



No. Tour Report/01/HKD/Shillong/2019/RU-II
Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Date:- 07.05.2019

To

The Commissioner and Secretary,
Social Welfare Department,
Government of Meghalaya,
Lachumiere,
Shillong, Meghalaya-793001.

Sub:-Tour Report and recommendation of Shri Hari Krishna Damor, Member, NCST, New Delhi from 14.10.2018 to 18.10.2018 visited to West Khasi Hills District, East Khasi Hills District (Meghalaya State) and Regional Office Shillong regarding rights of the Khasi people, reservation policy, socio-economic development and implementation of development programmes/schemes being run for the welfare of Scheduled Tribes in the West & East Khasi Hills Districts.

Sir,

I am directed to enclose herewith a copy of Tour Report and recommendation of Shri Hari Krishna Damor, Hon'ble Member, National Commission for Scheduled Tribes, New Delhi on the above mentioned subject.

2. It is requested to furnish the information along with Action Taken Report to this Commission on the recommendations made in the Report within 30 days positively.

Encl:- As above

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director
Tel: 24645826

Copy to:-

1. The Deputy Commissioner, West Khasi Hills - District, Meghalaya.
2. The Deputy Commissioner, East Khasi Hills -District, Meghalaya.
- ✓ 3. SAS, NIC, for uploading on the website of NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

**TOUR REPORT OF HON'BLE MEMBER SHRI HARI KRISHAN DAMOR OF FROM
14.10.2018 TO 18.10.2018 OF MEGHALAYA STATE**

F.NO. TOUR/MEMBER (HKD)/2018

1	Name of the visiting Dignitary	Shri Hari Krishan Damor, Member, National Commission for Scheduled Tribes
2	Date of Visit/Tour	14.10.2018 to 18.10.2018
3	Places Visited	West Khasi Hills District, East Khasi Hills District and Regional Office Shillong.
4	Key Persons/Officials/Organisations	<ol style="list-style-type: none"> 1. Commissioner and Secretary, Social Welfare, State Meghalaya 2. Deputy Commissioner, West Khasi Hills District 3. Deputy Commissioner, East Khasi Hills District 4. Shri B.L.Buam, Additional Director, General of Police, Govt. of Meghalaya 5. President and Secretary, Civil Society Women's Organisation 6. Shri Kynhun Peitngor, Petitioner 7. Shri WR Chyne, Petitioner 8. Conservator of forest, Govt. of Meghalaya 9. Representatives of Meghalaya, Indigenous Tribal Constitutional Rights Movement. 10. Representatives of federation of Khasi States 11. Khasi Students Union 12. Garo Student Union 13. Member of KHADC 14. Officer of the District Administration of East Khasi Hills
5.	Key Highlights of the visit :- The Day to day Minutes are as under (Major issues discussed during tour/visit)	

Date: 14.10.2018

I travelled by flight no. AI-889 and reached Guwahati at 2:00 P.M. then we proceeded by road to Shillong and night halt at Circuit House, Shillong.


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Date: 15.10.2018

Visit to Regional Office- Shillong

Hon'ble Member Shri Hari Krishna Damor alongwith Shri S.P. Meena, Assistant Director visited Regional Office of NCST, Shillong on 15-10-2018 at 9.00 A.M. The staff members of Regional Office, Shillong, NCST welcomed the Hon'ble Member and Assistant Director, NCST(HQ).

1



2. The Hon'ble Member inspected the office premises and checked the overall condition of the Regional Office and given his comments and suggestions for the overall improvement to update keeping of record and directed the in-charge of Regional Office, Shillong to facilitate the Regional Office.

3. The Hon'ble Member was also apprised of the working of the Regional Office, Shillong and also the difficulties and challenges faced in general, such as the paucity of staffs. The Hon'ble Member perused over the research (complaint) files and closed as many as 38 (thirty-eight) files. Current files were also perused and comments were given on the live cases.

