



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

6<sup>th</sup> floor

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File No. Review/17/2019/Himachal Pradesh (HP)/RU-I

To,

The Chief Secretary,  
Government of Himachal Pradesh,  
Secretariat,  
Shimla - 171002, (Himachal Pradesh)

Sub: Tour Note of Joint Secretary, National Commission for Scheduled Tribes, Himachal Pradesh from 19.06.2019 to 23.06.2019.

Sir,

I am directed to refer to subject cited above and to enclose copy of the report of the Joint Secretary, National Commission for Scheduled Tribes for perusal and action.

It is requested that the action taken/ to be taken on the suggestions mentioned in the report be sent to the Commission.

Copy for necessary action to:

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

The Secretary,  
Tribal Development  
Department,  
Government of Himachal Pradesh,  
Shimla, (Himachal Pradesh)

Principal Chief Conservator of Forest  
& Chief Wildlife Warden,  
Government of Himachal Pradesh,  
Shimla, (Himachal Pradesh)

Copy to:

1. O/o Joint Secretary, NCST
2. NIC (Please upload on the Commission website).

FOUR NOTE OF SHRI S.K. RATHO, JOINT SECRETARY, NATIONAL COMMISSION FOR SCHEDULED TRIBES ON VISIT TO CHANDIGARH AND HIMACHAL PRADESH FROM 19<sup>TH</sup> TO 23<sup>RD</sup> JUNE 2019.

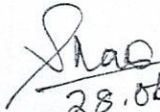
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1.	Name of the visiting dignitary	Shri S.K. Ratho, Joint Secretary, NCST
2.	Date of visit	19 <sup>th</sup> June to 23 <sup>rd</sup> June, 2019.
3.	Places visited	Chandigarh and Shimla (HP)
4.	Key persons/officials/organisations met.	<ol style="list-style-type: none"> <li>1. Shri C.D. Singh, Additional Director General, Ministry of Environment and Forest (Northern Regional Office), Chandigarh.</li> <li>2. Shri S.D. Sharma, DIG (Forest), Northern RO, Chandigarh.</li> <li>3. Shri K.Z. Bhutia, DIG Forest (C), Chandigarh.</li> <li>4. Shri Virender Sharma, Joint Secretary, Tribal Dev., Govt. of Himachal Pradesh, Shimla.</li> <li>5. Shri Rakesh Kumar Sharma, Research Officer, Tribal Dev., Government of Himachal Pradesh, Shimla.</li> </ol>
5.	Key Highlights of the visit.	<ol style="list-style-type: none"> <li>1. The purpose of the visit to Chandigarh was to ascertain the safeguards taken by Ministry of Environment &amp; Forests to ensure settlement of forest rights before issue of forest clearance for development projects under Forest (Conservation) Act. The Additional Director (Central), Northern Region, M/E&amp;F, Chandigarh clarified that as per amended Rules of Forest (Conservation) Act and Ministry of Environment and Forests letter dated 26<sup>th</sup> February, 2019, it has been made mandatory for the District Collector/Deputy Commissioner of the District to furnish a certificate duly signed certificate on the compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. Therefore, any issue relating to non-compliance of forest rights needs to be taken up with the concerned Collector/Deputy Commissioner through State Government.</li> <li>2. The Commission was alarmed that the number of forest rights settled in Himachal Pradesh is lowest in the country. The status as on 31<sup>st</sup> March, 2019 reflected in the MoTA website states that in total 2241 claims were received out of which only 136 claims covering an area of 4676.52 acres has been settled in the State of Himachal Pradesh. The Additional Commissioner, Tribal Development, Govt. of Himachal Pradesh clarified that as of now 2319 claims have</li> </ol>

been received by the Forest Rights Committee in the State against which 136 claims covering an area of 2.4 hectares has only been issued. The District Level Committees have rejected 47 individual claims in Kinnore district covering an area of 14.78 acres. He further stated that the State Government had carried out a massive awareness and training programme during 2015 and 2016 and 17,503 Forest Rights Committees constituted at the village level. In spite of this, there has been very few claims submitted by the villagers. It is proposed that in view of such few number of forest claims, the Government of Himachal Pradesh may issue directives to all the Forest Rights Committees at village level to hold special meetings and resolve whether there are any other forest rights in their villages or not.

3. As regards meetings of the Tribes Advisory Council, the Joint Secretary, Tribal Development in the State Government informed that meetings are held regularly except for the year 2014. However, copies are not sent to the Government of India as a result of which they are not reflected in the Annual Report of the Ministry of Tribal Affairs. Advised the Govt. of Himachal Pradesh that minutes of the TAC meetings should be sent to Ministry of Tribal Affairs in Govt. of India so that these are reflected in Ministry's Annual Report.
4. As regards nomination of Members of the National Commission for Scheduled Tribes in the TAC of HP, Joint Secretary, Tribal Development of the State Government assured that the request of Hon'ble Chairperson, NCST made his letter No.17/1/2017-Coord dated 29.12.2017 will be taken up at higher authority for government decision.
5. It was also informed that due to norms prescribed by the Ministry of Tribal Affairs, they are not able to open new ITDPs in the districts of Bilaspur, Chamba, Kangra, Kullu, Mandi, Sigmora and Solan inspite of significant ST population in the districts. The Commission may reconsider and recommend to the Ministry of Tribal Affairs to relax the norms for hilly States like Himachal Pradesh and allow them to open new ITDPs in the districts mentioned above so that STs living in these districts are also benefitted from Govt. of India schemes.
6. The issue of ST caste certificates to persons from three Scheduled Area districts i.e. Lahaul and Spiti, Kinnaur and

	<p>Bharmor was raised, which needs further discussion for clarity of issue.</p> <p>7. The Tribal Development Department provides accommodation to Scheduled Tribes in Shimla which is called "Janjatiya Bhawan" with facilities of dormitory (8), regular rooms (22), deluxe rooms (6) and Super deluxe rooms (4). In spite of this, lot of Scheduled Tribe people who come from Scheduled Areas, do not find accommodation on affordable rates in Shimla. It is, therefore, proposed that another Janjatiya Bhawan with at least capacity for 60 may be provided at Shimla for benefit of Tribals.</p>
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28.08.19

सिसिर कुमार राथ/ Sisir Kumar Ratho  
संयुक्त सचिव/ Joint Secretary  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/ Govt. of India  
नई दिल्ली/ New Delhi