

**COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(2008-2009)**

**(FOURTEENTH LOK SABHA)**

**THIRTY-THIRD REPORT**

**ON**

**MINISTRY OF TRIBAL AFFAIRS**

**National Commission for the Scheduled Tribes – It's mandate and  
achievements – A review of its organisation and working**

**Presented to Lok Sabha on 23.10.2008**

**Laid in Rajya Sabha on 23.10.2008**

**LOK SABHA SECRETARIAT  
NEW DELHI**

**October, 2008/Kartika,1930 (Saka)**

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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED  
CASTES AND SCHEDULED TRIBES (2008-2009)**

Shri Ratilal Kalidas Varma - Chairman

**MEMBERS – LOK SABHA**

2. Shri Anandrao Vithoba Adsul
3. Shri Kailash Baitha
4. Shri Ajit Jogi
5. Shri S. Ajaya Kumar
6. Sardar Sukhdev Singh Libra
7. Shri Kailash Meghwal
8. Shri Rupchand Murmu
9. Shri A. Venkatesh Naik
10. Shri Jual Oram
11. Shri Virchandra Paswan
12. Shri Kishanbhai V. Patel
13. Shri E. Ponnuswamy
14. Shri Ashok Kumar Pradhan
15. Shri Sugrib Singh
16. Shri Ramjilal Suman
17. Shri Chengara Surendran
18. Shri Narsingrao H. Suryawanshi
19. Smt. Krishna Tirath
20. Shri G. Venkatswamy

**MEMBERS – RAJYA SABHA**

21. Shri Krishan Lal Balmiki
22. Dr. Radhakant Nayak
23. Shri Mahendra Sahni
24. Shri Thomas Sangma
25. Shri Jesudas Seelam
26. Shri Veer Singh
27. Shri Tiruchi Siva
28. Shri Brij Bhushan Tiwari
29. Miss Anusuiya Uikey
30. Shri Nandi Yellaiah

**SECRETARIAT**

- |    |                        |   |                      |
|----|------------------------|---|----------------------|
| 1. | Dr. (Smt.) P.K. Sandhu | - | Additional Secretary |
| 2. | Shri P.K. Misra        | - | Joint Secretary      |
| 3. | Shri Gopal Singh       | - | Director             |
| 4. | Ms. J.C. Namchyo       | - | Deputy Secretary     |
| 5. | Smt. Maya Lingi        | - | Under Secretary      |
| 6. | Shri Joginder Singh    | - | Committee Officer    |

## **INTRODUCTION**

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Thirty-third Report (Fourteenth Lok Sabha) on the Ministry of Tribal Affairs - "National Commission for the Scheduled Tribes – its mandate and achievements – a review of its organisation and working".

2. The Committee took evidence of the representatives of the Ministry of Tribal Affairs on the 18<sup>th</sup> June, 2007. The Committee wish to express their thanks to the officers of the Ministry of Tribal Affairs for placing before the Committee the material and information the Committee required in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on the 4<sup>th</sup> August, 2008.

4. A summary of conclusions/recommendations contained in the Report is appended (Appendix).

**New Delhi;  
October, 2008  
Kartika, 1930 (Saka)**

**RATILAL KALIDAS VARMA  
Chairman  
Committee on the Welfare  
of Scheduled Castes and  
Scheduled Tribes**

## CHAPTER – I

### OBJECTIVE FOR CONSTITUTION OF NCST

#### (i) Origin of National Commission for Scheduled Tribes (NCST)

1.1 The Committee have been informed that the Constitution provided for appointment of a Special Officer under Article 338 of the Constitution for effective implementation of various safeguards enshrined in the Constitution for the SCs and STs and various other protective legislations. In pursuance of this provision, a Special Officer known as Commissioner for Scheduled Castes and Scheduled Tribes was appointed for the first time on 18<sup>th</sup> November, 1950 to investigate all matters relating to the safeguards provided for SCs and STs in various statutes. On persistent demand by SC and ST representatives, particularly Members of Parliament, the Government set up a multi-member Commission for SCs and STs in 1978 besides the Office of Commissioner for SCs and STs. However, in 1987 functions of this multi-member Commission were modified and it was renamed as National Commission for Scheduled Castes and Scheduled Tribes. Pursuant to the enactment of the Constitution (Sixty-fifth Amendment) Act, 1990, the first Constitutional Commission for Scheduled Castes and Scheduled Tribes was constituted in March, 1992 and Office of the Commissioner for Scheduled Castes and Scheduled Tribes was abolished. Since the needs and problems of Scheduled Tribes and solution thereto were much different from those of Scheduled Castes, it required a special approach for Tribal development and special independent machinery to safeguard the rights of Scheduled Tribes. Accordingly, a separate National Commission for Scheduled Tribes (NCST) has been set up w.e.f. 19<sup>th</sup>

