

**REPORT OF THE COMMITTEE TO
ENQUIRE INTO THE ALLEGATION
OF DIFFERENTIAL TREATMENT
OF SC/ST STUDENTS IN
All India Institute of Medical Science,
Delhi**

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All India Institute of Medical Science, Delhi

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EXECUTIVE SUMMARY

The Government constituted a committee headed by Prof SK Thorat to enquire into allegations of differential treatment of SC/ST students in the All India Institute of Medical Sciences. This was in the wake of media reports and complaints to the Government about the said harassment and abuse. The committee was given the mandate to look into all matters connected with the said harassment.

The AIIMS being a 100 per cent grant-in-aid institution of the Government is to comply with all the directives of the Government and provide for the constitutionally guaranteed safe guards to the weaker sections particularly the Schedule Castes and Schedule Tribes.

The observation and findings of the committee in summary form are given below.

UNDERGRADUATE STUDENTS

Special programs-Absence of such programs in AIIMS

AIIMS has not taken any initiative to arrange remedial coaching in English language, basic courses or any other spheres for SC/ST students as is required by the educational institutions. About 84 per cent of SC/ST students mentioned the need for remedial coaching in English language and basic courses.

Assessment and Examination and Teachers Support to SC/ST students

AIIMS examination system involves both internal and external assessment. A large component of the examination has a high subjective element. The examination system with 50 per cent internal assessment and with significant role of individual faculty, gives scope for faculty to misuse this privilege, if he/she wishes to do so.

The internal assessment and the training are linked so that through a mentoring and hand holding process the teacher gets the best out of the student while imparting skills and

knowledge. The following are the responses of the students to the questions about discrimination in teaching sessions, laboratories and clinical.

Lack of consultation and interaction – About 69 per cent of the SC/ST students reported that they do not receive adequate support from teachers about half of them give inaccessibility and indifference as reason for less contact with teachers. About one third give caste background as reason for avoidance by the teachers. Thus it emerged that the SC/ST students do not receive the kind of support that the other students received from their teachers. Given the dependence of students on teachers for learning and skill, the lack of adequate support to the SC/ST reflects in performance and psychological problems.

Discrimination in Teaching – Of the total responses about 72 per cent of them mentioned some kind of discrimination being faced in teaching session.

Evaluation of Theory Paper-About 76 per cent of students mentioned that their papers were not examined properly. About 88 per cent mentioned that they got fewer marks than they expected. Only 20 per cent mentioned that they got feedback on their answers papers.

Discrimination in Practical and Viva- -About 84 per cent of respondents mentioned that evaluation in practical and viva was unfair. About 85 per cent of them mentioned that the SC students don't receive enough time with the examiners, as compared with the higher caste students About 40 per cent of the students also mentioned that more difficult questions are generally put to them. About 76 per cent of the respondents reported that the examiner had asked the caste background; about 84 per cent mentioned that their grades were affected because of their caste background.

The self reported experiences of SC/ST students indicate that discrimination take the form of avoidance, contempt, non- cooperation, and discouragement and differential treatment by teachers towards these students.

Class representatives- A representative of the class has a role in facilitating academics and even his/her role has been discriminatory. Only on few occasion the SC/ST students

are elected as class representative. About 80 per cent of the student respondent reported differential treatment being faced. in distribution of instructions, in informing schedule of examination or rescheduling of classes, class trips and cultural activities.

Problem in the Hostel

Segregation in Hostel- Over a period of time and particularly in the wake of the anti-quota agitation, several students belonging to the SC/ST categories have shifted to the two top floors of Hostels 4 and 5 leading some sort of segregation on caste line. The SC/ST students are forced to shift to these hostels by a sustained pressure in the form of humiliation, abuse and even violence by the higher caste students. About **half** of the respondent students indicated caste harassment by higher caste students as reason for shifting from other hostel to hostel 4 and 5.

Inter-personal relation in hostel, Mess and Dinning

1. **Social isolation** -Students living in hostel where a majority students are from higher caste complained of social isolation in inter-personal relation. About 88 per cent of the students reported experiences of social isolation in various ways. and 84 per cent of the student respondent reported violence in various forms..
2. **Discrimination in Mess-** While the general messes are open to the reserved categories, about 76 per cent of SC/ST respondent students mentioned that they faced restrictions on the joining the private messes. There is a caste divide in formation of private mess.

Social segregation in games and sports and cultural events

Participation in game-The SC/ST students faced discrimination in participation various games. About 88 per cent faced discrimination in access to basked ball game followed by 60 per cent in cricket.

Participation in the Cultural Event PULSE-The AIIMS organize a big cultural event which goes by the name of PULSE “. About, 32 per cent of the SC/ST students have not participated in the PLUSE all together. About 68 per cent participated in PULSE in

various capacities. Of these about 80 per cent participated as observer and volunteer and only 11 per cent as competitor and 7 per cent as representative in any committee. The SC/ST students feel that the PULSE organizing committee works in a biased manner such that the SC/ST students are not give due participation

Ragging and Caste Overtone

Even though ragging is officially banned in the AIIMS, there appears to be a month period of unofficial ragging. Students of SC/ST category have stated that ragging has serious caste overtones and several forms of humiliation are meted out to them.

Problems of SC/ST Senior and Junior Residents

There is sufficient reason and evidence including Supreme Court observations that AIIMS followed a reservation policy which is not in conformity with the directives of the Central Government while selecting junior residents (postgraduate students). These mechanisms effectively denied a good number of opportunities to the SC/ST community.. This should be quickly corrected. Discrimination of residents of the SC/ST category is evident in a subtle as well as direct manner.

The Residents who did not cooperate with the administration in the anti quota agitation had harrowing experiences as repercussions.. The case of Dr. Ajitha Gill is a unique example.

Circumstances of the SC/ST Faculty

Post based Roster system of selection and appointment was never followed by the AIIMS for the faculty even though it is a requirement under Central Government rules and directives. This has been to the disadvantage of the SC/ST category of faculty. A recent Supreme Court order has exposed several wrong doings on the part of the AIIMS administration faculty appointments and promotions. The SC/ST group was adversely affected by these methods of appointment. Faculties are discriminated by the HOD's in allotting thesis guidance for post graduate residents. This reduces their research opportunities and has to compete with their colleagues with lesser publications. Clinical opportunities are also reduced so that they do not get full exposure to clinical problem

solving. Conference/ workshop and external academic participation is selectively blocked in many ways.

Anti-quota Agitation

The anti-quota agitation was planned by a group of people who had strong views against the reservation bill to be passed soon in the parliament. Various people have given evidence to support the view that the administration of the AIIMS played a proactive role in the organization of the agitation. The AIIMS became the venue for this so called national agitation because it could paralyse health care services to thousands and thereby attract public attention. Paralyzing of the health care services including emergency services would put pressure on the government. The administrative support which was widely covered in the media went to the extent of penalizing and punishing several students and staff that did not support the agitation.

The manner in which the Dean Dr. Deka was humiliated needs further investigation.

Chapter I

MANDATE, PURPOSE AND METHODOLOGY

Background

The Government of India constituted a Committee headed by UGC Chairman Prof. Sukhadeo Thorat to look into the complaints from Members of Parliament, media reports and other representations on the alleged harassment to SC/ST (Scheduled Caste/Scheduled Tribe) students in All India Institute of Medical Sciences, New Delhi (Annexure 1.1).

This Committee was set up in backdrop of certain events and development in AIIMS that had occurred in the context of announcement of reservation for OBC. The Bill for reservation for Other Backward Castes was sought to be introduced by the Government of India in the month of April. Some groups of students who were opposing such reservation had launched an agitation hence onwards called as Anti-OBC Reservation Agitation (ARA) in the month of May 2006. A countrywide strike was organized by this group called as Youth for Equality (YFE) beginning with 13th of May 2006. The media had reported that this group included medical students, students from IITs and IIMs and some other colleges. It was also reported that this group had its origins in the All India Institute of Medical Sciences and involved several members of Students Union, Resident Doctors Association and from Faculty Association from All India Institute of Medical Sciences. The strike ended with the intervention of the Supreme Court on 3rd June 2006.

During this period and following it, several reports appeared in press and electronic media about acts of discrimination in the All India Institute of Medical Sciences among the students. One of the consequences of acts of discrimination, it was reported was the inter-hostel change by SC students to hostel where they felt safe to stay, but in the process leading to segregation of students belonging to the Scheduled Castes and Scheduled Tribes in some specific hostel.. The administration of All India Institute of

Medical Sciences immediately denied such claims reported in the press. (annexures 1.2a, 1.2b, 1.2c, 1.2d, 1.2e, 1.2f, 1.2g, 1.2f). Several groups from the All India Institute of Medical Sciences as well as Members of Parliament had made representations to the President of India (annexure 1.3), Prime Minister of India (annexure 1.4) and the Minister of Health and also Director of the All India Institute of Medical Sciences (annexure 1.5). In the light of the above, the Government of India has instituted this committee to examine the existence of discrimination against students, Resident Doctors, other staff and Faculty of the All India Institute of Medical Sciences.

The three members Committee consist of Prof. Sukhadeo Thorat, Chairman, UGC, Dr. K.M. Shyamprasad, Vice President, National Board of Examinations and Dr. R.K. Srivastava, Director General of Health Services will be the members of the Committee. Professor S.K. Thorat being the Chairman of the Committee.

The Committee was required to submit its report within one month and was to be serviced by the Ministry of Health and Family Welfare.

Terms of reference:

The terms of reference of the committee were broad.

The committee was expected to look into all aspects of the *alleged* discrimination of SC/ST students, both undergraduate and post graduate. Since the committee had the scope to investigate all aspects of discrimination and that the Committee discovered that the problems of SC/ST students were inter- twined with faculty and Staff, it was decided to look into discriminatory treatment among the Resident Doctors, Staff and Faculty in AIIMS.

Methodology

The committee in its first meeting decided on the methodology of the investigation.

The committee sought the help of the Director of All India Institutes of Medical Sciences and administration to arrange for the students, faculty and the other staff to meet the members of the committee to give their versions of the issue at hand.

The Committee used various ways to ascertain the opinion and information.

It did this work by

- (a) Seeking written information from the AIIMS
- (b) Collection the views of students, staff, and faculty in written statement, and through recorded interview.
- (c) Through general interaction with concern persons in AIIMS.
- (d) And through a structured questionnaire responded by 50% of the SC/ST students

The Chairman of the committee along with the one of its member Dr Shyam Prasad met the Director of AIIMS and requested for cooperation in the supply of necessary information. Subsequently the Committee requested the Director to display notices informing the students about the Committees and the place of meeting for interaction (annexure1.6) on notice boards in prominent locations in the All India Institute of Medical Sciences. However, since the response of the students to our notice was poor, we made an enquiry with some faculty members and students about the reasons for poor responses. We were told by some them that they had not seen the notices displaced on the notice board at prominent places and there fore there was lack of information to the students. To verify the complaint, of notice not being displayed by the authority at prominent places, the Chairman and one of the member visited the prominent places in AIIMS and discovered that the notices were not displayed on notice boards at prominent places, which reflect the non-cooperation of the authority with the Committee, at least in the matter of displaying the notice on the board.

It had earlier been given out that some of the students who had complained were harassed by the authority. Hence, there was a general fear among the students to meet this committee against the wishes of the administration. Therefore the committee decided on the method of direct contact and examination outside the premises of the AIIMS.

The committee requested all persons deposing before the committee to give written reports of their complaints and views. The committee in some instances has done voice-

recording of the depositions with the permission of the deponents. Several of those who deposed requested anonymity.

The meetings of the committee were arranged according to the time given by the students, Resident Doctors, members of staff and Faculty members. These caused unexpected delay in the seeking the information from the students and the faculty.

Chapter II

AIIMS, GOVERNMENT POLICY AND SC AND ST

“The State shall promote, with special care, the education and economic interests of the weaker sections of the people, and, in particular of the Scheduled castes and Scheduled Tribes, and shall protect them from social injustice and all forms of social exploitation” Constitution of India, article 46”

The All India Institute of Medical Sciences was established through an AIIMS Act in 1958. It is governed by the provisions of the Act and the Rules and Regulations made by the Institute Body from time to time for the efficient running of the institute and the implementation of the objectives.

