



No.1/11/13-Coord.
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

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

Dated: 23/09/2013

To,

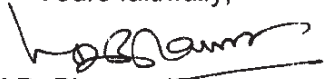
- 1) Dr. Rameshwar Oraon, Chairperson
- 2) Shri Bheru Lal Meena, Member

Sub: - Summary record of the 50th Meeting of the Commission held at 12:00 hours on 02/09/2013.

Sir,

I am directed to refer to the above subject and to say that 50th Meeting of the National Commission for Scheduled Tribes was held at 12:00 Hrs. on 2nd September, 2013 in the Chamber of Hon'ble Chairperson at Lok Nayak Bhawan, New Delhi. The meeting was presided over by Dr. Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes. A copy of the Summary Record of the meeting is enclosed for information and record.

Yours faithfully,



(K.D. Bhansor) Mrs.
Deputy Director

Copy with a copy of the Summary Record of the meeting forwarded to the following officers with the request that information about action taken on the decision taken in the meeting concerning each Unit / Office may be furnished to Coordination Unit by **04/10/2013** positively.

- (i) Director(RU-I & RU-II)
- (ii) Dy. Secretary (Admn.)
- (iii) Dy. Director (RU-III & RU-IV)
- (iv) Under Secretary(Admn.)
- (v) AD/RO In-charge – RU-I/RU-II/RU-III/RU-IV/Coord./ AD/OL

Copy with a copy of the Summary Record of the meeting forwarded for information to:

1. PS to Chairperson,
2. Office of the Secretary,
3. PPS to Joint Secretary,
4. Director/ Assistant Director/ Research Officer in Regional offices of National Commission for Scheduled Tribes at Bhopal/ Bhubaneswar/ Jaipur/ Raipur/ Ranchi and Shillong.
5. Sr. System Analyst (NIC Cell, NCST) for uploading on the website.


(K.D. Bhansor) Mrs.
Deputy Director



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION SCHEDULED TRIBES

संख्या/No.-1/11/13-समन्वय

दिनांक/Date: 23/09/2013

प्रति,

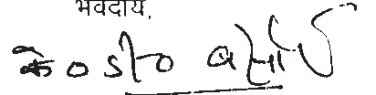
- 1) डा० रामेश्वर उराँव, अध्यक्ष
- 2) श्री भैरू लाल मीणा, सदस्य

विषय: राष्ट्रीय अनुसूचित जनजाति आयोग की दिनांक 02-09-2013 को दोपहर 12:00 बजे सम्पन्न 50वीं बैठक का संक्षिप्त अभिलेख।

महोदय,

मुझे उपर्युक्त विषय का उल्लेख करते हुए यह कहना है कि आयोग की 50वीं बैठक माननीय अध्यक्ष, राष्ट्रीय अनुसूचित जनजाति आयोग, लोकनायक भवन, नई दिल्ली के कक्ष में दिनांक 2 सितम्बर, 2013 को दोपहर 12:00 बजे हुई थी। बैठक की अध्यक्षता डा० रामेश्वर उराँव, अध्यक्ष, अनुसूचित जनजाति आयोग द्वारा की गई। बैठक के संक्षिप्त अभिलेख की एक प्रति सूचना एवं अभिलेख हेतु संलग्न है।

भवदीय,

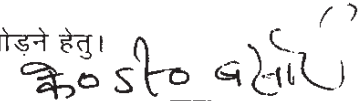

(के.डी. बन्सौर) श्रीमती
उप निदेशक

प्रतिलिपि: बैठक के संक्षिप्त अभिलेख की एक प्रति सहित, निम्नलिखित अधिकारियों को इस अनुरोध के साथ अग्रेषित है कि बैठक में लिए गए निर्णयों पर की गई कार्रवाई के संबंध में जानकारी प्रत्येक संबंधित एकक/ कार्यालय द्वारा 04-10-2013 तक अवश्य ही समन्वय एकक को भेज दी जाए।

