

Minutes of the meeting taken by Dr. Rameshwar Oraon, Chairman, Smt. K.Kamla Kumari and Shri B.L.Meena, Members. National Commission for Scheduled Tribes, New Delhi with the office bearers of ST Welfare Association, individuals and Management of Andhra University, Vishakhapattanam on 19-8-2011 at 11.00 hours.

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Dr. Rameshwar Oraon, Chairman, Smt. K.Kamla Kumari and Shri B.L.Meena, Members. National Commission for Scheduled Tribes, New Delhi took a meeting with the office bearers of ST Welfare Association and individuals in Andhra University, Vishakhapattanam on 19-8-2011 to have a feed back on the problems of the Scheduled Tribe employees and implementation of reservation policy and other safeguards for Scheduled Tribes in the University. Shri R.K.Dubey, Assistant Director, NCST, Regional Office, Bhopal also accompanied the Commission and attended the meeting. Acting Vice-chancellor, Registrar and several other officers, employees and tribal students also attended the meeting. In the beginning acting Vice-chancellor welcomed the Commission and gave a brief history of the University for information. Thereafter, the office bearers of the ST welfare association and staff members briefed the Commission on the following issues related to the problems of Sch.Tribe employees in the University and the state:

- 1) Establishment of a tribal University in the coastal belt of Andhra Pradesh is a need of time. Efforts should be taken to establish a tribal University in the State for the protection of tribal culture, heritage, traditions and research on their socio-economic development.
- 2) The constitutional provisions and safeguards provided to the Scheduled Tribes are not reaching them. The rule of reservation should be strictly implemented in the University and elsewhere.
- 3) The Scheduled Tribe candidates are not appointed on higher posts in University and the State. So far, no Scheduled Tribe candidate has ever been appointed as Vice-chancellor in any of the 29 Universities in the State. There is no representation of scheduled tribe in the senate as well as executive councils of the universities.

डा० रामेश्वर उरांव / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi

- 4) Tribal students are facing problems in getting scholarship due to delay in the sanctioning process. They are also facing problem in admission in various courses and hostels. Hostel facility for Scheduled Tribe students should be expanded and the existing hostels should be improved, as ST students are not able to meet the expenditure of private hostels due to poor economic background.
- 5) Present and backlog posts in teaching and non-teaching categories of staff in the Andhra University should be urgently filled.
- 6) 72 employees are working on the basis of bogus caste certificates in the university.
- 7) Some Scheduled Tribe employees are working on temporary basis for the last 19 years. Their services should be regularized.
- 8) In the year 2008, process of filling 5 posts of attendants was taken up by the University and the selected candidates were given offer of appointment also but they were not allowed to join.
- 9) Course fee for admission in some departments like biotechnology etc. has been fixed as Rs. 70,000/-. This should be exempted for Scheduled Tribe students as they are getting only Rs. 20,000/- as scholarship.
- 10) Coaching centre/study circles for the tribal students to prepare them for competitive examinations should be opened in tribal areas. Presently it is in Hyderabad. Residential facilities should also be made for the tribal students.
- 11) Scheduled tribe students are not getting sufficient number of Rajeev Gandhi National scholarship in the university. Out of 40 students only 8 students from SC and ST category received the scholarship. In these 8 students, the number of ST students was negligible.
- 12) There is no mess in the hostel for tribal boys. There is drinking water scarcity also in the hostels of the university. It was also informed that the ashram schools and hostels

run by the State Government for tribals do not have their own building but they are being run in rented buildings.

13) The State Government should make separate Commissions for SCs and STs instead of a common Commission for both the categories.

Hon'ble Chairman thanked the speakers for presenting the grievances in a beautiful manner and advised the Vice-chancellor to take immediate steps on the issues related to the Andhra University. He stressed the need to fill up the vacant post reserved for the scheduled tribe category at all levels. He also directed to make reservation rosters as per the existing Government orders and advised the University administration to have a transparent and effective grievance redressal mechanism in the University. He emphasized urgent need to redress the problems of scheduled tribes students pursuing different courses in the University. He also directed the Vice-chancellor and the Registrar of the University to send a status report on the issues raised in the meeting related to the University. In the end the Vice-chancellor thanked the Commission for visiting Andhra University and interacting with the teachers, employees and students of the University.

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अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
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Tour note on the field visit of the Commission.

The Commission visited some tribal areas of Vishakhapattanam District for assessment of conditions of Sch.tribes living in the area on 20-8-2011.

a) **Meeting with tribal leaders and villagers at Tyda:** The Commission reached Tyda at 11.00 hrs and had an interaction with the local tribal individuals and their leaders. Following issues were raised before the Commission:

i) The provisions of PESA Act are not being implemented in the three tier Panchayati Raj institutions of the scheduled areas of the district and the State.

ii) Many villages/panchayats of Ananthagiri Mandal having more than 50% population belonging to Sch.tribes have not been included in the scheduled areas. These panchayats includes Gargubelli, Gummakota, Rompalli, Bhimpolu and NR puram villages. The Commission was informed that the proposal for inclusion of these villages would be moved in their next general body meeting of concerned ITDA.

iii) Link road from Vijayanagaram to Ananthagiri Mandal costing Rs. 1.5 crores was constructed on papers. This area comes under the Parvathipuram ITDA.

iv) Pattas of land should be distributed to the tribals which they are possessing for last 30 years.

v) Government land should be allotted to the tribals in lieu of the land taken by Government for public use.

b) **Visit to village Mardagoda under Eguvasobha Gram Panchayat of Ananthagiri Mandal:** The Commission visited Mardagoda an Oriya speaking tribal habitation and had a meeting with people's representatives and scheduled tribe villagers. Project Officer of the ITDA and other local officers of various departments were also present in the meeting. Hon'ble Chairman of the Commission requested the tribal villagers to give a feed back on the working and performance of various development activities being run by the State Government to enable the Commission to get a first hand information on the problems being faced by them. Following issues were brought in the notice of the Commission:

Health

- i) : Malaria, gastroenteritis and tuberculosis are the major diseases among the tribals of the village. Government efforts to stop the occurrence and spread of these diseases should be made more effective.
- ii) There is one PHC covering a population of 30,000 persons. As the ST settlements are small in size and are spread distantly, one PHC should cover a population of 10,000 persons only (by relaxing the present provision). At many times, the tribals are forced to bring the patient to the nearest hospital on foot by walking several kms.
- iii) It was informed that there is no Government vehicle available to carry the Drs. from one place to the other. Many tribals informed the Commission that they are not getting medicines from the hospital or through community health worker.
- iv) There is no lady doctor available in the area. No mobile health unit is working in the area. The villagers also demanded a building for running Anganwadi center in the village.

Education

- i) Though there are 142 primary schools, 8 upper primary schools and 11 high schools in the mandal, the villagers demanded opening of English medium schools in tribal areas of the mandal as well as District. Some villagers demanded for opening of new Ashram schools for proper education of the tribal children.
- ii) Infrastructure in the hostels is poor. The number of rooms is not sufficient in many hostels. There is water scarcity in the hostels as the boards have dried during summer season. The tribals of the area demanded for opening of college attached hostels for the ST students.

Drinking water

There is water scarcity in the interior villages. Safe drinking water is not available to the residents of Mardagoda in spite of the fact that the village is located on the moterable road. Out of 393 villages in the mandal, 12 habitations are still uncovered by any water supply programme.

Road

Many villages of the mandal are not connected by all season road. The Commission was informed that 31 roads have been constructed in the NAREGA scheme. Some villagers informed that a road was constructed from Gajapatinaru to

Garkup Garrupalli on papers on which expenditure of Rs. 1.5 crore was incurred. They requested the Commission to inquire into the complaint.

Electricity

The residents of village Mardagoda informed the Commission that the transformer supplying electricity to the village got damaged a month ago and the villagers are staying in dark for last one month. The complaint made to the local officials has not yielded any result. The Commission took it very seriously and directed the authorities to take immediate action on the redressal of the complaint and take action against the erring officials.

