

SITEMAP OF NCST NEW WEBSITE

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What's New

Revision of rates of Dearness Allowance to Central Government employees - effective from 01.01.2024

Monthly Summary Report of Department of Expenditure for the month of February, 2024

Seeking feedback from Stakeholders on Draft Manual for Procurement of Non-Consultancy Services - 2024

Seeking feedback from Stakeholders on Draft Manuals for Procurement of Consultancy Services & Non - Consultancy Services - 2024.

Amendment in General Financial Rules, 2017 Rule 171 (j) - Performance Security Regarding

Filling up of two posts under Public Procurement Division, Department of Expenditure on deputation basis.

Compendium of instructions for posts in Autonomous Bodies under Central Government.

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Circular/O.M./ Notifications

» [Advances to Government Servants](#)

» [Air Travel Instructions](#)

» [Allowances & Special facilities for](#)

» [Appraisal and Approval](#)

» [Central Government Employees Group Insur](#)

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ABOUT US

ABOUT THE COMMISSION

National Commission for Scheduled Tribes (NCST) at a Glance

The **National Commission for Scheduled Tribes (NCST)** is a constitutional body in India established by amending Article 338 and inserting a new Article 338A in the Constitution through the **Constitution (89th Amendment) Act, 2003**. Prior to this amendment, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes was replaced by two separate Commissions: The **National Commission for Scheduled Castes (NCSC)** and the **National Commission for Scheduled Tribes (NCST)**, effective from **19 February 2004**.

Background and Establishment

The **National Commission for Scheduled Tribes (NCST)** is a constitutional body established under **Article 338-A** of the Indian Constitution. It plays a pivotal role in safeguarding the rights, welfare, and development of **Scheduled Tribes (STs)** across India.

Composition:

- The NCST consists of the following members:
 - **Chairperson:** Holds the rank of a **Union Cabinet Minister**.
 - **Vice-Chairperson:** Holds the rank of a **Minister of State**.
 - **Members:** Their ranks are equivalent to that of a **Secretary to the Government of India**.
 - The terms of office for these positions are **three years** from the date of assuming charge.

Historical Evolution:

- The NCST's establishment is rooted in the **Constitution (89th Amendment) Act, 2003**.
- Prior to this amendment, the National Commission for Scheduled Castes and Scheduled Tribes was a combined entity.
- The separation into two distinct Commissions—NCSC and NCST—occurred on **19 February 2004**.

Role and Mandate

1. **Participation in Planning Process:**
 - The NCST actively participates in the **planning process** related to the socio-economic development of STs.
 - It collaborates with both the Union and State governments to ensure that policies and programs are tailored to the needs of tribal communities.
2. **Evaluation and Monitoring:**
 - The Commission evaluates the **effectiveness of safeguards** provided to STs by the Constitution, existing laws, and government directives.
 - It monitors the progress of ST development at both the national and state levels.
3. **Specific Functions:**
 - Investigating and advising on matters related to ST welfare.
 - Inquiring into specific complaints regarding ST rights and safeguards.
 - Recommending corrective measures to address violations.
 - Presenting annual reports to the **President of India**.

Approach and Methodology

1. **Holistic Approach:**

- The NCST adopts a **holistic approach** to tribal development.
 - It considers not only economic aspects but also social, cultural, and environmental factors affecting STs.
2. **Community Engagement:**
 - The Commission engages with tribal communities directly.
 - Field visits, consultations, and interactions with ST representatives inform its recommendations.
 3. **Research and Data Analysis:**
 - The NCST conducts **research** on tribal issues.
 - It analyses data related to ST population, education, health, land rights, and livelihoods.
 4. **Advocacy and Policy Influence:**
 - The Commission advocates for policy changes and legal reforms.
 - It influences government decisions to enhance ST welfare.

Powers and Authority

1. **Constitutional Authority:**
 - The NCST derives its authority from the Constitution.
 - It has the power to summon witnesses, examine documents, and issue recommendations.
2. **Monitoring Implementation:**
 - The Commission monitors the implementation of **constitutional safeguards** for STs.
 - It ensures that funds allocated for tribal development are utilized effectively.
3. **Advisory Role:**
 - The NCST advises the Central and state governments on ST-related matters.
 - Its recommendations guide policy formulation and implementation.

Headquarters:

- The NCST's headquarters is in Lok Nayak Bhawan, Khan Market, **New Delhi**.
- From this headquarter and six regional offices, it coordinates its activities, engages with stakeholders, and advocates for the rights of STs.

The National Commission for Scheduled Tribes (NCST) was established by amending Article 338 and inserting a new Article 338A in the Constitution through the Constitution (89th Amendment) Act, 2003. By this amendment, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes was replaced by two separate Commissions, namely- (i) the National Commission for Scheduled Castes (NCSC) and (ii) the National Commission for Scheduled Tribes (NCST) w.e.f. 19 February 2004. Detailed background information about the historical evolution of the National Commission has been given in Chapter 1 of the first Report of the Commission for the years 2004-05 and 2005-06.

The term of office of Chairperson, Vice-Chairperson and each member is three years from the date of assumption of charge. The Chairperson has been given the rank of Union Cabinet Minister, and the Vice-Chairperson that of a Minister of State and other Members have the rank of a Secretary to the Government of India.

- The first National Commission for Scheduled Tribes (NCST) was constituted in March 2004. It comprised Shri Kunwar Singh, Chairperson (who assumed office on 15.3.2004), Shri Tapir Gao, Vice-Chairperson (who assumed office on 3.3.2004), Shri Lama Lobzang (who assumed office on 2.3.2004), Smt. Prem Bai Mandavi (who assumed office on 4.3.2004) and Shri Buduru Srinivasulu (who assumed office on 11.3.2004) as Members. The office of Vice-Chairperson had fallen vacant w.e.f. 31.3.2004, which was consequent upon the resignation of Shri Tapir Gao and was vacant till 29.5.2006, on which date Shri Gajendra Singh Rajukhedi joined the office of Vice-

Chairperson. While Shri Kunwar Singh, Chairperson, resigned from his office on 14.2.2007 (A/N), the Members of the first Commission demitted their office in the month of March 2007 from the date of completion of their three-year tenure. Shri Gajendra Singh Rajukhedi also resigned from the office of Vice-Chairperson on 15.05.2007.

- The second commission comprised of Smt. Urmila Singh as Chairperson, Shri Maurice Kujur as Vice Chairperson, Shri Tsering Samphel, and Shri Oris Syiem Myriaw as Members (Smt. Urmila Singh assumed office on 18.06.2007 and resigned on 24.01.2010 consequent upon her appointment as Governor of Himachal Pradesh), Shri Maurice Kujur, Vice Chairperson remained in office from 25.04.2008 to 24.04.2011, Shri Tsering Samphel, Member who assumed office on 14.06.2007 demitted his office on 13.06.2010. Similarly, Shri Oris Syiem Myriaw, Member, who assumed office on 17.04.2008, demitted on 16.04.2011 after completing a three-year term.
- In the third Commission, Dr Rameshwar Oraon assumed the office of Chairperson on 28.10.2010, Smt. K. Kamala Kumari assumed the office of Member on 21.07.2010, while Shri Bheru Lal Meena assumed the office of Member on 28.10.2010. The posts of Vice chairperson and one Member in the Commission remained vacant. Smt. K. Kamla Kumari was demitted from Office after completing her three-year tenure on 20/07/2013. Similarly, after completing their respective three-year terms Dr. Rameshwar Oraon, Chairperson, demitted his office on 27/10/2013, and Shri Bheru Lal Meena, Member, demitted his Office on 28/10/2013 (FN).
- Dr. Rameshwar Oraon has been re-appointed with a 2nd term of three years as Chairperson National Commission for Scheduled Tribes. Similarly, Smt. K. Kamla Kumari and Shri Bheru Lal Meena, were also re-appointed with 2nd term of three years as Members of the Commission. All of them assumed their respective Offices on 01/11/2013. Shri Ravi Thakur, MLA in Himachal Pradesh Assembly, has been appointed Vice-Chairperson of the Commission. Shri Ravi Thakur has assumed the office on 14/11/2013. However, due to the sudden demise of Smt K. Kamla Kumari on 17/07/2014 and Shri Bheru Lal Meena on 19/08/2014, three posts of Members are presently lying vacant in the Commission.

BACKGROUND

- Certain Communities suffering from Extreme Social & Economic Backwardness- like Untouchability Primitive Agri-Practices, Lack of Infrastructural facilities, Geographical Isolation- needed special consideration for safeguarding their interests.
- These communities were notified as Scheduled Castes and Scheduled Tribes as per provisions of Art. 341(1) and 342(1) of the Constitution respectively.
- Under the original provisions of Art.338 of the Constitution, Special Officer (Commissioner) for SC&ST appointed was assigned the duty to investigate all matters relating to the Safeguards for SCs and STs in various Statutes and to report to the President upon the working of these Safeguards.
- To facilitate working of the Commissioner for (SCs & STs),17 Regional Offices were set up in different parts of the Country.
- In 1978 the Govt. (through a Resolution) decided to set up a Multi-Member Commission (Non-Statutory) for SCs and STs with Sh. Bholu Paswan Shastri as Chairperson and having 4 Members (with 3-year tenure); Office of Commissioner for SCs & STs also Continued to exist;
- The 17 Regional Offices earlier transferred to DG (Backward Classes Welfare), were brought back under the control of the new Multi Member Commission.
- In 1987, the Govt. (through another Resolution) modified functions of the Commission (making it as a National Level Advisory Body) to advise the Govt. on Broad Policy Issues and levels of Development of SCs and STs.

- The statutory National Commission for SCs & STs came into being on 12-3-92 (after the Constitutional (65th) Amendment); Act 1990. Notified on 8-6-1990, it was headed by Sh. Ram Dhan as Chairperson and had Sh. Bandi Oraon as VC, Sh. B. Sammaiah, Dr. Sanojni Mahishi, Chaudhary Hari Singh, Sh.. N. Brahma and Sh. Jina Bhai Darjee as Members, replacing the Special Officer for SCs and STc.
- The 2nd Commission was constituted on 5-10-95 with Sh..H. Hanumanthappa as Chairperson Smt. Omem Moyong Deori as VC and Sh. N.C. Chaturvedi, Sh. Anand Mohan Biswas, Ven. Lama Lobzang, Sh. Nar Singh Baitha, and Sh. B. Yadaiah as Members;
- The 3rd Commission was constituted in Dec-1998 comprising Sh. Dileep Singh Bhuria as Chairperson, Sh. Kameshwar Paswan as VC, and Sh. Harinder Singh Khalsa, Ven Lama Lobzang, Sh. Chhotray Majhi, Sh.M. Kannan, Smt. Veena Nayyar as Members. On resignation of Sh. M. Kannan, Sh. C. Chellapan became Member;
- The 4th Commission was constituted in March 2002 comprising Dr. Vijay Sonkar Shastri as Chairperson, Ven Lamma Chosphel Zotpa as VC, and Sh. Vijay Kumar Chaudhary, Sh. Narayan Singh Kesari, Sh. Tapir Gao as Members, while Smt. Veena Nayyar and Sr. C. Chellapan continued till completion of their respective tenures of 3yrs. In Aug, 02, Smt. Veena Prem Kumar also became a member in place of Smt. Veena Nayyar. On completion of term by Sh. Chellapan, Sh. Sampath Kumar became Member on 30-9-2003.
- Consequent upon implementation of the provision of the Constitution (89th) Amendment Act.2003, as per notification dated 19-2-2004, the Erstwhile National Commission for SC & ST was replaced by two Commissions viz; National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST). The composition of the first National Commission for Scheduled included Sh. Kunwar Singh as Chairperson (w.e.f 15/3/04) Sh. Gajendra Singh Rajukheri as Vice- Chairperson (w.e.f 29.05.06), Ven. Lama Lobzang (w.e.f.2-3-04) Smt. Prema Bai Mandavi (w.e.f 4.3.04) Sh. Buduru Srinivasulu (w.e.f 11.3.04) as Members. Chairperson, V.C. and Members have a tenure of 3 years each. Chairperson has the status of Union Cabinet Minister, while V.C has the status of Minister of State and Members have the Status of Secretary to Government of India. Shri Kunwar Singh, resigned from his post in February, 2007 and Shri Gajendra Singh Rajukheri resigned in May 2007 while other Members demitted their office after completion of their tenure in March 2007.
- The second commission comprised of Smt. Urmila Singh, Chairperson, (assumed office from 18.06.2007 to 24.01.2010), Shri Maurice Kujur, Vice Chairperson, (assumed office on 25.04.2008 to 24.04.2011), Shri Tsering Samphel, Member (assumed office from 14.06.2007 to 13.06.2010) and Shri Oris Syiem Myriaw, Member, (assumed office on 17.04.2008 to 16.04.2011).
- The third Commission comprised of Dr. Rameshwar Oraon, Chairperson, assumed office on 28.10.2010, Smt. K. Kamala Kumari, Member, assumed office on 21.07.2010 and Shri Bheru Lal Meena, Member, assumed office on 28.10.2010. The posts of Vice chairperson and one member in the Commission are lying vacant. Smt K.Kamla Kumari demitted office after completion of her 3 year tenure on 20/07/2014. Similarly after completion of their respective 3 years tenure, Dr. Rameshwar Oraon, Chairperson demitted his office on 27/10/2013 and Shri Bheru Lal Meena, Member demitted his office on 28/10/2013 (FN).
- Dr. Rameshwar Oraon has been re-appointed with 2nd term of three years as Chairperson, National Commission for Scheduled Tribes. Similarly Smt. K. Kamla Kumari and Shri Bheru Lal Meena, were also re-appointed with 2nd term of three years as Members of the Commission. All of them assumed the respective Offices on 01/11/2013. Shri Ravi Thakur, MLA in Himachal Pradesh Assembly has been appointed as Vice-Chairperson of the Commission. Shri

Ravi Thakur has assumed the office on 14/11/2013. However due to sudden demise of Smt K.Kamla Kumari on 17/07/2014 and Shri Bheru Lal Meena on 19/08/2014, three posts of Members are presently lying vacant in the Commission.

APPROACH AND METHODOLOGY

Keeping in view its Constitutional obligations and the issues that are now critical, after almost half a century of independence, for the overall development and mainstreaming of the Scheduled Tribes, the present Commission, constituted in February 2004 has adopted a more vigorous approach in its functioning. The meetings of the Commission are held regularly and the implementation of decisions taken is monitored keenly.

In order to monitor and evaluate the impact of development schemes, the Commission has decided to interact with the State/UT Governments more actively by holding State level review meetings with the Chief Secretaries and other senior officers and conducting field level visits. The Commission feels that as a result of these visits and meetings, the State/UT Governments will become more conscious of the genuine problems of the Scheduled Tribes and would take the necessary initiative in working out remedial measures and adopting appropriate strategies.