- (i) निदेशक (आर०यू०-I एवं आर०यू०-II)
- (ii) उप सचिव (प्रशासन)
- (iii) उप निदेशक (आर०यू०-III और आर०यू०-IV)
- (iv) अवर सचिव (प्रशासन)
- (v) सहायक निदेशक/ अनुसंधान अधिकारी प्रभारी-आर०यू०-I/ आर०यू०-II/ आर०यू०-III/ आर०यू०-IV/ समन्वय/ सहायक निदेशक (राजभाषा)।

प्रतिलिपि: बैठक के संक्षिप्त अभिलेख की एक प्रति सहित, सूचनार्थ अग्रेषित:

1. अध्यक्ष के निजी सचिव।
2. सचिव के कार्यालय।
3. संयुक्त सचिव के प्रधान निजी सचिव।
4. निदेशक/सहायक निदेशक/ अनुसंधान अधिकारी, राष्ट्रीय अनुसूचित जनजाति आयोग के भोपाल भुवनेश्वर/ जयपुर/ रायपुर/ रांची/ शिलांग स्थित क्षेत्रीय कार्यालय।
5. वरिष्ठ सिस्टम विश्लेषक (NIC Cell, NCST) - आयोग की वेबसाईट पर जोड़ने हेतु।


(के.डी. बन्सौर) श्रीमती
उप निदेशक

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Sub: Summary record of the 50th meeting of the National Commission for Scheduled Tribes held at 12:00 HRS on 02/09/2013

The 50th meeting of the Commission was held at 12:00 hrs on 02/09/2013 in the Chamber of the Hon'ble Chairperson, National Commission for Scheduled Tribes in the Loknayak Bhawan, New Delhi. The meeting was presided over by Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST. List of the participants is enclosed at **ANNEXURE**. There were initially seven Agenda Items for discussion in the meeting. In addition, five Agenda items were taken up for discussion with the permission of the Chairperson. Thus, total twelve Agenda Items were discussed in the meeting.

2. The decisions taken and the action points that emerged out of the discussions held in the meeting are given below:

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| Agenda Item I | Draft Cabinet Note on the First stage proposal for action on the recommendations of the National Commission for De-notified, Nomadic and Semi-nomadic Tribes (NCDNT) and (ii) the National Advisory Council (NAC) which aims at improving the Socio-Economic conditions of the DNTs |
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3. Ministry of Tribal Affairs, vide letter D.O. No.16014/22/2008-BC-II/III (Vol.III) dated 17/07/2013 with reference of Ministry of Social Justice and Empowerment letter No. 16014/22/2008-BC-II/III(Vol.III) dated nil, have sought comments of the Commission on the recommendations of (i) the National Commission for Denotified, Nomadic and Semi-nomadic Tribes (NCDNT) and (ii) the National Advisory Council (NAC) for improving the socio-economic conditions of the De-notified, Nomadic and Semi-nomadic Tribes.

4. The Commission noted that the draft Cabinet note seeks, inter-alia, approval for establishment of the National Commission for the DNTs. In this connection, the Commission recalled its earlier views in the matter, communicated to the MoSJ&E vide NCST letter No. Press-clippings /Service/

Rameshwar Oraon

Dr. RAMESHWAR ORAON
Chairperson
National Commission for Scheduled Tribes
Govt. of India

Others/ MTA/ 703/2008/ RU-II dated 8/10/2008 and also contained in the Annexure –III to draft Cabinet Note, as under:

- (i) As entire estimated population of DTs and NTs are stated to be already getting the benefits as either SCs or STs or OBCs, it may not be appropriate to delete them from these categories and put them in a new Constitutional category.
- (ii) If DNTs have been able to get the benefits as SCs/STs/OBCs, the solution lies in addressing those problems and removing them, rather than making large scale amendments in Constitution and subsequent Govt. orders.
- (iii) Those DTs/NTs already categorized as SCs/STs/OBCs may not like the existing arrangements to be disturbed as they would have to forgo the benefits already granted to them as SCs/STs/OBCs.
- (iv) Efforts to maintain social harmony will be jeopardized by further dividing the society on caste basis by specifying another Constitutional category, viz. "Scheduled Community".
- (v) In view of (i) above, there is no need to set up a separate Commission for DTs and NTs beside NCSC, NCST and NCBC.