February, 2004 by amending Article 338 and inserting a new Article 338A in the Constitution through the Constitution (Eighty-ninth Amendment) Act, 2003.

1.2 The new Article 338A, *inter-alia*, provides that the National Commission for Scheduled Tribes shall consist of a Chairperson, a Vice-Chairperson and three other Members and that their conditions of service and tenure of office shall be such as the President may, by rule, determine and further that they shall be appointed by the President by warrant under his hand and seal. The Commission has been given the power to regulate its own procedure. The National Commission for Scheduled Tribes Chairperson, the Vice-Chairperson and Members (Conditions of Service and Tenure) Rules, 2004 were notified on 20<sup>th</sup> February, 2004. These Rules, *inter-alia*, provide that the Chairperson, the Vice-Chairperson and Members shall hold office for a term of three years from the date on which they assume such office. The Chairman and the Vice-Chairman of the Commission have been conferred the rank of Union Cabinet Minister and Minister of State, respectively. The Members of the Commission have been given the rank of the Secretary to the Government of India.

1.3 During the evidence, the Secretary, Ministry of Tribal Affairs stated in regard to vacant posts of the Commission:

“The structure of the Commission as it stands, you are aware, is that there is a Chairperson, and this post is vacant. Today, I am told that Smt. Urmila Singh is going to join. There is a Vice-Chairperson, who has given his resignation. We will have to take steps to fill that up. There are three members out of which one member has already joined just two or three days ago. There are two other vacancies, we have the names and we have

sought their willingness to join. Then we will go through the procedure of filing them up. The fourth member is the Member Secretary, who is the Secretary of the Commission”.

1.4 However, the Ministry vide their further O.M. No.12026/5/2006-C&LM-I, dated 4<sup>th</sup> September, 2008 have intimated that they have notified the appointment of Chairperson, Vice-Chairperson and two Members in the NCST on 31.7.2008.

**(ii) Functions, Duties and Powers**

1.5 The functions, duties and powers of the National Commission for Scheduled Tribes have been laid down in Clauses (5), (6), (7), (8) and (9) of the Article 338A of the Constitution as amended by Constitution (Eighty-ninth Amendment) Act, 2003.

Clause (5) states that it shall be the duty of the Commission:

- (a) To investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under the Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- (b) To inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes;
- (c) To participate and advise on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State;
- (d) To present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;

- (e) To make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes; and
- (f) To discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

1.6 Clause (6) provides that the President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

1.7 Clause (7) provides that where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

1.8 Clause (8) states that the Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause

(b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:-

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) requiring the discovery and production of any documents;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses and documents;
- (f) any other matter which the President may, by rule, determine.

1.9 Clause (9) provides that the Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes.

1.10 When asked whether there is any deviation in functions/powers of the NCST vis-à-vis entrusted to erstwhile National Commission for Scheduled Castes and Scheduled Tribes, and, if so, what are those functions, the Ministry in their post-evidence reply have stated that powers and functions entrusted to the National Commission for Scheduled Tribes in Article 338A are the same as were given to the erstwhile National Commission for Scheduled Castes and Scheduled Tribes. However, the National Commission for Scheduled Tribes has been assigned the following additional functions vide Ministry of Tribal Affairs Notification F. No. 17014/3/2004-C&LM-II, dated 23.8.2005 in exercise of the powers conferred by sub-clause (f) of Clause (5) of Article 338A:-