The Commission, through its Headquarters and State Offices has also conducted field level inquiries and studies. This process has been given a renewed vigour with a view to ensure prompt relief, specially in matters, relating to crimes and atrocities on Scheduled Tribes and the grant of development benefits.

The procedure for investigating into complaints, especially with reference to violation of service safeguards, has also been streamlined to ensure prompt and speedy disposal of cases and relief in genuine cases. By calling officers and concerned Liaison Officers to the Commission with all relevant records, many long pending cases are being decided in one or two sittings. The Commission has also used its powers of Civil Court to summon documents and enforcing attendance in conducting the inquiries.

The Commission is of the view that it is only through proper planning and effective implementation of appropriate schemes for development that the Scheduled Tribes can hope to catch up with the rest of the population and realize their full potential. The Commission has, thus, made a beginning by actively associating itself and participating in the planning process at the National and State levels. Regular communication is being maintained with the Planning Commission, Ministry of Tribal Affairs and the State/UT Governments. The Annual Plans of the Central Ministries, States and UT Governments are being analysed in the Commission to this end with the support of its State Offices.

FUNCTIONS OF THE COMMISSION

(Under Clause (5) of Art. 338A)

1. To investigate & Monitor matters relating to Safeguards provided for STs under the Constitution or under other laws or under Govt. Order, to evaluate the working of such Safeguards.
2. To inquire into specific complaints relating to Rights & Safeguards of STs.
3. To participate and Advise in the Planning Process relating to Socio-economic development of STs, and to Evaluate the progress of their development under the Union and any State.

4. To submit report to the President annually and at such other times as the Commission may deem fit, upon/ working of Safeguards, Measures required for effective implementation of Programmers/ Schemes relating to Welfare and Socio-economic development of STs;
5. To discharge such other functions in relation to STs as the President may, subject to the provisions of any law made by Parliament, by rule specify.
6. The Commission would also discharge the following other functions in relation to the protection, welfare, and development & advancement of the Scheduled Tribes, namely: -
 - a) Measures that need to be taken over conferring ownership rights in respect of minor forest produce to the Scheduled Tribes living in forest areas.
 - b) Measures to be taken to safeguard rights to the Tribal Communities over mineral resources, water resources etc. as per law.
 - c) Measures to be taken for the development of tribals and to work for move viable livelihood strategies.
 - d) Measures to be taken to improve the efficacy of relief and rehabilitation measures for tribal groups displaced by development projects.
 - e) Measures to be taken to prevent alienation of tribal people from land and to effectively rehabilitate such people in whose case alienation has already taken place.
 - f) Measures to be taken to elicit maximum cooperation and involvement of Tribal Communities for protecting forests and undertaking social afforestation.
 - g) Measures to be taken to ensure full implementation of the Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996).
 - h) Measures to be taken to reduce and ultimately eliminate the practice of shifting cultivation by Tribals that lead to their continuous disempowerment and degradation of land and the environment.
 - i) Copy of Ministry of Tribal Affairs notification dated 23.08.2005 regarding the extended terms of reference of NCST.
 - j) NCST letter dated 21/10/2008 to MTA furnishing detailed proposal for strengthening of NCST.
 - k) D.O. Letter dated 13/01/2011 from Chairperson NCST to the Minister for Tribal Affairs
 - l) UO dated 24/05/2010 from PMO to Ministry of Tribal Affairs regarding action to be taken on important pending issues.
 - m) D.O letter dated 05/03/2010 from VC, NCST to Minister to Minister for Tribal Affairs for resolving critical issues involved in efficient performance of NCST.

POWERS OF THE COMMISSION

(Under Clause (8) of Art. 338A)

1. For Investigation and Inquiry, the Commission is vested with powers of a civil court having authority to:
 - a. Summon and enforce attendance of any person and examine on oath.
 - b. Discovery & production of any documents.
 - c. Receive evidence on affidavits.
 - d. Requisition any public record or copy thereof from any court or office.
 - e. Issue Commissions for examination of witnesses and documents; and
 - f. Any matter which President, by rule, may determine.
2. Copy of order dated 05.02.1996 of Ministry of Welfare regarding grant of power of Dept. of Central Govt to NCSC & NCSTs.

3. Department of Personnel & Training O.M. No. 36036/2/97-Estt (Res) dated 01/01/1998.
4. D.O. letter dated 05/03/2010 from VC, NCST to Minister for Tribal Affairs for resolving critical issues involved in efficient performance of the NCST.

SECRETARIAT OF THE COMMISSION

CONSTITUTIONAL SAFEGUARDS FOR STS

I. Educational & Cultural Safeguards

- Art. 15(4): - Special provisions for advancement of other backward classes(which includes STs);
- Art. 29: - Protection of Interests of Minorities (which includes STs).
- Art. 46: - The State shall promote, with special care, the educational and economic interests of the weaker sections of the people, and of the Scheduled Castes, and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.
- Art. 350: - Right to conserve distinct Language, Script or Culture.
- Art. 350: - Instruction in Mother Tongue.

II. Social Safeguard

- Art. 23: - Prohibition of traffic in human beings and beggar and other similar form of forced labour.
- Art. 24: - Forbidding Child Labour.

III. Economic Safeguards

- Art.244: - Clause (1) Provisions of Fifth Schedule shall apply to the administration & control of the Scheduled Areas and Scheduled Tribes in any State other than the states of Assam, Meghalaya, Mizoram and Tripura which are covered under Sixth Schedule, under Clause (2) of this Article.
- Art. 275: - Grants in-Aid to specified States (STs & SAs) covered under Fifth and Sixth Schedules of the Constitution.

IV. Political Safeguards

- Art.164(1): - Provides for Tribal Affairs Ministers in Bihar, MP, and Orissa.
- Art. 330: - Reservation of seats for STs in Lok Sabha.
- Art. 337- Reservation of seats for STs in State Legislatures.
- Art. 334: - 10 years period for reservation (Amended several times to extend the period.);
- Art. 243: - Reservation of seats in Panchayats.
- Art. 371: - Special provisions in respect of NE States and Sikkim

V. Service Safeguards

- (Under Art.16(4),16(4A),164(B) Art.335, and Art. 320(40))

SAFEGUARDS UNDER VARIOUS LAWS

- (1) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules 1995 framed there under.
- (2) Bonded Labour System (Abolition) Act 1976 (in respect of Scheduled Tribes);
- (3) The Child Labour (Prohibition and Regulation) Act 1986.
- (4) States Acts & Regulations concerning alienation & restoration of land belonging to STs.
- (5) Forest Conservation Act 1980.
- (6) Panchayati raj (Extension to Scheduled Areas) Act 1996.
- (7) Minimum Wages Act 1948.
- (8) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (Published on 6th Jan 2016)

OTHER INFORMATION RELATED TO THE SCHEDULED TRIBES

<https://ncst.nic.in/content/other-information-relating-tribals>

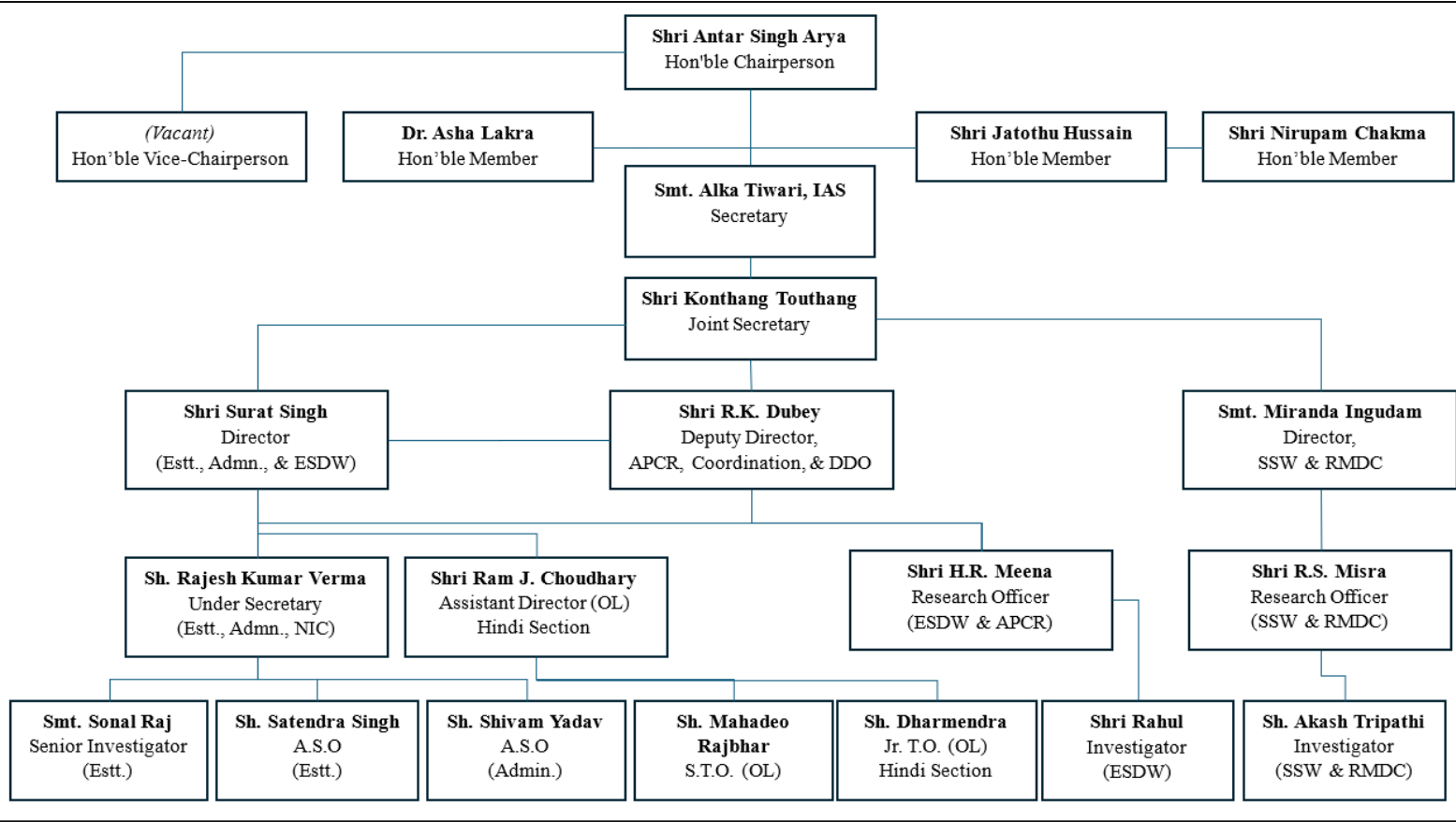
MEETINGS OF THE COMMISSION

ORGANISATIONAL SETUP

The National Commission for Scheduled Tribes functions from its Headquarter in New Delhi and its six Regional Offices.



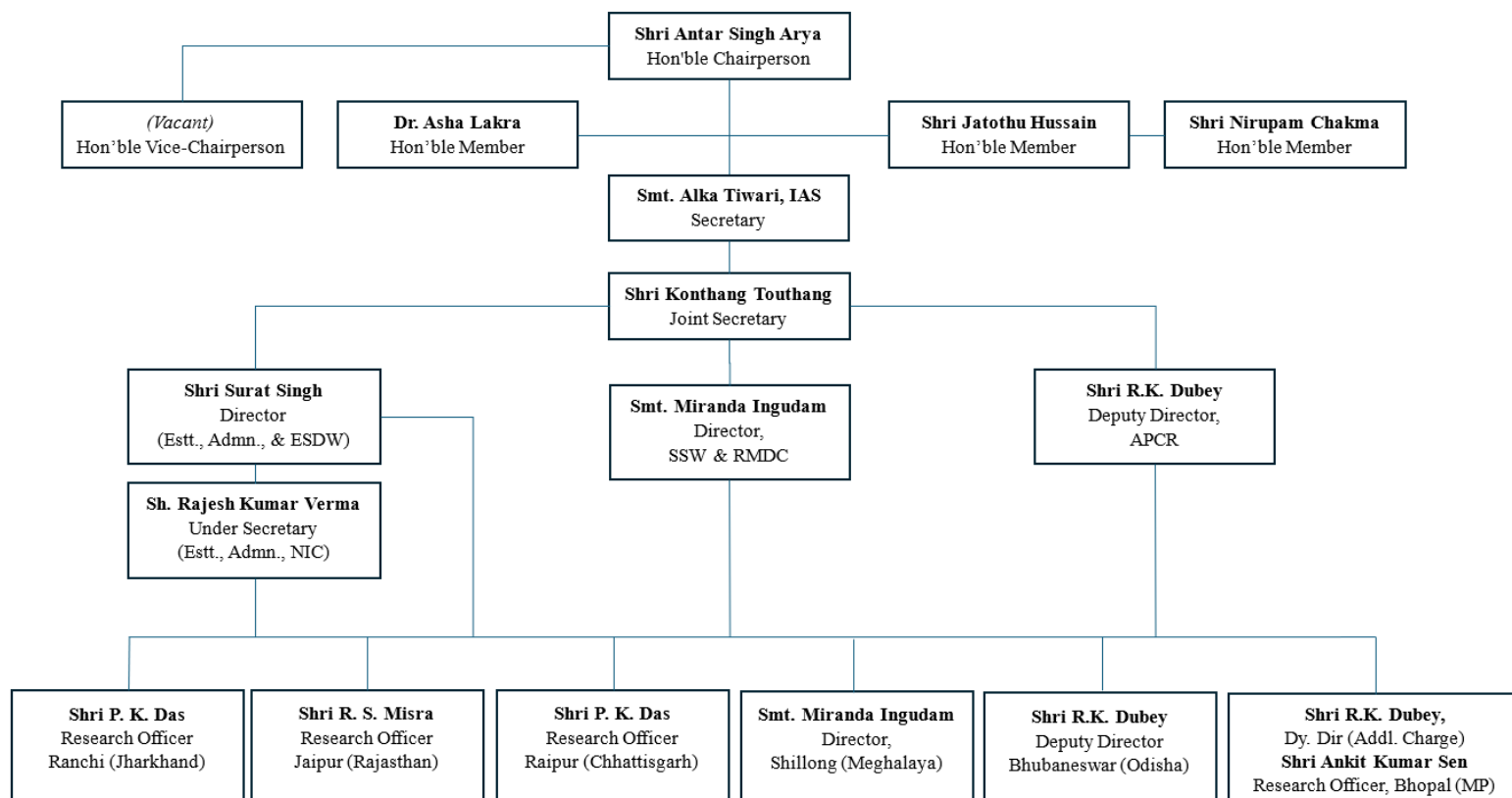
HEADQUARTER



Ten Units of the NCST functioning at its Headquarter in New Delhi are as follows: -



REGIONAL OFFICES



The National Commission for Scheduled Tribes has six Regional Offices located at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi, and Shillong. The NCST's regional offices keep a watch on the formulation of policies and issue guidelines relating to the welfare of Scheduled Tribes in the states/UTs, and they keep the Commission's headquarters informed about the developments periodically. Policy decisions taken by any State Government/UT Administration affecting the interests of the Scheduled Tribes are brought to the notice of concerned authorities for necessary action. Heads of the Regional Offices also represent the Commission in the following State Level Committees and Meetings and provide observations/feedback about the working of the policies/schemes/programs for Scheduled Tribes in the State(s) under their jurisdiction:

1. State Level Monitoring Committee (Headed by the Chief Minister of the State concerned) on implementing the POA Act, 1989.
2. State-Level Caste Certificate Scrutiny Committee Meetings as a Special Invitee Member.
3. State-level Bankers Committee Meeting organised by the Nationalized Lead Bank in the State.
4. Nagar Rajbhasha Karyanvayan Samiti Meetings; and
5. Central Government Employees Welfare Coordination Committee Meetings.