5. The Commission noted that the MoSJ&E, as mentioned in the Annexure III to the Draft Cabinet Note, had agreed with the earlier recommendations of the Commission in the matter. However, MoSJ&E had held that the recommendations of the Commission were not practical. The Commission observed that the MoSJ&E should clearly indicate the reasons for not holding the recommendations of the Commission practical in the Draft Cabinet Note. The Commission also noted from para 9.1.4 (iii) of the draft Cabinet Note that as per the NCDNT report, most of the DNTs are already categorized as SCs, STs & OBCs. If they have not been able to derive the benefits as SCs/STs/OBCs, the remedy would seem to lie in removing the obstacles, rather than in making large scale amendments in Constitution and the legal framework. The Commission further observed that considering observations of the Commission in the matter, particularly at para 4(v) above and also the resource crunch being faced in general, the need for constituting a National Commission for Denotified, Nomadic and Semi-Nomadic Tribes requires a critical review before further processing of the case.

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| Agenda Item II | Draft Note for the Cabinet Committee on Security-Development of Roads in Left Wing Extremism (LWE) affected areas- Road Requirement Plan-Phase-II |
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6. Ministry of Tribal Affairs, vide letter No. 17019/17/2013- PC&V dated 24/07/2013 with reference of Ministry of Home Affairs letter No. 18015/28/2008-

NM-IV dated 22/07/2013, have sought comments of the Commission on the Draft Note for the Cabinet Committee on Security on 'Development of Roads, in Lift Wing Extremism (LWE) affected areas- Road Requirement Plan (RRP)-Phase-II'.

7. The Commission noted that RRP-II has been moved as a part of the measures being taken by the Central Government to provide assistance to the State Government concerned for dealing with LWE insurgencies. The Commission further observed that under RRP-I, a total of 24 packages (11 in Chhattisgarh, 10 in Jharkhand and one each in Maharashtra, Odisha and Uttar Pradesh) could not be awarded, mainly due to lack of response from contractors. The Commission desired MHA should take necessary measures to ensure completion of incomplete work packages under RRP-I and also time bound completion of packages planned under RRP-II.

8. The Commission also observed that the MHA have also proposed dovetailing of RRP-II proposals with the Tribal Sub-Plan. The Commission noted that considering the special purpose of the RRP, the fund should be made available to the Tribal Areas under this Scheme only and not out of TSP which is basically meant for accelerated development of STs with focus on tribal livelihoods, particularly their economic, educational and human development. The Draft Note should, therefore, be modified based on the above observations of the Commission, before further processing.

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| Agenda Item III | Draft Memorandum for the Expenditure Finance Committee (EFC) for establishment of a dedicated bank for women to provide financial services to women in general and women Self-Help Groups in particular |
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9. Ministry of Finance, vide letter F. No. 6/3/013-BO.II dated 18/07/2013 have sought comments of the Commission on the Draft Memorandum for the Expenditure Finance Committee (EFC) for establishment of a dedicated bank for women to provide financial services to women in general and women Self-Help Groups in particular.

10. The Commission observed that as envisaged in the draft Cabinet Note, around 450 bank branches were planned to be established by the year 2020. If this bank is established this year, it will take several years for rural branches to

be put in place. During this period, NABARD and public/ private banks should continue to provide their services in the rural areas. The Commission also desired that the proposed Banks should be established in Scheduled/ tribal areas on priority, as women and SHGs play a major role in Scheduled/ tribal areas towards overall economic development of STs.