According to the section 13 of the AIIMS Act 1958, the objects of the AIIMS is

- a. To develop patterns of teaching in undergraduate and postgraduate medical education in all in its branches so as to demonstrate a high standard of medical education to all medical colleges and other allied institutions in India.
- b. To bring together in one place educational facilities of the highest order for the training of personnel to all important branches of health activity, and
- c. To attain self sufficiency in post graduate medical education

Section 25 of the Act provides for the control by the Central Government, where by the institute shall carry out such directions, as may be issued to it by the Central Government for the efficient administration of this Act.

Being fully funded by the central government the AIIMS is expected to abide by the directions of the Government of India relating to general policy and also the policy for reservations for SC /ST students, faculty and staff in admission, employment, housing and other spheres.

CONSTITUTIONAL PROVISIONS AND GOVERNMENT DIRECTIVES

Article 46 of the constitution provide for the promotion of educational and economic interests of scheduled castes, Schedules Tribes and other weaker sections. It reads a “The state shall promote with special care the educational and economic interests of weaker sections of the people, and in particular, the Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation.”

The constitution of India has provided, for reservations in admissions, recruitments in teaching and non teaching positions and for public employment to the persons belonging to Schedule Castes and Schedule Tribes, keeping in view the discrimination and disabilities as well as social isolation suffered by these groups.

The policy of the Central government is that in Central Universities and institutions which are deemed to be Universities receiving full grants from the public exchequer, the percentage of reservation in admissions and recruitments in teaching and non-teaching posts is implemented to 15 per cent for Scheduled Castes and 7.5 per cent for Scheduled Tribes.

Additional directives for the safeguard of the SC/ST persons are:

- 1) Concessions and relaxations in age, fees and travel allowances
- 2) Appointment of Liaison Officers whose duties include, ensuring of the compliance of the orders of the government on matters concerning SC/ST persons, maintaining records and submitting annual statements on the progress and proper implementation of the reservation policy of the government to respective ministries
- 3) A post-based roster system (since 2-7-97) for recruitment of staff and filling up of vacancies and during recruitments and promotions. (Swamy’s Handbook)

DIRECTIVES OF THE MINISTRY OF HEALTH AND DOPT

The Department of Personnel and Training, Government of India, through the Ministry of Health gives the directives of the Government to AIIMS. These include:

- a. Appointment of a Liaison Officer
- b. Submission of Annual reports on ensuring compliance of the directives of the Government, such as the Post based Roster and reports on grievances.

The AIIMS being a 100 per cent grant-in-aid institution of the Government is to comply with all the directives of the Government and provide for the constitutionally guaranteed safe guards to the weaker sections particularly the Schedule Castes and Schedule Tribes.

A liaison officer is appointed and he submits annual reports to the Ministry of Health on the numbers of SC/ST employees appointed that year. (Annexure 2.1a, 2.1b, 2.1c,2.1d,2.1e,2.1f,2.1g,2.1h)

PROVISIONS FOR SC/ST STUDENTS, RESIDENT DOCTORS, FACULTY AND NON-TEACHING STAFF

In terms of provision of the directives of the Ministry of Health, the AIIMS administration has set up a office of a liaison office. A senior faculty member belonging to the SC/ST community has been appointed as the liaison officer and has staff to assist him.

A review of the annual reports of the last three years prepared by the SC/ST cell suggests that it has restricted its activities to reservation of SC/ST non-faculty employees only.

From the discussion with Liaison officer it became clear that the Cell does not deal with and address the issue of reservation of faculty and students in AIMS. It also does not deal with schemes for SC/ST students such as remedial courses in language and other courses or any other counseling or similar matters.

Going by mechanisms that are generally suggested by the central government to safeguard the interests of SC/ST community in fully Government funded institutes for education, the institutions are required to set up the following mechanism and this include

- (a) Setting up of SC/ST cell with a necessary staff to deal with reservation policy for student, faculty and staff.
- (b) An office of liaison officer, often attached to SC/ST Cell
- (c) A Grievance Cell for Students and
- (d) Counseling Committee.

The AIIMS administration has set up an office of a liaison officer with supporting staff and this office deals only with reservation policy for non-faculty staff and not the reservation policy for faculty, senior residents, junior residents and students.

The reservation policy for faculty, residents and students is dealt by administration.

There was no special cell for SC/ST as prescribed by the government to deal with the reservation policy.

The is no *Grievance cell for Students* to deal with the special problems of discrimination and other grievances, and for operation of supportive programs such as remedial, language and other subjects based programs and other support. etc.

There is no Cell or Counseling Committee to deal with complaints of discrimination. The administration used the mechanism of appointing an ad-hoc counseling committee to deal with complaints of discrimination from the SC/ST committee.

SUMMARY AND OBSERVATIONS

- The AIIMS has a liaison office with a Liaison officer who is a senior faculty member and staff to assist him.
- The liaison office deals with appointments of SC/ST non –faculty staff and submits annual reports to the Ministry of Health, SC/ST cell on the compliance of the institution to the directives of the central government regarding post based rosters.
- AIIMS does not have any grievance redressal system or mechanism to deal with complaints of non-compliance of constitutional protections and safeguards to the SC/ST community against the incidences of discrimination in AIIMS.
- The AIMS does not have a special cell for SC/ST students to deal with their difficulties (academic, financial, language) to cope with a strenuous academic program, taking into account their backward origins.
- AIIMS does not apply the rule of post-based roster in the selection of senior residents and faculty.
- The liaison office does not deal with appointments of senior residents or faculty who are also staff and reservation rules apply to them. The liaison office has not submitted any reports to the government about the compliance of reservation policy/rules regarding this large section, namely senior residents and faculty as is required by the law.
- Thus the reservation policy for student and resident doctors and faculty is dealt by the administration. Similarly in the absence of Grievance Cell, the cases of discrimination and similar cases are dealt in an ad-hoc manner by the administration.

Chapter III

SITUATION OF SC/ST STUDENTS

Introduction

The All India Institute of Medical Sciences has undergraduate, postgraduate and post-doctoral educational programs in Medical Sciences. Hence it has students doing the undergraduate program (MBBS), residency program (junior residency and senior residency) and post-doctoral (Ph D and DM and M Ch.).

The MBBS course is five and half year duration, including one year compulsory internship. The First Professional term is for one calendar year. The Second Professional term is for one and half calendar years. The Final Professional term is for a period of 2 calendar years and is devoted to clinical subjects with more in depth application.

The course is rigorous, and involves considerable self-learning guided by teachers. Since language of learning and communication is English, poor language skills are a great disadvantage. A batch of undergraduate students has just 50 students and it was kept this way to give special attention to individual students and the, faculty are expected to nurture students and bring out the best in them.

The AIIMS is expected to follow the Reservation Policy of the Government of India. The seats for the reserved category of students are filled by holding an All India Competitive Entrance Examination. The advertised seats are filled from the meritorious among the listed candidates. The percentage of seats reserved is 15 per cent for the SC candidates and 7.5 per cent for the Schedule Tribes. At present there are 55 undergraduate medical students of the reserved category out of 250 students.

The committee obtained information from the students through petitions (3.1a, 3.1b, 3.1c, 3.1d, 3.1e, 3.1f, 3.1g, 3.1h, 3.1i, 3.1j, 3.1k, 3.1l, 3.1m), direct interviews (annexure 3.2 transcript) and a structured questionnaire responded to by 25 students

In this section we discuss some aspects related to the SC and ST students. This includes the following aspects.

- a) Special Programs for SC and ST students, if any
- b) Problems faced by the SC/ST students in teaching and evaluation, In that we look at the teacher and student relations.
- c) Participation of SC and ST Students in teaching and learning process such as Class representation
- d) Assessments and Examinations of MBBS
- e) Problems faced by the SC and ST students in Hostel, particularly those relating to allotment of rooms, Inter-personal relation in hostel, and in Mess and Dinning
- f) Participation in other activities such as Cultural activities and Games /sports
- g) Problems related to Social Relations and associated living, particularly those related to Ragging.

a) Special Programs - Absence of such programs in AIIMS

The committee tried to get information regarding any special programs for the academic improvement of the performance of the reserved category students, many of whom are from low socioeconomic background, very often rural, with poor communication and language skills. Many of these students generally have their basic school education in their vernacular. Medical education is in English language and it requires proficiency in the language.

Keeping these in view the educational institutions are required to undertake remedial coaching for the SC/ST students for improvement in language skill. The institute is also required to have other “catching up programs in basic courses “to reduce the deficiencies if any so that they are able to cope with the regular courses.

These types of supporting programs are commonly used by the IITs and other institutions. In fact UGC has developed schemes under which it supports the universities

and colleges and also university medical colleges to start remedial courses for SC, ST and minority students both in English language and basic subjects.

From the analysis of the survey of twenty five students (annexure 3.3), it emerged quite clearly that AIIMS has not taken any initiative to arrange remedial coaching in English language, basic courses or any other spheres for SC/ST students This was also further conferred in personal interaction with the students, that there are no such special programs for SC/ST students or for any students coming from a poor socio-economic background in AIIMS.

In the absence of any special programs to assist the SC/ST, such as remedial English course and catching up courses in basic subjects some of the student's, if not all face difficulties in learning, hence in completion of courses and in performance.

Thus AIIMS has not taken any initiative to assist the SC/ST students to improve the language skill and their knowledge in basic subjects so that they could catch up with courses which are fairly advance in content as compared with the other medical colleges. It may be mentioned that all SC/ST students are admitted through an all India competition and thus happen to be the best among other SC/ST students. However since the standards vary across the country there is need for some of these students to have orientation courses or catching up program so that they are able to handle and manage the courses in AIIMS which are advance in nature.

In fact 84 per cent of SC/ST students who responded to our survey questionnaire mentioned the need for remedial coaching in English language and basic courses. (see annexure 3.1)

Problems faced by SC/ST students in teaching and evaluation

We first describe the nature of courses and methods of examination in AIIMS to give background to the issue at hand.

The MBBS course is divided into three parts. The preclinical part comprises of 1st and 2nd semesters. The Para-clinical part comprises of 3rd, 4th and 5th semesters and the Clinical part of the 6th, 7th, 8th and 9th semesters. (Annexure 3.4)

The methods of assessments and examinations are as follows:

In AIIMS examination system consist both of summative examination and internal assessment. There is an extensive system of continuous assessment by the faculty through internal evaluations. The internal assessments comprise 50 per cent of all marks in a Final Examination.

- Mid-semester examinations are generally conducted in the middle of the semester and include the curriculum that has been covered till date.
- End-Semester examinations are conducted at the end of the semester and include the curriculum covered till then.
- Pre-professional examinations are conducted towards the end of phase. This is followed by the Professional examinations.
- Professional Examinations are conducted at the end of the phase and include the entire curriculum in that phase.
- Clinical Postings: These are started from the second phase itself. The posting in a particular department may vary from two weeks to six weeks.

At the end of each posting, an assessment is conducted. Most of the assessments are in the form of case presentations and viva-voce. There is strong subjective element in the assessments. Some departments conduct objective-structure clinical examination, which is more objective in nature. But such objective text constitute a small component of overall examination. All such assessments count towards the internal assessments and it comprise 50 per cent of all marks in a Final Examination.

All examinations in a particular subject comprise of Theory and Practical. The practical examinations also include viva-voce. In the Final Examinations, internal assessments constitute 25 per cent of marks, the Pre-professional Examinations are 25 per cent marks

and the Final Examinations are 50 per cent marks. The pre-professional examinations are conducted entirely by the internal examiners. The external examiners are present only in the Final Examinations. Hence, when one has performed well in the internal marks, one need not score high in the Final Examinations.

Assessment and Examination and Teachers Support to SC/ST students

AIIMS as an institution has a special privilege. It has the status of a university and hence all examinations both internal and external are organized by the institute. There is a greater responsibility on the individual faculty member in conduct of the examinations to be fair and objective. The examination system with 50 per cent internal assessment and with significant role of individual faculty, there is a potential and scope for faculty to misuse this privilege, if he/she wishes to do so.