Other issues

- i) Ku. Simitra d/o Gundu Killo R/o village Yettaguda informed that she is a physically disabled girl but she is not being paid pension admissible to the physically disabled persons. The Commission directed the authorities to take immediate actions on the complaint and informed the Commission about the action taken on the complaint.
- ii) The Commission also obtained feed back from the tribal representatives and individuals on the performance of the MG NAREGA, employment in government services, working of self help groups and other developmental programmes. Some peoples representatives requested for inclusion of Kondakummara community in the scheduled tribe list of the state which is having a population of 30,000 to 40,000 in the area. It was informed that this community is having separate language, traits, rituals and culture.
- c) **Visit to Sunkarametta coffee plantation:** The Commission visited Sunkarametta coffee plantation site where the scheduled tribe farmers are engaged in coffee and black pepper plantation. This plantation site was developed in the year 1992 in 162-acre area by utilizing SCA fund. There are 162 beneficiaries and all of them belong to ST category. The Commission was briefed that there are 900 coffee plants, 600 silver oak and 100 black pepper plants per acre of land. Average yield of coffee is from 150 to 200 kg per acre and black pepper is 50 kg per acre. Income of the beneficiaries is Rs. 15,000/- to Rs. 20,000/- per acre. The Commission interacted with the tribal beneficiaries and found that their condition has improved due to their involvement in the coffee plantation. Some of the beneficiaries raised their demand before the Commission, as given below:

- 1) The area of plantation should be extended to the extent of another 500 acres.
 - 2) The tribal beneficiaries do not own the land under plantation. They demanded that the pattas of land should be given to them instead of certificate of possession.
 - 3) No crop insurance facility has been made available to them.
 - 4) To protect them from the exploitation by the middlemen, the government should purchase their crop.
 - 5) A high school should be opened at Sunkarameetta for proper education of their children.
- d) **Visit to Araku:** The Commission visited Araku and had a meeting with local tribal representatives and individuals. Following problems affecting the tribal people were briefed before the Commission:

- (1) Local people are facing problems in storage of their agricultural products due to non-availability of cold storage in the area.
- (2) Malaria testing center should be opened in Araku. 99 tribals have died due to malaria and diarrhea during last 3 years in Araku region.
- (3) Mobile Health Units are required in the area for treatment of the ailing tribal people.
- (4) A tribal University should be opened for educational development of the tribal youths and for research on socio-economic and cultural aspects of tribal life.
- (5) No Anganwadi is working properly in the area. They don't have their own building. Mal nutrition in tribal kids is prevailing in the area. Wages are not being paid to the Anganwadi workers.
- (6) Residential accommodation for officials working at mandal level in the tribal areas should be constructed so that the employees can stay at their place of posting.
- (7) The services of about 170 tribal people working in ITDA and AP TDC on ad-hoc basis/daily wage basis should be regularized.
- (8) Jangidivalru village of Dungurigudi mandal which is suffering from natural calamity every year should be shifted to safer place under the ITDA area.

After obtaining a feed back from the local tribals, the Commission directed the Project Officer and other officers present their to resolve their grievances which come under their purview and informed the Commission about the same.

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अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
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Minutes of the meeting taken by Dr. Rameshwar Oraon, Chairman, Smt. K.Kamla Kumari and Shri B.L.Meena, Members. National Commission for Scheduled Tribes, New Delhi with the District Collector, Vishakhapattanam, Project Officer, ITDA, Paderu and other district level officers at Paderu on 21-8-2011 to review the developmental programmes being run for the welfare of Scheduled Tribes in the ITDA area and the District.

The Commission held a review meeting at ITDA office, Paderu on 21-8-2011 to review the working of various developmental activities being run for the welfare of scheduled tribes. Shri L. Agrawal , District Collector, Dr. K. Sreekanth Prabhakar, Project Officer and other district level officers were also present in the meeting. District Collector welcomed the Hon'ble Commission and gave a brief description of the district.

2. Hon'ble Chairman initiated the discussion and desired to know the state of health facility available to the scheduled tribes of the ITDA area and the district. It was informed that there are 36 primary health centers, 4 CHNCs, 2 area hospitals, 2 CHCs and 195 sub centers in the agency area. On an average a patient has to go 15-20 kms to reach the nearest PHC. On the other hand the health sub centers are 5-10 kms away from the villages. Hon'ble Chairman advised that the distance of the sub center should not be more than 6-7 kms from any village and more sub centers in the area should be opened to fill up the gap. During further discussion on the health infrastructure, it was observed that out of 36 PHCs in the agency area, only 24 were having their own building. Similarly out of 194 sub centers, only 18 were having their own building. Though the State Government has recently sanctioned proposal for the construction of building for 4 PHCs and 43 health sub centers, the Commission observed that still there is a substantial gap and directed the State Government to give more focus on the issue. Similarly, it was observed that out of 36 PHCs, only 21 PHCs were having their ambulance and 13 PHCs were without any ambulance facility. All the four CHNCs were without any ambulance. The Commission directed the officers present in the meeting to do the needful for improving the situation. The Commission also reviewed the health staff position and found that there was a big shortage of Doctors, Pharmacist and other health workers in the ITDA area. It was admitted that more posts of Doctors and para medical staff is required for the ITDA and every PHC should have at least 2 medical officers. Similarly every CHC should

have at least 5 specialist Doctors. It was also observed by the Commission that there is shortage of lady Doctors in the ITDA area. It was informed that the Doctors are not willing to join the services in tribal area and Director of Health is competent to fill up the posts of Doctors. Keeping in view the health problems of tribals, the Commission directed the District Collector and Project Officer to take necessary steps to fill up the vacant posts.

3. In the meeting, some peoples representatives and tribal leaders were also present as witness to give a feed back on the prevailing situation of developmental activities in the ITDA area. They suggested various measures that are required for improving health facilities in the area viz.

- (i) All PHCs should run 24x7
- (ii) Residential accommodation for Doctors and staff should be made available at the PHC premises.
- (iii) Spraying of DDT should be done in all the villages and not only in priority villages. Spraying should be done from February to September and not from April onwards.
- (iv) Sanitation facilities should be developed in the tribal villages.
- (v) Adequate medicines should be supplied in the villages and health camps should also be organized there.
- (vi) Providing safe drinking water in the tribal villages can check diarrhea

Hon'ble Chairman agreed to the suggestions and directed the District Administration. to take necessary steps in this regard.

(4) Hon'ble Chairman stressed the need of providing educational facilities to the tribals as education is an important tool of tribal development strategy. It was informed in the meeting that 1804 schools were functioning in the agency area with enrolment of 1.38 lakh tribal students. A total of 326 schools are multi lingual schools. The Commission desired to know the availability of teaching and non-teaching staff in the schools of the area. It was informed that the total sanctioned strength of teachers was 1984 and out of them 1210 posts were filled. 774 posts were lying vacant. Similarly in the non-teaching posts, the sanctioned strength was 474 against which 288 employees were working. Thus there was a shortage of 186 posts. The Commission was worried over the situation and requested the concerned officers to take immediate steps to fill up the vacant post. They also insisted on developing infrastructure facilities in the schools.

- (5) The Commission requested the authorities to inform whether the tribals residing in the far off villages are getting safe drinking water or not. It was informed that in some villages there is a shortage of safe drinking water. It was also informed that the water is being supplied under gravity scheme and there is no provision of filtration of water in the scheme. Especially in the rainy season, the water becomes dirty causing diarrhea in the villages. Keeping in view the fact that 47 habitations are not covered under Rural Water Supply Scheme and more than 2000 habitations are partially covered, the Commission suggested that other options for providing safe drinking water should be exercised to improve the situation.
- (6) The Commission also reviewed the performance under Rajiv Gandhi Rural Electrification Scheme (RGRES). On being asked, the Commission was informed that during 2009-10, 490 habitations were identified as un-electrified. Out of them 403 habitations have been covered. A re-survey was conducted in 2010-11 and 395 habitations were identified as un-electrified. Out of them, only 57 habitations were uncovered. The tribal delegates present in the meeting as witness informed the Commission that the duration of power supply in the electrified villages is very limited. The Commission also informed that in Mardagoda, a transformer was out of order for the last one month and the concerned officials did not take any action in spite of the complaint made by the villagers. The Commission advised to take necessary steps for improving the electric supply in the electrified villages and to electrify the remaining habitations.
- (7) The Commission also discussed the status of implementation of Forest Rights Act in the ITDA. It was informed that there are 244-Gram Panchayat in 11 mandals and 24,198 individual claims to the extent of 53,220 acres have been recognized in first phase. 329 Van Samrakshan Samithi claims involving an area of 1,37,175 acres have also been recognized. In the second phase, 9245 claims have been received. Finalization of forest rights and grant of title deeds by the DLC would be completed by 31-8-2011. Keeping in view the fact that no claims were rejected and NGOs also being involved in the process, the Commission appreciated the progress made in the implementation of the scheme.
- (8) The Commission discussed the progress in implementation of MGNAREGA in the agency area. It was informed in the meeting that so far 1,52,519 job cards have been issued. Average number of workdays provided per household were 72.45 and

52% payment was generated within 3 days. Payment is being made through village self help groups. As there were some complaints of delay in payment of wages, the Commission advised the officials to ensure that the provisions related to timely payment of wages should be ensured.

(9) The issue of obtaining bogus community certificate by some individuals was also discussed in the meeting. It was informed that some individuals of Kapu community have obtained caste certificate claiming to be Kondakaku (ST). It was also alleged that the tribal land is also being purchased by the Kapus, which is prohibited by law. The Commission was further informed that the scrutiny committee is inquiring into 64 such cases. The Commission directed the officers to dispose the cases speedily so that the non-ST persons could not snatch the benefit, which is available to the Scheduled Tribe.

(10) The Commission observed that 37 posts out of 303 posts reserved for Scheduled tribe category was lying vacant in various departments in Vishakhapattanam District. 15 posts reserved for scheduled tribes were lying vacant in the office of Regional Manager, APSRTC, Vishakhapattanam. Most of them were in the cadre of Drivers. Similarly some posts reserved for Scheduled tribe candidates were found vacant in District Collector Office, office of the Joint Director, Animal Husbandry and office of the Regional Director, Women & Child Development, Vishakhapattanam. District Collector assured the Commission that he will take initiative to fill up these posts urgently.

