.
- OBCs are underrepresented in numerous government committees, commissions, boards, and other forums.

The 102nd amendment

- It also introduced Article 366(26C) and 342-A as per which the President can notify a class as SEBC.

Recent judgment of SC (struck down Maratha Reservation - May 2021)

- There will be only one list and it "can only be amended through a law enacted by Parliament".
- Only the President (read the Centre) can decide the list of socially and educationally backward communities for granting reservation.
- States can only make suggestions for inclusion, exclusion or modification of castes or communities in the SEBC list.

Suggestions

- **Composition:** Mandatorily include experts and females in order to ensure gender sensitivity.