It may be mentioned that AIIMS admit only 50 students in a batch, (average in the rest of the country in medical colleges is over 100 per batch) through an all India competitive national test. The SC/ST students also are admitted through all Indian test. Therefore like general category student these students are also the best in the country and therefore in a normal course the probably of failure of these students in examination is much less.

Given that half of the assessment is through internal assessment and that it is done by the concern teachers, it requires that the teacher takes a direct interest in the learning of the student. In fact there is some sort of mentorship involved in imparting knowledge and skills. Teaching and assessment of the learning goes hand in hand. The purpose of the formative assessment is also to help to improve the learning so as to ensure that the student is taught the necessary skills and knowledge.

We tried to get information on the experiences of SC/ST students through a survey of about 25 students and through personal interview.

In survey, the questions were asked, whether SC/ST face discrimination in one to one teaching session, laboratories and practical demonstrations and the extent of consultation with teachers by SC/ST students and the general problems faced by them. Besides we also talked to a cross section of students through personal discussions/interviews.

Lack of consultation and interaction with teachers-

The students were asked, whether they consult the teachers in case of difficulties. About 69 per cent of them reported in negative and only 32 per cent had approached the teachers in the event of difficulty. About the reasons as to why 68 per cent of students did not consult the teachers, about half of them give inaccessibility and indifference as reason for less contact with teachers. Of the total respondents about one third give caste background as reason for avoidance by the teachers.

It emerged from this responses that the SC/ST students do not receive the kind of support that the other students received from their teachers. Non-cooperation is experienced by students in various ways. Given the dependence of students on teachers for learning and skill, the lack of adequate support to the SC/ST reflect in performance and psychological problems, which further leads to lower performance and frequent failure.

This has also emerged from the discussion with the cross section of students. We can get some insight from the experiences of two students who have shown courage to give their experience in writings

Discrimination in Teaching –

The students were asked whether they faced discrimination in one to one teaching session in the laboratories and in practical demonstrations. Of the total responses about 72 per cent of them mentioned about some kind of discrimination being faced in teaching session and only 24 per cent said no.

Some students described their experience of non cooperation by faculty in following manner

- a) They did not allow me to perform the dissection.
- b) During Cadaveric dissections teachers are indifferent to us.
- c) They try to humiliate by asking simple question

- d) We are not given enough opportunity to perform the clinical examination or dissections
- e) If any one was weaker in the subject, was never encouraged, rather put down.
- f) Junior Residents are not cooperative towards. They do not explain us.
- g) Teachers are fine till they do not know your caste. The moment they come to know it, their attitude towards you changes completely.
- h) SC/ST students are made feel to inferior in group interactions.
- i) Most students prefer to cope up in silence

Evaluation of Theory paper –

The students were asked about the bias in evaluation of papers. About 76 per cent mentioned that their papers were not examined properly.

About 88 per cent mentioned that they got fewer marks than they expected. Only 20 per cent mentioned that they got feedback on their answers papers.

Discrimination in practical and viva-voci –

The students were asked as to whether evaluation in practices and viva was fair. About 84 per cent of respondent mentioned in negative. These students were then asked the nature of unfairness in evaluation in practical and viva examination.

About 85 per cent of them mentioned that the SC students don't receive enough time with the examiners, as compared with the higher caste students. In a response to a question, as to whether the teachers make them comfortable and at ease in the viva, all most 92 per cent of the respondent mentioned in the negative.

About 40 per cent of the students also mentioned that more difficult question are generally put to them.

In response to the caste bias by high caste teachers, about 76 per cent of the respondent reported that the examiner had asked the caste background, about 84 per cent mentioned

that their caste background was asked either directly or indirectly and about 84 per cent mentioned that their grades were affected because of their caste background.

At the level of department, the respondent reported that the magnitude of discrimination was of higher order in Cadaveric dissections (68 per cent), followed by Microanatomy/ Histology (60 per cent), Physiology practical (48 per cent), Biochemistry practical (40 per cent) Microbiology practical (32 per cent) and clinical examination (32 per cent) in that order.

Some students described their experience of non cooperation by faculty in following manner

- a) The papers are marked according to past record and the impression the teacher carry about the concern student.
- b) I was asked by faculty members of my caste. The list of the students provided to teachers has the caste background of SC/ST students.
- c) The examiners ask the full name.
- d) The SC students when failed are humiliated both by students and Junior Residents and Senior Residents.
- e) For similar questions higher caste students are given more marks. I experienced in Gynecology final examination.
- f) While taking viva of SC/ST students, most of the examiners make the examinee feel inferior and at the mercy of examiner.
- g) I have been failed in my professional examinations despite having good internal, more than the general category student.
- h) Some higher caste students have not even attempted full question papers, leaving about 30 to 40 per cent of question paper, they were passed with 70 per cent of marks. But I attempted the full question but failed.
- i) The results of last ten years final professional or any professional will be a testimony to the fact that reserve category students are failed intentionally and if they cleared they pass marginally.

- j) Despite preparing hard we get less mark.
- k) Even if I do well, I will never score more than higher caste students of same acumen

Four students had shared their experiences through personal interview. Their statement are as follow.

Case I

The student reported that “The attitude of the faculty is also biased, the student belonging to the reserved category are failed. Many a time it is impossible to prove the caste discrimination and there is also no administrative authority that can deal such matters.

Case II -Another student describe his experiences of final examination in the following manner

‘After the final professional examination, one of the Professor asked me as to which place I came from. I told him that, I am from Ghaziabad. In front of a Senior Resident (doing DM in IRCH), he said that, this fellow is a bad character (Badmas) and he need to be stopped from clearing the examination. There after I was continuously failed in medicine. I may mention that I had never failed in that subject during the preceding three semesters. I had also secured 60 per cent marks in this course in pre-final examination. When I checked my question paper, I felt that the nobody had probably checked my examination copy. Then I repeated this examination after six month in which I again failed and also continuously failed in subsequent examination. I kept on giving examination for next one year and finally cleared after one year. In the end I passed and cleared four papers including this paper in one attempt. This was possible because the concern doctor had gone on a leave and the examination was taken by another faculty. The repeated failure had damaged my image and affected me psychology.

Case III

Always the students belonging to reserve category are failed. Last years no scheduled caste students was allowed to cleared in first year final professional examination. For instance

Sujo Attari had got 70 per cent in 1st Professional and 55 per cent in second professional examination, but was not cleared in last professional examination. Due this he suffered from mental depression and received psychological treatment. Many students from first year were not cleared in the final examination of first year. In fact those who did well in earlier examinations were kept hanging in last examination. It appeared that by not clearing the deserving SC/ST students the, the institute used them as buffer, under the pretension that, in any case no body will raise any objection as there is stereotype about the under performance reserved category students.”.

Case IV

Ajay Kumar case has happenned during the course of our enquiry.

Ajay Kumar Singh hails from UP, his father is not educated, but scored high marks in his entrance examination to be in the general category but was put in the reserved category as he was from the SC community.

Despite his background he passed all his examinations without loosing time, reached the final year. During the anti-quota agitation he came out openly with the pro-reservationists, protested against the behavior that was meted out to the SC/ST students. His name was on top of the list of 44 students who had written complaint to the Director about some upper caste students who behaved violently with the SC/ST students.

It was believed by the SC/ST students that there would be repercussions against them for complaining.. Ajay Kumar Singh was failed in three final year subjects. This would do immense harm to his career. During the examination casteist comments were made against him and reference to his role in cooperating with the committee investigating against the crimes against the SC/ST students were made.

Ajay Kumar wrote to the President and Director of the AIIMS with copy to the Committee enquiring into Discrimination of SC/ST students in AIIMS. The Director ordered a reexamination thereby admitting that there was a problem with the first examination. However he had the examination conducted by the same people who had expressed bias against SC/ST students. The faculty association had strongly opposed the reexamination, but the same Faculty members were given the responsibility of conducting the examination.

The issue of discrimination and reexamination was discussed in the Governing Body of the institute which decided that the examination will be conducted by the Dean (academics) instead of the Dean Examinations. However the Director defied the Governing body and completed the reexamination, and the outcome was that he failed again. The Dean of Examination without informing the students introduced video-photography in the examination which is against the principle of fair examination

The survey of twenty five students and the information procured from personal interview brings out the nature of experiences of SC/ST students which reflect the discriminatory attitude of the teachers in AIIMS. Given the relational nature of such experiences it is often difficult to capture the nature of discrimination. But the self reported experiences of SC/ST students indicate that these take form of avoidance, contempt, non- cooperation, and discouragement and differential treatment by teachers towards these students.

The AIIMS teaching and evaluation method, half of which comprise internal evaluation, require that teacher should interact with students with care in helpful and supportive manner through inter-personal relations. It all most demands hand-holding of student's. This handholding is particularly necessary for SC/ST students. Some of them in fact require the additional attention due the prior inadequacies.

How to address this issue is the question? The objective test may help to bypass the attitudinal problem. However at present most of the assessments are in the form of case presentations and viva-voce. There is strong subjective element in the assessments. All such assessments count towards the internal assessments and it comprise 50 per cent of all marks in a Final Examination.

Some departments conduct objective-structure clinical examination, which is more objective in nature. But such objective tests are not popular with the faculty and therefore it constitutes a small component of the overall examination.

How to reduce the subjective assessments and to convert it into objective method of examination is the issue which needs to be addressed by governing body of AIIMS. The objective method brings transparency and limited scope for personal consideration. Beside it is relatively easy for re-examination. High component of objective tests will to some extent help to avoid and bypass the attitude of discrimination (reflected in internal assessment which is to greater extent in the personal domain of faculty and provide opportunity to discriminate).

The objective method may not solve the problem of non—cooperation and non supportiveness of faculty towards SC/ST students altogether but it may reduce it. It will require other measures which the experts will have to addressed. But this suggest that there is need to critically study the examination system of AIIMS in which over a period of time internal assessment has expanded in greater degree and increase the power of faculty by making it more subjective in nature. It is this subjectivity, and of increasing role of inter-personal relation and consultation between student and teacher in teaching which has provided scope to some teachers, if not all, to discriminate the SC/ST students.

Subjectivity apart, the problem seems to be deep rooted. This relates to the very attitude of the some high caste teachers, if not all, who carry with them the attitude of non cooperation, and at times of contempt, which result in differential treatment towards SC/ST students. From the self experience of the students it seems clear that SC/ST students live with feeling that the teachers don't treat them on par with other students, that they are not equally supported by teachers, that they face differential treatment from the teachers, often involving contempt by higher teachers. This created a feeling of insecurity, frustration, psychological problems leading to withdrawal and helplessness. All of this resulted in social isolation and ultimately failure in examinations.

The AIIMS authority needs to address this issue more carefully. This probably requires some education to make the faculty of AIIMS more sensitive to the problems of SC/ST students and their responsibility to be supportive. The committee does not have any suggestions, but we suggest that Governing Body of the Institute should discuss this issue and take necessary steps, which may involve the discussion with the faculty at large and to recognize that the problem exist and that it needs to be addressed.

In our view this is an issue which needs to be discussed by the authority involving all faculty and students and develop some norms and behavioral practices to build up confidence among the SC/ST students who at present feel that they are subject to discrimination in teacher –student relation, in examination and evaluation and inter – personal relations. Denial by the faculty will not serve the purpose. If the SC/ST students feel differently, in that situation there is need for open dialogue with them in a non intimidatory environment and come with some understanding to build confidence in the system.

Class Representatives

In AIIMS beside teachers, the students also are involved in number of ways in running of the academic activity. The teaching programs are coordinated through a class representative. The role of Class-representatives is to distribute information, teaching schedule or learning initiative or any change in the program to all his/her class mates.

The class representatives are elected by the student themselves. Only on few occasions the SC/ST student are elected as class representative. In response to the question, whether the SC students get elected as class representative, about 72 per cent of the respondents mentioned in negative, and only 20 per cent responded positively. When the students were asked for the reasons about 80 per cent of respondent reported caste bias and inadequate support by high caste class representative as reason. About 20 per cent mentioned lack of initiative on the part of the SC/ST group as another reason.

The students belonging to the SC/ST group alleged that quite often they do not get the information on time from the class representative. Certain decisions on teaching and

learning programs are made collectively by the students and even at these meetings they are often excluded. About 80 per cent of the student respondent reported differential treatment being faced by SC/ST students. The differential treatment is experienced by 76 per cent of the sample student in distribution of instructions, in informing schedule of examination or rescheduling of classes, class trips and cultural activities.