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| Agenda Item IV | Draft Note for the Cabinet Committee on Skill Development (CCSD) regarding National Skill Qualifications Framework (NSQF) |
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11. Ministry of Tribal Affairs, vide letter No. 140/11/08/2013-SG-II dated 19/08/2013, with reference of National Skill Development Agency, Ministry of Finance, vide letter No. 43001/01/2013-NSDA dated 08/08/2013, have sought comments of the Commission on the Draft Note for Cabinet Committee on Skill Development (CCSD) regarding National Skill Qualifications Framework (NSQF).

12. The Commission observed that STs, very often, tend to get boxed in the lower skill qualification levels, partly due to the lower preparedness of STs and their lower awareness, and partly arising from their greater isolation. Therefore, apart from special upgradation schemes for tribal areas with genuine tribal population, opportunities for upgradation from lower skill levels should be offered on preferred basis to STs and not at the cost of a lower skill test for the lower level. In this regard, comments of MTA at p.88 of Cabinet Note suggest 'in situ' development which may only confine tribals to their isolation. Possibly, MTA means local skill development opportunities and have mis-phrased their views as noted. The Commission desired that the views of the Commission, as above, may be communicated to the MTA.

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| Agenda Item V | Inclusion of 'Kisan' community as synonym of Nagesia, Nagasia listed at Sl. No. 32 in the list of Scheduled Tribes of Chhattisgarh State |
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13. Ministry of Tribal Affairs vide letter No. 12026/05/2012-C&LM-I dated 11/03/2013, have sought comments of the Commission with reference to the Registrar General of India DO No. 8/1/2012-SS (Chhattisgarh) dated 06/03/2013 on proposal of the State Government for Inclusion of 'Kisan'

community as synonyms of Nagesia, Nagasia listed at Sl.No. 32 in the list of Scheduled Tribes of Chhattisgarh State.

14. The Commission recalled that the proposal on the subject was earlier discussed in its 45th meeting held on 20/03/2013 wherein it was, inter-alia, decided that a Member of the Commission may be deputed to ascertain socio-economic conditions of the "Kisan" community in the Chhattisgarh State and also their position in context of the prescribed criteria for specification of a community as Scheduled Tribes viz; (a) indication of primitive traits; (b) distinctive culture; (c) geographical isolation; (d) shyness of contact with the community at large and (e) backwardness.

15. Pursuant to the decision of the Commission, mentioned above, Shri B.L. Meena, Member visited Surguja, Balrampur, Jashpur, Rajgarh and Bilaspur Districts of Chhattisgarh State from 10/07/2013 to 16/07/2013 to ascertain the ground position and submitted report (Annexure-I) on 23/08/2013. Member (BLM) in his report has mentioned it shall be appropriate to agree with the proposal of the State Govt. to include the 'Kisan' community as synonym of Nagesia, Nagasia listed at Sl.No. 32 in the list of STs of Chhattisgarh State which is also supported by the RGI. After detailed discussions on the report of the Member (BLM), and referring to the deliberations held in the matter in the 45th meeting of the Commission quoted above, the Commission decided to recommend the proposal for further processing.

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| Agenda Item VI | Inclusion of Bhuinya (भूर्इया) Bhuiyan (भूर्इया) Bhuyan (भूया) Communities as synonyms of Bharia Bhumia listed at Sl. No. 5 in the list of Scheduled Tribes in Chhattisgarh. |
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16. Ministry of Tribal Affairs vide letter No. 12016/11/2010-C&LM-I dated 20/05/2013 forwarded for comments of the Commission a proposal for inclusion of Bhuinya (भूर्इया) Bhuiyan (भूर्इया) Bhuyan (भूया) Communities as synonyms of Bharia Bhumia listed at Sl. No. 5 in the list of Scheduled Tribes in Chhattisgarh. The Commission recalled that the proposal on the subject was earlier discussed in its 47th meeting held on 10/06/2013 wherein it was, inter-alia, decided that a Member of the Commission may be deputed to ascertain socio-economic conditions of the Bhuiyan, Bhuinya, Bhuiyan and Bhuyan" community in the Chhattisgarh State and also their position in context of the

prescribed criteria for specification of a community as Scheduled Tribes viz; (a) indication of primitive traits; (b) distinctive culture; (c) geographical isolation; (d) shyness of contact with the community at large and (e) backwardness.

