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ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Indian Express ದಿನಾಂಕ : DATE : 25/12/20

## HC: SC, ST Commission does not have powers to function as a court

EXPRESS NEWS SERVICE @Bengaluru

THE Karnataka Commission for the Scheduled Castes and Scheduled Tribes does not have the powers to take up the role of a court or adjudicatory tribunal, the Karnataka High Court said, while quashing an order passed by the Commission.

Justice M Nagaprasanna passed the order recently while allowing a petition filed by M B Siddalingaswamy, a superintendent in the office of the Director of the Department of Pre-University Education.

Siddalingaswamy questioned

the Commission's order dated November 11, 2016, directing the state government to accord retrospective seniority to K R Muralidhar with effect from September 17, 2012, and grant him all consequential monetary benefits, addition to correct date of entry into service of superintendent in the seniority list.

However, Justice Nagaprasanna said that Sections 8 and 10 of the Karnataka State Commission for the Scheduled Castes and

Scheduled Tribes Act makes it "abundantly clear" that the Commission is not empowered to adjudicate on the rights of parties.

He quashed the Commission's

order, saying, "The power vested with the Commission of Inquiry and submission of a report cannot be extended to adjudicate all disputes between an individual and a State or a statutory authority. The powers conferred do not contemplate that the Commission can examine matters like a civil court and adjudicate dispute and pronounce either an interim or final decision, or issue a direction of the kind that is issued in the case on hand," the Judge said.

The Judge observed that the Commission cannot be construed to be a Tribunal or a forum discharging functions of a judicial character or court.