(11) Some tribal delegates demanded inclusion of Vishakhapattanam District in the list of left wing extremist affected districts due to the fact that a large part of the district is suffering from the menace. Thus there is a need of speeding up the developmental activities and by inclusion of the district in the left wing extremist affected districts, additional funds will be made available by the Government of India to strengthen the infrastructure and other developmental activities. The Commission agreed to the demand and advised the district Collector and State Administration to take necessary steps in the matter.

In the end, the Project Officer, ITDA, Paderu thanked the Commission for their valuable suggestions and guidance and ensured the Commission that necessary action will be taken on the recommendations made by the Commission.

Meeting with office bearers of SC/ST Employees Welfare Association and scheduled tribe students of University of Hyderabad on 23-8-2011 at 1500 hrs.

The Commission held a meeting with the office bearers of SC/ST employees welfare association and scheduled tribes students of University of Hyderabad (Central University) on 23-8-2011 to discuss their problems. Shri Arjun Kumar, Liaison Officer and Dy.Registrar, University of Hyderabad was also present in the meeting. Following issues were raised before the Commission by the ST employees and the students:

- 1) Some students informed the Commission that there is no separate hostel for ST students. The tribal students are being allotted accommodation in general hostel where they have to share the room with another student in the first year and second year of their degree course. Even in third year, some of them are allotted separate rooms. They demanded that single room should essentially be allotted to the students pursuing Ph.D degree.
- 2) Some of the students demanded opening of a tribal study center in the University for specialized research study on tribal development and culture.
- 3) Tribal students are not getting sufficient number of Rajiv Gandhi National Scholarship due to the fact that they are not coming in the merit and the merit is high. The number of scholarship for tribal students should also be increased.
- 4) There is delay in up-gradation of junior research fellowship to senior research fellowship. The amount of fellowship should also be increased.
- 5) Pre examination training center should be opened in the University for preparation of Civil Service Examination.
- 6) SC/ST cell should be established in the University. A suitable mechanism for redressing student's grievances should also be established.
- 7) Some tribal students aspiring for M.Phil/ Ph.D could not be admitted in the course due to denial of seat adjustments though they were number one in the waiting list.

8) Some employees complained regarding non-implementation of reservation policy in teaching and non-teaching posts. They demanded filling up of all vacant posts reserved for the Scheduled Tribes.

9) It was informed that two readers belonging to ST category who were selected on own merit against the unreserved post are shown against the reserved points in the roster.

The Commission directed the Liaison Officer for SC/ST present in the meeting to redress the grievances of the students and employees and sent an action taken report to the Commission.

Meeting with the Management of University of Hyderabad.

After meeting the SC/ST Employees Welfare Association office bearers and students, the Commission held a meeting with the Vice Chancellor, Deans, Professors and Registrar of the University. Hon'ble Chairman briefed them about the issues raised by the ST employees and students in the meeting with the Commission and directed the University authorities to take necessary steps for redressal of their grievances. In addition to above following recommendations were made by the Commission:

- (1) All the vacant posts reserved for Scheduled tribes should be filled by the administration urgently.
- (2) Transparency in maintenance and operation of post-based rosters should be ensured by the University administration as lack of access to the information creates doubt in the minds of employees. The rosters should be computerized and made public.
- (3) Grievance redressal mechanism for scheduled tribes employees and students should be made effective and due publicity should be given about its existence among them.
- (4) A proposal to built hostel for tribal students be made and submitted to the Ministry of Tribal Affairs under intimation to the Commission.
- (5) Liaison Officer for SC/ST should meet the willing ST employees and students on an assigned day to resolve their grievances.

At the end of the meeting, the Vice chancellor thanked the Commission for their valuable guidance and assured that the University administration will take necessary steps to redress the grievances of students and employees belonging to the ST category.

Minutes of the meeting taken by the Commission with the National Thermal Power Corporation, Ramagundam Project oustees (Karimnagar District) and management to discuss the problems of oustees.

Dr. Rameshwar Oraon, Chairman, Smt. K.Kamla Kumari and Shri B.L.Meena, Members, National Commission for Scheduled Tribes, New Delhi held a meeting on 23-8-2011 with the NTPC, Ramagundam Project affected persons (headed by Shri S.Kumar, President, SC/ST NTPC Land oustees unemployees Association) and Management of the NTPC to review the relief and rehabilitation activities taken by NTPC. Shri Jayadeb Nanda, Regional Executive Director (South) Shri Y.Ventakateshwara Rao, GM, Ramagundam Project and other officers of the NTPC were present in the meeting. Shri Aditya Mishra, Joint Secretary, Smt. K.D.Bhansor, Dy. Director and Shri R.K.Dubey, Assistant Director in the Commission were also present in the meeting.

In the beginning Shri Jayadeba Nanda, Regional Executive Director (South), NTPC welcomed the Commission. Thereafter, Dr. Rameshwar Oraon, Chairman, NCST requested Shri S.Kumar, President, SC/ST NTPC Land oustees unemployed Association to appraise the Commission about the problems of the oustees and the issues that need to be settled.

Shri S.Kumar, President SC/ST NTPC Land oustees un-employees Association informed the Commission that NTPC Ltd. had acquired about 12,000 acres of land for establishment of a 2600 MW super thermal power station since 1977 in three different stages. Land of 17 revenue villages was acquired as a result of which about 4200 families were displaced. Out of them about 1570 families were from SC/ST category. At the time of acquisition of land, NTPC had promised to give employment to one of the family members of the land oustees. More than 30 years have passed since then but most of the project affected persons have not been given any employment by the NTPC inspite of promises made by them in the tripartite meetings held earlier. The NTPC authorities had given promise to the oustees that 229 persons shall be given employment by the end of December 1981 but only 191 were given job. It was assured that the remaining persons shall be given employment in the next phase but the NTPC management failed to keep promise. During next round of negotiation, NTPC authorities had promised to give

employment to 225 ST oustees but none of them were given appointment. Many posts at different levels reserved for ST category are lying vacant in the project. Thus, NTPC authorities have acquired the land of the oustees without taking adequate measures related to their rehabilitation. The only resource, which they were having, was land, which has been snatched by the NTPC. He demanded that atleast one member from each family of the oustees should be given employment by the company. He also informed that the Company authorities are not taking action on the matter of providing employment to them on the plea that the Ministry of Power has directed them to reduce the manpower. The company has also applied criteria of minimum educational qualification (classVIII) for providing job to the family members of the oustees which was not told to them at the time of land acquisition. The company has issued many notifications regarding appointment to various posts and employment exchange had also sponsored the names of qualified SC/ST candidates for filling those posts, but the NTPC management has cancelled all the notifications and hardly filled up any post. Now, NTPC authorities say that there is no vacancy in the project. Thus, the company authorities have deceived them and they are suffering for the last two to three decades. He also submitted that the NTPC had acquired much more land then what was required for the construction of the project. If limited land had been acquired, then less people would have been affected and displaced. Shri S.Kumar, President of the association produced some documents in support of his statements made before the Commission.

On behalf of the management, the Commission was informed that there were about 429 land oustees out of whom 288 were pre 1988 and 148 were post 1988 oustees. Out of them 225 were eligible for employment. The company has recruited 141 persons from amongst the oustees. It was also submitted that most of the remaining persons are not qualified (VIIIth pass). The management informed that the educational qualification was relaxed for the oustees and there were some court cases also.

Hon'ble Chairman of the Commission was not satisfied with the reply given by the management. He questioned the matter of minimum educational qualification for recruitment of the project oustees and said that it is an issue of relief and rehabilitation of the project affected persons who have lost their land for public purpose. They have been made landless. While acquiring the land, they were not informed that the jobs or employment shall be given to the educationally qualified persons only. After acquiring

their land, they are being told about it. If it was so, land of only those persons should have been acquired who were educationally qualified for recruitment in the company. On the other hand, the company could have given training to them as per their man power requirement before providing them employment in the company which was not done by the NTPC. Thus, they are the losers in the process of development of the country. The Company should take the responsibility of socio-economic development of the oustees and keep its promise of providing employment to one of the family members of the project oustees as a part of CSR. project oustees as a part of CSR. India is a welfare state. The company should work on these lines.

During further discussion, the Commission asked the management about the ways things could be improved. The NTPC management informed that five villages have been set up where the oustees have been settled. The company is adopting Land acquisition policy. Contracts are being given to the SC/ST welfare societies. The SC/ST NTPC Land oustees un-employees Association office bearers and peoples representatives present in the meeting as witnesses intervened in the discussion and informed that the SC/ST persons have not approached the court and only general category persons have file court cases. The management should not delay the matter of appointment of SC/ST persons for the reason that others have gone to court. The SC/ST NTPC Land oustees un-employees Association President further informed the Commission that SC/ST societies taking contracts of different works from the NTPC project are not keeping ST persons as workers. NTPC is earning huge profits even by selling ashes. The company has not adopted any tribal village for developmental activities. It is a Maha Navratna Company and it should take the responsibility of upliftment of the weaker sections of the society.

The Commission suggested that while giving contract to the SC/ST societies, NTPC may examine the possibility of a provision to incorporate at least a fixed percentage employment. of the SC/ST persons of the area. The Commission further observed that the NTPC should formulate a proper rehabilitation programme in respect of ST Ousteas and communicate action taken in matter at the earliest. If the Regional Office of NTPC cannot handle and settle the issue, the Commission, they should refer the case to NTPC Hqrs.

