

Record of findings of the Commission in the case of suicide of SC Scholar Shri Rohit Vemula at University of Hyderabad.

Brief of the case

A news item appeared in the daily newspaper Hindu (Hyderabad Edition) Monday January 18, 2016 reporting that a Dalit research scholar of the University of Hyderabad allegedly hanged himself to death on Sunday, 15 days after he was expelled from his hostel along with four other researchers. The five Dalit students of the Ambedkar Students Association (ASA) were on a sleep-in-strike in the open on the campus ever since their expulsion. On Sunday morning, Rohith Vemula stayed away from the protesters' camp and spent the day in one of the rooms of New Research Scholar's hostel. He was found hanging in the room at 7.30 P.M. He hanged himself using the blue banner of the ASA, a student outfit to which he belonged and which has been fighting for Dalit rights on the campus.

NCSC had earlier taken cognizance of the expulsion of the SC students and had called for a report on the same on 13.01.2016. Later on NCSC took suo-moto cognisance of the suicide incident, made a spot visit and also received several representation from a large number of persons / organizations on the subject.

Police Report

On 18/1/2016 at 14.45 Hrs. after completion of inquest and Post-mortem examination, the dead body of Vemula C Rohith was handed over to Smt. Vemula Radhika M/o of the deceased in the presence of the other family members at Osmania General Hospital, Hyderabad under proper acknowledgment for funeral rights of the mother and she alongwith her relatives conducted the cremation of the dead body of Vemula Rohith on the same day at Amber Peth Cremation, Hyderabad.

Police Report dated 23/2/2016 received from Commissioner of Police Cyberabad states that as per the Commission's Order section 3(2) (v) of SC/ST Act added to CR No. 20/2016 u/s 306 IPC and Section 3(1) (ix) (x)n (2) (VII) SC&ST POA Act.

Forensic report of both the documents i.e. suicide note and the letter dated 18.12.2015 has been received.

Discussion at NCSC :

The issue was discussed in the Commission on 15.02.2016, 18.4.2016, 17.05.2016, 30.05.2016 and 20.06.2016. Reports were called from District Collector, University of Hyderabad and MHRD.

Report of University of Hyderabad:

The report dated 08.02.2016 states the employment to Rohit's brother has not been provided as MHRD has not given their permission. The financial assistance of Rs.8 lakh, sanctioned by University, has not been accepted by Rohith's mother.

4/3/2016

Report of M/o HRD

Report dated 05.02.2016 states that an enquiry committee has been appointed to enquire into the circumstances leading to the death of Rohit Vemula and also to recommend steps to be taken so that such incidents do not take place in future.

Report dated 17.06.2016 states that as per UGC, the students are not covered under the companionate appointment scheme.

Report of District Collector, Guntur

During the discussion held on 18.4.2016 in the Commission, the Distt. Collector, Guntur explained in detail that Rohit and his brother and sister have been issued SC caste certificate a number of times during the last 10 years and there is no rival claim questioning the validity of these certificates. Rohit's mother was SC and the children were brought up in the environment of deprivation and discrimination in the SC locality by Rohit's mother, Radhika. The District Collector is of the firm view that Rohit belonged to Scheduled Caste and there is absolutely no doubt about this.

The District Collectors' report Rc. no 15/2016/C4 dt .4.2016 received in NCSC on 02.06.2016 states that 'as per the available documentary evidence with the Tahsildar Guntur, Rohit Chakravarthy Vemula belongs to Hindu-Mala caste which is classified as Scheduled Caste in Andhra Pradesh and his family comes under the below poverty line category'.

Observations of NCSC:

The report of the District Collector, Guntur received in NCSC, states that as per the available documentary evidence, Rohit Chakravarthy Vemula belongs to Hindu-Mala caste which is classified as Scheduled Caste in Andhra Pradesh and his family comes under the below poverty line category.

It is seen that the District Collector, Guntur in his report to NCSC¹ has examined the issue in detail which include the statement on oath, before Joint Collector -II, Guntur, of the maternal grandmother of Rohith C Vemula, the reports of Revenue Divisional Officer & SDM, Guntur, which corroborate the statement of the maternal grandmother of Rohith C Vemula, the report of Tehsildar, Guntur that SC certificates (SC -Mala) were issued to Rohith C Vemula by Tehsildar Guntur on 19.05.2004 and 29.01.2005 and subsequently again in 2014 & 2015. Moreover the siblings of Rohith C Vemula have also been granted valid SC certificates in 2007 & 2014.