Some students described their experience as follows which throw light on the reasons and nature of problems face SC/ST students.

- a) There is absolute majority of the higher students. There is rift and divides that become evident at the time of election. Interest of SC/ST students are not taken care of by class representative.
- b) The SC/ST students are less in number. The class representative does not discuss any matter with us.
- c) The number game is that the general category students are more than thrice of the reserved category student's. Polarization due to caste is the main cause for low representation of SC/ST as class representative.
- d) Class representative favor his friends in particular and students from general category in general. The general category students are given privilege in choosing the batch, and convenient rescheduling of lecture.
- e) The class representative does not even think that we belong to the same class.
- f) The general category students out number the reserve category students. The class representative does not address our complaint.
- g) Bullying, threats, harassment.... and faculty are the main reasons. Various decisions about the so called classes are taken, the due dates are passed and students from SC/ST generally came to know later.

From this it appeared that the system of class representation suffered from two main problems. One is that election to class representative is not probably conducted on the basis issues but is governed by caste divide of the students. Given the small number of SC/ST students, exception apart, there is no representation of SC/ST students as class

representative. Second problem is the neglect and discriminatory working of the higher caste representative towards SC/ST students in their role as class representative. In fact second problem is the out come of the first problem. Since the election of class representative is governed by caste division of vote, it also leads to discriminatory and differential treatment to the minority students, who happen to be SC/ST.

The AIIMS authorities therefore, need to address this issue. The institution of class representative is developed to serve all the students in the class and it is supposed to be non discriminatory in its working. In so far as it works a in biased manner towards the SC/ST students, there is need to look at this system. It possibly needs reform on two fronts. First is the methods of election of class representative. Most SC/ST respondents mentioned that since election is decided by the strength of caste number and that students are in minority they are rarely elected as class representative. Thus the system seems to be not working in a fair and secular manner. How to provide adequate representation to SC/ST student is an issue. The AIIMS may introduce a system where by there is specific representation for SC/ST students. Secondly the methods and procedure of the working of class representative should be laid down properly in a manner such that it is transparent and works for all students. There is need of some reform in the working of the institution of class representation.

PROBLEMS IN HOSTELS

Allotment of rooms

After having looked in to the experiences in the of the SC/ST students in academic spheres we now look at the experience in the hostel, cultural activities and games.

These activities are a part of the associated living of the students in the hostel and in the student community on the campus.

The hostel living involve staying together and sharing a common social life through use of common facilities such as dinning and other social occasions. The other social activities involve participation in games and cultural activities and social events. The

participation in some activities such as games are done through representation, in some cases through election and in another through individual initiative.

The wide spread participation of students coming from various social and cultural background such as the caste, ethnic, religious groups, boys and girls, require harmonious and participatory living. The participatory living and sharing provide opportunities to make use of opportunities that students receive from the shared life.

There were reports in the press that over a period of time a social division has emerged particular between the SC/ST students and others students, and it has accelerated in the wake of anti-reservation agitations on the AIIMS campus. Based on the statements by the students and some faculty the media reported, that this increasing caste division has reflected in segregation in (a) allocation of rooms in the hostel (b) in sharing dinning facilities (c) associated living (d) participation in cultural events and (e) games.

The Committee tried to look into the aspects. It needs to be recognized that the social division are a part of inter-personal relation and the discriminatory and exclusionary character of such relation is difficult to capture. These are a part of the experiences of the community life of the students.

We used two methods to capture these aspects. As mentioned above we canvassed a questioner and received responses from twenty five students. We also interviewed students, who were willing to share their experiences. The committee visited these Hostels and met students in indicated areas. Their testimonies are also recorded. The identity of the students is, however protected.

We present the situation with respect to experiences of students with respect to allocation hostel, mess facilities, participation in games and cultural activities.

Segregation in Hostel

All MBBS students are expected to stay in the hostels. Hostels 1-8 are for men and hostels 9-10 are for women. Undergraduates are allotted to hostels 1-5.

When the students join MBBS, the hostel room is allotted by the Hostel office of AIIMS from the ones available in a random manner based on the list of candidates provided by the Academic Section. This list is often arranged merit –wise with SC/ST candidates being at the bottom of the list.

Usually the Hostel office allows changing of Hostel Rooms after sometime, when valid reasons are cited. There is a tendency for students to shift to those Hostel-wings where their friends are staying.

However, over a period of time and particularly in the wake of the anti-quota agitation, several students belonging to the SC/ST categories have shifted to the two top floors of Hostels 4 and 5 leading some sort of segregation on caste line.(Annexure 3.6) The SC/ST students are forced to shift to these hostels by a sustained pressure in the form of humiliation, abuse and even violence by the higher caste students. It may be noted that both 4 and 5 Hostels are linked and may be considered as a single unit. Hence, all these students were living in a single continuous unit.

Over a period of time about SC/ST 29 students have moved from hostels 1 and 2 to hostel number 4 and 5 leading to concentration of SC/ST students in hostel 4 and 5.

In survey conducted by us tried to ascertain the reasons from the student for large scale shifting to hostel 4 and 5. About half of the respondent student indicated caste harassment by higher caste students as reason for shifting from other hostel to hostel 4 and 5.

The personal interview of some selected student and known cases indicate the nature of harassment.

Case I

This is a case of student whose room was locked from out side on several occasion. Abusive statement were written on the door. A picture of abusive language written on the door were widely published in the media. He had to call his friend on mobile to open the room. This has happened for four to five days. The room is generally locked in the night. When this student did not shift to other hostel a group four to five senior students from

high caste back ground warn me to leave the room. And in case he do not leave the room soon they would attack me.

The student shared this event with senior SC students and latter also reported the matter to the Director. A group of SC students met the Director and requested him to take action against these students. The Director promised to take action with in 24 hours, but no action was taken. On the contrary heir name were disclosed. The students went through continuous mental torture by higher caste students.

After some time a committee was formed and the committee members pressured the concern student to go for a compromise.

Case 2

The room of another student was also locked from out side. It was written on his room that “get out of this wing –you will not have peace with us”. No body will talk to you, so you get lost and you will be thrashed. Finally the student shifted from that hostel and joined hostel 5. Now he feels that he is safe.

Case 3

The high caste student harasses by not talking to us. This is a kind of social isolation which is used to compel the SC students to leave hostel 1 and 2 and joined hostel 4 and 5 hostel. 22 of the students living in selected floor of hotel 4 and 5 described in the media this residential segregation as “ghetto”.

The committee did not get enough information about the girls students. From the information that we got, it appeared that SC/ST girls use a passive route of grouping among themselves. The social isolation is also a problem faced by them, something with which, the girl students learned to live with as they had no other option.

The interview with two girls is reproduced below:

Girls usually do not come out vocally on this issue. Bullying in case of girls is as much a reality as in case of boys.

The girls are not vocal about their problem because of the fear...just suffer without complaining. In case of hostel, the SC/ST girls are not separated in one single hostel. But they do live in a group. Social isolation is as much a problem for girls as it is for boys.

Inter-personal relation in hostel, Mess and Dinning

- (a) Students living in hostel where a majority students are from higher caste complained of social isolation in inter-personal relation. The general students avoid the SC/ST students while chatting with friends, do not share books and notes with them and even tell them not to sit with them. In fact all most 88 per cent of the students who replied to our questioner reported that they face social isolation in various ways. And some time the tense relation take the forms verbal and physical violence. In question to the extent of violence, all 84 per cent of the student respondent reported violence in various being faced by them.
- (b) The five hostels have different messes. There are two categories of messes for the dining of students- general messes and the private messes. The private messes offer greater variety of food and are also more expensive. While the general messes are open to the reserved categories, the sc/st students faced restrictions on becoming a member and to have access to the private messes. About 76 per cent of SC/ST respondent students mentioned that they faced restrictions on the joining the private messes. In a personal interview one of the students mentioned that to run a private mess 20 to 25 students have to form a group. The student reported that recently the private have tended to form on caste grouping and/or pro reservation and anti-reservation. There is a caste divide in formation of private mess.

Social segregation in games and sports

During the anti-reservation agitation, there were report about the segregation in games and sports. There fore the question were asked about the situation with respect to participation of SC/ST Students in games and cultural events.

Participation in PULSE

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The AIIMS organizes a big cultural event which goes by the name of 'PULSE'. Therefore questions were asked about the participation of SC/ST students in PULSE. To a question whether they have participated in PULSE about, 32 per cent of the students reported that they have not participated in the PULSE all together. About 68 per cent participated in PULSE in various capacities.

Among those who participated they participated in different capacities such as observer, volunteer, competitor, and as representative in any committee. We received 27 multiple responses from 25 respondents. It is interesting to see that of the total participation 40 per cent participated as observer another 40 per cent as volunteer and only 11 per cent as competitor and 7 per cent as representative in any committee. Thus about 81 per cent of the respondents indicated that they participated either as observer or volunteer. The effective participation in the form of competitor or representative on organizing committee is marginal.

The students were ask to give the reasons for non participation as competitor or representative in organizing committee. Some of the observation given by students in descriptive form are as follow.

- a) The participation is low because we do not have representation in PCC (Pulse Coordinating Committee) that is why we are not allowed to work and look down up on.
- b) Student union members elect the Pulse Coordination Committee and as we have no representation in student union, we are not allowed to head any organizing committee.
- c) We are not selected by PCC
- d) The reason is that the Pulse coordination committee gets elected by the student union and SC/ST students cannot enter in student union.
- e) Pulse is a threat for SC/ST students. I have known many incidences in the past about the violence towards SC/ST students
- f) The division of student union on caste line exemplified by the fact that there are very few SC/ST students representative on student union.

- g) We do not have enough support in PCC
- h) We do not have any representation in PCC
- i) I belong to reserve category and they did not allow me to work

From these list of the reasons given by the student for lower participation as competitor and representative few of them are clear. The main mechanism to have entry as competitor is through the PCC, namely the organizing committee of Pulse and other committees. There is no participation of the SC/ST students on the PCC. The reason for this lack of participation is that PCC is itself selected by student union, and since there are hardly any SC/ST representative of on student union they are not represented on PCC.

We have reason to believe that even if the SC/ST students are not representative on PCC, if the PCC works in fair manner and ensure that all section of students get chance to compete, in that situation there are chances that SC/ST students could get the advantage of fair selection. The SC/ST students seems to be victim of both processes, Firstly it appeared from the responses that PCC does not work in fair manner as far SC/ST students are concerned. Secondly if there is some representation of SC/ST student on PCC and other committees, the unfairness may be reduce in participation in various activities. Since there is no representation of SC/ST student on PCC and other committees and that the PCC works in an unfair manner in case of SC/ST students, both factors cause extreme low participation of SC/ST students in this important event.

How to increase the access of SC/ST students in PULSE is a question. After having gone through the reasons we believe that two things should be done by the authorities of AIIMS.

Firstly it is necessary that he rules and norms of the participation in PULSE activities should be changed in a manner that it provides equal access to all sections of student community.

Secondly since the lack of representation of SC/ST students on student union and PCC is one of the reasons for their low participation, it is suggested that an adequate

representation be given to SC/ST students in student union and PCC and other committees either through electoral process or through earmarking the number of position to SC/ST students.

Participation in games

It is alleged by SC/ST students that volleyball and football is generally the game of students belonging to reserved categories. Basketball is the game exclusively for the general category students. In other word SC/ST students faced exclusion in the so called prestigious games like basket ball and cricket.

The students were asked whether they faced discrimination in various games. About 88 per cent mentioned that they do face discrimination in access to basked ball game followed by 60 per cent in cricket. The discrimination is much less in volley ball and foot ball.

Ragging and caste overtone

Even though ragging is officially banned in the AIIMS, there appears to be is a one month period of unofficial ragging to which the administration turns a blind eye.

Students of SC/ST category have stated that ragging has serious caste overtones and several forms of humiliation are meted out to them.

To a question, whether you have faced caste related ragging in the hostel, all most all SC/ST students answered in positive manner. It appeared that humiliation of SC/ST students based on caste background is fairly open.