Action, NTPC

Minutes of the meeting taken by the Commission with the Andhra Bank STs' Welfare Associations and Andhra Bank on 23.8.2011 to review implementation of reservation policy in services and socio-economic development for Scheduled Tribes in Andhra Bank

[A] Minutes of the meeting taken with the Andhra Bank Scheduled Tribe Employees' Welfare Associations

The Associations raised the issue pertaining to the implementation of Protection Clause in the Promotions of officers in all the Channels i.e. Seniority, Fast Track & Super fast track, Quarterly Grievances meetings with the Associations, setting up a separate cell for STs in Head office for the benefit of ST employees etc.

The Commission advised the Associations to constitute a single association for a better focus to the issues concerning the STs. The Associations were also advised to submit record of their membership to the Bank authorities for having the facilities extended to them as per the prescribed norms.

[B] Meeting with Andhra Bank

On behalf of Andhra Bank Mr. Anil Girotra, Executive Director welcomed the Commission and apprised about the activities and performance of the Andhra Bank and implementation of reservation policy in respect of STs by the Bank.

The Executive Director mentioned that special emphasis was being given to the welfare of Scheduled Tribes. The Bank is allowing credit facilities to Scheduled Tribes through various Government sponsored schemes like SGSY, SJSRY, DRI, SLRS and SHGs. The share of Scheduled Tribes under these schemes was around Rs. 194.50 crores. The Bank is extending credit under the "Pavala Vaddi Scheme" of the Government of A.P., for both under farm and non-farm

sector, where a good number of beneficiaries belong to Scheduled Tribe category. Apart from extending credit facilities, the Bank has established 9 Rural Development Institutes where vocational training is imparted to SCs & STs, farmers, rural youth, unemployed educated persons, SHG members and weaker sections at free of cost. In these Institutes, Bank have so far conducted 2966 training programmes in which about 7450 participants belonging to Scheduled Tribes also got benefited. After successful completion of training imparted in these Institutes, Andhra Bank is extending necessary financial help by way of loans to these trainees to set up their own Business under various self employment programmes. During the year 2010-11, Bank has advanced an amount of Rs. 1104 crores to SC/STs under priority sector. The Bank has crossed 16.86% on lending to the weaker sections as against the set target of 10% by financing Rs. 7000 crores during the year to weaker sections which includes SC/STs.

The Bank has also made concerted efforts to increase the representation of SC/ST employees in the total work force. In all the recruitments made subsequent to the Nationalization, the rule of reservation was strictly adhered to in the appointments made, and also in the promotions as per the Govt. of India guidelines as on 31.12.2010. On an overall basis, the percentage of STs is 6.13%(Group 'A': 4.51% , Group A at lowest rung (entry by DR): 10.93% , Group A at lowest rung (entry by promotion): 7.57%, Group 'B': Nil, Group 'C' :3.35%, Group 'D' (other than Safai Karamcharies):7.16%, Safar Karamcharies: 6.94%). He further mentioned that at present, there was backlog in any cadre. Due to good number of promotions from Clerical to Officer JMGS-1, there is some shortfall in Clerical cadre (113), which will be taken care of in the next recruitment process. The Commission advised the Bank authorities to fill up the shortfall of STs. and intimate the position in this regard to the Commission within a month.

Action: Andhra Bank

The Executive Director mentioned that an attempt to computerize the post-based roster with the ORACLE software was made. However, the consultant has expressed inability for completion, as there were several adjustments involved for further operation of rosters. Further, the authorities, who are inspecting the rosters also insisting up on to produce the rosters prepared manually for physical verification. Therefore, Bank is maintaining the post-based rosters in a hardbound register as per the Govt. of India guidelines. The Executive Director mentioned that the rosters were being inspected by a team of Officials from the Dept. of Financial Services, Ministry of Finance, New Delhi, during the years 2003, 2006 and 2009 and certified. The Commission advised the Bank authorities to establish logic derive computerized management of Rosters and intimate the position in this regard to the Commission within a monthly.

Action: Andhra Bank

The Commission desired to know the measures being taken by the Bank for welfare and development of the ST employees. The Bank authorities informed that The Bank had been providing pre-promotion classes to SC/ST employees for the benefit of getting equipped with the latest changes in the Banking. Apart from the above the Bank has been providing pre-recruitment training classes to SC/ST candidates appearing for written test to direct recruitment into the Bank for Clerical and Officers posts. These training have proved to be fruitful as good number of SC/ST employees are getting promoted and recruited year after year.

It was reported that Andhra Bank has established an SC/ST Cell at Head Office with a Senior Manager as Officer-In-Charge, under direct control of General Manager & Chief Liaison Officer for SCs/STs for redressal of the Grievances of ST employees at Bank level. Similarly, all the 23 Zonal managers are designated as Liaison Officers at Zonal Level and also posted a contact officer for SC/STs at Zonal

Office to address the Grievances of SC/ST employees working in the Zone.

The Commission desired that the Bank should establish computerized grievance management system with a in-built check for follow-up of the status of the action taken by the higher authorities to ensure timely disposal.

Action: Andhra Bank

The Commission also advised the Bank authorities to implement the transfer policy taking into consideration the instructions issued by the Govt. with regard to transfer/postings concerning STs.

The Commission noted that out of 35 cases regarding verification of caste certificate in respect of STs 2 cases were pending in Courts while the remaining 33 cases were under verification process with the concerned authorities. The Commission desired that the Bank authorities should have close follow-up with the Bank authorities at an appropriate level for an early verification of the pending cases

Action: Andhra Bank

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डा० रामेश्वर उरांव / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi

Minutes of the meetings taken by Dr. Rameshwar Oraon, Chairman, Smt. K.Kamla Kumari and Shri B.L.Meena, Members. National Commission for Scheduled Tribes, dated on 24.08.2011 at Sangareddy jointly with (I) the Scheduled tribe delegates to know about the problems being faced by Scheduled tribes and (2) District Collector and other district level officers to review the status of developmental programmes being run for the welfare of Scheduled Tribes in the District.

(I) Meeting with the Scheduled tribe delegates

In the beginning of the meeting Shri S.Suresh Kumar, District Collector, Medak welcomed Hon'ble Chairman and Members of the Commission and briefed them about the general information related to the district and specific issues related to the tribals. Thereafter, Hon'ble Chairman of the Commission requested the tribal delegates to briefly appraise the Commission about the problems being faced by the scheduled tribes of the district. Following problems and issues were raised before the Commission:

- 1) Shri P.P.Rathore, scheduled tribe delegates from Lambada community informed the Commission that the scheduled tribes are spread over a number of small hamlets, locally called as tandas with a population around 50 in each tanda. There is shortage of safe drinking water in almost 90% tandas. He requested the Commission to direct the District level authorities to make necessary arrangements for potable water in the tribal tandas. He also informed that regular teachers are not being appointed in the schools and they are being run with the help of Vidhya volunteers appointed locally who are not enough qualified. He also submitted that 50% hostels do not have regular wardens and they are being run with the help of in-charge wardens. All tribal tandas do not have pucca approach roads. 10 to 15% tandas have not been electrified so far. He also informed that there is 6% reservation for scheduled tribes in the state services but their representation in government services is only 3.5%. He requested the Commission to direct the State Government to fill the quota of Scheduled tribes in the state government.
- 2) Shri Ramesh Chauhan Banjara also informed the Commission that there are 830 tribal tandas in the district. In Narainkhed Mandal alone, there are 210 tribal tandas out of which 140 tandas do not have drinking water facility. Most of the tribal tandas do not have approach road. There is a problem of voltage fluctuation in the tandas which have been electrified. Recently, there was a death in Kondanayak tanda due to electric current. He also informed the Commission that 90% of the tribals migrate from one place to

another in search of livelihood. Many of them die due to accidents. Their families do not get any assistance or compensation from the government. He also informed that the poor scheduled tribes do not get bank loans so that they could start their business. He demanded that PDS should be strengthened by opening ration shops in the tribal tandas as ration is not reaching them. He also demanded for building a Girijan Bhawan for the scheduled tribes at the District headquarter.

3) Shri Ravindra Nayak, a tribal delegate from Palagu tanda of Raikal village also briefed the Commission about the problems of Scheduled tribes of the district. He informed that there is no drinking water facility in Signapur village of Kalhar Mandal in the District where there is a substantial tribal population. He informed that 90% of the tribals migrate to the Maharashtra State and other parts of Andhra Pradesh for working in the Sugarcane fields. Many of them die there due to snakebite and other reasons. There is no insurance cover for them. He requested the Commission to advise the State Government for providing insurance cover to the tribal migrants. Efforts should be made to stop the migration by generating employment nearby their villages. The children of migrant tribals fail to continue their education in the tandas where they normally reside resulting in huge drop out. The schools are located far away from the tandas and the teachers do not regularly attend the school. More residential schools should be opened in each mandal for providing quality education to the tribal children. He informed that there was a residential school at Narainkhed mandal, which was closed in the year 1993. He informed that most of the children studying there belong to the tribal community who were shifted to another hostel 20 km away from Narainkhed.

Hon'ble Chairman of the Commission agreed to the request and directed the district Collector to take necessary steps for re-opening the residential school at Narainkhed.