The Regional Offices of the Commission assist in collecting and compiling statistical and other forms of information from the State Governments/Union Territories under their jurisdiction in connection with the Visits of the Commission, Review Meetings taken by the Chairperson, Vice-Chairperson and/or Members of the Commission.

The Regional Offices also receive many communications from individuals or associations, including grievances and matters relating to Scheduled Tribes. As most of the cases received in the Regional Offices relate to offices in the States, the concerned Regional Office acts on those cases/receipts. The Regional Offices in the States enable the local Scheduled Tribes and their representatives/associations to quickly approach the Commission (through the concerned Regional Office). Further, the presence of the Regional Offices within the State and their participation and contributions to various Committees fosters a constructive relationship between the Regional Office and the concerned authorities. Consequently, these Regional Offices play an important role in promptly disposing of grievance complaints or violations of safeguards for Scheduled Tribes in the States under the jurisdiction of the Regional Offices. Notably, in cases where the power of the Civil Court is required to be exercised by the Member of the Commission during a Sitting, the same is referred by the Regional Offices to the Headquarters for taking necessary action in the matter.

| Sl. No | Regional Office | Location & Address of Regional Office | Designation of the Officer In-charge | Jurisdiction of the Regional Office |
|--------|-----------------|---|---|---|
| 1 | Bhopal | Room No.309, Nirman Sadan, CGO Complex, 52-A, Area Hills, Bhopal-462011 | Deputy Director, Ph: 0755-2576530 0755-2578272 (Fax) | Madhya Pradesh, Maharashtra, Karnataka, Kerala, Goa, and Union Territories of Dadra & Nagar Haveli and Lakshadweep |
| 2 | Bhubaneswar | N-1/297, IRC Village, Bhubaneswar-751015 | Director Ph:0674-2551616 0674-2551818(Fax) | Andhra Pradesh, Odisha, Tamil Nadu, Telangana, West Bengal and Union Territories of Andaman & Nicobar Islands and Pondicherry |
| 3 | Jaipur | Room No. 101 & 102, 1st Floor, Block-A, Kendriya Sadan Sector-10, Vidyadhar Nagar, Jaipur- 302023 | Research Officer Ph: 0141-2236462 0141-2235488 (Fax) | Gujarat, Haryana, Himachal Pradesh, Punjab, Rajasthan, Uttarakhand, NCT of Delhi and Union Territories of Chandigarh, Daman & Diu, Jammu & Kashmir and Ladakh |
| 4 | Raipur | EAC Colony Plot No. 3/16, First Floor, Behind District Courts, Near Purnima School, Raipur-492001 | Research Officer Ph: 0771-2443334 0771-2443335 (Fax) | Chhattisgarh |

| | | | | |
|---|----------|---|---|---|
| 5 | Ranchi | 14, New A.G. Co-operative Colony, Kadru, Ranchi- 834002 | Research Officer Ph: 0651-2341677 0651-2340368 (Fax) | Bihar, Jharkhand, and Uttar Pradesh |
| 6 | Shillong | Rabekka Villa, Temple Road, Lower Lachumiere, Shillong-793001 | Director Ph: 0364-2504202 0364-2221362 (Fax) | Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura. |

WHO'S WHO

HEADQUARTER

Hon'ble Minister
Hon'ble Minister of State
Secretary
Senior Economic Adviser
Director SANKALP
Under Secret

HON'BLE MINISTER OF SKILL DEVELOPMENT & ENTREPRENEURSHIP

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Other Details
Dashboard
Attendance
MPLADS
Debates
Special Mentions
Questions
Assurances
Committee Membership
Government Bills

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Date of Birth
27-May-1957

Father's Name
Shri. Jairam Ramchandra Gadkari

Mother's Name
Smt. Bhanubai Jairam Gadkari

Marital Status
Married
Date of Marriage: 18 Dec 1984
Spouse's Name: Smt. Kanchan Nitin Gadkari

Children Details
Son: 2
Daughter: 1

Positions Held

- 30 May 2019 - 7 July 2021: Union Cabinet Minister, Ministry of Micro, Small and Medium Enterprises
- 30 May 2019 onwards: Union Cabinet Minister, Ministry of Road Transport and Highways
- May 2013: Re-elected to 17th Lok Sabha (2nd term)
- 3 Sept. 2017: Union Cabinet Minister, Water Resources, River Development and Ganga Rejuvenation

| Sn | Name | Designation | Ext. | Office | Room No | Email Id |
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| 1 | Shri Antar Singh Arya | Chairperson | 651 | 24635721 | 601 | chairperson@ncst.nic.in |
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| 3 | Vacant | APS to Chairperson | 689 | 24635721 | 621-A | |
| 4 | Vacant | PA to Chairperson | 695 | 24635721 | 621 | |
| 5 | Vacant | Vice Chairperson | 653 | 24657272 | | |
| 6 | Vacant | PS to Vice Chairperson | 675 | 24657272 | | |
| 7 | Dr. Asha Lakra | Member | 653 | 24623958 | 603 | member-al@ncst.nic.in |
| 8 | Vacant | PS to Member | | 24623958 | 619 | |
| 9 | Shri Jatothu Hussain | Member | 654 | 24646954 | 609 | |
| 10 | Shri Sukhdev | PA To Member | 654 | 24646954 | 604 | |
| 11 | Shri Nirupam Chakma | Member | 655 | 24657373 | 611 | |
| 12 | Shri Gaurav Kumar | PS to Member | 678 | 24657373 | 614 | |
| 13 | Smt. Alka Tiwari | Secretary | 652 | 24635625, 24624190 | 602 | secy@ncst.nic.in |
| 14 | Smt. Monika Tigga | PS to Secretary | 686 | 2,463,562,5 24,624,190 | 622 | monika.tigga@ncst.nic.in |
| 15 | Shri. Konthang Touthang | Joint Secretary | 660 | 2,460,366,9 24,654,820 | 610 | js@ncst.nic.in |
| 16 | Shri Raj Kumar Badlia | Consultant in JS Office | 667 | 2,460,366,9 24,654,820 | 622 | |
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| 19 | Smt. Miranda Ingudam | Director (RMDC&SS W) | 682 | 20819841 | 2nd Floor | m.ingudam@sansad.nic.in |
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| 21 | Shri Rakesh Kumar Dubey | Deputy Director (Coord, | 670 | 24657272 | 606 | rk.dubey@ncst.nic.in |

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| | | D.D.O, APCR) | | | | |
| 22 | Miss Aditi Sonkar | OA (Coordinatio n) | 670 | 24657272 | 606- A | |
| 23 | Vacant | Assistant Director | 671 | 24641640 | 2nd Floo r | |
| 24 | Shri Rajesh Kumar Verma | Under Secretary (Estt & Admn) | 664 | 24657271 | 611- A | us@ncst.nic.in |
| 25 | Deepa Rastogi | UDC | | 24657271 | 611- A | rastogid.ncte@gov.in |
| 26 | Shri Ramjanam Choudhary | Assistant Director (OL) | 687 | 24601346 | 2nd Floo r | hindi- section@ncst.nic.in |
| 27 | Shri R S Misra | Research Officer (SSW & RMDC) | 693 | 24641640 | 2nd Floo r | rs.misra@ncst.nic.in |
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| 31 | Vacant | Software Application Support-NIC | 673 | 24624191 | 618 | |
| 32 | Shri Monu Kumar | Consultant in IT | 673 | 24657474 | 618 | |
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REGIONAL OFFICES

ACTS AND RULES

CONSTITUTION (EIGHTY-NINTH AMENDMENT) ACT, 2003

The **Constitution (Eighty-ninth Amendment) Act, 2003** holds significant importance in India's constitutional framework. It came into force on a date appointed by the **Central Government** through notification in the **Official Gazette**.

1. **Amendment of Article 338:** Article 338 of the Constitution underwent significant changes:
 - The marginal heading was substituted with “National Commission for Scheduled Castes.”
 - Clauses (1) and (2) were replaced:
 - The new clause (1) establishes the **National Commission for Scheduled Castes**.
 - The Commission consists of a **Chairperson, Vice-Chairperson, and three other Members**.
 - Their conditions of service and tenure are determined by the President.
 - Clauses (5), (9), and (10) no longer include the words “and Scheduled Tribes.”
2. **Insertion of New Article 338A:** After Article 338, a new Article 338A was inserted:
 - **National Commission for Scheduled Tribes:**
 - The Commission is established to protect the interests of Scheduled Tribes.
 - It consists of a **Chairperson, Vice-Chairperson, and three other Members**.
 - Their conditions of service and tenure are determined by the President.
 - The Commission has the power to regulate its own procedure.
 - Its duties include investigating, monitoring, and evaluating safeguards for Scheduled Tribes.
 - It also inquires into specific complaints related to ST rights and participates in socio-economic planning.

<https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-eighty-ninth-amendment-act-2003> OR

https://ncst.gov.in/sites/default/files/documents/constitutional_amendments/Constitution_Eighty-Ninth_Amendment_Act_20035978280967.pdf

CONSTITUTION (SIXTY-FIFTH AMENDMENT) ACT, 1990

The Constitution (Sixty-fifth Amendment) Act, 1990 is an important piece of legislation in India that made amendments to the Constitution. Here are the key provisions of this amendment:

1. **Extension of Reservation:** The primary objective of this amendment was to extend the reservation of seats for Scheduled Castes (SCs) and Scheduled Tribes (STs) in the Lok Sabha

(the lower house of the Indian Parliament) and the Legislative Assemblies of states. It extended the period of reservation for SCs and STs in the Lok Sabha and State Legislative Assemblies for another ten years, up to the year 2000.

2. **Continuation of Reservation in Certain States:** The amendment also provided for the continuation of reservation of seats in the Lok Sabha and State Legislative Assemblies of certain states beyond the year 2000. This provision was made for those states where the representation of SCs and STs in these bodies was considered inadequate.
3. **Evaluation of Reservation:** Additionally, the President of India was empowered by this amendment to appoint a commission to review the working of the reservation provisions and to make recommendations for their continuation or modification. This commission would evaluate the effectiveness of the existing reservation system and suggest any necessary changes.

The Constitution (Sixty-fifth Amendment) Act, 1990 was passed by both houses of the Indian Parliament and received presidential assent on January 19, 1991. It played a crucial role in ensuring continued political representation for Scheduled Castes and Scheduled Tribes in India's democratic institutions, thereby addressing historical injustices and promoting social inclusion and equality.

https://ncst.gov.in/sites/default/files/documents/constitutional_amendments/Constitution_Sixty_fifth_Amendment%29_Act_19908576029596.pdf

TRIBAL SUB-PLAN

Since the beginning of the Planning process, efforts have been made to ensure that the tribal people were included in the growth process. However, the strategy changed with each Five-Year Plan as new lessons were learnt from various developmental efforts. The first Five Year Plan emphasized the provision of additional financial resources through a community development approach to address the problems of tribal people rather than evolving a clear-cut tribal development strategy. Towards the end of the Plan (1954), 43 Special Multipurpose Tribal Development Projects (MTDPs) were created. These MTDPs could not fully serve the interest of the tribal people since the schemes were numerous and of a general nature. This approach continued during the second Five Year Plan. In the third Plan, a different strategy for tribal development was evolved by converting the Community Development Blocks, where the concentration of tribal population was 66 % and above, into Tribal Development Blocks (TDBs). By the end of the fourth Five Year Plan, the number of Tribal Development Blocks in the country rose to 504. The strategy of development through Tribal Development Blocks had its limitations as well, as it failed to address the cause of the tribal population of the country living outside the Tribal Development Blocks, which comprised more than 60% of the total tribal population. During the 5th Five Year Plan period, the exercise of identification of tribal majority blocks was undertaken. These were later constituted into 194 ITDAs/ITDPs in the country.

The present Tribal Sub Plan (TSP) strategy was initially developed by an Expert Committee set up by the Ministry of Education and Social Welfare in 1972 under the Chairmanship of Prof. S.C. Dube for the rapid socio-economic development of tribal people and was adopted for the first time in the Fifth Five Year Plan. The TSP strategy, with some modifications, continues till this day and the salient features with respect to TSP for States, are given below:

- i) The funds provided under the Tribal Sub Plan of the State have to be at least equal in proportion to the ST population of each State or UT.

- ii) Tribals and tribal areas of a State or UT are given benefits under the TSP, in addition to what percolates from the overall Plan of a State/UT.
- iii) The Sub-Plan should-
 - a. Identify the problems and need of tribal people and critical gaps in their development.
 - b. Identify all available resources for TSP
 - c. Prepare a broad policy framework for development,
 - d. Prepare a detailed department wise plan.
 - e. Define a suitable administrative strategy for its implementation.
 - f. Specify the mechanism for monitoring and evaluation.
- iv) The TSP strategy has been in operation in 22 States and 2 UTs. However, funds meant for UTs are being provided for in the budget of Ministry of Home Affairs since 2003-04 and therefore, the Ministry of Tribal Affairs is not concerned in the administration. of TSP funds in the UTs.
- v) TSP concept is not applicable to the tribal majority States of Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland and in the UTs of Lakshadweep and Dadra & Nagar Haveli where tribals represent more than 60 % of the population, since the Annual Plan in these States/UTs is itself a Tribal Plan. A statement showing State-wise total and Scheduled Tribe population as per census 1991, 2001 and 2011 respectively.

Funding of Tribal Development Programmes under TSP

Funds for tribal development under TSP are sourced from:

- i. State Plans.
- ii. The Special area programmes of Special Central Assistance (SCA) to Tribal Sub Plan (TSP) and Grant under Article 275 (1) of the Constitution, as also the funds under the other Schemes of the Ministry.
- iii. Sectoral programmes of Central Ministries/ Departments; and
- iv. Institutional Finance.