In the personal inter view the students reported that ragging involving caste related humiliation takes various forms.

The SC/ST students are required to tell the caste background to those involved in ragging. The student is required to tell the rank of admission with category –reserved or unreserved. The disclosure of caste back ground has to be in front of all students and it has to be by the student concern.

Then SC/ST student has to be receptive to the comments by higher caste students, which humiliate them in front of assembly of students. One of the students explains the nature of such humiliation. The student was asked to give rank of admission and the category, which he gave. One of the student commented by saying that, you people get every thing. Why did you not get admission in King George Medical College Lucknow. It is near to your place.

During ragging, the students from reserved categories are said to be ragged separately from general category students, made to sit on the floor when all other boys were allowed to sit on the beds.

The personal statements and testimonies of students who suffered severe forms of discrimination and abuse during and after ragging are annexured. The incidence concerning the inhabitant of Room No.49 was brought to the notice of the committee whereby the “choicest abusive expletives” and warnings were written on the door asking the occupant, a reserved category student to move out of the room and to get out of that hostel wing, a photo of which appeared in the media. (annexure.....).

This student who is a first year student in MBBS was continuously harassed. His room was locked from out side repeatedly. He called his friends with his mobile phone and got released each time for food and toilet After 5 days he was told that this harassment will stop only if he move into floors where SC/ST students live (Hostels 4 and 5)

Summary and Recommendations

In this section we discussed some aspects related to the SC and ST students. We now present the same in summary form and also give recommendations.

a) Special Programs - Absence of such programs in AIIMS

Educational institutions are required to undertake remedial coaching for the SC/ST students for improvement in language skill and also other “catching up programs in basic courses,” to reduce the deficiencies if any so that they are able to cope with the regular courses.

AIIMS has not taken any initiative to arrange remedial coaching in English language, basic courses or any other spheres for SC/ST students about 84 per cent of SC/ST students mentioned the need for remedial coaching in English language and basic courses.

Assessment and Examination and Teachers Support to SC/ST students

AIIMS examination system involve both internal and external assessment. There is a greater responsibility on the individual faculty member in conduct of the examinations and to be fair and objective. The examination system with 50 per cent internal assessment and with significant role of individual faculty, there is a scope for faculty to misuse this privilege, if he/she wishes to do so.

Given that half of the assessment is through internal assessment and that it is done by the concern teachers, it requires that the teacher takes a direct interest in the learning of the student. In fact there is some sort of mentorship involved in imparting knowledge and skills.

We asked the question to SC/ST students about discrimination in teaching session, laboratories and practical demonstrations.

Lack of consultation and interaction –

About 69 per cent of them reported that they do not receive adequate support from teachers about half of them give inaccessibility and indifference as reason for less contact with teachers. About one third give caste background as reason for avoidance by the teachers. Thus it emerged that the SC/ST students do not receive the kind of support that the other students received from their teachers. Given the dependence of students on teachers for learning and skill, the lack of adequate support to the SC/ST reflects in performance and psychological problems.

Discrimination in Teaching – Of the total responses about 72 per cent of them mentioned some kind of discrimination being faced in teaching session.

Evaluation of Theory paper

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About 76 per cent of students mentioned that their papers were not examined properly.

About 88 per cent mentioned that they got fewer marks that they expected. Only 20 per cent mentioned that they got feedback on their answers papers.

Discrimination in practical and viva-voice

About 84 per cent of respondents mentioned that evaluation in practical and viva –voice was unfair.

About 85 per cent of them mentioned that the SC students don't receive enough time with the examiners, as compared with the higher caste students

About 40 per cent of the students also mentioned that more difficult questions are generally put to them.

In response to the caste bias by high caste teachers, about 76 per cent of the respondent reported that the examiner had asked the caste background, about 84 per cent mentioned that their caste background was asked either directly or indirectly and about 84 per cent mentioned that their grades were affected because of their caste background.

The survey of twenty five students and the information procured from personal interview brings out the nature of experiences of SC/ST students which reflect the discriminatory attitude of the teachers in AIIMS. Given the relational nature of such experiences it is often difficult to capture the nature of discrimination. But the self reported experiences of SC/ST students indicate that these take form of avoidance, contempt, non- cooperation, and discouragement and differential treatment by teachers towards these students.

Class representatives

The role of Class-representatives is to distribute information, teaching schedule or learning initiative or any change in the program to all his/her class mates.

Only on few occasion the SC/ST student are elected as class representative. 80 per cent of respondent reported caste bias and inadequate support by high caste class representative as reason.

Certain decisions on teaching and learning programs are made collectively by the students and in these meetings they are often excluded. About 80 per cent of the student respondent reported differential treatment being faced by SC/ST students. The differential treatment is experienced by 76 per cent of the sample student in distribution of instructions, in informing schedule of examination or rescheduling of classes, class trips and cultural activities.

Problem in the hostel

There were reports in the press that over a period of time a social division has emerged particular between the SC/ST students and others students, and it has accelerated in the wake of anti-reservation agitations on the AIIMS campus

This increasing caste division has reflected in segregation in (a) allocation of rooms in the hostel (b) in sharing dinning facilities (c) associated living (d) participation in cultural events and (e) games.

Segregation in Hostel

Over a period of time and particularly in the wake of the anti-quota agitation, several students belonging to the SC/ST categories have shifted to the two top floors of Hostels 4 and 5 leading some sort of segregation on caste line. The SC/ST students are forced to shift to these hostels by a sustained pressure in the form of humiliation, abuse and even violence by the higher caste students.

Over a period of time about SC/ST 29 students have moved from hostels 1 and 2 to hostel number 4 and 5 leading to concentration of SC/ST students in hostel 4 and 5.

About half of the respondent students indicated caste harassment by higher caste students as reason for shifting from other hostel to hostel 4 and 5.

Inter-personal relation in hostel, Mess and Dinning

(a) Social isolation –

Students living in hostel where a majority students are from higher caste complained of social isolation in inter-personal relation. The general students avoid the sc/st students while chatting with friends, do not share books and notes with them and even tell them not to sit with them. About 88 per cent of the students reported experiences of social isolation in various ways. and 84 per cent of the student respondent reported violence in various being faced by them.

(b) Discrimination in Mess-

While the general messes are open to the reserved categories, the SC/ST students faced restrictions on becoming a member and to have access to the private messes. About 76 per cent of SC/ST respondent students mentioned that they faced restrictions on the joining the private messes. There is a caste divide in formation of private mess.

Social segregation in games and sports

Participation in Pulse

The AIIMS organize a big cultural event which goes by the name of PULSE “. About, 32 per cent of the students have not participated in the PLUSE all together. About 68 per cent participated in PLUSE in various capacities. Of these about 80 per cent participated as observer and volunteer and only 11 per cent as competitor and 7 per cent as representative in any committee.

The reason for lower participation as competitor and representative are two fold. One is the lack of representation of SC/ST on the organizing Committee and second is the unfair

working of these committee. The committee works in biases manner such that the SC/ST students are not give due participation.

Participation in game

The SC/ST students faced discrimination in participation various games. About 88 per cent faced discrimination in access to basked ball game followed by 60 per cent in cricket. The discrimination is much less in volley ball and foot boll.

Ragging and caste overtone

Even though ragging is officially banned in the AIIMS, there appears to be is a one month period of unofficial ragging. Students of SC/ST category have stated that ragging has serious caste overtones and several forms of humiliation are meted out to them.

All most all SC/ST students faced ragging with open caste overtone in which the students have to declare his caste background.

Chapter IV

SITUATION OF RESIDENTS DOCTORS

Introduction

The Resident doctors are the postgraduate student of AIIMS. All in all 42 medical disciplines are taught at AIIMS. After a period of three years of Junior Residency, a trainee appears for the postgraduate exit examination, leading to the award of MD/MS degree in that particular specialty.

Senior Residency is a further period of three years of training that post graduate qualified candidate has to undergo before he qualifies for a faculty position. There are a large number of junior and senior residency positions in the AIIMS and so they form one of largest groups of doctors in the Institution

Selection of reserved category residents/ Admission policy of AIIMS

(Published in the website www.aiims.com)

Junior Residents

- (i) As per the Interim Orders of the Hon'ble Supreme Court of India, there shall be an overall reservation of **33 per cent** with a **25 per cent** discipline-wise reservation for AIIMS students to MD/MS courses.
- (ii) **22.5 per cent** of the total of postgraduate seats, **excluding those for sponsored/foreign nationals**, are reserved for the candidates belonging to **Scheduled Caste/Tribe** as per the 7 year roster prepared by the Institute.
- (iii) **5 per cent** of the total MD/MS seats are reserved for (a) those who have served in a rural areas for more than 2 years, (b) doing practice in Rural area with less than 5 thousand population for more than 2 years, (c) Medical Graduates of Background areas, and (d) those who are working under the Family Welfare Programme, subject to submission of a certificate from the District Magistrate

for (a),(b)&(c) and Director of State Health Services for (d). There will be no discipline- wise quota for these candidates. Such candidates will be considered under the open general category at the time of counseling.

However the Supreme Court in its order dated August 24,2001 has struck down the reservation for categories other than those constitutionally provided as *ultra vires*.(annexure 4.1)

The AIIMS method of reservations, particularly the reservation for the AIIMS students (33 per cent) apart from being unconstitutional, has also deprived the SC/ST group of their share of seats. This matter was investigated by the PUCL (annexure 4.2)and a report is available.

Senior Residents

Senior Residents are selected by inviting applications from postgraduate qualified candidates (annexure). The following paragraph is taken from the advertisement issued by AIIMS for the appointment of senior residents.

RESERVATION : *Reservation will be provided in the above posts in accordance with law. The appointment made pursuant to this advertisement shall be tentative and subject to further orders of the Hon'ble Supreme Court in Civil Appeal No.5119/02. The reservation will be made on floating basis i.e. where the candidate belonging to SC/ST/OBC category is found suitable and selected, that post will be treated as reserved for SC/ST/OBC.(annexure 4.3)*

Post based roster system which is the only basis of reservation provided by the Government of India is not being followed by AIIMS for the appointment of senior residents. However the AIIMS is following a seven year Roster for the admission of junior residents.

Discrimination in training and posting and examinations

The SC/ST residents allege discriminatory attitude towards them in the postings, personal attention during training and during examinations. In an interview with two SC/ST

residents the discrimination in examination is reported. Failures are sometimes only of the SC/ST students.

The residents faced discrimination and harassment during and after the anti-quota agitation. Many of the Resident Doctors disagreed with their fellow residents in the Resident Doctors Association on the approach to the agitation and did not cooperate with the administration and the striking residents during the agitation.(annexure 4.4)

The students who had resisted or opposed the discrimination during their study and training period at AIIMS were specially targeted. The residents feel that it is an attempt to subdue them.

The case of discrimination against Dr. Ajitha Gill (annexure 4.5) a resident belonging to the reserved category who participated in the Pro-reservation rally needs special mention and signed statement is annexure.

“Dr. Ajitha Gill has completed MBBS from the AIIMS itself and had chosen to work as a Research Assistant under Prof. P.K. Jhulka. She was considered as a good researcher and had been given extension prior to the anti-quota agitation.

During the anti-quota agitation, she chose to support the pro-quota group demonstrations for which she was pulled up by her guide Prof. P.K. Jhulka and co-guide Dr. Omna. For her actions, she was abused and humiliated and at the end ofthe month summarily terminated. The reason given for this was that there were no funds available in the research project.

She gave a representation in this regard to the President of AIIMS. The Research Section conducted an internal enquiry and based on the reply of Prof. Jhulka, summarily rejected the petition of Dr. Ajitha Gill.

This action left a reserved category candidate without a job and money since she was paid no salary for the last month when she had worked. On humanitarian grounds, she was allowed to join a Non-Academic Junior Resident (House Job) by the courtesy of the

Dean. The administration reacted to this action and had her terminated from the House Job. She was asked to pay back to the institution 20 says salary”

Another account of discrimination as given by a resident:

Rana (name changed) was a Junior Resident in the Department of Laboratory Medicine and belonging to the SC. He was an executive member of the Resident Doctor’s Association at the time of the starting of the anti –quota agitation.