4) Ms Kempala Raje also briefed the Commission about the problems faced by the scheduled tribes. She informed the Commission that there is a post of village servant in each village and reservation for scheduled tribe is applicable to the post but the scheduled tribes are not getting appointment against the reserved quota. District Collector informed the Commission that no fresh recruitment is being done on the post as per the Government orders. Hence the reservation of posts for scheduled tribes can be taken care of only when the process of appointment is restarted.

Ms. Kempala Raje further informed the Commission that the scheduled tribes are not getting benefit from the economic support schemes of the bank as the banks are demanding security. Hon'ble Chairman informed that no security is required for loans upto Rs. 10 lakhs. He requested the District Collector to ensure that the banks do not demand any security from the tribals seeking loan from the bank upto Rs. 10 lakhs. She also informed the Commission that there is seepage of water in the ST hostel building at Sangareddy and the students are facing problem due to it.

Many other tribal delegates also briefed the Commission on the similar lines. Chairman, NCST requested the District Collector to take necessary steps for redressal of the grievances of the tribals of the district and to inform the Commission about the action taken by him on the subject.

(2) Meeting with District Collector and other district level officers to review the status of developmental programmes being run for the welfare of Scheduled Tribes in the District.

In the beginning of the meeting, all the district level officers introduced themselves to the Commission. Thereafter detailed discussion based on the reply of the questionnaire sent by the Commission to the District Collector was initiated. Following issues were discussed in the meeting:

1. **Education**

The Commission observed that the literacy among scheduled tribes is much less in comparison to the general category. There is a gender gap of about 20% in the literacy among scheduled tribes. The Commission was concerned over the situation and requested the district Collector to inform the Commission that how the district administration is going to cover these gaps. It was informed in the meeting that the Government of Andhra Pradesh is focussing on the education of tribals and special education material in local language has been prepared for the tribals and locally available teachers from the community have been appointed as teachers. Keeping in view the migration among tribals, seasonal hostels have also been opened. Besides above site schools have also been opened and nutritional mid-day meal is served in the schools. Special efforts are being made to improve the enrolment and bring out of school children to schools. 6500 such students have been identified who will be enrolled in the schools.

The Commission advised the District Collector to improve the quality of education, regular attendance of teachers in the schools and ensure the continuity of tribal children admitted in the schools. Keeping in view the shortage of teachers to the extent of 4000, the Commission also advised to fill up the vacant posts after obtaining relaxation in qualification from the State Government. As the Government of India has passed "Right to Education Act", it is the duty of the District Administration as well as State Government to ensure that the light of education is spread in the tribal tandas also.

2 Health

The Commission also desired to know about the availability of health facilities and infrastructure available in the tribal areas of the district. In the meeting, it was informed that there are 8 primary health centers in the tribal areas of the district. The Commission asked whether the number of PHCs was sufficient to cater the needs of the tribal people of the district. It was informed that one more PHC is required. Similarly there are 7 sub centers in the tribal areas and 10 more health sub centers are required. Each PHC has one or two doctors. 8 mandals there are only 4 lady doctors. The Commission requested the District Collector to make a proposal for opening of a new PHC and from health sub centers as per the requirement and send it to the State Government for approval. The Commission also directed to fill up the vacant posts of specialist Doctors and para medical staff of the tribal area.

In the meeting, it was informed that TB, malnutrition and anemia are the major health problems suffered by the tribals of the District. Long period of migration, small huts and unhygienic living conditions are the main causes of these ailments. The Commission was concerned about the fact that no mobile health unit has been sanctioned for the district. The Commission directed the concerned officers of the district to create awareness among tribals on these issues.

3. MGNAREGA

The Commission was informed that many works have been undertaken under the scheme and the tribal people are taking advantage of work. 36884 job cards have been issued in the district. Mainly land development work related activities are being done. 27000 acres of land belonging to 16733 farmers has to be developed and 9643 acres of land has already been developed in the scheme. They are being paid about Rs. 120/- per

day. However, this has not stopped the migration due to the fact that the labourers get Rs. 250/- per day in the adjoining states for working in the sugar cane fields. The Commission was further informed that average number of days of engagement under the scheme was 47 days. The Commission observed that it was less than in comparison to other areas. The Commission suggested that employment should be provided to the tribals when they are in need of it. If they are being given employment in the month of November, they will stay for work but if it is not given to them at the time they required it most, the situation can not be improved. The Commission suggested preparing a working plan for the purpose. The Commission also suggested making necessary arrangement for avoiding delay of payment of wages under the scheme.

4. **Housing**

District Collector informed that Indira Amma Housing Programme is being run in the district for providing houses to the tribals. He said that the tribals of the district are residing in small tandas located on the undulating surface and it is difficult for them to transport the building material to the sites where construction of house has to be done. This has resulted in delay in completion of houses. Keeping in view the above problem, the department has decided to complete the construction of house and then hand over to the beneficiaries.

5. **Drinking water**

On being asked the Commission was informed that there are 692 tribal habitations in the district. A total of 307 habitations are fully covered and 385 are partially covered by the drinking water scheme. The Commission asked whether the scheduled tribes of the district are getting safe drinking water through out the year or not. It was informed that during the summer season, there is drinking water shortage in some tribal tandas. The district administration hires private boats for supplying water in the areas having water scarcity by paying @ Rs. 4,000/- per boat. The Commission observed that many of the tribal delegates had informed the Commission about the water problem in the tribal tandas and directed district administration to make necessary arrangements for providing safe drinking water to the tribal areas through out the year.

6. **Implementation of Forest Right Act**

The Commission was informed that 2320 claims for providing forest rights were received in the district and 1339 claims involving 818 acres of land has been settled. About 1000 claims have been rejected. All the claims were individual claims no community right claims were received.


7. **Verification of False Caste Certificates**

The Commission also reviewed the status of verification of allegedly false caste certificates in the district. The Commission observed that the district level scrutiny committee had received 21 complaints out of which only 3 were disposed. The Commission was concerned over the pendency of verification of 18 caste certificates. The district Collector submitted before the Commission that verification of all the pending caste certificates shall be disposed within 3 months.

8. **Implementation of reservation policy for scheduled tribes**

The Commission observed that 15 posts belonging to SC/ST category were vacant in the last year out of which 6 were reserved for ST category. This year also 21 posts reserved for SC/ST category are vacant. . The Commission requested the district Collector to take necessary steps to fill up the backlog posts.

In the end of the meeting the district Collector thanked the Commission for their valuable guidance and assured the Commission that District administration will take necessary action on the recommendations of the Commission and appraise the Commission about the same.


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अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
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Minutes of the Meeting taken by the NCST with Ordnance Factory Board Medak on 24/08/2011 to assess status of implementation of service safeguards and development programs/schemes being run for Scheduled Tribes.

[A] **Meeting with The Scheduled Tribes Employees' Welfare Association, Ordnance Factory, Medak and Allied Establishment, Ordnance Factory, Yddumailaram, Medak (AP)**

The ST Association, with reference to the issues raised in their Memorandum dated 23.08.2011 requested consideration of the following:

- | | |
|----|--|
| 1. | Maintenance of the PBR as per the Govt. guidelines. |
| 2. | Non-implementation of the SC/STs State Commission's directives in respect of Sri. M. Sunder and others relating to their promotion with retrospective effect as chargeman against backlog in respect of STs. |
| 3. | Non-implementation of reservation policy in respect of allotment of residential accommodation to SC/ST employees |
| 4. | Non-representation of SC/ST officer or Association in Compassionate Appointment Committee |
| 5. | Provision of Ambedkar library in the Estate premises. |
6. Supply of all Govt. orders pertaining to SC/ST Association .
7. Filling up of all ST vacant posts in Gp. 'A', 'B','C' & 'D' category.

[B] **Meeting with the OFB officials**

2. The Commission apprised the Chairman, OFB and the General Manager, OF Medak of the issues raised by the ST Association and desired that appropriate actions as per the instructions/guidelines of the Govt. should be taken in the matter. In particular, the Commission desired that the Factory should include position with regard to reservation of accommodation in the Estate, rosters and all Govt. orders/instructions/guidelines concerning STs on their website to ensure transparency of actions. The Factory should also ensure that the posts reserved for STs don't remain unfilled.

Action: OF Medak

[C] Representation from Shri B. Balaji, President, Scheduled Tribes Employees' Welfare Association, OF Medak and Allied Establishment, regarding retrospective promotion of Shri M. Sunder, Fitter (General) Skilled

3. In the representation, it has been mentioned that Shri M. Sunder, Fitter (General) Skilled had completed the required residency period for promotion to Highly Skilled Gr. II on 30.11.1994. He belonged to ST category and at that point of time there were 7 backlog vacancies in respect of STs in Highly Skilled Gr. II/Fitter (General). However, Shri Sunder was not promoted against the ST backlog on 30.11.1994 and was subsequently promoted to trade/grade Fitter General (Highly Skilled Gr. II) w.e.f. 29.02.1996. In the process, his promotion stood delayed by about 13 months. In view of the above, the Association has requested for promotion of Shri. Sunder with retrospective effect from 30.11.1994.

4. OFB informed the Commission that at present, Shri M. Sunder and others have filed a case (WP No. 336 of 2010) before the Hon'ble Andhra Pradesh High Court and the matter was under sub-judice.