17. Pursuant to the decision of the Commission, as mentioned above, Member (BLM) visited Surguja, Balrampur, Jashpur, Rajgarh and Bilaspur Districts of Chhattisgarh State from 10/07/2013 to 16/07/2013 to ascertain the ground position and submitted report (Annexure-I) on 23/08/2013. Member (BLM) in his report has mentioned it shall be appropriate to agree with the proposal of the State Govt. to include the 'Bhuinya (भूंईया) Bhuiyan (भूंईया) Bhuyan (भूयाँ) Communities' as synonyms of Bhardia Bhumia listed at Sl. No. 5 in the list of Scheduled Tribes in Chhattisgarh which is also supported by the RGI. After detailed discussions on the report of the Member (BLM), and also referring to the deliberations held in the matter in the 47th meeting of the Commission quoted above, the Commission decided to recommend the proposal for further processing by the Ministry of Tribal Affairs.

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| Agenda Item VII | Memorandum of Expenditure Finance Committee (EFC) for revision of the Scheme of Special Central Assistance (SCA) to Scheduled Castes Sub-Plan (SCSP) |
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18. The Ministry of Tribal Affairs vide letter No. 14019/01/2012-SG-II/CL &LM-I dated 08/08/2013 with reference of Ministry of Social Justice and Empowerment letter No.11014/01/2011-SCD-II dated 26/06/2013 have sought comments of the Commission on the Memorandum of Expenditure Finance Committee (EFC) for revision of the Scheme of Special Central Assistance (SCA) to Scheduled Castes Sub Plan (SCSP).

19. The Commission observed that the new Scheme does not appear to have recognized the changed scenario in rural areas where SC and other community landless/ marginal farmers travel to inland areas for work and return or else migrate for a few months. Further, the latest census input needs to be consulted while drawing up revised guidelines for dealing a realistic and useful strategy. After detailed discussions, the Commission decided that MoSJ&E may be requested to consider the above observations of the Commission before further processing the proposal.

Additional Items

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| Agenda Item VIII | Draft Note for Cabinet Committee on Skill Development for revision of National Policy on Skill Development (NPSD), 2009 |
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20. Ministry of Tribal Affairs, vide letter No. 14011/09/2013-SG-II dated 27/08/2013, with reference of Ministry of Finance letter No. 43001/01/2013-NSDA dated 13/08/2013, have sought comments of the Commission on the Draft Note for the Cabinet Committee on Skill Development for revision of National Policy on Skill Development (NPSD), 2009. The Commission noted that the NPSD envisages a key objective to ensure that the skill needs of the disadvantaged and marginalized groups like SCs, STs, OBCs, Minorities, Women and differently-abled persons as well as those living in difficult geographical pockets are appropriately taken care of. Considering the objective of the Scheme, the Commission recommended further processing of the proposal.

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| Agenda Item IX | Draft Note for the Cabinet on the 'Revival Plan for A&N Islands forest and Plantation Development Corporation Ltd. Port Blair, a Central Government undertaking through Transfer of ownership from the Ministry of Environment and Forest, Government of India to the A&N Administration' |
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21. Ministry of Tribal Affairs, vide letter No. 17014/1/2013-SG-II dated 23/08/2013, with reference of Ministry of Environment & Forests letter No. 2-5/2003-SU(Vol.VII) dated 30/07/2013, have sought comments of the Commission on the Draft Note for the Cabinet on the revival plan for A&N Islands forest and Plantation Development Corporation Ltd. Port Blair- a Central Government Undertaking. The revival plan involves transfer of ownership from the Ministry of Environment and Forest, Government of India to the A&N Administration'. The Commission noted that the proposed Plan, which includes transferring the ANIFPDC Ltd. to A&N Administration, will help create better employment opportunities for local people in A & N Islands through diversification in various fields such as eco-tourism and bulk procurement and marketing in virgin coconut oil. The Commission, therefore, recommended further processing of the proposal.

