



सत्यमेव जयते

भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

No. RU-IV/Service/Karnataka-2/2007

छठी मंजिल, 'बी' विंग, लोक नायक भवन
खान मार्केट, नई दिल्ली-110003

6th Floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003

Dated 24.05.2010

To,

- (1) Shri Maurice Kujur, Hon'ble Vice-Chairperson
- (2) Shri Tsering Samphel, Hon'ble Member
- (3) Shri Oris Syiem Myriaw, Hon'ble Member

Sub: Proposal of Inclusion of 'Medara' community as a synonym of 'Meda' community in the ST list of Karnataka.

Madam/Sir,

I am directed to enclose herewith a copy of Agenda Note on the above proposal for comments, if any.

2. The above proposal is likely to be discussed in the next meeting of the Commission.

Yours faithfully,

(Aditya Mishra)
Joint Secretary

Copy alongwith copy of the enclosure for information and necessary action to:-

- (i) Secretary
 - (ii) Joint Secretary
 - (iii) Director (RU-I & RU-II)
 - (iv) Director (RU-III & Co-ord.)
 - (v) Deputy Secretary (RU-IV & Admn.)
 - (vi) DD (RU-IV)
 - (vii) PS to Chairperson
- gives to DD myself*

Agenda Note

Issue : Proposal for including 'Medara' community as a synonym of 'Meda' community in the ST list of Karnataka.

Background

The proposal of the State Govt. of Karnataka for inclusion of 'Medara' community as synonym of 'Meda' community in the ST list of Karnataka had earlier come up for discussion in the Commission's meeting on 12.05.2008 when it was decided to call for certain additional information from the Govt. of Karnataka and the Ministry of Tribal Affairs. On receipt of the requisite information, the issue was again discussed in the meeting of the Commission on 22.01.2009 when it was found that the case need further consideration. Accordingly, the proposal was discussed at length in the Commission's meeting held on 02.09.2009. The gist of deliberations and the views of the Commission on the proposal as given in the minutes of the above meeting are as under:-

"Secretary, NCST referred to the observations made in the judgment of the Madras high Court and pointed out that unlike the 'Meda' who were hillsmen, lthe 'Medara' community are bomboo workers living in the urban areas and speak a variety of languages including Marathi and Telugu. The Commission noted that the State Govt. of Karnatka first recommended inclusion of four communities namely Medara, Medari, Gauriga and Burud as synonyms of Meda community in the list of Scheduled Tribes of the State vide their letter dated 19.10.1995. The proposal of the State Government was considered by the Government of India. It was, however, found that while the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002, notified on 07.01.2003, included Medari, Gauriga and Burud as synonyms of Meda community, it did not include MEDARA community as synonym of MEDA community. This omission was pointed out by the State Govt. vide their letter dated 19.03.2003. The State Govt. stated that in case the omission was due to oversight, action might be taken by the Govt. of India to include 'Medara' also as synonym of 'Meda'. Apart from the State Govt's above mentioned letter, the Commission took into consideration the following documents/inputs in support of its decision to agree to the proposal of the State Govt:

- (i) Letter dated 27.12.2006 from the office of Registrar General of India, new Delhi specifically recommending inclusion of 'Medara' as synonym of 'Meda' in the ST list of Karnataka.

(ii) Additional inputs provided by the State Govt. vide their letter dated 05.06.08 in reply to the Commission's letter dated 21.09.07 regarding social customs, dialects, way of living, occupation, religious practices and practice of inter-marriage among the people belonging to 'Meda' and 'Medara' communities.

(iii) Additional inputs provided by the report of the Hon'ble Member of the Commission (Shri Tsering Samphel) dated 05.03.08 after his visit to the districts of Dharwar, Belgaum, Haveri and Uttara Kannada regarding the social customs, dialects and educational & economic status of the people belonging to Meda, Medara and Medari communities.

The Commission noted that in his report dated 05.03.2008 (referred to above) the Hon'ble Member, inter-alia, stated that some of the members of 'Medara' community, as in the case of any other Scheduled Tribe community, had shifted to urban areas due to educational needs and in search of source of livelihood, but their original family members continued to live in the original tribal habitats, mostly in hills and therefore, the fact that some of the 'Medara' community members were inhabiting in urban areas and to that extent were not geographically isolated, could not be a valid reason to deny them their due rights admissible as Scheduled Tribes. The commission, therefore, expressed its agreement to the proposal for inclusion of 'Medara' community as a synonym of 'Meda' community in the ST list of Karnataka."

2. The ministry of Tribal Affairs was informed of the above views of the Commission vide letter dated 11.09.2009. In response, the MTA vide letter dated 12016/12/01-TA(RL)/C&LM-I(Part) dated 30.11.2009 (Annexure-1) stated that the criteria for considering any community/tribe for inclusion in the list of Scheduled Tribes of any State/UT is (a) Indications of primitive traits (b) Distinctive Culture (c) Geographical isolation (d) Shyness of contact with the community at large and (e) Backwardness. On the basis of the aforesaid criteria, the MTA expressed the view that the statement of the Commission contained in the last para of the minutes (reproduced above) was contradictory and needed to be clarified.