- (i) Measures that need to be taken over conferring ownership rights in respect of minor forest produce to the Scheduled Tribes living in forest areas.
- (ii) Measures to be taken to safeguard rights of the tribal communities over mineral resources, water resources etc. as per law.
- (iii) Measures to be taken for the development of tribals and to work for more viable livelihood strategies.
- (iv) Measures to be taken to improve the efficacy of relief and rehabilitation measures for tribal groups displaced by development projects.
- (v) Measures to be taken to prevent alienation of tribal people from land and to effectively rehabilitate such people in whose case alienation has already taken place.
- (vi) Measures to be taken to elicit maximum cooperation and involvement of tribal communities for protecting forests and undertaking social afforestation.
- (vii) Measures to be taken to ensure full implementation of the provision of Panchayat (Extension to the Scheduled Areas) Act, 1996 (40 of 1996)
- (viii) Measures to be taken to reduce and ultimately eliminate the practice of shifting cultivation by tribals that lead to their continuous disempowerment and degradation of land and the environment.

1.11 When asked whether the Government propose to strengthen the Commission so that it can effectively implement various safeguards provided to STs, the Ministry in their post-evidence note furnished to the Committee have stated that Clause (4) of Article 338A empowers the National Commission for Scheduled Tribes to regulate its own procedure. The Rules of Procedure of the National Commission for Scheduled Tribes have accordingly been notified on 17-9-2004. Besides, as per the decision of the Cabinet the DOP&T has entrusted a study to review the performance of National Commission for Scheduled Tribes and to suggest the remedies necessary for improvement in its performance. The report is awaited. Therefore, the Government has no proposal, at present, to bring any change.

**1.12 The Committee note that as per the provision in the Constitution, a special officer known as Commissioner for SCs and STs had been appointed on 18<sup>th</sup> November, 1950 to investigate all matters relating to the safeguards provided for SCs/STs in various statutes. On persistent demand by MPs, the Government had also set up a multi-member Commission for SCs and STs in 1978. However, with the enactment of the Constitution (Sixty-fifth Amendment) Act, 1990, the first Constitutional Commission for Scheduled Castes and Scheduled Tribes was constituted in March, 1992 and the Office of the Commissioner for Scheduled Castes and Scheduled Tribes was abolished. The Committee further note that since the needs and problems of STs and solution thereto were different from those of SCs, it required special approach for development and independent machinery to safeguard their**

rights. Accordingly, a separate National Commission for Scheduled Tribes (NCST) has been set up by inserting a new Article 338A in the Constitution, through Constitution (Eighty-ninth Amendment) Act, 2003.

1.13 The Committee also note that the Commission has been given the power to regulate its own procedure. According to the National Commission for Scheduled Tribes Chairperson, the Vice Chairperson and Members (Conditions of Service and Tenure) Rules, 2004, the Chairperson and the Vice Chairperson of the Commission have been conferred the rank of Union Cabinet Minister and Minister of State, respectively. The other Members of NCST have been given the rank of the Secretary to the Government of India. The Committee are of the view that functions and duties entrusted to the Commission under clauses (5), (8) and (9) of Article 338A are very vast and cover different problems and needs of tribal people. The Committee feel the Commission would not be able to accomplish its objective fully and effectively unless the present strength of the Commission is increased. The specific subjects like the conferring ownership rights in respect of minor forest produce over mineral resources and water resources, rehabilitation of tribal groups displaced by development projects, alienation of tribal people from land, etc. are important issues pending for lackadaisical attitude of the Government over the years. The NCST has now been assigned the role to oversee the measures that would be required to be taken to solve those long standing but very important issues concerning the tribals. These issues require judicious handling as the above subjects are very delicate affecting

the very existence of tribals living in forest areas, mineral rich areas and those who have already been displaced and alienated from their lands and habitats. The Committee, therefore, strongly recommend that the present strength of the Commission should be increased with a view to assigning each member with a specific job so that he may give his undivided attention to find a favourable solution to the problems/difficulties being faced by the distressed tribal people.

1.14 The Committee note that at the time of evidence tendered before the Committee by the Secretary, Ministry of Tribal Affairs, the post of Chairperson, Vice Chairperson and Members of the Commission were vacant which have since been filled up and notified on 31.7.2008. The Committee take serious note of this attitude of the Government and are of the opinion that by keeping these posts vacant for quite some time, the Commission was made handicapped and its functioning paralysed. The Committee urge the Government not to take the matter relating to welfare of STs lightly and in a casual manner and recommend to complete the process of filling up these important posts well in advance in future so as to maintain continuity in discharge of the functions of the Commission as directed by the Constitution.