TSP Components of States and UTs

The Planning Commission had issued guidelines for the States and UTs to earmark funds for TSP to be placed under a separate Budget Head Code 796 from total State/ UT Plan outlay. As per guidelines issued by the Planning Commission, the Tribal Sub Plan funds are to be non-divertible and non-lapsable. The guidelines also provide that the Tribal Welfare Department will be nodal Departments for the formulation and implementation of the Tribal Sub Plan in the States. Though the States are expected to provide under the TSP funds which are at least equal to the percentage of the tribal population to the total population in the State, and though the Ministry of Tribal Affairs and the Planning Commission have repeatedly laid stress on earmarking of adequate resources, some of the States while preparing the Annual Plan for even 2013-14 have continued to allocate fewer than proportional resources to TSP.

TSP Components of Central Ministries/Departments

The TSP strategy is expected to be followed in the Central Ministries/Departments also so that an adequate flow of funds in the Central Ministries/ Departments is ensured. Ministries/ Departments had earlier been reporting difficulty in implementing TSP citing indivisibility of projects, projects being applicable to all communities, including SCs/STs, etc. The Ministry of Tribal Affairs taking this into account had approached Planning Commission for devising a different strategy for Central Ministries on TSP. The Planning Commission constituted a Task Force in June, 2010 under the chairmanship of

Dr. Narendra Jadhav, Member, Planning Commission. It recommended a classification of specific list of Ministries/Departments according to their obligations regarding earmarking of Plan outlays for TSP.

Special Central Assistance (SCA) to the Tribal Sub- Plan:

This is a major programme administered by the Ministry under which, grant is provided to the State Governments based on annual allocation made by the Planning Commission. This is treated as an additive to the State Plan, for areas where State Plan provisions are not normally forthcoming to bring about economic development to tribals. The programme was launched during 1974-75 and till the end of the IX Five Year Plan, the SCA to TSP was meant for filling up critical gaps in the family-based income- generating activities of TSP. From the Tenth Five Year Plan period, the objective and scope of SCA to TSP, was expanded to cover employment-cum-income generation activities and infrastructure incidental thereto. Besides family-based activities, other activities run by the Self-Help Groups (SHGs)/ Community are also to be taken up. The ultimate objective of extending SCA to TSP is to boost the demand-based income-generation programmes and thus raise the economic and social status of tribals. The guidelines for implementation by the States were revised in May 2003, and were further modified in January 2008. Recently in March 2014, the Ministry of Tribal Affairs has issued operational guidelines for formulation, implementation and monitoring of Tribal Sub-Plan and grants under Article 275(1) which has brought out certain substantive changes in the thrust of these Special Area Programmes, as also some procedural changes.

SCA is provided to 22 Tribal Sub-Plan States including the Northeastern States of Assam, Manipur, Sikkim, and Tripura and two Union Territories. Since 2003-04 funds meant for UTs are being provided in the budget of Ministry of Home Affairs and therefore, Ministry of Tribal Affairs is not concerned with the administration of funds in the UTs. Funds under SCA to TSP are released for economic development in the following areas and for the following population: -

- i) ITDP/ITDA areas (194 Nos.), which are generally contiguous areas of the size of at least tehsil or block or more in which the ST population is 50% or more of the total population;
- ii) MADA pockets (259 Nos.), which are identified pockets having 50% or more ST population with a minimum population of 10,000;
- iii) Clusters (82 Nos.), which are identified pockets having 50% ST population with a minimum population of 5,000,
- iv) Particularly Vulnerable Tribal Groups (PTGs), characterized by a low rate of growth of population, pre-agricultural level of technology and extremely low level of literacy;
- v) Dispersed tribal population - those tribals who fall outside the categories at Sl No.(i) to (iv) above.

The Ministry provides 100% grant-in-aid to State Governments from the SCA funds made available to the Ministry for the purpose annually by the Planning Commission. Funds to the level of Rs. 15.00 Lakhs per village under the program for Development of Forest Villages were also provided as an extension of the Special Central Assistance to Tribal Sub- Plan (SCA to TSP). Government has decided that an additional funding upto Rs. 15.00 Lakh each would be provided to all those forest villages which have availed the first phase funding during the Xth Plan.

Grants under the First Proviso to article 275(1) of the Constitution:

The Ministry of Tribal Affairs provide grants to 22 Tribal Sub-Plan and 4 tribal majority States under the First Proviso to article 275(1) of the Constitution to meet the cost of such projects for tribal development as may be undertaken by the State Governments for the promoting the welfare of the

Scheduled Tribes in the State and for raising the level of administration of the Scheduled Areas therein to that of the rest of the State. Since 1997-98, it has been decided to utilize a part of the funds under Article 275(1) of the Constitution for setting up 100 Model Residential Schools (named as Eklavya Vidyalaya) from class 6th to 10th in States & UTs for tribal students. For this purpose, Rs.150.00 crores were earmarked during the 9th Five Year Plan out of the funds available under Article 275(1) of the Constitution. The objective of setting up of the Eklavya Vidyalayas is to provide quality education to the tribal students. 164 Eklavya Vidyalayas were sanctioned to 22 States up to 31/03/2014 since the beginning and 120 Schools are reported to be functional.

A fixed grant under the second proviso to Article 275(1) of the Constitution (Non- Plan) is given to the Government of Assam in respect of the administration of tribal areas in the hill districts of North Cachar and Karbi Anglong.

Centrally Sponsored Schemes:

The following Centrally Sponsored Schemes are presently being run by the Ministry of Tribal Affairs for development of Scheduled Tribes.

- i) Post Matric Scholarship for STs /Book Bank
- ii) Upgradation of Merit of ST Students
- iii) Pre matric scholarship for ST students
- iv) Girls Hostels
- v) Boys Hostels
- vi) Establishment of Ashram Schools
- vii) Research and Training
- viii) Information and Mass Media
- ix) National Tribal Affairs Awards
- x) Centre of Excellence
- xi) Supporting Projects of All-India nature or Inter-State nature for Scheduled Tribes
- xii) Organisation of Tribal Festival
- xiii) Exchange of visits by Tribals
- xiv) Monitoring and Evaluation
- xv) Information Technology
- xvi) Lump-sum Provision for N.E.

Central Sector Schemes under which 100% Grant is given to States and UTs

The following Central Sector Schemes are presently being run by the Ministry of Tribal Affairs for development of Scheduled Tribes:

- i) Grants-in-Aid to Voluntary Organisations
- ii) Special Incentives to NGOs performing exemplary tasks
- iii) Coaching & Allied Schemes
- iv) Vocational Training in Tribal Areas
- v) Strengthening of Education among ST Girls in Low Literacy Districts
- vi) Market Development of Tribal Products/ Produce (Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED))
- vii) State Tribal Development Cooperative Corporation for Minor Forest Produce
- viii) Development of Particularly Vulnerable Tribal Groups (PVTGs)
- ix) National Scheduled Tribes Finance & Development Corporation

- x) Rajiv Gandhi National Fellowship for ST Students
- xi) Scheme of Institute of Excellence/ Top Class Institute
- xii) National Overseas Scholarship Scheme
- xiii) Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of value Chain for MFP
- xiv) World Bank Project- Improving Development Programmes in the Tribal Areas

NATIONAL COMMISSION FOR SCHEDULED TRIBES' CHAIRPERSON, VICE-CHAIRPERSON AND MEMBERS (CONDITIONS OF SERVICE AND TENURE) RULES, 2004.

MINISTRY OF TRIBAL AFFAIRS

NOTIFICATION

New Delhi, the 20th February, 2004

G.S.R.128(E)

In exercise of the powers conferred by clause (2) of article 338A of the Constitution and in supersession of the National Commission for Scheduled Castes and Scheduled Tribes Chairperson and Members (Conditions of Service and Tenure) Rules, 1990, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules, namely: -

1. Short title and commencement

(1) These rules may be called the National Commission for Scheduled Tribes Chairperson, Vice-Chairperson and Members (Conditions of Service and Tenure) Rules, 2004.

(2) They shall come into force on the date of commencement of the Constitution (Eighty-Ninth Amendment) Act, 2003.

2. Definition

In these rules, unless the context otherwise requires,

(1) "article" means article of the Constitution.

(2) "Chairperson" means the Chairperson of the Commission.

(3) "Commission" means the National Commission for Scheduled Tribes established under article 338A.

(4) "Member" means a Member of the Commission.

(5) the expression "Scheduled Tribes" shall have the meaning assigned in clause (24) of article 366.

(6) "Vice-Chairperson" means the vice-Chairperson of the commission.

3. Qualifications

(1) The Chairperson, The Vice-Chairperson and the Members shall be appointed from amongst persons of ability, integrity and standing who have had a record of selfless service to the cause of justice for the Scheduled Tribes.

(2) Subject to the provisions of sub rule (1)-

(a) The Chairperson shall be appointed from amongst eminent socio-political workers belonging to the Scheduled Tribes, who inspire confidence amongst the Scheduled Tribes by their very personality and record of selfless service.

(b) The Vice-Chairperson and all other Members out of whom at least two shall be appointed from amongst persons belonging to the Scheduled Tribes.

(c) At least one other Member shall be appointed from amongst women.

4. Term of Office

(1) Save as otherwise provided in these rules, the Chairperson, the Vice-Chairperson and other Member shall hold office for a term of three years from the date on which he/she assumes such office.

(2) The Chairperson, the Vice-Chairperson and other Members shall not be eligible for appointment for more than two terms.

5. Salaries and allowance

(1) The Chairperson shall have the rank of a Cabinet Minister and the Vice-Chairperson that of a Minister of State and other Members shall have the rank of a Secretary to the Government of India unless otherwise specified.

(2) The Chairperson, the Vice-Chairperson and other Members shall be entitled to such salaries and allowances as admissible to a Secretary to the Government of India:

Provided that the Chairperson shall also be entitled to a rent-free accommodation,

(3) Notwithstanding anything contained in sub rules (1) and (2), if the Chairperson, Vice-Chairperson or any other Member is a Member of Parliament, or a State Legislature he/she shall not be entitled to any remuneration other than the allowances, defined in clause (a) of Section 2 of the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) or as the case may be, other than the allowances, if any, which a Member of the Legislature of the State may, under any law for the time being a force in the State relating to the prevention of disqualification for membership of the State Legislature receive without incurring such disqualification.

6. Arrangement in case of permanent or temporary vacancies

(1) If the office of the Chairperson becomes vacant or if the Chairperson is for any reason absent or unable to discharge the duties of his office, those duties shall, until the new Chairperson assumes office or the existing Chairperson resumes his office, as the case may be, be discharged by the Vice-Chairperson.

(2) If the office of the Vice-Chairperson becomes vacant or if the Vice-Chairperson is for any reason absent or unable to discharge the duties of his office, these duties shall, until the new Vice-Chairperson

assumes office or the existing Vice-Chairperson resumes his office, be discharged by such other Member as the President may direct.

7. Special provision for retired persons appointed as Chairperson, Vice-Chairperson and other Members of the Commission

Where any person, being a retired judge of Supreme Court or of a High Court or a retired government servant or retired servant of any other institution or autonomous body and in receipt of a pension in respect of any previous service, is appointed as Chairperson, Vice-Chairperson or a Member, the salary admissible to him under these rules shall be reduced by the amount of that pension and if he had received in lieu of a portion of the pension, the commuted value thereof, by the amount of that portion of the pension.

8. Resignations and Removal

(1) The Chairperson and Vice-Chairperson and any other Member, may, be notice in writing under his hand addressed to the President, resign his post. (2) (a) The Chairperson shall only be removed from his office by order of the President on the ground of misbehavior after the Supreme Court, on reference being made to it by the President, has on inquiry held in accordance with the procedure prescribed by it under sub-clause(i) of clause(1) of article 145 of the Constitution, reported that the Chairperson ought on any such ground to be removed.

(b)The President may suspend from office the Chairperson in respect of whom a reference has been made to the Supreme Court under this sub-rule until the President has passed orders on receipt of the report of the Supreme Court on such reference.

(c)Notwithstanding anything in clause (a) the President maybe order remove from office the Chairperson if the Chairperson.

(i)is adjudged an insolvent.

(ii)engaged during his term of office in any paid employment outside the duties of his office.

(iii)is, in the opinion of the President, on unfit to continue in office by reason of infirmity of mind or body.

Provided that the Chairperson shall not be removed under this clause until he has been given a reasonable opportunity of being heard in the matter.

(d)If the Chairperson is or becomes in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of a State of participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of clause (a) be deemed guilty of misbehavior.

(3) The President shall remove a person from the office of Vice- chairperson or Member, if that person.

-

(a)becomes an un-discharged insolvent.

(b)gets convicted and sentenced to imprisonment for an offence which in the opinion of the President involves moral turpitude.

(c) is in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

(d) refuses to act or becomes incapable of acting.

(e) is without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission.

(f) in the opinion of the President, has so abused the position of Vice-Chairperson or Member as to render that person's continuance in office detrimental to the interest of the Scheduled Tribes.

Provided that no person shall be removed under this clause until he has been given reasonable opportunity of being heard in the matter.

(F.No.17014/12/1999-TDR)

S. CHATTERJEE, Jt. Secy.

<https://ncst.nic.in/content/ncst-cp-vicecp-and-members-conditions-service-and-tenurerules-2004>

RULES OF PROCEDURE

Power to regulate its own procedure.

Clause (4) of Article 338A of the Constitution of India empowers the Commission to regulate its own procedure. The new Rules of Procedure have been notified on 22nd June 2021.

Corrigendum of Rules of Procedure

Article 338A of the Constitution of India empowers the Commission to regulate its own procedure. Corrigendum of Rules of Procedure have been notified on 5th July 2022.

<https://ncst.nic.in/content/rules-procedure/>

INTERNAL GUIDELINES IN DEALING WITH CASES, ETC.

Standard Guidelines for dealing with Policy related issues in time-bound manner in NCST.

https://ncst.gov.in/sites/default/files/documents/internal_guidelines/policy_related_internal_guidelines_for_NCST3563095614.pdf

Guidelines by the Commission in 21st Meeting dated 21/09/2010 on various issues.

https://ncst.gov.in/sites/default/files/documents/internal_guidelines/Guidelines_From_21stMeeting_Commission8305289283.pdf

DEALING WITH COURT CASES

STANDARD OPERATING PROCEDURE (SOP)

Procedure for Inquiry

Inquiry into specific complaints: The Commission is required to inquire into specific complaints with respect to the deprivation of rights and safeguards of Scheduled Tribes. In order to enable the Commission to perform this function effectively and efficiently, the Commission would like the members of Scheduled Tribes to know that it will be helpful to inquire into their grievances if they substantiate their complaints with supporting documents and quote the relevant provisions of the Act or Rules directions which have been violated.

The following aspects are required to be kept in mind while filing complaints before the Commission.