A.577/c

3. The Commission vide letter dated 14.12.2009 clarified to the Ministry that the views of the Commission were finalized after taking into account all relevant aspects. Copies of the Agenda Note circulated for the meeting held on 02.09.2009 alongwith tour report of Member(TS) and other relevant papers were also sent to MTA for information.

A.585/c

Vide their letter, dated 15.03.2010 (Annexure-II), MTA has informed the Commission that the papers sent by the Commission would not help the Ministry for consideration of the recommendations of the Commission. The Ministry has re-iterated their stand that the statement of the Commission as contained in its recommendation was contradictory and has requested for the specific views/comments of the Commission on the proposal of inclusion of **Medara** as synonym of **Meda** in the ST list of Kamataka.

Proposed suggestion

5. The Commission may re-iterate that the views of the Commission as communicated to the Ministry vide Commission's letter, dated 11.09.2009 are not contradictory. The Commission has made a clear recommendation for the inclusion of **MEDARA** community as a synonym of **MEDA** community in the ST list of Kamataka.

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F. No. 12016/12/01-TA (RL)/C&LM-I(Part)
Government of India
Ministry of Tribal Affairs

Shastri Bahwan, New Delhi-115
Dated: 30th November, 2009.

Handwritten: 29.9/12/09
22/12/09

To,
The Secretary,
National Commission for Scheduled Tribes
Lok Nayak Bhawan,
New Delhi.

Subject: Inclusion of 'Medara' as synonym of 'Meda' ST notified at Sl. No. 37 in the list of STs of Karnataka.

Sir,

I am directed to refer to the National Commission for Scheduled Tribes (NCST)'s letter No. RU.IV/Serv./Karnataka-2/2007 dated 11-9-09 on the subject cited above and to say that the criteria for considering any community/tribe for inclusion in the list of Schedule Tribes of any State/UT is:-

- a) Indications of primitive traits;
- (b) Distinctive culture;
- (c) Geographical isolation;
- (d) Shyness of contact with the community at large; and
- (e) Backwardness

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2. However, in Commission's aforesaid letter of 11-9-09 in Para 3 it has been stated that 'the Commission further noted that in his report dated 5-3-08 (referred to above), the Hon'ble Member, inter-alia, stated that some of the member of 'Medara' community, as in the case of the any other ST community, had shifted to urban areas due to education needs and in search of source of livelihood, but their original family members continued to live in the original tribal habitats, mostly hills and therefore, the fact that some of the 'Medara' community members were inhabiting in the urban areas and to the extent were not geographically isolated, could not be valid reason to deny them their due rights admissible as ST.'

3. This is clearly a contradictory statement and needs to be clarified in view of the criteria laid down for scheduling, as referred above.

Yours faithfully

Handwritten signature of Dr. N.K. Ghatak

(Dr. N.K. Ghatak)
Joint Director
Telefax. 23383965

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F. No. 12016/12/01-TA (RL)/C&LM-I(Part)
Government of India
Ministry of Tribal Affairs

Shastri Bahwan, New Delhi-115
Dated: 15th March, 2010.

To,

The Secretary,
National Commission for Scheduled Tribes
Lok Nayak Bhawan.
New Delhi.

Subject: Inclusion of 'Medara' as synonym of 'Meda' ST notified at Sl. No. 37 in the list of STs of Karnataka.

651/Gad
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Sir

I am directed to refer to the National Commission for Scheduled Tribes (NCST)'s letter No. RU.IV/Serv./Karnataka-2/2007 dated 14-12-09 on the subject cited above and to say that the documents / information furnished by the Commission with the aforesaid letter are the papers which have been considered by the Commission during the deliberations in the Commission's meeting held on 2.9.09. These documents would not help the Ministry for consideration of the recommendations of the NCST

D.D. (KDB)
S. D. S. /

In this regard it is mentioned that this Ministry has requested the NCST, vide letter of even no dated 30.11.09 to clarify a contradictory statement furnished by the Commission in their letter No. RU.IV/Serv./Karnataka-2/2007 dated 11.09.09. As per the criteria laid down for scheduling a community as Scheduled Tribe, the clear and specific views/comments of the Commission for inclusion of 'Medara' as synonym of 'Meda' ST of Karnataka are required, which are still awaited.

V.S. ...
17/3/10

The NCST is therefore, requested to furnish its clear and specific views/ comments for inclusion of 'Medara' as synonym of 'Meda' ST of Karnataka .

Please put up in file
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D.D. (KDB)
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Yours faithfully,

(Dr. N.K. Ghatak)
Joint Director
Telefax. 23383965



No. RU-IV/Service/Karnataka-2/2007

25.05.2010

To,
The Secretary,
Ministry of Tribal Affairs,
Shastri Bhawan,
New Delhi.

Sub: Proposal of inclusion of 'Medara' community as a synonym of 'Meda' community in the ST list of Karnataka.

Madam/Sir,

I am directed to refer to your letter No. 12016/12/01-TA(RL)/C&LM-1(Part) dated 15.03.2010 on the subject mentioned above.

It is requested that a copy of guidelines in which the criteria has been prescribed for inclusion of any community in the list of Scheduled Tribes ~~by the Ministry of Tribal Affairs~~ may kindly sent to this Commission urgently.

Yours faithfully,


(Mrs. K.D. Bhansor)
Deputy Director