Rameshwar Oraon
Dr. RAMESHWAR ORAON
 Chairperson
 National Commission for Scheduled Tribes
 Govt. of India
 New Delhi

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| Agenda Item X | Inclusion of "Karbi (Mikir) community residing in the plain area of Assam at Sr. No. 11 in the list of STs |
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22. Secretary, NCST informed that the proposal for including Karbi (Mikir) Community in the district of Assam had been considered previously in the Commission and reserved for investigation. The essential basis for this proposal lies in a letter from the Government of Assam vide no. TAD/BC/87/1993/148 dated 5th June 2013 to the Ministry of Tribal Affairs and enclosed Note No. TRI/RC-SC/ST/271/89/90/8 dated 30th April 1992, which is said to be based on a study by the Assam Institute of Research for Tribals and Scheduled Castes conducted in some pockets of Karbi population in the plains district and by the analysis of their situation with reference to the usual five criteria that are used for determining Scheduled Tribe status. The RGI has supported inclusion of Karbi (Mikir) persons residing in the plains area of Assam in the list of Scheduled Tribes of Assam.

23. Secretary, NCST further referred to the documentation sent by the Government of Assam and mentioned that it was crucial to note that it referred to lack of information in the Census conducted in 1971 on the distribution of population of Karbi community persons across Assam. During discussions with the Chief Secretary on their actual distribution, it is learnt that they are found all over the State including the North Eastern districts of Assam. In a note downloaded from NIC, the history of migration of this community and their settlement across Assam suggests a very wide distribution and corresponds to their present status. Therefore, current Census information of regional distribution is important to take a view on this matter. In a related issue arising from the demand of Bodo Kacharis for inclusion of Bodo Kacharis of hills domain council areas in the list of Scheduled Tribes, the Commission did not support inclusion as it was not convincing and realistic in various respects. The Commission had also drawn the attention of the Ministry of Tribal Affairs to the procedure to be followed by the Governor of Assam in respect of claims which impinge on the decision and on various benefits to people. It is, therefore, crucial to a decision for inclusion that a thoroughly analysed proposal covering issues of developmental and political safeguards supported with current data on population and other demographics, is prepared rather than one which

focuses arguments on the five criteria for inclusion and which refers vaguely to lack of data in the 1971 Census, already more than 40 years old.

24. Chairman, NCST observed that the Commission had the express mandate to ensure to tribals the developmental and protective safeguards including political safeguards provided in the Constitution. Secretary, NCST pointed out that the Commission has, in its Special Report at para 2.2.4 (iii), extracts from the Constitution in Article 330 which reserves seats in the Lok Sabha for the autonomous districts of Assam. Article 332 reserves seats in the Legislative Assembly and excludes non Scheduled Tribes of an autonomous district from election to the Legislative Assembly. In Article 242 (d), provisions have been made for the election to the Panchayat and for election of Chairpersons to Panchayats. There are also detailed provisions on representation by different tribal and non-tribal communities in the Autonomous Councils.

25. Secretary, NCST mentioned that while it is true that the present demand is only for inclusion of Karbis as Scheduled Tribes outside their dominant (autonomous) district, the data provided do not enable any clarity on where these populations actually exist and how it will relate to other demands and other autonomous domains. In consequence, the Commission may need to consider the issue of political safeguards while considering the proposal of each community from Assam for inclusion as Scheduled Tribe in places where they reside outside the dominant (autonomous) district to which perhaps they originally belonged or where the majority of that community resides. For this purpose, the State Government of Assam in consultation with the Governor and the various autonomous Councils should carefully examine the issues of developmental and protective safeguards including of political safeguards. This issue will also arise in the case of Bodo Kacharis which was examined separately by the Commission,

26. The Commission observed that it appears that consultation with various autonomous councils of Assam is a necessary prerequisite to consider any such proposal or claim along with thorough demographic details and analysis of living conditions, etc. Given the critical role and powers of the Governor in VI

Schedule Areas, Governor would also need to be consulted. This process would be required for all such proposals made by the State Government.