He gives evidence that the agitation started as a protest against the beating by the police of the striking students in Mumbai. (Annexure no.)Soon, it was transformed into an agitation against the OBC reservation sought to be introduced soon as well as all other constitutional reservations. Rana and several other executive members who shared his views were removed from the executive members of the Resident Doctor’s Association. When they appeared on the Press to give their version, they were threatened by several members of the Resident Doctor’s Association. This happened in the office of the Senior Financial Advisor, and hence there were witnesses to this event.

Rana was also an exam-going student during December 2006 and had submitted his thesis. Several seats of Senior Residents were lying vacant in his department and being a good student, he was expected to pass and join as Senior Resident for which an entrance examination is conducted by the AIIMS. However, his Head of the Department sought to get these posts filled from existing panels so that no posts are left for him when he completes his course.

During the end of his junior residency when he was due to appear for his examinations, his head of the department tried his best to harass him in collusion with the members of the executive of the Resident Doctor’s Association. His Head of Department tried to connive and find ways to fail him as well as to ensure that there were no jobs available for him after the finishing of his junior residency.

However, due to his excellent performance in the examinations, he passed the MD examinations in Dec 2006. He had also applied for the only advertised seat of Senior Resident in Laboratory Medicine in Trauma Centre - the examination for which was

conducted in December 2006. He topped the examination. Instead of including him as a meritorious candidate in the Open category, the AIIMS placed him in the Reserved category.

One seat in the Department of Laboratory Medicine, the primary department was not declared as vacant till Rana had taken the newly created post in the trauma centre. As a right he should have been offered the post in the primary department as he was the topper.

Rana gave several representations to the Dean/Director against this discrimination and that it was wrong to include him in the reserved categories when he had topped the examination and also to force him to join Trauma Centre when another seat was lying vacant in the Department of Laboratory Medicine. He has also represented to the Commission for Scheduled Castes and Scheduled Tribes (annexure 4-6) against repeated harassments and denial of due post to him.

Resident Doctor's Association, anti-quota agitation

The Resident Doctors Association (RDA) had played a prominent role in the anti-quota agitation. The agitation had been started as a token protest against the lathi-charge against the students in Mumbai and in Delhi. As alleged by former members of RDA, this protest and strike was rapidly converted into an agitation against the Reservation Policy of the Government. Some former members of the RDA allege (annexure 4.4) that the Director, and senior faculty members actively coordinated with RDA at the beginning and during the agitation. The members of the RDA who protested (the change of RDA's original plan) General Secretary of RDA and Treasurer of RDA were removed from the RDA

The Resident Doctors Association elections in the context of anti reservation agitation.

In the month of September, close on the heels of the anti-reservation strike, the elections to the executive posts of Resident Doctors Association were scheduled to be held. This event further surcharged the casteist atmosphere in the AIIMS. The moderate among the resident doctors who had put up a mixed panel of office bearers of general as well as reserved category doctors, it is alleged (supporting documents annexed) were brow

beaten by the administration into withdrawing the panel. The moderate group also opposed the casteist line of the manifesto of the RDA panel supported by the administration which claimed among other things to 'eradicate the disease of caste based reservations' from India. The doctors had initially fielded a joint panel consisting also of several candidates from the reserved categories. However this was not accepted (the Director and his advisors are alleged to have interfered here too) and the panel was in the last minute only to include general category candidates all of whom had participated in the anti-quota agitation. Despite all protests and objections, the administration pushed ahead with the RDA elections with this manifesto. As a final protest the reserved category of students were forced to abstain from the elections. This election also had the lowest voter turnout in the history of RDA elections (annexures 4.7a,4.7b,4.7c, 4.7d,4.7e,4.7f, 4.7g,4.7h,4.7i,4.7j).

SUMMARY AND OBSERVATIONS:

- There is sufficient reason and evidence including Supreme Court observations that AIIMS followed a reservation policy which is unique to itself, not sanctioned by the constitution or the directives of the Central Government while selecting junior residents (postgraduate students). These mechanisms effectively denied a good number of opportunities to the SC/ST community.
- Non application of the post based roster system in the selection of senior residents at AIIMS is a serious constitutional violation.
- Discrimination of residents of the SC/ST category is evident in a subtle and direct manner.
- The Resident Doctors Association the front and key player in the anti quota agitation, was divided on caste lines to strengthen the agitation.
- The Residents who did not cooperate with the administration in the anti quota agitation had harrowing experiences as repercussions. The case of Dr. Ajitha Gill is a unique example and needs to be investigated.
- The administrations failure to prevent or even tacit support to the formation of anti-reservation oriented RDA is evident and needs to be followed up with some corrective measures to prevent such occurrences in the future.

Chapter V

SITUATION OF FACULTY

The faculty of the All India Institute of Medical Sciences belonging to the SC/ST community met the committee on several occasions and apprised the committee of the functioning of the administration particularly with regard to *faculty selection, promotions, foreign assignments, and permission for conference participation*. They submitted written memorandum to the committee.

Faculty Selections and Appointments

In AIIMS all appointments are advertised and appointments are made through a selection committee which is a standing committee under the AIIMS Act.

In AIIMS the reserved seats for the Faculty positions are filled by a system of ‘floating reservation’. (annexure 5.1) It is a system of allotting seats whereby the most ‘suitable candidate’ is selected for a particular Department. There is no department-wise reservation for SC/ST candidates and the post based roster is not followed for faculty appointments

The floating system of reservation was introduced in the 1980s. In 1993, following the implementations of the Mandal Commission recommendations, the AIIMS sought to introduce reservation for other backward castes. However, members of Faculty, the Faculty Association (FAIIMS) and others had appealed in the High Court against reservation and obtained a stay against this implementation. The administration failed to get the stay vacated and the administration kept recruiting Faculty on ad-hoc basis during the pendency of this case.

Reservation is not ensured in faculty appointments

In the contentious instance of selections, 164 posts for Assistant Professors were advertised, Of these only 9, 13 and 46 posts were earmarked as reserved for SC, ST and OBC. Without any basis and only 8 persons from OBC category who were already

working as adhoc Assistant Professors and had been selected on their own merit were adjusted against OBC seats. The allegation is that the rest of the seats were given to general category people and they were also given the benefit of their past services

Denial of SC/ST Appointments and Promotions.

Another system called the **Assessment Promotion Scheme** was in operation which enabled many faculty to be promoted on the basis of an internal assessment. The floating system of reservations, ad-hoc appointments and the Assessment Promotion Scheme together have denied several opportunities for appointment and promotion to them as alleged by the SC/ST faculty members. Supreme Court in a recent order held that Prima

Facie there are irregularities in appointment and promotions of Assistant professors in AIIMS and directed the High Court to examine the case filed by Dr. Sarnam Singh a faculty member belonging to the SC category.(annexure 5.2)

The Government has appointed a committee to look into alleged misuse of the Assessment Promotion Scheme by the AIIMS administration to promote faculty appointed on ad-hoc basis.

Promotional Opportunities denied

Dr P.N. Dogra, Additional Professor in the Department of Urology has complained of denial of justice to him in the matter of appointment as Professor of Urology in AIIMS. This matter was taken up by the National Commission for Scheduled Castes and Scheduled Tribes. After an enquiry,(a detailed report of the Commission is annexed) The commission observed that Dr Dogra has been *deprived of an opportunity for appointment to the post of Professor of Urology subsequent to holding of an interview that has been described by the 'Commission' as a farce* (annexure 5.3)

Several Faculty members were promoted from Assistant Professors to Associate Professors without undergoing even an interview! And none of them belonged to the reserved categories! The purported reason for this was that their earlier service was taken into account- when there are several guidelines and judgments from various courts that

such cannot be carried out. Even those Faculty members who could not find a place in the select panel were allowed to continue as ad-hoc Faculty and they were adjusted in subsequent selections.

Discrimination in foreign assignments

Denial of permission for foreign assignments

Dr.Kaushal Verma, professor of Dermatology and Venereology, gave his account of the discrimination he suffered under his head of department. Prof. VK Sharma.(annexure 5.4a,5.4b,5.4c))

- He was refused relieving orders to join a foreign assignment, (permission to go on a foreign assignment was given by a previous HOD)
- On his return from the assignment he was not given his office. He did not have place from which he could discharge his duties as a senior faculty. After the intervention of higher authorities it was restored but later the office was changed

Denial of weightage for past services

Dr. Rakesh Kumar, Assistant Professor,Department of E.N.T. in his representation alleged that his past services in the institution were not given consideration, while three others who were in the same category as him in terms of appointment, departure from the institute and return to the institute after service abroad, were given weight age for their past services. This has put him at a disadvantage in terms of seniority. His representations to the administration were ignored.(annexure 5.5)

Similar complaints were given by other faculty, in one case involving a Common Wealth fellowship. (annexure 5.7)

Denial of Research Opportunities

Since research and publications form an important criteria for promotions it is alleged that some HODs do not allot post graduate thesis to SC/ST faculty. This would

effectively reduce the number of their publications as a thesis generally becomes material for publication. Dr.Kaushal Verma and others have given written statements alleging this form of discrimination

Faculty takes discrimination to courts

Dr. Sarman Singh, Head, Division of Clinical Microbiology, has a history of battles with the administration on discrimination of faculty.(annexure 5.6) He has taken his case and others to SC/ST commission, Delhi high court and now to the Supreme Court. In the matter of ad-hoc appoints which deprived many eligible SC/ST candidates of appointment in the AIIMS and also deprived some of their seniority, when they were regularized, the Supreme Court has taken cognizance of the error of the AIIMS administration. This case pertains to appointment and promotion of 164 assistant professors of whom 84 were promoted as associate professors.(5.2)

The highlights of his submission a copy of which is attached:

- Even though he topped the list of the selected for the post of Assistant Professor, his appointment was delayed on the pretext of need for fresh medical examination (not required as he in AIIMS employment for the previous 5years) This helped the next person to gain seniority.
- As the Liaison officer of AIIMS for SC/ST staff, in 1993 he understood the loopholes in the use of the Government orders with regards to reservations. In 2003 when 115 ad-hoc faculty appointees were regularized and promoted to Associate Professor giving weight age to their past services, he raised objections. In this selection out 66 reserved positions only 43 were filled by reserved category faculty giving the rest to general category.
- He was never recognized for his several academic and scientific achievements in terms of publications, innovations and grants obtained the administration was obstructive to his attempts to get patent rights and royalties for his innovations and blocked his travel to international conference.

- All applications for permission to participate in conferences etc. are delayed till they become redundant.(copies of complaints enclosed)
- After he became Professor, he was divested of many clinical responsibilities.
- He was not assigned junior residents to guide for thesis. This reduce his research work thereby reduce his publications.

Summary and observations

Reservation Policy for the Faculty-background

1. Post based Roster system of selection and appointment was never followed by the AIIMS for the faculty even though it is a requirement under Central Government rules and directives. This has been to the disadvantage of the SC/ST category of faculty.
2. Since May 1994, there was an interim stay granted by the Delhi High Court against any provision for reservation in faculty posts, hence a number of faculty posts were lying vacant in the Institute and were filled on ad-hoc basis which has now been criticized by the Supreme Court which has ordered the High Court to review this matter.
3. Till such time when the Delhi High Court finally ruled in favor of reservations in the faculty on 26.11.2001, more than 100 faculty had already been appointed on ad-hoc basis. Having worked for as much as 8 years or more, these ad-hoc faculty members moved a SLP in the Hon'ble Supreme Court which passed the order that, "Any appointment to be made hereafter in accordance with the reservation policy will only be tentative in nature until further orders". Following this order of the Hon'ble Supreme Court, the Institute advertised 164 vacancies for the post of assistant professors. Of these only 9, 13 and 46 posts were earmarked as reserved for SC, ST and OBC. The basis on which these figures were arrived at is being questioned by SC/ST employees.
4. Many ad-hoc appointees were selected against the advertised posts. Some of those who could not be selected were continued on ad- hoc basis, till such time that

posts were available. Discrimination has been alleged on the grounds that against 46 vacancies for OBCs only 8 candidates were selected even though there were enough number of OBC candidates who took the interviews.

