



**राष्ट्रीय अनुसूचित जनजाति आयोग**  
**National Commission for Scheduled Tribes**  
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)  
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST/DEV-251/MTAF/1/2022-ESDW

Dated: 06.07.2023

To,

**The Additional Chief Secretary,**  
Tribal Development Department,  
Government of Maharashtra  
Mantralaya, Mumbai  
Maharashtra – 400032  
E-Mail: sec.tribal@maharashtra.gov.in

**The Additional Chief Secretary,**  
Finance Department,  
Government of Maharashtra  
Mantralaya, Madam Cama Road,  
Hutatma Rajguru Chowk, Mumbai  
Maharashtra – 400032  
E-Mail: acs.finance@maharashtra.gov.in

**Sub: Minutes of the Sitting taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 06.06.2023 at 02:30 PM regarding A letter dated 28.10.2021 of Shri Ashok M. Nete, Member of Parliament (Lok Sabha), Gadchiroli-Chimur (Maharashtra), B-1, MS Flats, A Block-Sindhu, B.K.S Marg, Near R.M.L. Hospital, New Delhi- 110001 regarding disbursal of referred grants to SAARC Multipurpose Society International (SAARC Consortium) under Article 275 (1) of the Constitution of India.**

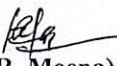
Sir/Madam,

I am directed to enclose herewith a copy of Minutes of the Sitting taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 06.06.2023 at 02:30 PM on the above mentioned subject for information and necessary action.

2. You are directed to send the Action Taken Report (ATR) on the recommendations of the Commission **within 07 days** from the date of receiving of the Minutes.

Encl: as Above.

Yours faithfully,

  
(H.R. Meena)  
Research Officer

Copy for information to: -

**Shri Ashok M. Nete,**  
Member of Parliament (Lok Sabha),  
B-1, MS Flats, A Block-Sindhu,  
B.K.S Marg, Near R.M.L. Hospital,  
New Delhi- 110001

1. NIC Cell for upload in NCST Website.



## National Commission for Scheduled Tribes

\*\*\*\*\*

No. NCST / DEV-251 / MTAF / 1 / 2022-ESDW

**Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST regarding disbursal of grants to SAARC Multipurpose Society International (SAARC Consortium).**

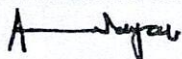
**Date of the Sitting: 06.06.2023 at 02:30 PM**

**List of Participants: As per Annexure**

The Commission received a representation from Shri Ashok M Nete, Member of Parliament (Lok Sabha) stating that the Ministry of Tribal Affairs, Government of India, had granted approval, permission, and financial support for a project in Gadchiroli District, Maharashtra to SAARC. SAARC possess a team of expert medical professionals who are renowned and nationally recognized specialists. Having provided health-related charity services in states like Manipur and Mizoram, they have received recognition from authorities such as the WHO and World Bank. The project in Gadchiroli is aimed to test the Scheduled Tribe residents of Gadchiroli for Thalassemia and provide skill training to health workers. The project is sanctioned and funded by the Government of India, thus eliminating the need for state government involvement.

Considering the gravity of the issue the Commission held Sitting on 04.08.2022. On Sitting, the Commission recommended "the Secretary of Tribal Development Department to submit the file to Finance Department positively with immediate effect for the sanction of funds 1 SAARC International as per the Rules prevailing during the submission of Proposal. The Action Taken Report to be submitted within 15 days to the Commission."

Keeping in view of the seriousness of the issue and the lackadaisical attitude of the authorities in taking action as per the recommendation of the Commission in the given period, the Commission as issued summons dated 22.09.2023 to Shri Pradeep Kumar Vyas, Addl Chief Secretary, Tribal Development Department, Govt of Maharashtra and Shri Manoj Saunik, Addl Chief Secretary, Finance Department, Govt of Maharashtra to appear before commission on 06.06.2023 for hearing of the case.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Ministry of India