27. The Commission further emphasized that the legal interpretation of the position in the foregoing notes may also need competent and independent examination by legal experts through the Ministry of Law and the Commission would suggest that the Ministry of Tribal Affairs examines these issues first, collect necessary data and makes needed consultations before seeking the views of this Commission.

28. In this context, the Commission also observed that the proposal shows how it has become the responsibility of this Commission to remind the Ministry of Tribal Affairs of the need for systematic collection and arrangement of all information focusing upon and appurtenant to the issue of inclusion/exclusion in proposals sent to the Commission. The selective presentation of data or opinions on the usual five aspects for inclusion would not suffice as they are part of an overall picture which needs detailed demographic and ethnographic data. The Commission can only decide on inclusion within the context of the overall picture. This aspect has also been affirmed by the Commission in a letter to the Hon'ble Prime Minister and Minister of Tribal Affairs in D.O. No. 17/5/inclusion/2013/RU-III dated 11th June 2013 as extracted below:

"In the Sitting, certain deficient areas, which are constraining speedy disposal of proposals have emerged. These pertain to the need for the MTA to review the existing criteria for identification of a community of Scheduled Tribe and finalize corresponding guidelines for examination of such cases with well-defined test criteria and the methodology/ procedure for their application. Along side, the need to create the data-base on economic development, educational development and social development of the ST community and to conduct ethnographic studies for STs have also emerged."

29. The Commission, therefore, desired that views of the Commission on the proposal as well as the need to streamline the procedure on dealing with such proposals, as discussed in the Sitting held on 13/06/2012 may be communicated to the MTA.

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| Agenda Item XI | Inclusion of "Bodo Kacharis" in the list of STs of Assam |
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30. The Commission noted that the proposal of the State Govt. of Assam was earlier discussed in the 32nd Meeting of the Commission held on

28/03/2012 (views of the Commission communicated to the MTA vide NCST letter dated 16-17/04/2012) and also in the meeting taken by the Chairperson, NCST on 13/06/2012 with the Secretary, MTA, RGI etc. (Record of proceedings forwarded to the MTA vide NCST letter dated 12/07/2012).

31. The Commission recalled that the Commission in its 32nd meeting had decided not to support the proposal in view of certain deficiencies for which the MTA was advised to examine the proposal in the light of the Commission's observations. However, MTA, vide letter dated 29/10/2012 with reference to NCST letter dated 12/07/2012, drew the attention of the Commission to the modalities for deciding the claims for inclusion in, exclusion from and other modifications in the Orders specifying the lists of SCs and STs (approved by the Cabinet Committee on Scheduled Castes, Scheduled Tribes and Minorities in its meeting held on 15/6/1999, further amended in its meeting held on 25/6/2002), particularly to para (C) stating that if any additional information/justification is required for examination of the proposal, the Commission may take up the matter with the State Govt./ RGI. The Commission took strong objection to the observations of the MTA in the matter which apparently appear to be an attempt to dilute their responsibilities as a nodal point for examination of such cases. It is also not clear from the MTA letter dated 29/10/2012 whether the MTA had proceeded with their interpretation of the prescribed procedure, holding back the views of the Commission on the proposal from communicating to the State Govt. (communicated to the MTA vide letter 16-17/04/2012). There is no reference in para (c) of the modalities prescribed vide letter dated 29/10/2012 and quoted by MTA in defence for their stated position, which dilutes their responsibility as a nodal point for processing such cases. The Commission further observed that the proposal was also being periodically reviewed by the MHA with reference to the implementation of Bodo Accord. Therefore, it is much more desirable for the MTA to promptly and fully communicate the views of the Commission on the proposal to the State Government.