5. Many of the SC, ST and OBC candidates who failed in selection were, it was alleged had done their graduation, post-graduation and senior residency from AIIMS itself. AIIMS Administration has always shown a bias towards its own graduates for selection to faculty.
6. Faculty are discriminated by the HOD's in allotting thesis guidance for post graduate residents. This reduces their research opportunities and have to compete with their colleagues with lesser publications.
7. Clinical opportunities are also reduced so that they do not get full exposure to clinical problem solving.
8. Conference/ workshop and external academic participation is selectively blocked in many ways. (annexure 5..7)

Recommendations

1. Post based Roaster system should be strictly followed in the faculty appointments.
2. Reservation policy should be applied in its totality, and the liaison officer should monitor and report annually to the Ministry of Health about its implementation
3. Participation of the SC/ST faculty in all committees of AIIMS should be ensured.
4. There should be redressal mechanism for complaints and grievances of the faculty in the form of an 'Equal Opportunity Office'.

Chapter VI

ANTI QUOTA AGITATION

The discrimination of the SC/ST community in AIIMS which was prevalent for several years at a lower intensity became heightened and noticeable in the immediate post anti-quota agitation period. The polarization of the groups and the acrimony that the agitation developed among the various groups had its most deleterious effect on the students, who were the most vulnerable. A brief account of the sequence of events that lead to this situation is given below.

The Anti-quota Agitation

A Narration

The Bill for reservation of seats in educational institutions for Other Backward Castes (OBCs) was sought to be introduced by the Government of India in the month of April 2006.

Some groups of students who were opposing such reservation planned an agitation against the introduction of such reservations hence onwards called as anti-quota agitation in the month of April-May 2006. The All India Institute of Medical Sciences had become the nodal point for coordinating the agitation. Students opposing the reservations were gathered together to support and intensify the strike. A countrywide strike was organized by this group called as Youth for Equality beginning with 13th of May 2006. The media had reported that this group included medical students, students from IITs and IIMs and some other colleges. It was also reported that this group had its origins in the All India Institute of Medical Sciences and involved several members of Students Union, Resident Doctors Association and from Faculty Association (FAIIMS) from All India Institute of Medical Sciences who were directly and indirectly involved with this agitation.

Several Students and Resident Doctors participated in the hunger strike, several members of the Faculty also extended support and participated in the agitation also by going on a one-day's hunger strike.

The Faculty Association repeatedly passed resolutions in the General Body Meetings supporting the strike and later participating in it and also gave press-releases to this effect. (Annexure 7.1)

Some Faculty and students opposed the agitation

Some of the senior faculty, residents and students who met the committee, were opposed to the agitation and had appealed to the President, AIIMS alleging direct involvement of the Director and the administration in organizing the agitation. (annexure 7.2) Students of SC/ST group alleged that they wanted to attend classes but were ignored by the faculty.

The involvement of the administration in supporting the agitation was alleged on the grounds that the same administration had strictly applied a court order banning agitations within 500 metres of the AIIMS on previous occasions when workers went on strike. But this time, the striking students and resident doctors had parked themselves in the central lawns. A tent was installed at the site to protect the striking doctors and students. The striking-persons also stayed at this site during the night. At any time, 50 to 100 persons were on hunger-strike at this venue. The erection of Shamiana, provision of electricity for coolers and other comforts such as mattresses and pillows, they allege would not be possible without the support of the administration.

The faculty, residents and students who were pro-reservation wanted show their protest by organizing a rally, the administration acted swiftly to put an end to this protest by effectively seeking police help.(annexure 7.3) The students, residents and faculty also complained to the President AIIMS about the involvement of the Medical Superintendent in calling the faculty to report for hunger strike. (Annexure 7.4)

“ Sir, although there are many overt instances of differential treatment over the past 4-5 years, since we joined this esteemed institute, we would like to specifically bring to your

notice the role played by the administration and specifically the Director of AIIMS in instigating and providing patronage to anti-reservation elements in the campus and culminating in the strike and shut down of the institute” (Written statement from a resident of backward community). (Annexure 4.4)

The punitive action taken against several of the residents who participated in the pro-reservation protest, particularly the case of Dr. Ajitha Gill (annexure 4.5) is disturbing.

Role of the Administration

From the account of faculty, residents and students there is direct and indirect evidence to believe that the administration headed by the Director had a role in promoting the agitation. Paralyzing patient care services and emergency services appears to be with administrative support. Dr. TD Dogra ‘s name often appeared in the written evidence by students as a senior faculty member and also the Dean of Examinations, who tried to pressurized them to withdraw complaints of harassment or discrimination

Reappraisals against administrators who did not cooperate in the agitation/ organization.

Several of the administrators and Faculty who did not agree with the policy of the Director subsequently had to face the wrath of the agitators who it is alleged had the backing of the and support of the administration.

Dr. Ramesh Deka, the Dean of the All India Institute of Medical Sciences gave a personal account of the harassment and humiliation he had to suffer under the leaders of agitation. He alleges that this could not have happened without the blessings of the Director as some of those who gheroad him were residents working under the Director.

The harassment and gherao was seen on National television and the Dean and Sub-Dean had personally deposed before this commission. The gherao had occurred in broad daylight, the security men were around but did attempt to break the gherao or help Dr. Deka. This Dr.Deka alleges is another indication that the Director was aware of the incident. The Director was on leave on the day of this gherao, but on his return Dr. Deka,

states that he never called him to check his well-being. This event was repeated a few days later when the Director was in full control of administration and security. The Dean was gheraoed at his home during lunch-hour and the Outdoor Broadcasting vans of Television networks were permitted to be parked in front of his house.(the out door broadcasting units need security clearance enter this area) A senior Faculty member gave derogatory remarks about the Dean which were broadcast live from in front of he Dean's residence. Even with footage available, no action was taken against the offenders. This was the personal testimony of Dr. Ramesh Deka.

After his gherao, the Sub-Dean placed it on record the assistance received by the Resident Doctors indulging in the gherao from the Director's Office. (annexure 7.5)

The strike ended with the intervention of the Supreme Court on 3rd June 2006.

Summary and Observations

- The anti-quota agitation was planned by a group of people who had strong views against the reservation bill to be passed soon in the parliament.
- There is sufficient evidence to support the view that administration of the AIIMS headed by the Director played a proactive role in the organizing of the agitation.
- The AIIMS became the venue for this so called national agitation because it could paralyse health care services to thousands and thereby attract public attention. Paralyzing of the health care services including emergency services would opt pressure on the government.
- The administrative support which was widely covered in the media, went to the extent of penalizing and punishing some students and staff who did not support the agitation.
- The manner in which the Dean Dr. Deka was humiliated needs further investigation.

Chapter VII

SUMMARY OF FINDINGS

In the wake of media reports and complaints to the Government of harassment and abuse of SC/ST students at AIIMS, the Government constituted a committee headed by Prof SK Thorat to investigate all matters connected with the said harassment. The AIIMS authorities did not facilitate no intimidatory meetings for the committee with the students.

The AIIMS being a 100 per cent grant-in-aid institution of the Government is to comply with all the directives of the Government and provide for the constitutionally guaranteed safe guards to the weaker sections particularly the Schedule Castes and Schedule Tribes.

The situation of the SC and ST students in the undergraduate program is summarized.

Special programs-Absence of such programs in AIIMS

Educational institutions are required to undertake remedial coaching for the SC/ST students for improvement in language skill and also other “catching up programs in basic courses,” to reduce the deficiencies if any so that they are able to cope with the regular courses.

AIIMS has not taken any initiative to arrange remedial coaching in English language, basic courses or any other spheres for SC/ST students About 84 per cent of SC/ST students mentioned the need for remedial coaching in English language and basic courses.

Assessment and Examination and Teachers Support to SC/ST students

AIIMS examination system involves both internal and external assessment. There is a greater responsibility on the individual faculty member in conduct of the examinations and to be fair and objective. The examination system with 50 per cent internal assessment

and with significant role of individual faculty, there is a scope for faculty to misuse this privilege, if he/she wishes to do so.

Given that half of the assessment is through internal assessment and that it is done by the concern teachers, it requires that the teacher takes a direct interest in the learning of the student. In fact there is some sort of mentorship involved in imparting knowledge and skills.

We asked the question to SC/ST students about discrimination in teaching session, laboratories and practical demonstrations.

Lack of consultation and interaction

About 69 per cent of them reported that they do not receive adequate support from teachers about half of them give inaccessibility and indifference as reason for less contact with teachers. About one third give caste background as reason for avoidance by the teachers. Thus it emerged that the SC/ST students do not receive the kind of support that the other students received from their teachers. Given the dependence of students on teachers for learning and skill, the lack of adequate support to the SC/ST reflects in performance and psychological problems.

Discrimination in Teaching – Of the total responses about 72 per cent of them mentioned some kind of discrimination being faced in teaching session.

Evaluation of Theory paper

About 76 per cent of students mentioned that their papers were not examined properly.

About 88 per cent mentioned that they got fewer marks that they expected. Only 20 per cent mentioned that they got feedback on their answers papers.

Discrimination in practical and viva-voice

About 84 per cent of respondents mentioned that evaluation in practical and viva –voice was unfair.

About 85 per cent of them mentioned that the SC students don't receive enough time with the examiners, as compared with the higher caste students

About 40 per cent of the students also mentioned that more difficult questions are generally put to them.

In response to the caste bias by high caste teachers, about 76 per cent of the respondent reported that the examiner had asked the caste background, about 84 per cent mentioned that their caste background was asked either directly or indirectly and about 84 per cent mentioned that their grades were affected because of their caste background.

The survey of twenty five students and the information procured from personal interview brings out the nature of experiences of SC/ST students which reflect the discriminatory attitude of the teachers in AIIMS. Given the relational nature of such experiences it is often difficult to capture the nature of discrimination. But the self reported experiences of SC/ST students indicate that these take form of avoidance, contempt, non- cooperation, and discouragement and differential treatment by teachers towards these students.

Class Representatives

The role of Class-representatives is to distribute information, teaching schedule or learning initiative or any change in the program to all his/her class mates.

Only on few occasions the SC/ST student are elected as class representative. 80 per cent of respondent reported caste bias and inadequate support by high caste class representative as reason.

Certain decisions on teaching and learning programs are made collectively by the students and in these meetings they are often excluded. About 80 per cent of the student respondent reported differential treatment being faced by SC/ST students. The differential treatment is experienced by 76 per cent of the sample student in distribution of instructions, in informing schedule of examination or rescheduling of classes, class trips and cultural activities.

Problem in the Hostel

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There were reports in the press that over a period of time a social division has emerged particular between the SC/ST students and others students, and it has accelerated in the wake of anti-reservation agitations on the AIIMS campus

This increasing caste division has reflected in segregation in (a) allocation of rooms in the hostel (b) in sharing dinning facilities (c) associated living (d) participation in cultural events and (e) games.

Segregation in Hostel

Over a period of time and particularly in the wake of the anti-quota agitation, several students belonging to the SC/ST categories have shifted to the two top floors of Hostels 4 and 5 leading some sort of segregation on caste line. The SC/ST students are forced to shift to these hostels by a sustained pressure in the form of humiliation, abuse and even violence by the higher caste students.

Over a period of time about SC/ST 29 students have moved from hostels 1 and 2 to hostel number 4 and 5 leading to concentration of SC/ST students in hostel 4 and 5.

About half of the respondent students indicated caste harassment by higher caste students as reason for shifting from other hostel to hostel 4 and 5.

Inter-personal Relation in Hostel, Mess and Dinning

(a) Social isolation

Students living in hostel where majority students are from higher caste complained of social isolation in inter-personal relation. The general students avoid the SC/ST students while chatting with friends, do not share books and notes with them and even tell them not to sit with them. About 88 per cent of the students reported experiences of social isolation in various ways and 84 per cent of the student respondent reported violence in various being faced by them.

(b) Discrimination in Mess-

While the general messes are open to the reserved categories, the SC/ST students faced restrictions on becoming a member and to have access to the private messes. About 76 per cent of SC/ST respondent students mentioned that they faced restrictions on the joining the private messes. There is a caste divide in formation of private mess.

Social segregation in games and sports

Participation in Pulse

The AIIMS organize a big cultural event which goes by the name of PULSE “. About, 32 per cent of the students have not participated in the PLUSE all together. About 68 per cent participated in PLUSE in various capacities. Of these about 80 per cent participated as observer and volunteer and only 11 per cent as competitor and 7 per cent as representative in any committee.

