

6/11/NCST/04 C-cell

**MINUTES OF THE FIRST MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED TRIBES HELD ON 16-04-2004 AT 11.00 A.M. IN THE CONFERENCE ROOM OF THE COMMISSION.**

The First Meeting of the National Commission for Scheduled Tribes (NCST) was held at 11.00 A.M. on 16-4-2004 in the Commission's Conference room. The Meeting was chaired by Shri Kunwar Singh, Chairperson. The list of participants is at Annexure-I.

At the outset Secretary welcomed the Chairman and the Members of the Commission. He also mentioned that Shri Tapir Gao, Vice-Chairman has resigned from the National Commission for Scheduled Tribes and his resignation has been accepted by the Hon'ble President of India w.e.f. 31<sup>st</sup> March, 2004. It was resolved to place on record the appreciation of the services rendered by Shri Tapir Gao.

**Agenda Item No.1                      Adoption of the Rules of Procedure of the National Commission for Scheduled Tribes.**

Secretary informed the Commission that according to Clause 4 of Article 338 A, the Commission has the power to regulate its own Procedure. The draft Rules of Procedure as approved by the Chairperson which had been circulated on 12.4.2004 as agenda note for the meeting were taken up for consideration. The Secretary informed the Commission that the draft Rules have been modeled on the Rules of Procedure of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) with minor modifications. These modifications were in rules 46 relating to Quorum of the meeting of the Commission as NCST is a 5-

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Member Commission whereas erstwhile NCSCST was a 7-Member Commission. The other modification relates to the State Offices of the National Commission for Scheduled Tribes which had not been mentioned because the same is yet to be finalized by the Ministry of Social Justice & Empowerment and Ministry of Tribal Affairs. Secretary informed the Commission that the Rules of Procedure of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) were notified on 7<sup>th</sup> March, 1999. He also informed that the Rules of Procedure of the National Commission for Scheduled Tribes have been drafted on the basis of finalized Rules of Procedure of National Commission for Scheduled Castes. After discussion the draft Rules were approved by the Commission.

**(Action: C.Cell)**

**Agenda Item No.2                      Any other item with the permission of the Chair.**

(a) Member (L) wanted to know as to how and on what basis the division of the State Offices of the National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) between National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST) will be made. Member (PBM) stated that State Offices of the National Commission for Scheduled Tribes should be opened in the States of Chhatisgarah and Jharkhand also. In this connection Secretary informed that State Offices of the National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) have been already opened at Raipur (Chhatisgarh) and Ranchi (Jharkhand).

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Member (L) stated that earlier State Office, Shimla was shifted to Chandigarh. He also stated that State Office, Shimla may be reopened and Himachal Pradesh, Uttaranchal and Jammu & Kashmir be under its jurisdiction. In this connection Joint Secretary informed that Ministry of Tribal Affairs has the data of tribal population, perhaps it may be decided on the basis of ST population. It was decided that a letter may be sent to Ministry of Tribal Affairs to request that the views of the Commission may also be taken before finalization of division of State Offices amongst the two National Commissions. (Action: Admn.)

(b) Chairman enquired as to which type of maximum cases are received in the Commission. Secretary informed that at present maximum cases received in the Commission are related to the Service matters pertaining to the Government Servants. Chairman emphasized that socio-economic conditions of the tribals are not up to the mark. The Commission should make more efforts to improve their health, education and employment conditions.

(c) Member(BS) enquired about the powers and functions of the Members. In this connection Secretary informed that as per the Constitution 89<sup>th</sup> Amendment under Article 338, the two Commissions came into force i.e. National Commission for Scheduled Castes and National Commission for Scheduled Tribes. The duties and functions of the National Commission for STs are mentioned under Clause 5 of Article 338A.

(d) Member (BS) enquired about the status of staff after bifurcation of erstwhile National Commission for SCs and STs (NCSCST) into two. In

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this connection, Joint Secretary informed that staff will be bifurcated in the ratio of 2:1 between National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST) of the total staff strength i.e. 338 of which 47 vacancies are vacant. The posts like that of Secretary, Joint Secretary and Directors will be decided by the Ministry of Social Justice & Empowerment and Ministry of Tribal Affairs. Joint Secretary also informed that Ministry of Tribal Affairs are trying for sanction of 35 new additional posts for National Commission for Scheduled Tribes. Chairman stated that STs problems are different as compared to the SCs, so ST Commission may requires more staff. Secretary informed that on the basis of the workload proposal with full justifications for sanction of additional posts could be in due course put up to the Government. **(Action: Admn.)**

(e) Member (L) enquired about the status of office accommodation for the National Commission for Scheduled Tribes. In this connection, Secretary informed that Ministry of Tribal Affairs as well as Secretariat of this Commission are making efforts for allotment of office accommodation at 6<sup>th</sup> floor of the Loknayak Bhawan by the Ministry of Urban Development, Directorate of Estate. **(Action: Genl.Admn.)**

(f) Member(PBM) stated that amount allocated under Tribal Sub-Plan in the State of Chhattisgarh for the welfare of STs are not utilized by the State Government. Secretary informed that the Commission could ask for information from the State Government and review the utilization of funds. In this context Secretary drew the attention of the Commission to Sub-Clause (c) of Clause 5 of Article 338 A of the Constitution regarding the

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duties of the Commission which enjoys upon the Commission to participate and advice on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State. **(Action:ESDW)**

The meeting ended with a vote of thanks to the Chair.

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ANNEXURE-I

**FIRST MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED TRIBES HELD ON 16-04-2004 AT 11.00 A.M. IN THE CONFERENCE ROOM OF THE COMMISSION.**

**Participants**

1. Shri Kunwar Singh, Chairman
2. Smt. Prem Bai Mandavi, Member
3. Shri Lama Lobzang, Member
4. Shri Buduru Srinivasulu, Member

Shri P.C. Rawal, Secretary

**In attendance:**

1. Shri L.B. Sinate, Joint Secretary
2. Shri G.R. Marwaha, DIG
3. Shri M.A. Sattar, Director
4. Shri Babu Lal, Director
5. Shri R.S. Garg, Director
6. Dr. A. Bhattacharya, Deputy Secretary
7. Shri M.P. Dinkar, Under Secretary