



Caste Atrocity Complaint in UP

Why in News?

Recently, the [National Commission for Scheduled Castes \(NCSC\)](#) has acknowledged an atrocity complaint filed against a member of [Uttar Pradesh's Transgender Welfare Board](#).

- The movement for **horizontal reservation for transgender individuals in government jobs and education** is gaining momentum in northern India, inspired by activists in southern States.

Key Points

- **Horizontal and Vertical Reservations:**
 - **Vertical Reservations** create a **separate quota category under which all transgender individuals qualify**, regardless of their socio-economic background.
 - **Horizontal Reservations** allocate a **percentage of seats for transgender individuals within each socio-economic category**, addressing the layered discrimination faced by marginalized caste trans people.
 - Trans activists nationwide **advocate for horizontal reservations**, highlighting vertical quotas' failure to address caste-based discrimination within the transgender community.
- **NCSC Action on Complaint:**
 - NCSC issued notices to the Saharanpur district administration and police, based on a **complaint by a Dalit trans woman activist**.
 - She alleged that a **member of Uttar Pradesh's Transgender Welfare Board, harassed activists supporting horizontal reservations**.
 - She submitted a recording where the **member allegedly used casteist and transphobic slurs**, including deliberate misgendering.
 - The **member denied the allegations**, claiming the voice in the recording was not hers and questioning the legality of recording calls.
 - She accused the complainant of **misusing constitutional provisions** and plans to file complaints with the [National Human Rights Commission \(NHRC\)](#) and NCSC.
- **Debate on Reservation Policy:**
 - The 2014 Supreme Court judgment directed reservations for transgender individuals as "[Socially and educationally backward classes \(SEBC\)](#)," sparking differing interpretations.
 - In Madhya Pradesh, transgender individuals were added to the State OBC list in April 2023.
 - **High Courts**, including Karnataka, Madras, and Calcutta, have ruled in **favor of horizontal reservations**.
- **Diverging Opinions on Reservation:**
 - **One perspective supports vertical reservations**, asserting that discrimination against transgender individuals stems from gender, not caste.
 - It **challenges the idea that transgender individuals retain their caste identity after transitioning**, referencing the 2014 Supreme Court judgment.
 - The opposing view critiques this interpretation as overlooking the caste diversity within the transgender community, emphasizing that horizontal reservations address the layered discrimination faced by **marginalized caste transgender individuals**.

▪ **Broader Implications:**

- The Supreme Court refused to clarify **the ambiguity in the 2014 judgment in March 2023.**
- The debate underscores the need for nuanced policies to ensure equitable representation for transgender individuals across socio-economic categories.

National Commission for Scheduled Castes (NCSCs)

▪ **About:**

- The NCSC is a **Constitutional Body** established with a view to provide **safeguards against the exploitation of Scheduled Castes** and to promote and protect their social, educational, economic and cultural interests.

▪ **Composition:**

- The NCSC comprises **a Chairperson, a Vice-Chairperson, and three additional Members.**
- These positions are **filled through the President's appointment**, indicated by a warrant under his hand and seal.
- Their conditions of service and tenure of office are also determined by the President.

PDF Reference URL: <https://www.drishtiias.com/printpdf/caste-atrocity-complaint-in-up>