The Hon'ble Member held 3 (three) hearings on live cases.

a) The first case was related to the rights of the Khashi people. In this regard representation was given by Shri Kynhun Peitngor and the Civil Society Women's Organization. The meeting was attended by 7 people including the President and the Secretary of the Kynhun Peitngor. After hearing their cases, it was decided that their case would have to be heard by a full sitting of the Commission after consultation with the Ministry of Home Affairs, New Delhi. Hon'ble Member directed that complete documents would be submitted to the Regional Office, Shillong, which would have to be further forwarded to NCST, (HQ.), New Delhi.

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b) The Hon'ble Member also hold a hearing with Smti Banricord Kharkongar, Casual Employee of the North Eastern Council, Shillong, Meghalaya who is seeking compassionate appointment after the demise of her husband since 2002. After hearing her case, the Hon'ble Member has informed that a reply would be waiting from the concerned authorities as a first notice has already been sent and if no reply is received after a first reminder, a sitting would have to be summoned. The petitioner left the office with a hearty spirit.

c) Hon'ble Member also met Shri WR Chyne, a petitioner from Lower Lachumiere, Shillong who is seeking redressal for a grievance of the blunt refusal of a school Principal in Guwahati to return the school fees which he had deposited for his son's admission, as the son had left the school without attending any class. It was decided that a fresh representation would be received and a fresh notice would be sent for the same.

Date: 15.10.2018 at 14:00 Hrs Departure from Shillong by Road and reached at 16:30 Hrs at West Khasi Hills, District Head Quarter, Nongstoin, Circuit House.

Review meeting on the implementation of Schemes implemented for the welfare and Development of the Scheduled Tribes in West Khasi Hills.

The Deputy Commissioner, West Khasi Hills District welcomed the Hon'ble Member, Shri Hari Krishan Damor and Assistant Director, NCST and all the District Officers presented in the meeting.



Deputy Commissioner of West Khasi Hills submitted that 5.12% of ST Students dropouts at elementary School Level and 64.02% of Scheduled Tribes are attending the regular School at Middle School Level.

The farmers of West Khasi Hills raised the paddy, maize, soyabean and field pea but farmers are partially trying to improve the agriculture methods

Total 4156 ST youth are registered as unemployed in the district. The individuals are in following category (1) Skilled-3559 (2) Unskilled- 597 (3) Arts Graduates-607 (4) Science Graduates- 61 and Technically qualified-92.


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Deputy Commissioner also informed that no Scheduled Tribes house is without toilet in the district and only 832 houses with the Drainage facilities.

5033 houses have been constructed under Indira Awas Yojana and Pradan Mantri Awas Yojana (IAY&PMAY) Schemes in Financial Year 2010-1 to 2016-17.

173 Villages/habitation colonies are not connected with the link roads in the district and 806 ST villages have not street lights. Total 256 ST Villages do not have potable drinking water but public distribution system is properly working in each Scheduled Tribes villages.

The meeting ended with a vote of thanks to the Hon'ble Member of the National Commission for Scheduled Tribes and other officials present.

Date: 16.10.2018

Meeting with Social Welfare Secretary, Government of Meghalaya, Shillong

At the outset, the Commissioner & Secretary, Social Welfare Welcomed the Hon'ble member of National Commission for Scheduled Tribes and other officials present in the meeting.

2. Hon'ble Member explained in brief that in the State of Meghalaya 90% of the population are tribals and, therefore, schemes/projects and other programmes are equally distributed to all the tribal inhabitants in the State.

3. The Assistant Section Officer from the National Commission for Scheduled Tribes, Regional Office, Shillong informed that they have received a representation from two groups namely Kynhun peitngor and Civil Women Organization who have put forward their grievance with regard to land acquisition boundary dispute, harassment in the board areas, encroachment by Urban Affairs/Municipality, Army etc., to the Commission. The Commissioner and Secretary requested her to send a copy of the representation to the State Government also to take up with the concerned Department if necessary.

4. Shri B.L. Buam, Additional Director General of Police informed that there have been no reports of cases of atrocities against tribal within the State.