During the course of hearing on 06.06.2023 the Petitioner submitted that the Government of Maharashtra through the Tribal Department on 02.12.2019 called for proposals for the funding of Tribal Development projects that address critical gaps and Scheduled Tribe Component under different Schemes of Education, Health, Agriculture, livelihood, The Petitioner submitted their proposal titled "SAARC Consortium - Thalassemia Care and Skill Development Project". The Petitioner's project along with all other projects was considered and was approved under the Health Scheme. A total amount of Rs. 751.88 lakh was approved by the Ministry of Tribal Affairs ("MOTA") on 11.03.2019. The Petitioner further submitted that the project submitted by them was a very important step in addressing the health of the people in Gadchiroli. They had specialists and experts in their team who were competent to address and resolve the issue of Thalassemia in Gadchiroli. However, despite the passing of 4 years, they had not received the amount. The Central Government had approved the proposal and sanctioned amount to the Petitioner, however the State Government has been withholding the amount disbursed to the Petitioner. After such inordinate delay, the State Government was now trying to siphon off the amount disbursed to the Petitioner to others by issuing e-tenders. The State Government, without any prior permission or approval from MOTA was changing and modifying the disbursement of amounts sanctioned. The Petitioner submitted that State Government was clearly violating the provisions of Article 275 (1) of the Constitution of India and that the State Government was over-stepping it's powers by changing and modifying the projects and amounts sanctioned by the Central Government.

Shri Pradeep Vyas, Additional Chief Secretary, Tribal Development Department submitted that the delay in sanctioning the funds to the projects was caused due to the COVID-19 outbreak. The project of the Petitioner was sanctioned to a small region of Gadchiroli. The State Government is of the view that instead of limiting the project to such a small region, it can be expanded to the other districts of Maharashtra as well and therefore the State Government had called for e-tenders. It was further submitted that the State Government was trying to expand the scope of the project as well. The State Government was trying to address and resolve the other health issues in addition to thalassemia. The Petitioner was not well equipped in addressing and resolving such vast issues and therefore the State Government had called for e-tenders.



अनंत नायक/ANANTA NAYAK

सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



The Commission asked the State Government the grounds on which they changed and modified the projects sanctioned by the Central Government. The Commission raised a query if the State Government had taken any prior approval from the Central Government before doing so and asked the State Government to furnish the communications with respect to the same. The Commission observes that there was no communication on the changes and modifications by the State Government to the Central Government. The Commission further observes that there is intentional delay on part of the State Government in sanctioning the amount to the Petitioner.

After hearing both the sides, the Commission recommends the following: -

1. The Additional Chief Secretary, Finance Department, Government of Maharashtra and Additional Chief Secretary, Tribal Department, Government of Maharashtra have to submit reports on the grounds and reasons on which the project and amount was modified and furnish all documents regarding the same.
2. Additional Chief Secretary, Tribal Department, Government of Maharashtra will furnish details of all communications made to the Ministry of Tribal Affairs regarding the project.
3. The Finance Department, Government of Maharashtra and Tribal Department, Government of Maharashtra will hold a meeting with the Petitioner and resolve the issue.
4. The Finance Department, Government of Maharashtra and Tribal Department, Government of Maharashtra are required to seek written permission from the Ministry of Tribal Affairs on the changes and modifications made to the project and the sanctioned amount.

Action Taken Report with compliance of the recommendations to be furnished within 7 days for further perusal of the Commission.



अनंत नायक/ANANTA NAYAK  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



(ANNEXURE)

F. No. NCST/DEV-251/MTAF/1/2022-ESDW

**LIST OF PARTICIPANTS:-**

<b>National Commission for Scheduled Tribes</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	<b>Shri Ananta Nayak</b>	<b>Hon'ble Member</b>
2.	Dr. Jayant Sarode	Director
3.	Shri Radhakanta Tripathy	Special Rapporteur
3.	Shri Avinash Mattur	Legal Consultant
<b>The Additional Chief Secretary, Tribal Development Department, Government of Maharashtra</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	Dr. Pradeep Kumar Vyas	<b>Additional Chief Secretary</b>
<b>The Additional Chief Secretary, Finance Department, Government of Maharashtra</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	<b>Absent</b>	
<b>Petitioner</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Ashok M. Nete, Member of Parliament (Lok Sabha)	Petitioner