



सत्यमेव जयते

No. Meeting by the CP/NCST/2021-Coord.

भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

6th Floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi – 110003

Dated:- 12.05.2021

OFFICE MEMORANDUM

Sub: Minutes of the Meetings held on 06.04.2021, 07.04.2021 and 08.04.2021 at 11:30 A.M. respectively under the chairmanship of Shri Harsh Chouhan, Hon'ble Chairperson, NCST.

Minutes of the Meetings chaired by Hon'ble Chairperson, NCST on 06.04.2021, 07.04.2021 and 08.04.2021 regarding legal issues, handling of grievances and systematic improvement for more effective grievance redressal and pending cases in the Commission is enclosed with this letter for further action by respective Units / Sections on the action points.

Yours faithfully,

(S. P) Meena

Assistant Director

Copy to:

1. PS to Hon'ble Chairperson, NCST, New Delhi.
2. PS to Hon'ble Member, NCST, New Delhi.
3. PSO to Secretary, NCST, New Delhi.
4. PS to Joint Secretary, NCST, New Delhi.
5. DEO to Deputy Secretary, NCST, New Delhi.
6. DEO to Director, NCST, New Delhi.
7. Assistant Directors (Coord. & RU-II), (OL), (Admin & RU-III), NCST, New Delhi.
8. Research Officer (RU-IV), NCST, New Delhi.
9. NIC Cell for uploading in website of NCST, WhatsApp Emergency Group and Notice Board.
10. Hindi Section for Hindi version.



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Minutes of the Meetings held on 06.04.2021, 07.04.2021 and 08.04.2021 at 11:30 A.M. respectively under the chairmanship of Shri Harsh Chouhan, Hon'ble Chairperson, NCST.

Hon'ble Chairperson, NCST took meetings on 6th, 7th and 8th April, 2021 to review and discuss the way forward on the following issues:

- A. Legal matters;
- B. Handling of grievances and systematic improvement for more effective grievance redressal; and
- C. Pending cases/grievances in the Commission.

The lists of participants are annexed.

A. On the issue regarding legal matters, during the review on court cases where the NCST is made a party, it was observed that these Writ Petitions (WPs) are filed before Hon'ble Courts by public authorities praying for stay on the recommendations made by the NCST. During the discussion, it was the view of all participants that the Commission should not be made a party in such type of cases since the Commission discharges its duties according to the provisions of Article 338A of the Constitution. After detailed discussion on issues related to legal matters, the following decisions were taken:

- a. To explore ways to prevent NCST from being made a party/respondent in WP filed by public authorities. This would require thorough examination of petitions including legal advice, before cases are taken up by the Commission. Accordingly, a Standard Operating Procedure (SOP) may be formulated.

(Action: Dy. Secretary/Coordination Unit)

- b. With regard to the issue that NCST may not figure in the array of the respondents in Writ Petitions/ PIL filed before the various Hon'ble Courts/ Supreme Court and other Courts, the Commission may take up the matter with Department of Legal Affairs. Accordingly, a note to be prepared.

(Action: Dy. Secretary/Coordination Unit)

- c. Before any sitting, the case to be heard may be examined in detail from the legal perspective and the Commission should be briefed before commencing of each sitting.

(Action: Director/Research Units)

- d. Judgements/Orders of various Hon'ble High Court/Supreme Court and other Tribunals need to be kept in view while examining cases.

(Action: Dy. Secretary/Coordination Unit)

B. On the issue regarding handling of grievances and systematic improvement for more effective grievance redressal, after detailed discussion, the following decision were taken:

- a. There is a need to review the existing categorisation as many cases have been classified under the category "Others". Cases handled by the Commission may be examined and additional categories/sub-categories may be added, if necessary, in order to have a segregated data of complaints.

(Action: Director/Research Units)

- b. After minutely reviewing the processes and steps involved in dealing with complaints, the Hon'ble Chairperson desired that possibilities may be explored for developing the process into a more proactive one by adopting tools such as telephonic follow-up with the public authorities concerned for necessary action to be taken on complaints.

(Action: Director/Research Units)

- c. The Hon'ble Member expressed the need for evolving a system wherein the complainant may be kept abreast of the action taken on his complaint by way of mobile notifications sent to his registered number. As this system has already been operationalised for all on-line complaints in the grievance portal of the Commission, steps may be taken to migrate off-line complaints to ncstgrams.gov.in.

(Action: Dy. Secretary/Admn)

- d. On the issue regarding a large number of complaints awaiting closure, it was felt that the procedure needs to be further streamlined in the working of the Commission. After all the steps have been taken as per Rules of Procedure and where the Commission is satisfied that no further action is required, such matters/cases should be closed. All such cases to be compiled and placed before the Commission for order.

(Action: Director/Research Units)

C. The year-wise number of complaints received, cases under process and cases closed were reviewed. It was observed that during the last five years, 4,503 out of 8,041 cases reflected as pending (under process) in the Commission. After detailed discussion, the following decisions were taken:

- a. The list of pending cases be prepared by Research Units. Into two categories; (i) No action pending on part of Commission and (ii) No communication from petitioner/public authorities concerned for the last one year and thereafter, the cases may be placed before the Commission for order.

(Action: Director/Research Units)

- b. All Units at Headquarters will undertake a special drive to dispose all pending cases/complaints within three weeks. Accordingly, immediate action to be taken to prepare the pending list for review by the Commission.

(Action: Director/Research Units)

- c. During the review, it was also highlighted that there are also pending cases where communication have not been received from the public authorities regarding implementation of recommendations of NCST. For such cases, the Commission will follow-up with the concerned authorities in the form of reminders. In case no reply is received within the specified time, the matter may also to be brought to the notice of Hon'ble President of India and Hon'ble Governors in form of Special Report.

(Action: Director/Research Units)

Summing up the review meetings, Secretary, NCST emphasized upon the need for systematic improvement in the process of handling complaints and also the need for proper understanding of the Constitutional mandate and authority of the Commission to enable more effective discharge of its Constitutional obligations and in safeguarding of interests of Scheduled Tribes by the Commission in the country.

The meetings concluded with thanks to the Chair.



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Annexure

Sub: List of participants in the Meetings held on 06.04.2021, 07.04.2021 and 08.04.2021 at 11:30 A.M. respectively under the chairmanship of Shri Harsh Chouhan, Hon'ble Chairperson, NCST.

S. No. Name and Designation

1	Shri Harsh Chouhan, Chairperson	(In-Chair)
2	Shri Ananta Nayak, Member	
3	Smt. Alka Tiwari, Secretary	
4	Shri K. Touthang, Joint Secretary	
5	Shri R. K. Arora, Deputy Secretary	
6	Dr. Lalit Latta, Director	
7	Shri Madan Lal Meena, Under Secretary	
8	Shri S. P. Meena, Assistant Director	
9	Shri R. K. Dubey, Assistant Director	
10	Shri Y. K. Bansal, Research Officer	
11	Shri R. S. Misra, Senior Investigator	
12	Shri H. R. Meena, Senior Investigator	
13	Shri D. D. Tripathi, Legal Consultant	