5. The Conservator of Forest informed that most of the Forest in the State belong to the Community/Raid/Private owned Forest, hence very few forest dwellers exist in the Government forest. However, the Forest Department will look into the matter of granting forest rights to them as per the Forest Right Act, 2006.

6. The meeting ended with a vote of thanks to the Hon'ble Member of the National Commission for Scheduled Tribes and other officials present.

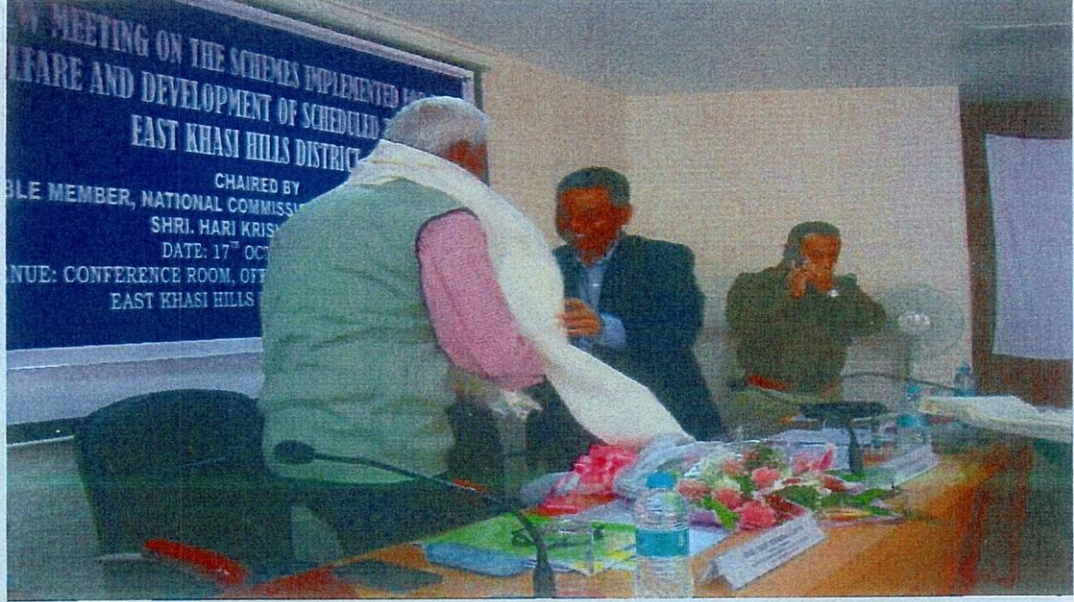
Date: 17.10.2018

(A) REVIEW MEETING ON THE IMPLEMENTATION OF SCHEMES IMPLEMENTED FOR THE WELFARE AND DEVELOPMENT OF THE SCHEDULED TRIBES IN EAST KHASI HILLS DISTRICT PRESIDED OVER BY THE HON'BLE MEMBER OF THE NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) SHRI HARI KRISHNA DAMOR, HELD ON THE 17TH OCTOBER, 2018 AT 10.00 A.M. IN THE CONFERENCE ROOM, OFFICE OF THE DEPUTY COMMISSIONER, EAST KHASI HILLS DISTRICT.


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The meeting was presided over by the Hon'ble Member, NCST Shri Hari Krishan Damor.

2. Shri P.S. Dkhar, IAS, Deputy Commissioner, East Khasi Hills District welcomed the Hon'ble Member, and Assistant Director, NCST and all the District Officers presented in the meeting. Deputy Commissioner made a presentation on the implementation of the Forest Rights Act, 2006 in Meghalaya.



3. After the presentation given by the Deputy Commissioner, the Hon'ble Member initiated the review meeting. Hon'ble Member, NCST raised some queries which are as follows: -

(i) **The queries on Education were: -**

- (a) What is the number of Hostels set up by the Government for Boys and Girls in the Secondary and the Higher and Technical level. Whether the District Officer feels or sees that there is a requirement of such hostels in the District.
- (b) What is the number of children provided with Mid-Day Meal Scheme in the age Group 0-6 years.
- (c) Whether scholarships/sponsorship for coaching for Higher education and other Technical lines are provided to ST students of the District.