32. The Commission, further observed that the Govt. of Assam vide letter dated 8/08/2013 addressed to MTA, with a copy to the NCST had only forwarded an Ethnographic Report (undated) prepared by the Assam Institute of Research for Tribals and Scheduled Castes, in respect of Bodo Kacharis

without any clarification/ details as sought in the 32nd meeting of the Commission held on 28/03/2012 and communicated to MTA vide letter dated 16-17 April, 2012. The report does not include any data to reflect relative backwardness of the community, compared to the society at large and those living in Karbi Anglong and NC Hills Autonomous Council area and also relating to economic, educational and social development. The observations of the Commission, as contained at Sr.No. (iv) (a) to (d), in Commission's letter dated 16-17 April, 2012, are central to the proposal. The Commission further emphasized that the views of the concerned District Council and State Tribal Advisory Council should also be obtained, perhaps since these kinds of demands are proliferating and these institutions that concern tribals and protect their interests are extremely relevant to such proposals.

33. The Commission, therefore, desired that MTA should be requested to obtain requisite clarification/ details from the State Govt. The Commission also reiterated its views in the matter as contained in the 32nd meeting of the Commission that in its present form, the Commission does not support the proposal in the absence of requisite clarification/ details.

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| Agenda Item XII | Allocation of Budget to the NCST for the year 2013-14 |
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34. The Commission noted that the requisite budget towards effective discharge of the mandate of the Commission has not been provided by the MTA for the year 2013-14. The matter was also taken up at the level of the Secretary vide letter dated 17/05/2013 addressed to the Secretary, MTA followed by the meeting taken by Chairman, NCST with the Secretary MTA and JS & FA, MTA on 26/08/2013. Notwithstanding the requirements projected by the NCST considering the activities planned by the Commission during the year, the MTA vide note dated 13/08/2013 informed the Commission that allocation of additional funds would be considered at the RE stage. The Commission observed that the response of the MTA in the matter does not address the objectives behind the planned requirements as availability of funds at the fag end of the year leaves hardly anytime to undertake the activities planned for the whole year. The Commission further observed that out of the allocated budget, there is hardly any fund available under 'Sub-Head', 'Other Expenses' even to meet the expenditure beyond September, 2013.

Considering the situation in which the Commission is now placed due to non-availability of requisite funds to enable it discharge its mandate effectively, the Commission was left with no alternative but to consider closing down its offices at a time when the country expects an effective role of the Commission in the context of the surmounting developmental problems being faced by the STs and lack of satisfactory system for protection of their safeguards.

35. The Commission desired that the functional problems and concerns of the Commission in the matter should be communicated to the MTA, also emphasizing that MTA being the administrative Ministry for the Commission, need to be more responsible towards providing financial support and tools, necessary to this Commission to enable it effectively discharge its mandate.

Rameshwar Oraon
Dr. RAMESHWAR ORAON
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

ATTENDANCE SHEET

National Commission for Scheduled Tribes

50th Meeting of the Commission held at 11:30 hrs. on 02/09/2013 in the Chamber of the Chairperson, National Commission for Scheduled Tribes - List of participants.

S. No. Name and Designation

National Commission for Scheduled Tribes

1. Dr. Rameshwar Oraon, Chairperson (in Chair)
2. Shri Bheru Lal Meena

Officials

1. Sh. R. Vijaykumar, PhD, Secretary
2. Shri Aditya Mishra, Joint Secretary
3. Shri M. S. Chopra, Director
4. Smt. Saroj Jaisia, Deputy Secretary
5. Smt. K. D. Bhansor, Deputy Director
6. Shri T.D. Kukreja (PS to Chairperson)
7. Shri S.P. Meena, Assistant Director

Consultant

1. Shri R.C. Durga, Consultant