- The complaint should be directly addressed to the Chairperson/Vice-Chairperson/Secretary, National Commission for Scheduled Tribes, New Delhi or the heads of its State Offices.
- The complaints should disclose his full identity and give his full address and should sign the representation.
- Complaints should be legibly written or typed and, where necessary, supported by authenticated documents.
- No action will be taken on matters which are subjudice. Hence subjudice matter need not be referred to the Commission as complaint(s).
- Cases pending in courts or cases in which a court has already given its final verdict need not be taken up afresh with the Commission.

Enquiry into cases of atrocities

Whenever information is received in the Commission about any incident of atrocity against a person belonging to Scheduled Tribes, the Commission would immediately get in touch with the law enforcing and administrative machinery of the concerned State and the district to ascertain the details of incident and the action taken by the district administration.

The Commission ensures the following while by monitoring and issuing instructions to the concerned authorities:

- Whether the scene of occurrence of the crime has been visited immediately by Collector and Supdt. of Police of the district on receipt of information.
- Whether proper FIR is registered in local Police Station.
- Whether names of all the persons involved/cited by the complainant has been included in the FIR.
- Whether investigation has been taken up by a Senior Police Officer as per provisions of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- Whether culprits has been apprehended and booked without loss of time.
- Whether proper chargesheet has been filed mentioning the relevant sections of IPC together with the SCs & STs (POA) Act, 1989 in the Court.
- Whether the cases are tried by the Special Courts.
- Whether special Public Prosecutors are appointed to handle these cases.
- Whether Police assists the courts in bringing forward witnesses and see that the culprits are suitably punished by the courts.

The Commission also monitors to ensure that:

- the victims are provided with suitable medical assistance and on time;

- adequate protection is arranged for the victims of such incidents by providing police protection by stationing a police party, by patrolling, etc;
- to see that proper compensation is paid to the victims as per provisions of law.
- The Commission will, wherever possible depending upon the gravity and circumstances of the case, visit the place of incident to oversee the arrangements and to console and infuse confidence among the victims.
- The Commission has laid down detailed procedure for conducting such inquiries and monitoring all levels. Such inquiries can be conducted by the Members of the Commission or Teams of Investigators from Headquarters or State office of the Commission.

MODALITIES FOR INCLUSION/ EXCLUSION FROM ST LISTS

FIFTH SCHEDULE AREAS

The Scheduled Tribes live in contiguous areas unlike other communities. It is, therefore, much simpler to have an area approach for development activities as well as regulatory provisions to protect their interests. To protect the interests of Scheduled Tribes with regard to land and other social issues, various provisions have been enshrined in the Fifth Schedule and the Sixth Schedule of the Constitution.

The **Fifth Schedule** of the Indian Constitution is a significant provision that deals with the administration and management of **Scheduled Areas** and **Scheduled Tribes** where tribal communities are in the majority. Let's explore its key features:

1. Coverage:

- The Fifth Schedule applies to **specific areas** in ten states across India, including **Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Telangana**.
- These areas are predominantly inhabited by tribal communities.

2. Objectives:

- The primary aim of the Fifth Schedule is to hold the state accountable for advancing the educational and economic well-being of Scheduled Tribes.
- It ensures that the administration in these regions is sensitive to the unique needs and cultural identity of tribal populations.

3. Key Provisions:

- **Tribes Advisory Council:**
 - In each state with Scheduled Areas, a **Tribes Advisory Council** is established.
 - The council consists of representatives, with approximately three-fourths being members of Scheduled Tribes from the Legislative Assembly of the state.
 - The council's duty is to advise on matters related to tribal welfare and advancement.
 - The Governor may make rules regarding the council's composition, meetings, and other incidental matters.
- **Law Applicable to Scheduled Areas:**

- The Governor has the authority to issue public notifications directing that specific Acts of Parliament or state legislatures **do not apply** to Scheduled Areas or **apply selectively** to them.
- This provision allows for tailored legal measures to address the unique circumstances of tribal regions.

<https://www.mea.gov.in/Images/pdf1/S5.pdf>

SIXTH SCHEDULED AREAS

The **Sixth Schedule** of the Indian Constitution is a crucial provision that pertains to the administration of tribal areas in certain states. Let's delve into its features and significance:

1. **Coverage:** The Sixth Schedule safeguards tribal areas in the states of **Assam, Meghalaya, Tripura, and Mizoram**. These regions are home to diverse indigenous communities.
2. **Autonomous Districts and Regions:**
 - The tribal areas within these states are constituted as **autonomous districts**. However, they remain within the **executive authority** of the respective states.
 - If there are multiple tribes in an autonomous district, the **Governor** has the power to divide it into several **autonomous regions**.
 - Each **Autonomous District** has a **District Council** comprising elected members (based on adult franchise) and nominated members appointed by the Governor. The elected members serve a term of five years.
 - The Governor can create new autonomous districts or alter existing ones' territorial jurisdiction or names.
3. **Specific Areas Covered:**

| | |
|------------------|--|
| Assam: | North- Cachar Hills District (Dima Haolang) Karbi-Anglong District Bodoland Territorial Area District |
| Meghalaya | Khasi Hills District Jaintia Hills District Garo Hills District |
| Tripura | Tripura Tribal Areas District |
| Mizoram | Chakma District Mara District Lai District |

4. **Significance:**
 - The Sixth Schedule aims to **safeguard the rights** of tribal populations by establishing **Autonomous District Councils (ADC)**.
 - These ADCs have the authority to make laws and receive central government funds for social and infrastructure development in tribal areas.

<https://www.mea.gov.in/Images/pdf1/S6.pdf>

FOREST RIGHTS ACT – 2006

The **Forest Rights Act, 2006** (also known as the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**) is a landmark legislation that recognizes and vests forest rights in forest-dwelling Scheduled Tribes and other traditional forest dwellers. Let's explore the key provisions and significance of this Act. It was passed on December 15, 2006, in the Lok Sabha and December 18, 2006, in the Rajya Sabha. It was signed by the President on December 29, 2006, but only notified into force on December 31, 2007 (one year later). The Rules to the Act - which provide for some of the operational details - were notified into force on January 1, 2008.

Prior to being passed, the original Bill was subjected to a lengthy process of examination by a Joint Parliamentary Committee. The Committee's historic report marked a huge step forward for the struggle for forest rights.

Background and Purpose

- Enacted on **29th December 2006**, the Forest Rights Act aims to address historical injustices faced by forest-dwelling communities.
- It recognizes their rights over ancestral lands and habitats, which were inadequately recognized during colonial and post-independence forest consolidation.

Key Provisions

1. Recognition of Forest Rights:

- The Act recognizes and vests forest rights in forest-dwelling **Scheduled Tribes** and other traditional forest dwellers.
- These rights include access to land, minor forest produce, water bodies, and other resources.

2. Evidence and Recording:

- The Act provides a framework for recording the forest rights vested in STs and other forest dwellers.
- It specifies the nature of evidence required for such recognition and vesting.

3. Responsibilities and Authority:

- Recognized rights include responsibilities for **sustainable use, conservation of biodiversity**, and **ecological balance**.
- The Act strengthens the conservation regime while ensuring livelihood and food security for forest dwellers.

4. Addressing Insecurity and Relocation:

- The Act addresses the insecurity of tenurial and access rights faced by forest dwellers, including those forcibly relocated due to state development interventions.

Impact and Implementation

- The Forest Rights Act empowers forest communities by recognizing their historical rights and ensuring their participation in forest management.
- It balances conservation with livelihood needs, promoting sustainable practices.

1. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006
<https://www.indiacode.nic.in/bitstream/123456789/2070/1/200702.pdf>
[egazette.gov.in/\(S\(njugl3bioyexw2ol40zhpkri\)\)/ViewPDF.aspx](http://egazette.gov.in/(S(njugl3bioyexw2ol40zhpkri))/ViewPDF.aspx) OR
<https://tribal.nic.in/downloads/acts-and-rules/FRARulesBook.pdf>
2. Forest Rights Act Monitoring System <https://forestrights.nic.in/>

THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) RULES, 2007

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007

Published vide Notification G.S.R. 1(E), dated 1.1.2008, published in the Gazette of India, Extraordinary, Part 2, Section 3(i), dated 1.1.2008

Last Updated 31th December, 2019 [22/972]

G.S.R. 1(E), dated 1st January, 2008. - Whereas the draft Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007 were published, as required by sub-section (1) of section 14 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) under the notification of the Government of India in the Ministry of Tribal Affairs, Number G.S.R. 437(E), dated the 19th June, 2007 in the Gazette of India, Part II, section 3, sub-section (i) of the same date, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of forty-five days from the date on which the copies of the Gazette containing the said notification are made available to the public; And whereas copies of the said Gazette were made available to the public on 25-6-2007; And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government; Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 14 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), the Central Government hereby makes the following rules for recognizing and vesting the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and Other Traditional Forest Dwellers residing in such forests, namely:--

I. Short title, extent and commencement. -

- (1) These rules may be called the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007.
- (2) They shall extend to the whole of India [***].
- (3) They shall come into force on the date of their publication in the Official Gazette.

II. Definitions. -

- 1) In these rules, unless the context otherwise requires,--
 - a. "Act" means the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007);
 - b. " bona fide livelihood needs" means fulfilment of sustenance needs of self and family through production or sale of produce resulting from self-cultivation of forest land as provided under clauses (a), (c) and (d) of sub-section (1) of section 3 of the Act;

- c. "claimant" means an individual, group of individuals, family or community making a claim for recognition and vesting of rights listed in the Act;
 - d. "disposal of minor forest produce" under clause (c) of sub-section (1) of section 3 of the Act shall include local level processing, value addition, transportation in forest area through head-loads, bicycle and handcarts for use of such produce or sale by the gatherer or the community for livelihood;
 - e. "Forest Rights Committee" means a committee constituted by the Gram Sabha under rule 3;
 - f. "section" means the section of the Act.
- 2) The words and expressions used and not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act.

III. Gram Sabha. -

- (1) The Gram Sabhas shall be convened by the Gram Panchayat and in its first meeting it shall elect from amongst its members, a committee of not less than ten but not exceeding fifteen persons as members of the Forest Rights Committee, wherein at least one-third members shall be the Scheduled Tribes: Provided that not less than one-third of such members shall be women: Provided further that where there are no Scheduled Tribes, at least one-third of such members shall be women.
- (2) The Forest Rights Committee shall decide on a Chairperson and a Secretary and intimate it to the Sub-Divisional Level Committee.
- (3) When a member of the Forest Rights Committee is also a claimant of individual forest right, he shall inform the Committee and shall not participate in the verification proceedings when his claim is considered.

IV. Functions of the Gram Sabha. -

- (1) The Gram Sabha shall—
 - a. initiate the process of determining the nature and extent of forest rights, receive and hear the claims relating thereto;
 - b. prepare a list of claimants of forests rights and maintain a register containing such details of claimants and their claims as the Central Government may by order determine;
 - c. pass a resolution on claims on forest rights after giving reasonable opportunity to interested persons and authorities concerned and forward the same to the Sub--Divisional Level Committee;
 - d. consider resettlement packages under clause (e) of sub-section (2) of section 4 of the Act and pass appropriate resolutions; and
 - e. constitute Committees for the protection of wildlife, forest and bio-diversity, from amongst its members, in order to carry out the provisions of section 5 of the Act.
- (2) The quorum of the Gram Sabha meeting shall be not less than two-thirds of all members of such Gram Sabha: Provided that where there is a heterogeneous population of Scheduled Tribes and non-Scheduled Tribes in any village, the members of the Scheduled Tribe, Primitive Tribal Groups (PTGs) and pre-agricultural communities shall be adequately represented.
- (3) The Gram Sabha shall be provided with the necessary assistance by the authorities in the State.

V. Sub-Divisional Level Committee. -

The State Government shall constitute Sub--Divisional Level Committee with the following members, namely:--

- a) Sub-Divisional officer or equivalent officer-Chairperson.
- b) Forest officer in charge of a Sub-division or equivalent officer-Member.
- c) three members of the Block or Tehsil level Panchayats to be nominated by the District Panchayat of whom at least two shall be the Scheduled Tribes preferably those who are forest dwellers, or who belong to the primitive tribal groups and where there are no Scheduled Tribes, two members who are preferably other traditional forest dwellers, and one shall be a woman member; or in areas covered under the Sixth Schedule to the Constitution, three members nominated by the Autonomous District Council or Regional Council or other appropriate zonal level, of whom at least one shall be a woman member; and
- d) an officer of the Tribal Welfare Department in-charge of the Sub-division or where such officer is not available the officer in-charge of the tribal affairs.

VI. Functions of the Sub-Divisional Level Committee. -

The Sub-Divisional Level Committee (SDLC) shall—

- a) provide information to each Gram Sabha about their duties and duties of holder of forest rights and others towards protection of wildlife, forest and biodiversity with reference to critical flora and fauna which need to be conserved and protected;
- b) provide forest and revenue maps and electoral rolls to the Gram Sabha or the Forest Rights Committee.
- c) collate all the resolutions of the concerned Gram Sabhas.
- d) consolidate maps and details provided by the Gram Sabhas.
- e) examine the resolutions and the maps of the Gram Sabhas to ascertain the veracity of the claims;
- f) hear and adjudicate disputes between Gram Sabhas on the nature and extent of any forest rights;
- g) hear petitions from persons, including State agencies, aggrieved by the resolutions of the Gram Sabhas;
- h) co-ordinate with other Sub-Divisional Level Committees for inter sub-divisional claims;
- i) prepare block or tehsil-wise draft record of proposed forest rights after reconciliation of Government records;
- j) forward the claims with the draft record of proposed forest rights through the Sub-Divisional Officer to the District Level Committee for final decision;
- k) raise awareness among forest dwellers about the objectives and procedures laid down under the Act and in the rules;
- l) ensure easy and free availability of pro forma of claims to the claimants as provided in Annexure I (Forms A and B) of these rules;
- m) ensure that the Gram Sabha meetings are conducted in free, open and fair manner with requisite quorum.

VII. District Level Committee. -

The State Government shall constitute District Level Committee (DLC) with the following members, namely:--

- a) District Collector or Deputy Commissioner-Chairperson.
- b) concerned Divisional Forest Officer or concerned Deputy Conservator of Forest-Member;
- c) three members of the district panchayat to be nominated by the district panchayat, of whom at least two shall be the Scheduled Tribes preferably those who are forest dwellers, or who belong

to members of the primitive tribal groups, and where there are no Scheduled Tribes, two members who are preferably other traditional forest dwellers, and one shall be a woman member; or in areas covered under the Sixth Schedule to the Constitution, three members nominated by the Autonomous District Council or Regional Council of whom at least one shall be a woman member; and

- d) an officer of the Tribal Welfare Department in-charge of the district or where such officer is not available, the officer in-charge of the tribal affairs.