On Query (b) the office of the DSEO informed the Hon'ble Member that children under the age group 0-6 years are not eligible for Mid-Day Meal as per the norms of the Government. However, there are schools which do provide Mid-Day Meals to children of this age group.

On Query (c) The DSEO informed the Hon'ble member that since the matter is being dealt by another Higher Authority, therefore She cannot provide the required information. The Deputy Commissioner requested the DSEO to consult the matter with DHTE and provide a brief note on the status report to the Hon'ble Member latest by evening of 17th October, 2018.

(ii) The query on ICDS was.

(a) Why there are 22 villages that do not have Anganwadi Centres and due to which 21,414 children are not covered.



The reply given by the District Programme Officer, ICDS was that as per the norms set by the Government, the required population of a village should be of 300 people and a minimum of 150 people for setting up of an Anganwadi Centre. However, the population of each of the 22 villages in question is less than the minimum of 150 people and due to which the Government is unable to set up Anganwadi Centres in these villages. However, the Government is taking steps by tagging these villages with other villages having Anganwadi Centres so as to ensure they get the benefits of various schemes of the Government.

The Hon'ble Member on his closing remarks mentioned that he found that the conditions of the STs in the District are found to be good in comparison to other States of the country where a lot of discrimination is being faced by the STs. The Hon'ble Member also praised the non-existence of the atrocities against the STs, the high literacy rates of the District. However, the Hon'ble Member mentioned that the Government of India is providing the best welfare schemes and programmes for the welfare and development of the STs and stressed upon the need for implementing them by the District Administration as a whole to ensure proper implementation of the various welfare schemes as the grassroots level. The Hon'ble Member also suggested


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to the State Forest Department and the Government to ensure that Forest Rights claims if any are settled and the rights of especially those forest dwellers dwelling in the forest areas owned by the State Government.

The Hon'ble Member also requested the Forest Officer from the KHADC to submit a brief report on the implementation of the Forest Rights act, 2006 in the forest area under the control of the KHADC latest by morning of 18th October, 2018.

The meeting ended with a vote of thanks from the Deputy Commissioner, East Khasi Hills District.

The District Administration was recommended to take action as the following:

- (1) The District Administration also furnish the reply in Questionnaire i.e. enclosed at Annexure A. District Administration take a sensitive action with the planning to reduce the dropout rate of Scheduled Tribes students at different level. District Administration also indicated to open the Tribal Hostels specially for girls.
- (2) District Administration also focus on improvement of Agriculture conditions through training and New Advanced technologies.
- (3) Cold storage, warehouses and online/e-markets are the new options in the technical era to improve farmer's conditions. Self-help group and co-operative society formation can be introduced for growth.
- (4) Unemployed registered with employment exchanges can be trained under skill development scheme and self-employment is a better option for technically qualified persons.
- (5) A ST financial Co-operative Society should be set-up to provide financial assistance to ST technical qualified persons for self-employment.
- (6) District administration also ensure the legal entitlement of Land and housing patta's of Scheduled Tribes families because there are no Rural Cooperative Housing societies. Administration may also try to identify the villages which do not have link Roads and with covered under PMGSY and MGNREGA.

The information regarding ST Villages/habitations which do not have street lights is not available, District Administration focus on it and try to achieve 100% electrification.

(B) MEETING WITH THE REPRESENTATIVES OF THE MEGHALAYA INDIGENOUS TRIBAL CONSTITUTIONAL RIGHTS MOVEMENT(MITCRM) AND REPRESENTATIVES FROM KHASHI HILLS AUTONOMOUS DISTRICT COUNCIL (KHADC) HELD AT CIRCUIT HOUSE, SHILLONG ON THE 17TH OCTOBER, 2018

The meeting was held under the Chairmanship of Shri Hari Krishna Damor, Hon'ble Member National Commission for Scheduled Tribes. The said meeting was attended by the representatives of Meghalaya indigenous Tribal Constitutional Rights Movement(MITCRM) comprising of members from the Federation of Khasi States, Khasi Students Union, Garo Student Union, FKJGP, Synjuk ki Nongsynshar Shong Bri U. Hynniewtrep, Syiem of Hima Myllem, NESO, ADE(TURA). AYWO Tura and members from KHADC.