5. The Commission advised the Chairman, OFB to examine the possibility of consideration of notional promotion to Shri Sunder and other eligible employees against the backlog vacancies. DGOF & Chairman, OFB assured to look into the matter.

Action: OF Board/OF Medak

[D] Review of reservation policy and service safeguards

6. GM, OF Medak informed the Commission that the reservation policy of the Govt. was being strictly followed in the organisation. The appointments in Group 'A' and 'B' categories are being made by the OFB. The Factory is recruiting only Group 'C' category in which percentage of reservation for the posts filled by direct recruitment for STs is 7% while in respect of the posts filled by promotion is 7.5% as per the extent

Govt./OFB instructions. The direct recruitment to the Group 'C' posts is made through open advertisement. The relaxations in respect of age, TA etc. in accordance of Govt. Orders, from time to time are being extended to the ST employees.

7. The Commission noted that the Factory has not provided position with regard to the shortfall and backlog in respect of ST posts in the filled Questionnaire. The Commission desired that the Factory should ensure that the posts reserved for STs don't remain unfilled.

Action: GM, OF, Medak

[E] Computerization of the Rosters.

8. OFB made a presentation on computerisation of rosters, which was recently developed by them. The Commission was informed that the module was being tested for its stable operation. The Commission desired that the logic driven computerized management of rosters should be urgently established in the whole OF organization and a confirmation in this regard should be communicated to the Commission within a month. OFB should also make a presentation before the Commission on the computerized management of rosters after its successful establishment in the organisation.

Action: OFB

9. Chairman, NCST desired that considering the size of the organization and the number of employees, it is necessary that OFB establishes a computerized grievance management system in the organization. Chairman, OFB assured that necessary action would be taken in the matter on an urgent basis and a presentation to the Commission would also be made on the developed system along with the presentation on computerized management of rosters.

Action: OFB

Record of the proceedings of the Meeting with the Chief Secretary and other senior officers of the Govt. of Andhra Pradesh on 25.08.2011 to review the implementation of programmes and schemes for development of STs in the States and implementation of SCs and STs (PoA), 1989 Act in respect of STs

The following issues were discussed during the meeting:

1.0 Implementation of SCs and STs (POA) Act, 1989

The Commission noted that the State Government had not submitted the updated position in respect of the atrocities cases which were referred to them by the Commission and pertained to the year 2008-09, 2009-10 and 2010-11. The State Government assured that the updated information in respect of the cases would be submitted within a fortnight.

Action: State Govt

The Commission observed that the State Government had only submitted partial information in the Questionnaire prescribed for review and implementation of the Act. It was also noted that various provisions of the PoA Act and Rules, as mentioned below, were not implemented and as a result, an important objective of the PoA Rules to timely provide relief and rehabilitation to the victims of atrocities was getting defeated.

	Area	Relevant Section
a.	Travelling Allowance, Daily Allowance and Maintenance Expenses	Rule 11 of the POA Rules
b.	Appointment of Special Officer.	Rule-10 of the Rules
c.	Periodical survey conducted on the working of the provisions of the Act	Sec 21(2)(vi) of the Act
d.	Identification of Atrocities Prone Areas and the measures taken for the removal of disability in such cases.	Sec 21(2)(vii) of the Act
e.	Nomination of Nodal Officer.	Rule-9
f.	Contingency Plan	Rule -15

The Commission noted that Rule 16 of SCs and STs (Prevention of Atrocities) Rules, 1995 provide for constituting State Level Vigilance and Monitoring Committee (SLVMC) to review the implementation of the provisions of the PoA Act and relief and rehabilitation facilities provided to the victims and other matter connected therewith. The Committee is expected to meet at least twice in a year. Similar Committee has to be constituted at District Level under the provision of Rule 17 of the PoA Rules and this Committee is expected to meet at least once in three months. The Commission was informed that the meetings of SLVMC were not being held. However, the meetings of the DLVMC were stated to be held regularly once in a quarter. The Commission expressed

displeasure on not holding the meeting of SLVMC regularly as per the periodicity defined in PoA Rule and advised the State Government to hold the meeting regularly. The Commission also observed that the outcome of the DLVMC were also not being analysed by the State Government to take timely corrective action for effective implementation of the Act. The State Government was advised to take necessary action in this regard.

Action: State Govt

The State Government informed that necessary action in the deficient areas mentioned above would be taken for effective implementation of the Act and the position in this regard would be communicated to the Commission within a month.

Action: State Govt

2.0 Education

The Commission noted with appreciation that the level of literacy among STs, both male and female (81% and 62.28% respectively), was comparable to the general population (Male: 85%, Female: 67%). However, the female literacy was lower by about 19% compared to male literacy among STs. Chairman, NCST desired that the State Govt. should take necessary measures to improve female literacy in a time bound manner.

Action: State Govt

The State Govt informed that there was shortage of teachers to the extent of 3,000 for which action was being taken to fill up the vacant posts in the State. On a query from the Commission, it was confirmed by the State Govt. that all teachers were professionally qualified and regular training to them was also being imparted for up-gradation of their knowledge and skills.

Action: State Govt

The Commission also desired to know the drop-out rates at Primary, Middle, Secondary and Sr. Secondary Stage. The State Government informed the Commission that requisite details were not readily available. The Commission desired that the State Govt, should apprise the Commission of their strategy, including short and long term plan and specific measures to (a) improve literacy among ST females and in areas having very low level of literacy, and (b) reduce the drop out rate and also expected level of achievement in literacy among STs (male and female) in the ensuing years. The State Government assured that detailed information in this regard would be submitted to the Commission within a month.

Action: State Govt

The State Govt. informed the Commission that the major problem pertained to the lack of adequate access to higher education in tribal areas. The existing Govt. Junior colleges/Degree colleges in tribal areas are not having adequate infrastructure. Such areas are required to be

provided with residential accommodation for which proposals are being mooted

The Commission observed that adequacy of necessary infrastructure in education sector and tribal areas should be critically reviewed by the State Government. The Commission observed that hostels were very essential to promote education among tribals. The Commission, therefore, desired to know whether any assessment had been made with regard to actual requirement of residential schools in the Scheduled Areas over and above the existing hostels for ST students to meet the targeted level of literacy in the ensuing years. Chairman, NCST desired that the State Govt. should undertake urgent action for creation of adequate infrastructure in tribal areas, particularly establishment of residential schools for girls, in a time bound manner.

The State Government informed that the requirement of residential schools in the Scheduled Areas would be reviewed commensurate with the targeted objectives and the position in this regard would be submitted to the Commission within a month.

Action: State Govt

The Commission noted that the State Govt. has adopted the norms for teacher-pupil ratio prescribed under the RTE.

Action: State Govt

The Commission noted that a large number of seats reserved for STs in professional institutes were lying vacant. The State Govt explained that the number of seats for engineering in the State was 1,52,098 out of which 5081 were filled by the ST students (3.69%). The availability of engineering seats in the State is much higher compared to the demand, not only from the ST category but also in respect of other categories. The Commission desired that the reasons for non-filling of the engineering seats to such a great extent should be examined by the State Govt in order to optimally utilize the existing resources and infrastructure in these institutions. The Commission further observed that as there was a huge demand for the engineers/technical professionals in the country, apparently the reasons of lack of interest among the students to seek admission in the engineering institutes of the state are not understood. The Commission also observed that there was also a need to arrange a special coaching among ST students and to promote them for obtaining admission into these professional institutions. The State Govt. assured the Commission that effective measures would be taken in this regard,

Action: State Govt

On a query from the Commission regarding transfer policy being followed in respect of teachers, the State Govt clarified that as per the decision taken by the State Govt, the teachers were required to be recruited only locally. Therefore, no transfer policy has been laid down in respect of

डा० रामेश्वर उराव / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi

teachers

Chairperson, NCST emphasised that there was a need to impart quality education with a view to improving employability of the tribals. The State Govt. should not be contented with the literacy of the tribals and should strive to see that quality education is imparted to the tribals and more importantly, they are employable. The educational curriculum should be designed to take care of the emerging requirements with focus on personality development, communication skill, computer skill, etc. and job oriented training. The State Government informed that the curriculum has been framed as per the NCERT guidelines.

Action: State Govt

The Commission observed that the State Govt. should focus on vocational Training to assist STs to enhance their skills and capabilities to make them employable in industries, keeping in view the market dynamics on a continuous basis so that STs were not deprived of the professional acumen demanded by the changing market needs and opportunities for employment at domestic as well as international levels. The vocational training should cover free coaching for admission in various technical and professional courses like IT and business management, medical engineering, law, competitive examinations for recruitment to government posts, including police, security forces, public sector undertakings, railways, banks and insurance companies etc. The State Govt. assured to look into the suggestions of the Commission and provide complete details of the programmes to provide vocational training to STs within a month.

Action: State Govt

Regarding implementation of the 'Right of Children to free and Compulsory Education Act, 2009', the State Govt. Informed that an action plan had already been formulated and was being followed for implementation of the Act.

3.0 Health

The Commission desired to know the extent of shortage of doctors and other para-medical staff in the Scheduled Areas. The State Government informed that the requisite details were not readily available.