Moreover it is not disputed that Rohit lived all his life with his mother in a SC locality, he had a valid SC caste certificate, on basis of which he took admission in college / University. Hence in his perception and in the perception of society at large, he lived as SC and experienced the life and age old discrimination faced by SCs and also raised his voice against such discrimination especially in his University student life. These facts are also well known and documented.

483, 2 ~

¹ Rc. no 15/2016/C4 dt .4.2016 received in NCSC on 02.06.2016

It is a well settled case law² that where the child, irrespective of the fact whether the father or mother is a member of SC community, is brought up by the SC community as a member of such a community, then he has to be treated as a member of the SC community and would be entitled to receive benefits as such. This applies fully in the case of Rohith C Vemula.

It is also a fact that while he was alive, he was accepted as an SC by all, viz, his fellow students, the University authorities, his friends, relatives, neighborhood and treated as such. It is unfortunate that the treatment of people is very often coloured by the age old societal perception of caste. This was the perception of the treatment received thereof which was discriminatory like the suspension from University & hostel, stoppage of his fellowship etc, which anguished him and which finally drove him to commit suicide. His anguish is evident in his letter to the Vice Chancellor written on 18.12.2015, wherein he states that he feels the 'Dalit' students are treated differently by the University and faced 'social boycott' and states that dalit students may be served with 10 mg 'sodium azide' at the time of admission with directions to use when they feel like reading Ambedkar and supply a nice rope in room of all dalit students. His further words in this letter of 18.12.2015 are quoted: "As we the scholars, PhD students have already passed the stage and already members of Dalit self respect movement unfortunately we are left with no easy exit. Hence, I request your highness to make preparations for facility of euthanasia for students like me". The similar sentiments are there in his suicide note of 17.01.2016, where he refers to fatal accident of his birth.

The perception of the SC students that they were being discriminated against is evident from Rohith's letter to VC dated 18.12.2015, the letter dated 28.12.2015 of President Ambedkar Student Association to the VC and it is also clear that the University authorities did nothing to assuage the feelings / or rectify the problems as it has culminated in Rohit's suicide.

NCSC feels that the University authorities / MHRD should examine the whole set of circumstances leading up to this tragic event and take steps to ensure that the SC students are not discriminated against and are fully assimilated into the University life not only in the University of Hyderabad but across campuses in the Country. There seems to be a necessity to frame separate law to cover the cases of discrimination and atrocities in educational institutions.

Recommendations regarding financial relief to the family:

The Commission recommends following:-

1. District Collector, Guntur is advised to provide relief like house, employment, monetary help etc as per rules, the family comes under BPL category.
2. As the Post-Mortem report has already been received, the District Administration is advised to make the payment of Rs. 4,12,500/- (50% of Rs. 8,25,000/-) to the Rohith C Vemula's mother as per Sl. No. 45 of norms for relief amount of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 2016.

42 3.5 -

²Supreme Court in 1959 VV GirVs DS Dora SC 1313(1327)

3. Appointment may be given to the Rohith C Vemula's brother as a gesture towards fulfilling the commitment made by the Vice-Chancellor, notwithstanding the fact that the Compassionate appointment scheme may not cover the same.
4. Vice-Chancellor is advised to hand over the financial assistance cheque/draft of Rs. 8 lakh sanctioned by the Central University of Hyderabad to Rohith C Vemula's mother.
5. As the District Collector, Guntur's report has been received and the issue of Rohit Vemula's caste as SC is now settled, the Commissioner of Police, Cyberabad is advised to complete the investigation and file the report at the earliest, in the Court of Law.
6. The District Administration is advised to make payment of remaining compensation amount of Rs. 4,12,500/- (50% of Rs. 8,25,000/-) to the Rohith C Vemula's mother as per Sl. No. 45 of norms for relief amount of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 2016 as and when chargesheet is filed in the Court of Law.

List for 23-8-2016 for ATR



(P.L. Punia)
Chairman, NCSC
Date: 22.6.2016