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At the outset the Hon'ble Chairman welcomed the members present and briefed the importance of the meeting by highlighting rights of protection and safeguard of the ST under the Sixth Schedule of the Constitution. He also deliberated on the implementation of different schemes released by the Govt. of India and its assessment. He further added that he had received the representations from the members but as he was unable to pursue the representations, he, therefore, invites the members to present a brief on their representation as to have meaningful discussions.

- a) The representative from the Federation of Khasi States that the Khasi States was constituted under the Constitution and plays a very important role in Village administration and the Elaka Chief who was empowered with judicial power has been functioning voluntarily and without proper office. He requested the Commission to look into the matter where some amount of financial assistance can be extended.
- b) Shri Samuel Jyrwa while thanking the Chairman stated that some of the amendments under the Sixth Schedule are still under consideration and specifically requested that the term 'adult 'suffrage' in the sixth Schedule be clearly defined and be relevant only to indigenous tribal of the State and requested the Hon'ble Chairman to impress the Ministry of Home Affairs, Govt. of India to redefine the them village of Councils as well with the word 'Traditional Institutions'.
- c) The representative from the Syunjuk ki Nongsynshar Shnong informed that amendment to the Sixth Schedule was supposed to be taken during the year 2012, but however, it did not materialise. He also informed that a memorandum was submitted to the Joint Secretary, Ministry of Home Affairs during his visit to Shillong and also; endorsed the opinion highlighted by Shri Samuel Jyrwa. He requested the Commission that separate fund may be allotted for the Traditional Institutions.
- d) The representative from the Garo Student Union informed that the biggest problem faced by Garo Hills is the matter of illegal immigrants from Bangladesh and highlighted the ineffectiveness of the process of checking influx vis a vis deportation.
- e) Shri John F. Kharshing informed that Article 333 of the Constitution be amended so that reports of the Commission can be tabled in the Parliament within


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three months and action taken reports after six months and requested the commission to look into the matter. The copy of white paper is enclosed at Annexure-B

f) Smt. S. Thangkhiew, MDC representing the KHADC informed the amendment of Article 275 and Article 280 of the Constitution is still awaited. She further reiterates that by amending the above Articles, it will pave the way of the pattern funding directly to the Autonomous District Councils as present system of funding was routed through the State Govt., which consequently hampers development process of the District Council. She also highlighted the matter relating to issue of Scheduled Tribe Certificates by the State Govt. and impressed that the District Council being the administrative authority in the Sixth Schedule, the power to issue of such certificate be vested with them.

g) Hon'ble Member met the representatives' office of the subordinate Council of Traditional Chiefs and Headmen (SCOTCH) on 17/10/2018 at Shillong and they submitted the Memorandum No. SCOTCH/2018/NCST/1 dated 17/10/2018.

Representative submitted the following points.

- (i) Traditional Chiefs and Headmen are recognised and empowered by Khasi Hills autonomous district council and they are functioning without any specific funding from KHADC, State or Union Govt.
- (ii) They are functioning as courts under the united Khasi-Janintia Hills Autonomous District (Administration of Justice) Rules, 1953 and there are no funds for constructing formal Court Buildings and no finances to ensure proper administration of justice at the grassroots level.
- (iii) They want direct funding through the Khasi Hills Autonomous District Council.

The Hon'ble Chairman thanked for the meaningful discussion, assured the members that the representations will be looked into. He also invited the representatives to the Commission so that the matter faced by them can be further elaborated and a system can be evolved for the better development of the STs as a whole.

The meeting ended with a vote of thanks from the Hon'ble Chairman.

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