The State Government, however, informed that there was shortage of doctors and para-medical staff in the Scheduled Areas. The extent of shortages will be communicated separately. The State Govt has initiated action to fill up these vacant posts. However, the shortage of specialists continues to exist despite support from the NRHM.

The Commission observed that non-availability of accommodation in the tribal areas for the doctors and para-medical staff is also a major constraint in retaining them in the tribals areas. The State Govt informed that permanent govt. accommodations in respect of all 223 PHCs in tribal areas has been sanctioned. Further, necessary provision has also been

made under NRHM for their maintenance.

The Commission observed that there was an imperative need for the lady doctors in the tribal areas to address the needs of tribal women. The State Govt informed that necessary attention in this regard is being accorded. However the State Govt. is finding it difficult to position lady doctors in many areas, particularly, due to shortage of doctors on an overall basis.

The Commission observed that mobility of the doctors and para-medical staff in tribal areas is another cause of concern. The State Govt. informed that 125 vehicles had been sanctioned for the tribal areas under NRHM, as mobile transport support, to address the issue.

The Commission desired that the State Govt. should conduct a study to identify the causes for the major diseases prevalent in the tribal areas to take remedial action. The assistance of ICMR at Jabalpur could also be taken in this regard. The State Govt. assured to look into the matter.

Action: State Govt

The Commission observed that there was a need for more sub-centres in the tribal areas to reduce the distance and to provide easy access to the tribals.

The Commission desired to know the extent of support through NRHM in regard to positioning of doctors, specialists and other para-medical staff in Scheduled Areas. The Commission also desired to be apprised of the report of the NRHM monitors. The State Govt. couldn't produce requisite details in the meeting. The Commission advised the State Govt. to furnish requisite details along with the Action Plan to cover the deficiencies in respect of doctors, para-medical staff and specialists in a time-bound manner. The State Govt. assured that the requisite details and the Action Plan would be submitted to the Commission within a month.

Action: State Govt

The Commission noted that the infant mortality rate of tribals (52.80) was higher than the overall rate at the State level (49). The State Govt. informed that in order to reduce IMR, additional budget of Rs.36 cr. Had been allocated under NRHM during 2011-2012 for tribal areas and other measures like establishment of birth-waiting homes, strengthening of institutional deliveries, effective referral linkages from Sub- Center to Primary Health Center to Community Health Centre to Area Hospital had also been taken.

The Commission desired that the State Govt. should properly implement Mid-Day Meal Scheme in the Scheduled Areas by ensuring regular supply of mid-day-meals, timely lifting of food grains from FCI godowns and timely transportation to Block godowns and schools and the fair

average quality of the food grains supplied

Action: State Govt

The Commission observed that special measures are required to be taken in respect of ST families, who were below the poverty line. The State Govt. informed that to improve the socio economic conditions of Tribal farmers belonging to BPL families, a massive convergence programme of Tribal Welfare Deptt. with MGNREGA had been taken under which Horticulture plantations are being encouraged. This will also help in creating productive assets and ensuring sustainable source of income.

The Commission desired that the State Govt. may apprise their strategy for generating employment among STs and effectiveness of current schemes being implemented in this regard. In this connection, the Commission suggested that studies should be conducted by the State Govt. to measure effectiveness of various schemes, being implemented for STs and to identify deficient areas in these schemes for necessary corrective actions. The State Govt. assured to look into the matter and apprise the position in this regard to the Commission within a month.

Action: State Govt

The Commission desired to know whether safe drinking water was available in all ST habitats and the quality of the water was also being periodically checked. The State Govt. was also informed that as per the target set by the Planning Commission in the 11th Five Year Plan., all rural habitations were required to be covered with supply of drinking water by 2012.

The State Govt. informed that out of total 18,280 ST habitations, 9,159 are fully covered and 9,121 are partially covered. Balance of 5,527 habitations are proposed to be covered under the National Rural Drinking Water Programme. New sanctions have already been issued to cover 3594 habitations (World Bank Program:447, 13th Finance Commission:1750, Other programs:1397).

Action: State Govt

4.0 Housing

The Commission noted that the total number of beneficiaries belonging to the STs under the Indira Aawas Yojana has dwindled during the year 2010-11 (59899) and 2011-12 (55812) compared to the year 2009-10 (89312). The Commission desired that the State Govt. should step up level of benefits to the STs under the Scheme.

Action: State Govt.

The Commission desired to know the number of homeless STs and the

time- frame to provide housing to all of them. The State Govt. confirmed that requisite details would be submitted within a month.

Action: State Govt

5.0 MGNREGA

Joint Secretary, NCST enquired whether the State Govt. had conducted any study in regard to effectiveness of the Scheme in the Scheduled Areas and its impact on socio-economic status of the STs. The State Govt. assured that the suggestion to conduct studies to measure effectiveness of the Scheme in the Scheduled Areas would be looked into and the position in this regard would be communicated within a month.

Action: State Govt

The Commission advised the State Govt to conduct a study on sample basis to identify whether the provision of minimum 100 days work under the MGNREGA is sufficient for the tribal people considering the fact that they do not have any alternative source of livelihood during the remaining period or the stipulated provision of minimum 100 days. needs to be enhanced to meet their requirements. The State Government assured to take necessary action in the matter and provide feedback to the Commission in the matter within a month.

Action: State Govt

The Commission observed that the average engagement in terms of number of man days is 75 in tribal areas. During the field visits to certain places in Distt. Sangareddy, it was also revealed that the average number of days of engagement under the Scheme was only 47 days which does not appear to be a true reflection of the demand. In order to improve the level of engagement it was necessary to timely plan the works to be taken up under the scheme so that these works don't get overlapped with other seasonal works attracting higher wages. The State Govt. assured that necessary steps were being taken in this regard.

Action: State Govt.

The Commission desired that the State Government should also design and implement a system for maintenance of assets being created and mechanisms for convergence with the various line Departments.

Action: State Govt.

The Commission desired to know the action taken by the State Govt. on the reports of the social audit of the Scheme. The State Government informed that requisite details would be submitted within a month.

Action: State Govt

6.0 Rural Electrification and road connectivity to the Scheduled Areas

Chairperson, NCST mentioned that during the field visits of the Commission to the Scheduled Areas, it was emerged that many ST habitats had no or poor electricity connection. Further, the villages also had poor road connectivity. At many places, the condition of the roads had also been found to be of extremely poor standard. The focus of the PMGSY was found to be missing on the Scheduled Areas also.

Chairperson, NCST also observed that the State Govt. should focus on proper infrastructure development in Scheduled Areas as the tribals residing in these areas had developed a feeling that the State Govt. was not responsive even to their basic needs and the resources meant for them were being diverted to other areas not related to them. Chairperson, NCST further desired that a survey should be conducted in these areas by an independent agency to ascertain actual conditions and a firm action plan should be drawn to improve the situation. The State Govt. was also required to properly monitor actual expenditure against the PMGSY.

The State Govt. assured to look into the matter and apprise the Commission of the action taken on the observations of the Commission.

Action: State Govt

7.0 Land Alienation of STs

The State Govt., informed that appropriate legislative and executive measures have been taken to check land alienation of STs. For this purpose, Land Transfer Regulations 1959 has also been enacted which has been amended in 1970, 1971 and 1978. Special enforcement machinery has also been created in all ITDAS to implement the Regulation. The Commission was also informed that AP is the only State in the country where transfer of land in Scheduled Areas has been prohibited between a non-tribal and another non-tribal also. Further, prohibition of transfer of land from Chenchus (a PTG) to non-tribals as well as to other tribals is also actively being considered by Govt.

The Commission noted that during the year 2008-09, 2009-10 and 2010-11, 634, 258 and 799 cases pertaining to land alienation have been reported. The Commission further noted with concern that out of total 77590 cases pertaining to land alienation, 75204 cases had been disposed off, still leaving 2286 cases pending. Further, out of 3984 cases decided in favour of STs, in respect of 2973 cases land has been physically restored to the tribals. Thus, in respect of remaining 10,109 cases land has yet not been restored to the tribals. The Commission desired that the State Govt. should immediately review pending cases and also cases pertaining to the restoration of land in respect of the cases decided in favour of the STs and communicate the position to the

Commission within a month.

Action: State Govt.

8.0 Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

The State Govt. submitted following position regarding implementation of the Act:

Sl. No.	Activity	No.	Extent in acres
1.	Individual Claims received	3,23,765	9,50,351
2.	Community Claims received	6,714	10,16,307
	Total Claims received	3,30,479	19,66,658
Action taken			
1.	Titles distributed	1,67,739	14,47,337
2.	Titles ready for distribution	6,896	22,694
3.	Claims rejected	1,53,438	4,84,845
	Total claims cleared	3,28,073	19,54,876
Action to be taken			
1.	Claims pending with Gram Sabhas (including survey)	1,683	8,390
2.	Claims pending with SDLC	723	3,392
	Total Claims pending	2,406	11,782

The Commission noted that out of 3,23,765 individual claims received by Gram Sabha, titles have been issued in respect of only 1,67,739 while 6,896 titles were ready for distribution. A large number of cases had been rejected (1,53,438) The Commission desired to know the time-frame by which the remaining titles would be issued. The Commission advised that State Govt. should evolve a strategy for (i) disposal of all the claims within a prescribed time frame, (ii) ensuring that genuine claims are not rejected, (iii) title deeds are distributed to all the approved claimants within the set time frame, and furnish its plan with full details in respect of individual claims as well as community claims separately. The Commission desired that the State Government should carefully examine the rights of the affected tribal people, including their community rights and settle these in accordance with the provisions of the STs and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act.