VIII. Functions of District Level Committee. -

The District Level Committee shall—

- a) ensure that the requisite information under clause (b) of rule 6 has been provided to Gram Sabha or Forest Rights Committee;
- b) examine whether all claims, especially those of primitive tribal groups, pastoralists and nomadic tribes, have been addressed keeping in mind the objectives of the Act;
- c) consider and finally approve the claims and record of forest rights prepared by the Sub-Divisional Level Committee;
- d) hear petitions from persons aggrieved by the orders of the Sub-Divisional Level Committee;
- e) co-ordinate with other districts regarding inter-district claims;
- f) issue directions for incorporation of the forest rights in the relevant Government records including record of rights;
- g) ensure publication of the record of forest rights as may be finalized; and
- h) ensure that a certified copy of the record of forest rights and title under the Act, as specified in Annexures II and III to these rules, is provided to the concerned claimant and the Gram Sabha respectively.

IX. State Level Monitoring Committee. -

The State Government shall constitute a State Level Monitoring Committee with the following members, namely:--

| | |
|--|--------------|
| (a) Chief Secretary | Chairperson; |
| (b) Secretary, Revenue Department | Member; |
| (c) Secretary, Tribal or Social Welfare Department | Member; |
| (d) Secretary, Forest Department | Member; |
| (e) Secretary, Panchayati Raj | Member; |
| (f) Principal Chief Conservator of Forests | Member; |

- a) three Scheduled Tribes member of the Tribes Advisory Council, to be nominated by the Chairperson of the Tribes Advisory Council and where there is no Tribes Advisory Council, three Scheduled Tribes members to be nominated by the State Government; (h) Commissioner, Tribal Welfare or equivalent who shall be the Member-Secretary.

X. Functions of the State Level Monitoring Committee. -

The State Level Monitoring Committee shall—

- a) devise criteria and indicators for monitoring the process of recognition and vesting of forest rights;
- b) monitor the process of recognition, verification and vesting of forest rights in the State;
- c) Furnish a six monthly report on the process of recognition, verification and vesting of forest rights and submit to the nodal agency such returns and reports as may be called for by the nodal agency;
- d) on receipt of a notice as mentioned in section 8 of the Act, take appropriate actions against the concerned authorities under the Act;
- e) monitor resettlement under sub-section (2) of section 4 of the Act.

XI. Procedure for filing, determination and verification of claims by the Gram Sabha. -

- (1) The Gram Sabhas shall—
 - a. call for claims and authorize the Forest Rights Committee to accept the claims in the Form as provided in Annexure I of these rules and such claims shall be made within a period of three months from the date of such calling of claims along with at least two of the evidences mentioned in rule 13, shall be made within a period of three months: Provided that the Gram Sabha may, if consider necessary, extend such period of three months after recording the reasons thereof in writing.
 - b. fix a date for initiating the process of determination of its community forest resource and intimate the same to the adjoining Gram Sabhas where there are substantial overlaps, and the Sub-Divisional Level Committee.
- (2) The Forest Rights Committee shall assist the Gram Sabha in its functions to—
 - a. receive, acknowledge and retain the claims in the specified form and evidence in support of such claims;
 - b. prepare the record of claims and evidence including maps;
 - c. prepare a list of claimants on forest rights;
 - d. verify claims as provided in these rules;
 - e. present their findings on the nature and extent of the claim before the Gram Sabha for its consideration.
- (3) Every claim received shall be duly acknowledged in writing by the Forest Rights Committee.
- (4) The Forest Rights Committee shall also prepare the claims on behalf of Gram Sabha for community forest rights in Form B as provided in Annexure I of these rules.
- (5) The Gram Sabha shall on receipt of the findings under clause (v) of sub-rule (2), meet with prior notice, to consider the findings of the Forest Rights Committee, pass appropriate resolutions, and shall forward the same to the Sub-Divisional Level Committee.
- (6) The Secretary of Gram Panchayat will also act as Secretary to the Gram Sabhas in discharge of its functions.

XII. Process of verifying claims by Forest Rights Committee. -

- (1) The Forest Rights Committee shall, after due intimation to the concerned claimant and the Forest Department-
 - a. visit the site and physically verify the nature and extent of the claim and evidence on the site;
 - b. receive any further evidence or record from the claimant and witnesses;
 - c. ensure that the claim from pastoralists and nomadic tribes for determination of their rights, which may either be through individual members, the community or traditional

- community institution, are verified at a time when such individuals, communities or their representatives are present;
 - d. ensure that the claim from member of a primitive tribal group or pre-agricultural community for determination of their rights to habitat, which may either be through their community or traditional community institution, are verified when such communities or their representatives are present; and
 - e. prepare a map delineating the area of each claim indicating recognizable landmarks.
- (2) The Forest Rights Committee shall then record its findings on the claim and present the same to the Gram Sabha for its consideration.
 - (3) If there are conflicting claims in respect of the traditional or customary boundaries of another village or if a forest area is used by more than one Gram Sabha, the Forest Rights Committees of the respective Gram Sabhas shall meet jointly to consider the nature of enjoyment of such claims and submit the findings to the respective Gram Sabhas in writing: Provided that if the Gram Sabhas are not able to resolve the conflicting claims, it shall be referred by the Gram Sabha to the Sub-Divisional Level Committee for its resolution.
 - (4) On a written request of the Gram Sabha or the Forest Rights Committee for information, records or documents, the concerned authorities shall provide an authenticated copy to the Gram Sabha or Forest Rights Committee, as the case may be, and facilitate its clarification, if required, through an authorised officer.

XIII. Evidence for determination of forest rights. -

- (1) The evidence for recognition and vesting of forest rights shall, inter alia , include-
 - a. public documents, Government records such as Gazetteers, Census, survey and settlement reports, maps, satellite imagery, working plans, management plans, micro-plans, forest enquiry reports, other forest records, record of rights by whatever name called, pattas or leases, reports of committees and commissions constituted by the Government, Government orders, notifications, circulars, resolutions;
 - b. Government authorised documents such as voter identity card, ration card, passport, house tax receipts, domicile certificates;
 - c. physical attributes such as house, huts and permanent improvements made to land including levelling, bunds, check dams and the like;
 - d. quasi-judicial and judicial records including Court orders and judgments;
 - e. research studies, documentation of customs and traditions that illustrate the enjoyment of any forest rights and having the force of customary law by reputed institutions, such as Anthropological Survey of India;
 - f. any record including maps, record of rights, privileges, concessions, favours, from erstwhile princely States or provinces or other such intermediaries;
 - g. traditional structures establishing antiquity such as wells, burial grounds, sacred places;
 - h. genealogy tracing ancestry to individuals mentioned in earlier land records or recognized as having been legitimate resident of the village at an earlier period of time;
 - i. statement of elders other than claimants, reduced in writing.
- (2) An evidence for Community Forest Rights shall, inter alia , include—
 - a. community rights such as nistar by whatever name called;
 - b. traditional grazing grounds; areas for collection of roots and tubers, fodder, wild edible fruits and other minor forest produce; fishing grounds; irrigation systems; sources of water for human or livestock use, medicinal plant collection territories or herbal practitioners;

- c. remnants of structures built by the local community, sacred trees, groves and ponds or riverine areas, burial or cremation grounds.
- (3) The Gram Sabha, the Sub-Divisional Level Committee and the District Level Committee shall consider more than one of the abovementioned evidences in determining the forest rights.

XIV. Petitions to Sub-Divisional Level Committee. -

- (1) Any person aggrieved by the resolution of the Gram Sabha may within a period of sixty days from the date of the resolution file a petition to the Sub-Divisional Level Committee.
- (2) The Sub-Divisional Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Gram Sabha in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.
- (3) The Sub-Divisional Level Committee may either allow or reject or refer the petition to concerned Gram Sabha for its reconsideration.
- (4) After receipt of such reference, the Gram Sabha shall meet within a period of thirty days, hear the petitioner, pass a resolution on that reference and forward the same to the Sub-Divisional Level Committee.
- (5) The Sub-Divisional Level Committee shall consider the resolution of the Gram Sabha and pass appropriate orders, either accepting or rejecting the petition.
- (6) Without prejudice to the pending petitions, Sub-Divisional Level Committee shall examine and collate the records of forest rights to the other claimants and submit the same through the concerned Sub-Divisional Officer to the District Level Committee.
- (7) In case of a dispute between two or more Gram Sabhas and on an application of any of the Gram Sabhas or the Sub-Divisional Level Committee on its own, shall call for a joint meeting of the concerned Gram Sabhas with a view to resolving the dispute and if no mutually agreed solution can be reached within a period of thirty days, the Sub-Divisional Level Committee shall decide the dispute after hearing the concerned Gram Sabhas and pass appropriate orders.

XV. Petitions to District Level Committee. -

- (1) Any person aggrieved by the decision of the Sub-Divisional Level Committee may within a period of sixty days from the date of the decision of the Sub-Divisional Level Committee file a petition to the District Level Committee.
- (2) The District Level Committee shall fix a date for the hearing and intimate the petitioner and the concerned Sub-Divisional Level Committee in writing as well as through a notice at a convenient public place in the village of the petitioner at least fifteen days prior to the date fixed for the hearing.
- (3) The District Level Committee may either allow or reject or refer the petition to concerned Sub-Divisional Level Committee for its reconsideration.
- (4) After receipt of such reference, the Sub-Divisional Level Committee shall hear the petitioner and the Gram Sabha and take a decision on that reference and intimate the same to the District Level Committee.
- (5) The District Level Committee shall then consider the petition and pass appropriate orders, either accepting or rejecting the petition.
- (6) The District Level Committee shall send the record of forest rights of the claimant or claimants to the District Collector or District Commissioner for necessary correction in the records of the Government.
- (7) In case there is a discrepancy between orders of two or more Sub-Divisional Level Committees, the District Level Committee on its own, shall call for a joint meeting of the concerned Sub-Divisional Level Committees with a view to reconcile the differences and if no mutually agreed solution can be reached, the District Level Committee shall adjudicate the dispute after hearing the concerned Sub-Divisional Level Committees and pass appropriate orders.

http://fra.org.in/document/fra%20rule_2012_complied%20version.pdf

<https://indiankanoon.org/doc/64201780/>

THE PROVISIONS OF THE PANCHAYATS (EXTENSION TO THE SCHEDULED AREAS) ACT, 1996

The **Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996** (commonly known as the **PESA Act, 1996**) is a law enacted by the Government of India to cover the "Scheduled areas", which are not covered in the 73rd amendment or Panchayati Raj Act of the Indian Constitution. It was enacted on 24 December 1996 to enable Gram Sabhas to self-govern their natural resources. It is an Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.

Background and Purpose:

- Enacted on **24th December 1996**, the PESA Act extends the provisions of **Part IX of the Constitution** (which relates to Panchayats) to the Scheduled Areas.
- It recognizes the unique needs and customary practices of tribal communities and aims to strengthen local governance.

1. Definition:

- **Scheduled Areas:** These are areas as referred to in **clause (1) of Article 244** of the Constitution.
- The PESA Act applies specifically to these Scheduled Areas.

2. Provision:

- A state legislation on panchayats in the scheduled area should take care of the customs, religious practices and traditional management practices of community resources
- Every village shall contain a grama sabha whose members are included in the electoral list for the panchayats at village level.
- The recommendation of the gram sabha is mandatory for granting mining licenses in the scheduled areas.
- Planning and management of minor water bodies are entrusted to the panchayats.

3. Extension of Part IX of the Constitution:

- The Act extends the provisions of **Part IX of the Constitution** (which deals with Panchayats) to the Scheduled Areas.
- However, it allows for **exceptions and modifications** to suit the local context.

4. Key Features:

- **Customary Law and Practices:**
 - State legislation on Panchayats in Scheduled Areas must be in consonance with the **customary law, social and religious practices, and traditional management practices of community resources.**
- **Gram Sabha:**

- Every village shall have a **Gram Sabha** consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level.
- The Gram Sabha plays a crucial role in approving plans, programs, and projects for social and economic development.
- **Reservation of Seats:**
 - The reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat.
 - The reservation for **Scheduled Tribes** shall not be less than **one-half** of the total number of seats.

5. Empowering Tribal Communities:

- The PESA Act ensures that tribal communities actively participate in decision-making, resource management, and development planning.
- It recognizes their cultural identity, customary practices, and traditional dispute resolution mechanisms.

<https://www.indiacode.nic.in/bitstream/123456789/1973/1/A1996-40.pdf> OR

https://static.wikispedia.in/media/files_en/social-welfare/scheduled-tribes-welfare/pesa-act.pdf

Reference <https://pesadarpan.gov.in/>

PROTECTION OF CIVIL RIGHTS ACT

An Act to prescribe punishment for the [preaching and practice of - "Untouchability"] for the enforcement of any disability arising therefrom for matters connected therewith.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:

1. This Act may be called [the Protection of Civil Rights Act, 1955].
2. It extends to the whole of India.
3. It shall come into force on such date as the Central Government may by notification in the Official Gazette, appoint.

Definitions

In this Act, unless the context otherwise requires, -

- [(a) "civil rights" means any right accruing to a person by reason of the abolition of "untouchability" by article 17 of the Constitution]
- [(aa) "hotel" includes a refreshment room, a boarding house, a lodging house, a coffee house and a cafe.
- [(b) "place" includes a house, building and other structure an premises; and also includes a tent, vehicle and vessel
- (c) "place of public entertainment" includes any place to which the public are admitted and in which an entertainment is provided or held.
- Explanation: "Entertainment" includes any exhibition, performance, game, sport and any other form of amusement.

- (d) "place of public worship" means a place, by whatever name known, which is used as a place of public religious worship or which is dedicated generally to, or is used generally by, persons professing any religion or belonging to any religious denomination or any section

Rules and Acts:

- I. **Protection of Civil Rights Act, 1955:** Enacted in 1955 to prohibit and punish practices related to untouchability. Ensures enforcement of rights arising from the abolition of untouchability under Article 17 of the Constitution.

Definitions:

- Civil Rights: Include rights accruing due to the abolition of untouchability.
- Places Covered: Hotels, public entertainment venues, places of worship, and water sources.

Offenses and Punishments:

- Enforcing Religious Disabilities: Prohibits preventing STs from entering places of worship, offering prayers, or using sacred water sources.
- Violators face imprisonment or fines.

Implementation and Impact:

- Upholds STs' dignity and ensures equal access to religious places and public facilities.
- Reinforces constitutional commitment to equality.

<https://www.indiacode.nic.in/bitstream/123456789/8384/1/civilrightsact1955.pdf>

- II. **The Protection of Civil Rights Rules, 1977 (PCR Rules):** It complements the Protection of Civil Rights Act, 1955. These rules provide detailed guidelines for implementing the Act and ensuring STs' rights are protected.

Definitions:

- Civil Rights: These include rights arising from the abolition of untouchability under Article 17 of the Constitution.
- Places Covered: The rules apply to hotels, public entertainment venues, places of worship, and water sources.

Inquiry Process under Section 10-A:

- The State Government appoints an officer (not below the rank of a Sub-divisional Magistrate) for inquiries related to STs' rights.
- The appointed officer (inquiry officer) issues a public notice specifying the inquiry details.
- The inquiry follows a procedure similar to summary trials, including evidence recording.

Petition Period under Section 10-A:

- Any person aggrieved by the imposition of a collective fine or the order of apportionment can file a petition within 30 days from the date of proclamation of the notification.
- The State Government or the specified authority may entertain the petition even after the expiry of this period if sufficient cause is shown.

<https://tribal.gov.in/downloads/acts-and-rules/PCRR1977.pdf>

https://static.vikaspedia.in/media/files_en/social-welfare/scheduled-tribes-welfare/protection-of-civil-right-rules.pdf

https://static.vikaspedia.in/media/files_en/social-welfare/scheduled-tribes-welfare/protection-of-civil-right-act-1955.pdf

SC/ST (PREVENTION OF ATROCITIES) ACT

An Act to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fortieth Year of the Republic of India as Follows:

- This Act may be called the Scheduled Castes and the Scheduled extent and Tribes (Prevention of Atrocities) Act, 1989.
- It extends to the whole of India except the State of Jammu & Kashmir.
- It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions

1. In this Act unless the context otherwise requires –
 - a. "Atrocity" means an offence punishable under section 3
 - b. "Code" means the Code of Criminal Procedure, 1973 (2 of 1974)
 - c. "Scheduled Castes and Scheduled Tribes" shall have the meanings assigned to them respectively under clause (24) and clause (25) of article 366 of the Constitution
 - d. "Special Court" means a Court of Session specified as a Special Court in section 14
 - e. "Special Public Prosecutor" means a Public Prosecutor specified as a Special Public Prosecutor or an advocate referred to in section 15
 - f. words and expressions used but not defined in this Act and defined in the Code or the Indian Penal Code (45 of 1860) shall have the meanings assigned to them respectively in the Code, or as the case may be, in the Indian Penal Code.
2. Any reference in this Act to any enactment or any provision thereof shall in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law, if any, in force in that area.

Rules and Acts

1. The SC/ST (Prevention of Atrocities) Rules, 1995

https://static.vikaspedia.in/media/files_en/social-welfare/scheduled-tribes-welfare/poa-rules.pdf

2. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989)
https://static.vikaspedia.in/media/files_en/social-welfare/scheduled-tribes-welfare/poa1989.pdf
3. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014
https://static.vikaspedia.in/media/files_en/social-welfare/scheduled-tribes-welfare/poaord2014.pdf

SCHEDULING AND DE-SCHEDULING OF TRIBES

Empowered by Clause (1) of Article 342, the President may, with respect to any State or Union Territory, and where it is a State, after consultation with the governor thereof, notify tribes or tribal communities or parts of these as Scheduled Tribes. This confers on the tribe or part of it a Constitutional status for availing themselves of the rights and safeguards provided for the Scheduled Tribes in the Constitution, in their respective State/UT.

Clause (2) of the Article empowers the Parliament to pass a law to include in or exclude from the list of Scheduled Tribes, any tribe or tribal community or parts of these.

Criteria for specification of a community as a Scheduled Tribe:

The criteria followed for specification of a community as a Scheduled Tribe are:

- i) Indication of primitive traits,
- ii) Distinctive culture,
- iii) Geographical isolation,
- iv) Shyness of contact with the community at large, and
- v) Backwardness.

This criterion is not spelt out in the Constitution but has become well established. It takes into account the definitions in the 1931 Census, the reports of the first Backward Classes Commission (Kalelkar) 1955, the Advisory Committee on Revision of SC/ST lists (Lokur Committee) 1965 and the Joint Committee of Parliament on the Scheduled Castes and Scheduled Tribes Order (Amendment) Bill, 1967 (Chanda Committee) 1969.

Procedure for inclusion in or exclusion from the list of Scheduled Tribes

In June 1999, the Government approved modalities for deciding claims for inclusion in or exclusion from the lists of Scheduled Tribes. According to these approved guidelines, only those claims that have been agreed to by the concerned State Government, the Registrar General of India and the National Commission for Scheduled Castes & Scheduled Tribes will be taken up for consideration.

Whenever representations are received in the Ministry of Tribal Affairs for inclusion of any community in the list of Scheduled Tribes of a State/UT, the Ministry forwards that representation to the concerned State Government/U.T. Administration for recommendation as required under Article 342 of the Constitution. If the concerned State Government recommends the proposal, then the same is sent to the Registrar General of India (RGI). The RGI, if satisfied with the recommendation of the State Government, recommends the proposal to the Central Government. Thereafter, the Ministry of Tribal Affairs refers the proposal to the National Commission for Scheduled Castes and Scheduled Tribes for

their recommendation. If the National Commission for Scheduled Castes and Scheduled Tribes also recommends the case, the matter is processed for the decision of the Cabinet after consulting the concerned administrative Ministries. Thereafter the matter is put up before Parliament in the form of a Bill to amend the Presidential Order.

In case there is disagreement between the views of the State Government and the RGI, the views of the RGI are sent to the State Government for reviewing or further justifying their recommendation. On receipt of the further clarification from the State Government/ Union Territory Administration, the proposal is again referred to the RGI for comments. In such cases, where the RGI does not agree to the point of view of the State Government/ UT Administration, Government of India may reject the said proposal.

Claims that neither the RGI nor the concerned State Government have supported are rejected. Similarly, those cases where the State Government and the RGI favour inclusion /exclusion, but not supported by the National Commission for Scheduled Castes and Scheduled Tribes are also rejected.

Authorities Competent to Issue Scheduled Tribe certificates:

The candidates belonging to Scheduled Tribes may get Scheduled Tribe certificates, in the prescribed form, from any one of the following authorities:

- i) District Magistrate/Additional District Magistrate/ Collector/ Deputy Commissioner/ Additional Deputy Commissioner/Deputy Collector/ Ist Class Stipendiary Magistrate/ City Magistrate/ Sub Divisional Magistrate/ Taluka Magistrate/Executive Magistrate/ Extra Assistant Commissioner. [not below the rank of Ist Class Stipendiary Magistrate]
- ii) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/ Presidency Magistrate
- iii) Revenue Officers not below the rank of Tehsildar
- iv) Sub- Divisional Officer of the Area where the candidate and/ or his family normally resides.
- v) Administrator/ Secretary to the Administrator/ Development Officer [Lakshadweep Islands]

Points to be observed while issuing/ verifying Scheduled Tribe certificates:

General: Various points and issues are required to be considered before issuing a caste certificate to an applicant. The nodal Ministry dealing with the policy issue relating to the subject matter relating to inclusion into and exclusion from the list of SCs/STs has been with the Ministry of Social Justice and Empowerment. These points and issues are given in detail on the website of the Ministry of Social Justice and Empowerment (<http://www.socialjustice.nic.in>). However, some important issues are highlighted in this Handbook for ready reference.

Where a person claims to belong to a Scheduled Tribes by birth it should be verified that: -

- i) The person and his/her parents actually belong to the community claimed.
- ii) The community is included in the Presidential Order specifying the Scheduled Tribes in relation to the concerned State.
- iii) The person belongs to that State and to the area within that State in respect of which the community has been scheduled.
- iv) He/she may profess any religion.
- v) He/she or his/her parents/grandparents etc., should be permanent resident of the State/UT on the date of notification of the Presidential Order applicable in his/her case.

- vi) A person who is temporarily away from his permanent place of residence at the time of the notification of the Presidential Order applicable in his case, say for example to earn a living or seek education, etc. can also be regarded as a Scheduled Tribe, if his tribe has been specified in that Order in relation to his State/Union Territory. But he/she cannot be treated as such in relation to the place of his temporary residence notwithstanding the fact that the name of his/her tribe has been scheduled in respect of that State where he/she is temporarily settled, in any Presidential Order.
- vii) In the case of persons born after the date of notification of the relevant Presidential Order, the place of residence for the purpose of acquiring Scheduled Tribe status, is the place of permanent abode of their parents at the time of the notification of the Presidential Order under which they claim to belong to such a tribe.

Scheduled Tribe claims on migration:

Where a person migrates from the portion of the State in respect of which his community is scheduled to another part of the same State in respect of which community is not scheduled, he will continue to be deemed to be a member of the Scheduled Tribe, in relation to that State.

Where a person migrates from one State to another, he can claim to belong to a Scheduled Tribe only in relation to the State to which he originally belonged and not in respect of the State to which he has migrated.

Scheduled Tribe claims after marriage and status of their children:

The guiding principle is that no person who was not a Scheduled Tribe by birth will be deemed to be a member of Scheduled Tribe merely because he or she has married a person belonging to a Scheduled Tribe. Similarly, a person who is a member of a Scheduled Tribe would continue to be a member of that Scheduled Tribe, even after his or her marriage with a person who does not belong to a Scheduled Tribes. However, the status of the children born out of such marriages would depend on the caste status of the father.

REPORTS AND DOWNLOADS

TOUR REPORTS

FY wise details of tour reports of the Commission

ANNUAL REPORT

Copies of Annual reports in tabular format, which were laid in both houses of the parliament.

Clauses (5) (d) and (e) of Article 338A provide that it shall be the duty of the Commission to present Reports to the President annually and at such other times as the Commission may deem fit, Reports upon the working of the safeguards provided to Scheduled Tribes, and to make recommendations as to the measures that the Union or any State should take for effective implementation of those safeguards and other necessary measures for the protection, welfare and socio-economic development of the Scheduled Tribes. Clause (6) of Article 338A provides that “The President shall cause all such reports to be laid before each House of Parliament along with a Memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of such recommendations”.

The Commission has so far presented Sixteen Annual Reports and Three Special Reports to the President.

The present status of the submission and laying of the Reports in Parliament is given in the table below:

| Sl. No. | Reports of the NCST | Period | Submitted to the President of India on | Laid in the Rajya Sabha on | Laid in the Lok Sabha on |
|---------|---|-------------------|--|----------------------------|--------------------------|
| 1 | First Annual Report | 2004-05 & 2005-06 | 08.08.2006 | 30.08.2012 | 31.08.2012 |
| 2 | Second Annual Report | 2006-07 | 03.09.2008 | 02.05.2013 | 26.04.2013 |
| 3 | Third Annual Report | 2007-08 | 29.03.2010 | 10.08.2016 | 08.08.2016 |
| 4 | Fourth Annual Report | 2008-09 | 27.08.2010 | 10.08.2016 | 08.08.2016 |
| 5 | Fifth Annual Report | 2009-10 | 13.07.2011 | 10.08.2016 | 08.08.2016 |
| 6 | Special Report on Good Governance for Tribal Development and Administration | 2012 | 18.06.2012 | 12.12.2013 | 13.12.2013 |
| 7 | Sixth Annual Report | 2010-11 | 25.10.2013 | 29.03.2017 | 10.04.2017 |
| 8 | Seventh Annual Report | 2011-12 | 20.02.2015 | 29.03.2017 | 10.04.2017 |

| | | | | | |
|----|---|---------|------------|------------|------------|
| 9 | Eighth Annual Report | 2012-13 | 16.11.2015 | 29.03.2017 | 10.04.2017 |
| 10 | Ninth Annual Report | 2013-14 | 24.05.2016 | 03.01.2019 | 31.12.2018 |
| 11 | Tenth Annual Report | 2014-15 | 31.05.2016 | 07.02.2019 | 11.02.2019 |
| 12 | Eleventh Annual Report | 2015-16 | 28.10.2016 | 28.11.2019 | 25.11.2019 |
| 13 | Special Report on Indira Sagar Polavaram Project Affected Tribal People | 2018 | 03.07.2018 | 15.03.2023 | 13.03.2023 |
| 14 | Twelfth Annual Report | 2016-17 | 14.11.2019 | 26.07.2023 | 24.07.2023 |
| 15 | Thirteenth Report | 2017-18 | 15.01.2020 | 20.12.2023 | 11.12.2023 |
| 16 | Special Report on the Status of Rourkela Steel Plant on Rehabilitation & Resettlement of Displaced Tribal | 2020 | 15.01.2020 | 15.03.2023 | 13.03.2023 |

NCST BOOKLET

JANJATI NAYAK EXHIBITION

<https://ncst.nic.in/sites/default/files/documents/JN.pdf>

SWATANTRATA SANGRAM MEIN JANJATI NAYAKON KA YOGDAN

<https://ncst.nic.in/sites/default/files/documents/SSJNY.pdf>

NCST HANDBOOK

<https://ncst.nic.in/sites/default/files/documents/NCST.pdf>

IMPORTANT REPORTS

SPECIAL REPORTS OF NCST

- I. Special Report on Good Governance for Tribal Development and Administration
- II. Special Report on Indira Sagar Polavaram Project Affected Tribal People
- III. Special Report on the Status of Rourkela Steel Plant on Rehabilitation & Resettlement of Displaced Tribal

DHEBAR COMMISSION REPORT

The Scheduled Areas and Scheduled Tribes Commission, commonly known as the Dhebar Commission, was indeed established by the Government of India in 1960. Its main purpose was to assess the status of implementation of safeguards for Scheduled Tribes and the development of Scheduled Areas as outlined in the Constitution of India.

The commission was chaired by Loknath Mishra, also known as D.N. Dhebar, a prominent Indian politician. It submitted its report in 1961. The report addressed various aspects related to the welfare and development of Scheduled Tribes, including land rights, education, healthcare, economic development, and political representation.

Key recommendations of the Dhebar Commission's report included:

- Strengthening and effective implementation of protective and developmental provisions for Scheduled Tribes as enshrined in the Constitution.
- Land reforms and protection of tribal land rights, including measures to prevent alienation of tribal lands.
- Promotion of education among tribal communities, including the establishment of schools and hostels in tribal areas.
- Improvement of healthcare facilities and access to basic amenities in tribal areas.
- Economic development initiatives tailored to the needs and aspirations of tribal communities, including support for agriculture, animal husbandry, and small-scale industries.
- Empowerment of tribal communities through measures such as the promotion of tribal cooperatives and the reservation of seats in legislative bodies.

The recommendations of the Dhebar Commission played a significant role in shaping policies and programs aimed at the welfare and development of Scheduled Tribes in India.

<https://ncst.gov.in/sites/default/files/2021/Report/Report.pdf>

SCHEDULED AREA AND SCHEDULED TRIBES COMMISSION (BHURIA COMMISSION) REPORT

The **Scheduled Areas and Scheduled Tribes Commission**, also known as the **Bhuria Commission**, was appointed by President K.R. Narayanan in 2002. Led by **Dileep Singh Bhuria**, a Lok Sabha member from an Adivasi community, the commission had a crucial mandate:

1. Investigation and Reporting:

- The Bhuria Commission was tasked with **investigating and reporting** on the problems faced by Scheduled Tribes (STs) in India.
- It aimed to formulate a comprehensive tribal policy and outline a vision for the future of STs.

2. Three Volumes of Reports:

- The commission submitted its report in **three volumes** in 2004.
- **Volume II** of the Bhuria Commission Report contains **detailed reports on 26 states and four union territories**.

- These reports were based on the commission's **field visits**, interactions with tribal development authorities, and insights from Adivasis, social organizations, political entities, and tribal organizations.

3. Assessment Areas:

- During field visits, the commission assessed various facets of tribal development, including:
 - **Literacy**
 - **Land**
 - **Economy**
 - **Infrastructure**
 - Implementation of **constitutional safeguards** for STs
 - The impact of the **Tribal Sub-Plan** (launched in 1974-78)

4. Challenges and Recommendations:

- The Bhuria Commission highlighted disparities in literacy rates, economic conditions, and infrastructure across different states.
- For instance:
 - In Andhra Pradesh, the literacy growth rate for the general population was significantly higher than that for STs.
 - Arunachal Pradesh faced economic challenges due to inhospitable topography, climatic conditions, and inadequate infrastructure.
 - The northeastern states had a significant area under shifting cultivation, affecting tribal livelihoods.
 - Recommendations included implementing centrally-funded projects to transition STs to sustainable occupations in agriculture and allied sectors.

5. Dadra and Nagar Haveli (DNH):

- DNH, where **62.25% of the population consists of STs**, experienced rapid industrialization and an influx of migrants from Gujarat and Maharashtra.

<https://ncst.gov.in/sites/default/files/2021/Report/Report.pdf>

LOKUR COMMITTEE REPORT

The **Lokur Committee Report** of 1965 holds significant importance in the context of constitutional safeguards and welfare measures for **Scheduled Tribes (STs)** in India. Let's delve into its key aspects:

1. Background:

- The committee was established in 1965 under the chairmanship of **B.N. Lokur**, who was then the **Law Secretary** of the central government.
- Its primary objective was to examine the criteria used to define Scheduled Tribes.

2. **Criteria for Scheduled Tribes:**

- The Lokur Committee report outlined **five important criteria** to consider while identifying any community as a Scheduled Tribe:
 - **Primitive Traits:** The presence of **primitive traits** was a crucial factor.
 - **Distinct Culture:** Communities with a distinct cultural identity were eligible.
 - **Geographical Isolation:** Geographical isolation played a role in determining tribal status.
 - **Backwardness:** The socio-economic and educational backwardness of the community was considered.
 - **Dependence on Forests and Agriculture:** Tribes relying on forests and agriculture were included.

3. **Revision of Lists:**

- The report emphasized the need for periodic revision of the lists of Scheduled Castes and Scheduled Tribes.
- It aimed to ensure that deserving communities received constitutional protection and benefits.

4. **Welfare Measures:**

- The Lokur Committee highlighted the importance of **education, healthcare, and land rights** for tribal communities.
- It recommended measures to uplift the socio-economic conditions of STs.

5. **Administration of Tribal Areas:**

- The report addressed the administration of tribal areas, emphasizing the need for **sensitive governance** that respects tribal customs and traditions.

6. **Land Rights and Forests:**

- The committee stressed the significance of **land ownership** for tribal communities.
- It recognized the close relationship between tribes and forests, advocating for sustainable forest management.

<https://tribal.nic.in/downloads/Statistics/OtherReport/LokurCommitteeReport.pdf>

MUNGEKAR COMMITTEE REPORT

The **Mungekar Committee Report**, officially known as the **Third Report of the Standing Committee on Inter-Sectoral Issues Relating to Tribal Development on Standards of Administration and Governance in the Scheduled Areas**, was chaired by **Dr. Bhalchandra Mungekar**. Let's explore its key recommendations:

1. Scope and Purpose:

- The committee focused on assessing the **administration and governance** in the **Scheduled Areas**.
- It aimed to enhance the effectiveness of institutions, infrastructure, and policies related to tribal welfare.

2. Recommendations:

- **Reviving Institutions of Self-Governance:**
 - The report emphasized the need to strengthen local self-governance structures within tribal regions.
 - Reviving and empowering traditional institutions (such as village councils) was crucial.
- **Effective Delivery Mechanism:**
 - The committee proposed measures to improve the delivery of services and benefits to tribal communities.
 - Streamlining administrative processes and ensuring timely implementation were key aspects.
- **Critical Infrastructure:**
 - Recommendations included creating essential infrastructure such as schools, healthcare centers, roads, and communication networks.
 - Access to clean water, electricity, and sanitation facilities was highlighted.
- **Tribal Sub-Plan (TSP):**
 - The report stressed the effective utilization of TSP funds for tribal development.
 - Ensuring transparency and accountability in TSP implementation was essential.
- **Forest Rights Act (FRA):**
 - The committee addressed the implementation of the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**.
 - Ensuring forest land rights for tribal communities was a priority.
- **Role of Ministries and Commissions:**
 - Recommendations covered the roles of the **Ministry of Tribal Affairs, State Tribal Welfare Departments**, and the **National Commission for Scheduled Tribes**.
 - The **SCs & STs (Prevention of Atrocities) Act, 1989** was also discussed.

3. Ongoing Examination:

- The Mungekar Committee report is currently under examination by the Ministry of Tribal Affairs

<https://tribal.nic.in/downloads/other-important-reports/Mungekar3rdreport2.pdf>

DEVELOPMENT CHALLENGES IN EXTREMIST AFFECTED AREAS

<https://tribal.nic.in/downloads/other-important-reports/DevelopmentChallengesinExtremistAffectedAreas.pdf>

NAC RECOMMENDATIONS FOR PVTGS

The **National Advisory Council (NAC)** has put forth crucial recommendations to address the specific challenges faced by **Particularly Vulnerable Tribal Groups (PVTGs)** in India. These groups, characterized by their fragile living conditions and socio-economic vulnerability, require special attention and support. Let's explore the key recommendations:

- **Identification and Assessment:**
 - The **Ministry of Tribal Affairs** should create a specially designed census for PVTGs.
 - This census would include information on their socio-economic indicators.
 - Displacement of PVTGs should be considered as the last option.
- **Recognition of Rights:**
 - The rights of PVTGs to their land and habitats must be **recognized and respected**.
 - Development approaches should not be imposed on them; instead, they should have the autonomy to determine their own development path.
- **Livelihood Strategies:**
 - PVTGs need tailored livelihood strategies that align with their cultural practices and traditional occupations.
 - Sustainable forest-based livelihoods and other subsistence activities should be promoted.
- **Institutions for Governance and Service Delivery:**
 - Strengthen local self-governance structures within tribal regions.
 - Empower traditional institutions (such as village councils) to play a central role in decision-making.
 - Streamline administrative processes to ensure effective service delivery.
- **Nutrition, Health, and Education:**
 - Prioritize nutrition, health, and education for PVTGs.
 - Access to clean water, sanitation, and healthcare facilities is critical.
 - Tailored educational programs should address their specific needs.

<https://tribal.nic.in/downloads/other-important-reports/NACRecommendationsforPVTGs.pdf>

SCHEDULED TRIBES IN INDIA AS REVEALED IN CENSUS 2011

The **Census 2011** provides valuable insights into the population and demographics of **Scheduled Tribes (STs)** in India. Let's explore some key findings:

- **Population:**
 - Approximately **10.42 crore** Indians are notified as **Scheduled Tribes**.
 - Of this population, **1.04 crores** reside in **urban areas**.

- STs constitute **8.6%** of the country's total population and **11.3%** of the total rural population.
- **Sex Ratio:**
 - The sex ratio among Scheduled Tribes is **990 females per 1,000 males**.
 - This represents a significant increase from the 2001 Census, where the ratio was **978**.
- **State-wise Variation:**
 - **Madhya Pradesh** has the highest Scheduled Tribe population, accounting for **14.7%**.
 - **Meghalaya** has the lowest ST population at **2.5%**.
 - In **Himachal Pradesh, Sikkim, Arunachal Pradesh, and Goa**, the ST population increased by more than **1%** point from 2001 to 2011.
 - **Nagaland, Chhattisgarh, Daman and Diu, and Dadra and Nagar Haveli** experienced a decline in ST population, likely due to migration.
 - The Andaman and Nicobar Islands saw a decrease from **8.3%** in 2001 to **7.5%** in 2011, possibly due to the 2004 tsunami.
- **Livelihood and Infrastructure:**
 - **53%** of STs live in dilapidated houses, with most households having **single rooms**.
 - **46.6%** of Scheduled Castes and Scheduled Tribes rely on **firewood, crop residue, or cow dung cake** for cooking.
 - Only **23%** of ST households have some form of toilet facility.
 - Access to **water** and **electricity** remains a challenge for many ST households.

<https://tribal.nic.in/downloads/other-important-reports/ScheduledTribesinIndiaasRevealedinCensus2011.pdf>

TWELFTH FIVE YEAR PLAN 2012-17 (SCHEDULED TRIBES)

The **Twelfth Five Year Plan (2012–2017)** included specific provisions for the development and welfare of **Scheduled Tribes (STs)** in India. Let's delve into some of the key aspects related to STs during this period:

- **Scheduled Tribes Population:**
 - As of the 2001 Census, the ST population constituted **8.2%** of the country's total population.
 - Unlike Scheduled Castes (SCs), who are dispersed throughout the country, STs have traditionally been concentrated in about **15%** of India's geographical areas, mainly forests, hills, and remote regions.
 - Most STs live in **isolated groups** in relatively remote areas, making it challenging to deliver essential services to them.
- **Particularly Vulnerable Tribal Groups (PVTGs):**
 - Within the ST population, there are **2.59 million** individuals (approximately **3.07%**) belonging to **Particularly Vulnerable Tribal Groups (PVTGs)**.
 - PVTGs were earlier referred to as **Primitive Tribal Groups (PTGs)**.
 - There are **75 identified PVTGs** spread across **17 States/UTs**.
- **Challenges and Strategies:**
 - Due to the remoteness of their locations, STs face limitations in benefiting from general development programs.
 - The Twelfth Five Year Plan recognized the need for **special efforts** to ensure that STs receive adequate benefits.

- The strategy included a **multi-pronged approach** to address their unique circumstances.
- **Focus Areas:**
 - **Infrastructure:** Improving infrastructure in tribal areas, including schools, healthcare centers, roads, and communication networks.
 - **Livelihoods:** Promoting sustainable forest-based livelihoods and other subsistence activities.
 - **Education and Health:** Prioritizing nutrition, health, and education for STs.
 - **Land Rights:** Recognizing and respecting STs' rights to land and habitats.
 - **Inclusive Growth:** Ensuring that the benefits of overall growth extend fully to STs.
- **Marketing Initiatives:**
 - SC artisans and entrepreneurs face challenges in marketing their products.
 - The plan proposed creating a **permanent marketing institution** at the national level, similar to TRIFED, to facilitate the marketing of products manufactured by Scheduled Caste entrepreneurs/artisans.

<https://tribal.nic.in/downloads/other-important-reports/TwelfthFiveYearPlan2012-17.pdf>

THE NAREGA 2005, OPERATIONAL GUIDELINES 2008, MIN. OF RURAL DEV.

https://ncst.gov.in/sites/default/files/documents/nrega_reports/Nrega_Operational%20guidelines_20088344161554.pdf

NAREGA, REVISED WAGE RATES, GAZETTE NOTN NO. 74 DT 14.01.2011

https://ncst.gov.in/sites/default/files/documents/nrega_reports/Gz-Ntfcn-746425439733.pdf

MGNREGA, REPORT TO THE PEOPLE 02.02.2006 TO 02.02.2010

https://ncst.gov.in/sites/default/files/documents/nrega_reports/NREGA%20Report_to_the_people9307529454.pdf

REVIEW MEETINGS

STATE REVIEWS

FY wise details of reviews

DISTRICT REVIEWS

FY wise details of reviews

PUBLIC SECTOR UNDERTAKINGS REVIEWS

FY wise details of reviews

<https://ncst.nic.in/content/review-reports-and-recommendations>

GRIEVANCES

LODGE A COMPLAINT

Redirecting to the NCSTGRAM portal

HEARINGS/ PROCEEDINGS

A FY wise (collapsible) subheading with functionality of sorting and filtering the data table.

Also, a calendar can be used depicting the upcoming hearing dates and details of the case.

DASHBOARD

An insight from the NCSTGRAM portal data and combining the data of cases received through all other means except NCSTGRAM. Use of data visualisation tools like Power BI, Tableau etc. is recommended for real-time insights.

MEDIA

PHOTO GALLERY

FY 2023-24 (*Collapsible heading opened by default and showing folders of events during the current financial year*)

FY 2022-23

FY 2022-21

FY 2020-21

PRESS RELEASE

FY 2023-24 (*by default, opened and showing folders of events during the current financial year*)

FY 2022-23

FY 2022-21

FY 2020-21

NEWS CLIPPINGS

FY 2023-24 (*by default, opened and showing folders of events during the current financial year*)

FY 2022-23

FY 2022-21

FY 2020-21

VIDEO SPOTS

FY 2023-24 (*by default, opened and showing folders of events during the current financial year*)

FY 2022-23

FY 2022-21

FY 2020-21

CONTACT US

MORE

RTI

EMPANELLED ADVOCATE LIST

INTERNAL CIRCULARS/OFFICE ORDERS

RTI APPLICATIONS

RTI APPEALS

COURT CASES PERTAINING TO ADMIN DIVISION

IMPORTANT JUDGEMENTS

IMPORTANT CIRCULARS

IMPORTANT REFERENCES

IMPORTANT CIRCULARS/REPORTS FOR REFERENCE

DISPOSAL/PENDENCY OF FILES/RECEIPTS

RTI PORTAL

A link redirecting to the RTI portal of India.

RTI CASES HANDLED BY NCST

A quarterly summary of RTI cases handled by NCST across financial years.

FAQS

TENDERS

INVITING EXPRESSION OF INTEREST(EOI)

<https://ncst.nic.in/content/inviting-expression-interesteoi/>

USEFUL LINKS

Forest Rights Act <https://forestrights.nic.in/>

National tribal research portal <https://tritribal.gov.in/>

Tribal Repository <https://tribal.nic.in/repository/>

National Tribal Migration Support Portal <https://shramshakti.tribal.gov.in/>

Ministry of Tribal Affairs

Ministry of Rural Development External

National Commission For Scheduled Castes External

Ministry of Social Justice and Empowerment External

National Crime Records Bureau External

Department of Personnel and Training External

Registrar General of India Census External

National Voters Service Portal NSVP External

Ministry of Environment External

Forest Rights Acts Monitoring System External

NITI Aayog

ARCHIVES

General Information <https://ncst.nic.in/content/general-information>