The reason for lower participation as competitor and representative are two fold. One is the lack of representation of SC/ST on the organizing Committee and second is the unfair working of this committee. The committee works in biases manner such that the SC/ST students are not give due participation.

Participation in game

The SC/ST students faced discrimination in participation various games. About 88 per cent faced discrimination in access to basked ball game followed by 60 per cent in cricket. The discrimination is much less in volley ball and foot boll.

Ragging and caste overtone

Even though ragging is officially banned in the AIIMS, there appears to be is a one month period of unofficial ragging. Students of SC/ST category have stated that ragging has serious caste overtones and several forms of humiliation are meted out to them.

All most all SC/ST students faced ragging with open caste overtone in which the students have to declare his caste background.

Problems of SC/ST Senior and Junior Residents

There is sufficient reason and evidence including Supreme Court observations that AIIMS followed a reservation policy which is unique to itself, not sanctioned by the constitution or the directives of the Central Government while selecting junior residents (postgraduate students). These mechanisms effectively denied a good number of opportunities to the SC/ST community.

Non application of the post based roster system in the selection of senior residents at AIIMS is a serious constitutional violation. This should be quickly corrected.

Discrimination of residents of the SC/ST category is evident in a subtle and direct manner.

The Resident Doctors Association the front and key player in the anti quota agitation, was divided on caste lines to strengthen the agitation.

The Residents who did not cooperate with the administration in the anti quota agitation had harrowing experiences as repercussions. The case of Dr. Ajitha Gill is a unique example.

The administrations failure to prevent or even tacit support to the formation of anti-reservation oriented RDA is evident and needs to be followed up with some corrective measures to prevent such occurrences in the future.

Circumstances of the SC/ST Faculty

Post based Roster system of selection and appointment was never followed by the AIIMS for the faculty even though it is a requirement under Central Government rules and directives. This has been to the disadvantage of the SC/ST category of faculty.

Since May 1994, there was an interim stay granted by the Delhi High Court against any provision for reservation in faculty posts, hence a number of faculty posts were lying vacant in the Institute and were filled on ad-hoc basis which has now been criticized by the Supreme Court which has ordered the High Court to review this matter.

Till such time when the Delhi High Court finally ruled in favor of reservations in the faculty on 26.11.2001, more than 100 faculties had already been appointed on ad-hoc basis. Having worked for as much as 8 years or more, these ad-hoc faculty members moved a SLP in the Hon'ble Supreme Court which passed the order that, "Any appointment to be made hereafter in accordance with the reservation policy will only be tentative in nature until further orders". Following this order of the Hon'ble Supreme Court, the Institute advertised 164 vacancies for the post of assistant professors. Of these only 9, 13 and 46 posts were earmarked as reserved for SC, ST and OBC. The basis on which these figures were arrived at is being questioned by SC/ST employees.

Many ad-hoc appointees were selected against the advertised posts. Some of those who could not be selected were continued on ad- hoc basis, till such time that posts were available. Discrimination has been alleged on the grounds that against 46 vacancies for OBCs only 8 candidates were selected even though there were enough number of OBC candidates who took the interviews.

Many of the SC, ST and OBC candidates who failed in selection were, it was alleged had done their graduation, post-graduation and senior residency from AIIMS itself. AIIMS Administration has always shown a bias to wards its own graduates for selection to faculty.

Faculties are discriminated by the HOD's in allotting thesis guidance for post graduate residents. These reduce their research opportunities and have to compete with their colleagues with lesser publications.

Clinical opportunities are also reduced so that they do not get full exposure to clinical problem solving.

Conference/ workshop and external academic participation is selectively blocked in many ways.

Anti-quota agitation

The anti-quota agitation was planned by a group of people who had strong views against the reservation bill to be passed soon in the parliament.

There is sufficient evidence to support the view the administration of the AIIMS headed by the Director Dr.Venugopal played a proactive role in the organization of the agitation.

The AIIMS became the venue for this so called national agitation because it could paralyse health care services to thousands and thereby attract public attention. Paralyzing of the health care services including emergency services would put pressure on the government.

The administrative support which was widely covered in the media, went to the extent of penalizing and punishing several students and staff who did not support the agitation.

The manner in which the Dean Dr. Deka was humiliated needs further investigation.

The origins of a group called 'Youth for Equality' needs looking into as how it was formed and their role in the agitation.

Chapter VIII

RECOMMENDATIONS

Based on some insights from the study of the student's, situation, the Committee makes the following recommendations to address some problems confronting the SC/ST students in AIIMS.

Recommendations of Special Programmes

The educational institutions are required to undertake remedial coaching for SC and ST students to improve their language skill and also remedial courses in the basic courses so that they are able to cope up with the regular course.

Since the majority of SC/ST students have expressed the need of special programmes, the Committee recommends that the AIIMS should start remedial course in English language and catching up courses in the core subjects. These types of programmes are run by the IITs since a long time.

The Committee also recommends that the Governing Body should set up a Committee to work out the nature of these programmes in close consultation with the SC/ST students.

Recommendation to improve the Teachers Consultation, and fair Evaluation and Examination

Recommendations to improve consultation with teachers:

The Committee observed that about 2/3rd of the SC/ST students reported that they do not receive as much support from the teachers, as the other students receive. The SC/ST students perceived that avoidance and indifference shown by the faculty is associated with their caste background.

It may be mentioned that it is often difficult to capture the nature of caste bias, as they are imbedded in social relations and behavior. In view of this Committee recommends

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that the AIIMS should undertake measures to make the faculty more sensitive towards the problems faced by the SC/ST students and develop cordial relations with them, so that the students regain their confidence in their teachers. It appears to the Committee that at present, there is lack of positive and supportive relationship and a relationship of confidence between the SC/ST students and the faculty. The Committee, therefore, recommends the following measures by the AIIMS :-

- (a) The Governing body of AIIMS should initiate a dialogue between the faculty and the SC/ST students to understand their problems and to take measures to build up confidence in them for a positive inter-personal relations and guidance.
- (b) The AIIMS should introduce the formal system of consultation between SC/ST students and faculty with display of schedule for the information of the students. It should not be left to informal and open ended methods of consultation. The Faculty also should be asked to keep the record of proceedings of the meetings with the students.

Recommendations for fair evaluation and examination

A very large majority of SC/ST students reported biases and unfairness in the evaluation of theory paper, practical. A large portion of them attributes this to their caste background.

It may be mentioned that internal evaluation constitutes half of the marks. The internal evaluation gives enough power to the faculty members to intimidate the students. Majority of the SC/ST students reported that discrimination takes the form of avoidance, non-cooperation and discouragement. Majority also reported that they do not receive fair treatment in evaluation theory and viva.

How to address the problem of perceived discrimination in evaluation and examination is an issue. Perhaps the objective test may be one way to overcome some of the attitudinal problems of the faculty. The objective method brings transparency and gives limited scope for personal judgment.

So, objective method of examination seems to be one way to overcome the problem of personal bias. However, objective method may not solve the problem of non-cooperation of faculty towards SC/ST student altogether. This indicates that there is a need of reform of examination system in AIIMS. Over a period of time internal assessment has enhanced and in the process increase the power of teachers differential treatment.

The Committee therefore suggest that the Governing Body of AIIMS should address this issue. It is necessary that this issue is discussed by faculty and students to take steps to build up confidence among the SC/ST students.

The Committee recommends that AIIMS may take following steps.

First, the examination system may be reform in which the component of objective questions may be increased significantly and subjective elements in evaluation be reduced to the minimum. This should be for all examinations.

Secondly, internal evaluation through practical and viva should be done in more transparent and open manner so that there is limited scope for bias. The AIIMS should develop a more transparent method for practical examination and viva, probably with independent only to regain confidence in the system.

Recommendation on class representative

The Committee observed the institution of class representative which is used for limited purpose by AIMS also works in discriminatory and unfair manner in the case of SC/ST. From the students it emerged that the system of class representative works in unfair manner due to two reasons. First is that in practice the election of the class representative seems to be influenced by caste divide rather than relevant issues. In that situation since the SC/ST students are in minority, they are completely under representation in class representative system. Second problem related to the working of institution of class representative. As long as the class representative work in a fair manner it will not matter as to who is the class representative. However the majority of the SC/ST students reported that it works in a discriminating unfair manner for the SC/ST students.

In view of this the Committee recommends the reforms of class representative system. First relates to the method of election of class representative. The Committee recommends that the concept of two representatives for a class, one of which would be from the SC/ST should be used. This will ensure the representation of the SC/ST students. Second suggestion is that authority should frame the working rule of class representative in such a manner that it is fair, transparent, and democratic so as to ensure equal access to all the students.

Recommendations to improve the inter-personal relations and bring social harmony

The Committee observed that the social life in the Hostel suffer from the caste divide. It appeared that this has been going on for quite some time and this has aggravated during the anti- reservation agitation. The caste division has laid to social exclusion of SC/ST students. As has been observed in the earlier discussion the social exclusion is reflected in segregation of SC/ST students in some hostels, restrictions on dining in the private mess dominated by the high caste students, inter-personal relations and sharing of materials, participation in cultural events like PULSE and in some selected games. Based on the survey of the students and personal interviews, the Committee observed that the over a period of time the caste division has occurred in the social life of AIIMS student community. This caste divide has reflected in formation of students groups on caste line and thereby restricted the relationship to the caste groups. Recently this caste division has also consolidated around the identity of pro- and anti-reservation group which generally coincide with the caste division of the students and also faculty. It appeared to the committee that this division of the students on caste line in the associated living on the campus has lead to serious social problems. The SC/ST students in fact suffer from abuse, humiliation and violence. The caste related ragging is a classical example of the culture in AIIMS. The caste division has resulted into a culture, which at time has taken an ugly shape. Two examples of this division can be given, one relates to the video documentary showing the burning of Dr. Ambedkar's writings by the students and second relates to grouping on the internet.

In view of this it is necessary that the AIIMS should address this issue immediately. The consequences of the social exclusion for the SC/ST are far more serious as this has developed in to psychological problems and a sense of insecurity among the SC/ST students.

In the interest of the harmonious development of any institute, there is a need that students and teaching community live in socially harmonious and helpful manner.

It appears to us that that AIIMS authority has not recognized the gravity of the social divide that has emerged over a period of time. Neither did it develop any mechanism to check this tendency of caste divides. The committee received representation in which it was mentioned that number of complain were given to the authority and the administration has not taken a serious note of the reported incidences.

In view of this the Committee makes the following recommendations:-

1. The Committee suggests that the Governing Body of AIIMS should set up a Joint Committee, comprising of students, residents and faculty to examine and study the social atmosphere in campus and understand the reasons and also develop an insight for the social division that has emerged over a period of time.

It will not be in the interest of the institute, the administration, faculty and students to deny the existence of the problem of social divide. In the experience and perception of the SC/ST student there has emerged social divide leading to their exclusion in community life of the campus. It is necessary that heart to heart discussions are held to build the confidence and address the issue collectively and together.

2. The Committee also recommends that the Governing Body should take some necessary steps to remedy the situation and also develop a policy and mechanism to regain the social harmony in the campus.
3. The Committee recommends that the AIIMS should set up a special office called “Equal Opportunity Office” to deal with all the issues relating to SC, ST and OBC students. This office should implement the remedial coaching programme and

other schemes for the SC/ST students. It should also serve as an office which will address the grievances of SC/ST students and also other problems. It should be headed by a senior faculty and supported by one more faculty with proper supporting staff and funding.

4. The Committee has observed that the lack of participation of SC/ST students in cultural activities like PULSE and some games is because of the lack of representation of SC/ST on various Committees and the unfair working of this Committee towards the ST/ST students.

Therefore, the Committee recommends that the ST/ST students should be nominated as representative on all Committees dealing with matter related to students. Secondly the authority should develop the norms and regulations for the working of this Committee, which will be fair, transparent and democratic.

FOR FACULTY

5. The committee recommends that Post based roster system of reservation be applied in the selection of Senior Residents and Faculty.
6. The Ministry of Health should closely monitor the implementation of reservation at the AIIMS.

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