Action: State Govt.

The Commission informed the State Govt. that the Commission had also recommended that land holdings regularized under The Scheduled Tribes and other Traditional Forest dwellers (Recognition of Forest Rights) Act, 2006 must not be alienated/acquired except in the case of emergency, wherein equivalent land must be provided in the forest with similar rights.

9.0 Rehabilitation of project affected STs

The State Govt. informed that as per the R&R policy special considerations has been given to the STs which includes 20% higher R&R compensation to the tribal PAFs resettled out of tribal area and continuation 240 to 750 days depending on the loss due to project and additional financial assistance equivalent to 500 days minimum agriculture wage for loss of customary rights.

Joint Secretary, NCST informed the State Govt. that the Commission had recommended that the land should invariably be provided to the tribals besides compensation against land acquired from them which were a source of livelihood for them; and, if the Govt. land is not available in the resettlement area, private land may be purchased and made available to tribal agriculturists. The views of the Commission on the draft Resettlement and Rehabilitation Bill, 2007 had been hosted on the Commission's website and the State Govt. should consider these while reviewing their policy.

Action: State Govt

Chairman, NCST apprised the State Government that Commission was of the view that to ensure livelihood security to tribals, the Govt. must ensure alternative land in case they will be substantially deprived of the use of their holdings. Since mining enterprise is one of the principal beneficiaries of minerals extraction through royalty payments, it must be ensured that at least one person of each tribal household is given a suitable, regular job in the mining project after providing free skill training, etc.. The annual compensation and alternative sources of livelihood should be adequate to assure living standards comparable with the surrounding community, or even better. As mineral extraction is generally destructive of soil surface, it may be more helpful if damage compensation, or a significant part thereof, is paid at the outset to supplement livelihood security/change efforts. In the case of Mine closure plan and settlement of forest rights, besides annual compensation in lieu of land surface rights, future (and sometimes windfall) earnings from mining activity should also be shared with land rights holders in reasonable measure. Further, special focus on tribals is also required under the , CSR responsibilities. Joint Secretary, NCST informed the State Govt. that the views of the Commission on the draft MMDR Bill, 2010 were also hosted on the Commission's website

10 TSP

The Commission noted with concern that there was under-utilization of funds under TSP to the extent of Rs.1,200 crores during the years 2008-09, 2009-10 and 2010-11

The State Govt. informed that under -utilization of the funds during the past 3 years was mainly attributed to the non-execution of the projects in the irrigation sectors especially major projects as planned. The Commission observed that the pace of the expenditure under TSP should have been closely monitored and the available funds under such scenario should have been re-appropriated to other schemes under TSP. The Commission desired that the State Govt. should ensure full utilization of the funds under TSP.

Action: State Govt.

Chairperson, NCST also suggested that representatives of NGOs may also be included in the District and Block Level Monitoring Committee for TSP. The State Govt. assured to look into the suggestion.

Action: State Govt

Chairperson NCST observed that appropriate outlays for TSP should be earmarked in respect of all departments to ensure that Scheduled Areas don't continue to be hamstrung by poor infrastructure/services. Further, unless the earmarking of TSP outlays exceeds the relative share of incidence of residual problems e.g. drinking water, primary health care and education, nutritional support, unemployment etc., the relative gap in physical quality of life is likely to persist. Each Department should also have a separate budget sub-head for TSP The State Govt. assured to consider views of the Commission while reviewing the system.

Action: State Govt

11 Reservation in posts

The Commission was informed that the prescribed quota of service in STs is 6% in direct recruitment and also in promotion in all the categories that have more than 5 posts in each category. Regarding relaxation to ST candidates, the State Govt. is providing age relaxation in direct recruitment for 5 years, qualifications, opportunity to upgrade qualification within a fixed period of time and also relaxation in the selection criteria such as cut off marks in certain categories. In promotion, training period is treated as on duty where training period is relevant for promotion.

Regarding number of instances where persons have obtained employment on the basis of false caste certificates, the Commission was informed that so far 229 bogus certificates had been cancelled and from 2008-09 to 2010-11, 12 cases had been found to be doubtful claims and referred to the concerned District Collector for verification. Since last 3 years i.e., 2008 to 2010 (12) cases found to be doubtful claims under STs

and referred to concerned District Collectors. Since the Act and Rules came into force, (78) cases were found doubtful and referred to Collectors concerned.

The Commission noted with concern that the State Govt. had only furnished status of implementation of STs in the Tribal Welfare Deptt. and had not furnished the position with regard to Deptt.-wise representation of STs with the backlog vacancies of posts reserved for STs.

The State Govt. informed that the total backlog is 3300.out of which majority (2000) pertained to teachers.

Chairman, NCST desired that the State Govt. should furnish detailed information with regard to Deptt.-wise representation of STs with the backlog vacancies of posts reserved for STs in respect of all Deptts. within a month. All efforts should also be made to fill up the backlog vacancies against the posts reserved for STs through special recruitment drive. Further, the position regarding vacant posts of STs and the action taken by the State Govt. to fill up these posts may also be considered for hosting on the web site of the Govt. of Andhra Pradesh.

The State Government assured that the Department-wise data and action taken by the State Government to fill up the vacant posts reserved for STs would be furnished within a month.

12 Role of NGOs

Action: State Govt

The Commission noted that a large number of NGOs were involved in implementation of various programmes for welfare and development of STs. The Commission desired to know whether there were any guidelines which clearly defined criteria for monitoring and checking their performance, accountability and credibility. The Commission also desired to know whether the State Government had removed any NGO based on their poor performance. The State Govt. assured that requisite details would be submitted within a month.

Action: State Govt

13 Setting up of a State S.T. Commission

Chairman, NCST observed that considering the large population of STs in the State and their complex problems relating to literacy, health, socio-economic conditions etc. there was an imperative need to open a State ST Commission to address their grievances relating to various development schemes, provide protection for their safeguards and also to monitor, effectiveness of various schemes being run by the State Government for welfare of the STs. Chairman, NCST desired that the proposal should be expeditiously processed for setting up of the State ST Commission on an urgent basis.

Action: State Govt

14 Meeting with Hon'ble Chief Minister on 25.08.2011

Hon'ble Chairperson, NCST briefly apprised the Hon'ble Chief Minister about the discussion held with the Officers of the State Government on the matter concerning STs.

Chairperson, NCST expressed the need for the State Govt. to have a strategic plan covering both short-term and long-term measures to address low level of literacy among STs, especially females and also to fill up large number of vacancies of the teachers (about 3,000) and upgrade quality of education with strong support to vocational training, to make it employable. Chairman, NCST also emphasised that the State Govt. should conduct studies to ascertain effectiveness of various schemes, both in education and health sector, to identify deficient areas for timely corrective actions. The State Govt. should also take urgent steps to fill up the vacant posts of doctors and para-medical staff in Scheduled Areas and formulate an action plan to eradicate the prevalent diseases among tribal areas for which specific studies should be conducted to identify them.

Chairman, NCST also apprised the Chief Minister of under-utilization of the funds under TSP to the extent of 1200 crores during the last 3 years and emphasised that the State Govt. should taken timely and effective measure to ensure that under-utilization of the allocated funds doesn't occur herein-after.

Chairman, NCST highlighted the problems relating to poor connectivity by road to many ST habitats and requested the State Govt. to accord priority for constructions of roads in tribal areas.

Regarding forest rights of the tribals, Chairman, NCST emphasised the need to review large number of rejection of claims and settlement of accepted claims including community rights at the earliest.

Chairman, NCST sought the intervention of the Chief Minister to increase the level of engagement of Scheduled Tribes under the MGNREGA as the existing level of engagement of 75 mandays on an overall basis was certainly not a true reflection of the actual demand of the STs who had very few other options of their livelihood during a year.

The Commission also advised the State Govt to conduct a study on sample basis to identify whether the provision of minimum 100 days work under the MGNREGA is sufficient for the tribal people considering the fact that they do not have any alternative source of livelihood during the remaining period or the stipulated provision of minimum 100 days needs to be enhanced to meet their requirements.

Chairman, NCST also highlighted that, to arrest land alienation of STs, especially in the context of the loopholes emerged from implementation of

the existing Act. Further, the State Government should ensure early disposal of all pending cases with physical restoration of land to tribals, wherever required.

Chairman, NCST mentioned that the actual position in regard to vacant posts reserved for STs in the State Govt. was not available with the State Govt. as the rosters were not being maintained by all the Departments. He emphasised that the post reserved for STs were required to be urgently filled through Special Recruitment Drive (SRD) after identification of backlog vacancies based on the rosters to be finalised by the various departments.

Hon'ble Chief Minister assured to look into the issues raised by the Commission and mentioned that the State Govt. was according priority for upgradation of the existing infrastructure in the tribal areas in various areas including education, health, housing, sanitation. Necessary measures to ensure alienation of land and protection of safeguards were also being ensured.

Action: State Govt
डा० रामेश्वर उरांव / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi