NATIONAL COMMISSION FOR BC
Article 338-B

In Mandal Case Judgement (1992)

Supreme Court directed Central government to constitute a permanent statutory body to examine the complaints of under inclusion, overinclusion & non-inclusion of any class of citizens in the list of backward classes

Accordingly, National Commission for Backward Classes (NCBC) was set up in 1993.

Later, 102nd Constitutional Amendment Act 2018 conferred Constitutional status on the Commission.

For this, amendment inserted New Article 338 – B to the Constitution.

Thus Commission became Constitutional Body.

Members

1. Chairman
2. vice-chairman
3. Three other members

They are appointed by president

Their conditions of service & tenure of the office determined by the president

Report is submitted to president

Functions

1. Investigate & monitor constitutional & legal safeguards for socially & educationally backward classes & evaluate their working.
2. Enquire complaints related to deprivation of rights & safeguards of socially & educationally backward classes
3. Participate & advice on socio-economic development of socially & educationally backward classes & evaluate progress of development under Union or a State.
4. Present reports to president annually or whenever require.
5. Make recommendations for protection , welfare & socio-economic development of socially & educationally backward classes
6. Discharge other functions as president may specify.

Powers

The commission has all powers of a civil court in following matters:

1. Summoning & enforcing attendance of any person and examining him on oath.
2. Requiring discovery & production of any document.
3. Receiving evidence & affidavits.
4. Requisitioning any public record from any court or office.
5. Issuing summons for examination of witnesses & documents.
6. Any other matter which President may determine.