1.15 The Committee also note that functions, duties and powers of the NCST *inter-alia* include investigating and monitoring of all matters relating to safeguards provided in Constitution, to enquire into specific complaints regarding deprivation of rights provided under the Constitution, to present to the President annual reports upon working of these safeguards, to make

recommendations as to the measures that should be taken by the Union or any State for protection, welfare and socio-economic development of the STs as well as other functions as the President may by rule specify. The Committee also note a very important function in clause (9) of Article 338A which provides that the Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes. The Committee would, therefore, like to be apprised of the policy matters on which the Commission had been consulted by the Union and the State Governments and whether the same were actually concurred by them.

1.16 The Committee also note that the NCST has all the powers and functions that were assigned to the National Commission for Scheduled Castes and Scheduled Tribes (NCSCST). Besides, NCST has been assigned with some additional functions as mentioned in para 1.10. The Committee also note that as per the decision of the Cabinet, DOP&T has entrusted a study to review the performance of NCST and to suggest the remedies necessary for improvement in its performance and that the report is awaited. Keeping in view the enormous functions that have been assigned to the NCST, the Committee are of the opinion that there is a need for further strengthening the NCST and recommend that earnest and credible steps be taken by the Government to make NCST more strong and effective. The Committee also recommend that DOP&T should also be asked to submit its study report on performance of NCST immediately so that timely corrective action is taken.

**(iii) Organisational set-up**

1.17 The Committee have been informed that consequent upon the implementation of the Constitution (Eighty-ninth) Amendment Act, 2003 in February 2004, the then existing National Commission for Scheduled Castes and Scheduled Tribes was replaced by two separate Commissions viz; National Commission for Scheduled Castes and National Commission for Scheduled Tribes. Subsequently staff at Headquarters Office of NCSCST and its 18 regional offices were distributed between the two Commissions in the ratio of 2:1. The National Commission for Scheduled Tribes is now left with Headquarters as well as six Regional Offices located at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi and Shillong.

1.18 There are four Wings at the Headquarters namely:-

- (a) Administration/Establishment Wing
- (b) Economic & Social Development Wing
- (c) Service Safeguards & Coordination Wing
- (d) Atrocities Wing

(a) **The Administration/Establishment Wing** looks after all establishment matters, general administration including cash/accounts and budgetary matters and personnel management of officers and staff of the Secretariat of the Commission as also the six Regional Offices and provides administrative support in the functioning of the Commission.

(b) **Economic and Social Development Wing** deals with matters relating to socio-economic development and advancement of Scheduled Tribes. This duty is

discharged by the Commission through the mechanism of monitoring the implementation of the various plan schemes being formulated by the Central/State Governments and the monitoring of the implementation is conducted by the Commission through reviews with the senior officers of the Central Ministries/Departments and the State Governments. These reviews are undertaken at State/District/Taluk levels.

(c) **The Service Safeguards Wing** deals with the implementation of reservation policy for the Scheduled Tribes in the services of the Central Government/State Government/Central PSEs/State PSEs/Universities/Autonomous Bodies/Public Sector Banks and Financial Institutions. All representations/complaints relating to Scheduled Tribe employees about their service grievances are dealt with in this Wing. In addition, this Wing also deals with the matters relating to major policy issues affecting Scheduled Tribes which are referred to it by the Central Ministries/State Governments for the purpose of offering its comments/observations concerning service matters.

(d) **The Atrocities Wing** deals with the matters pertaining to atrocities on Scheduled Tribes defined under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Rules, 1995 framed thereunder and cases relating to the Bonded Labour System (Abolition) Act, the Minimum Wages Act, etc. either on receipt of complaints from individuals or on the basis of reports published in newspapers.

1.19 The Regional Offices of the Commission work as 'eyes and ears' of the Commission. They keep a watch on the formulation of policy and issue of

guidelines relating to the welfare of Scheduled Tribes in the respective States/UTs under their jurisdiction and keep the Commission's Headquarters informed about the developments periodically. Policy decisions taken by any State Government/UT Administration affecting the interest of the Scheduled Tribes are brought to the notice of the concerned authorities for necessary action. The officers working in the Regional Offices are required to liaise with the State/UT Administration for taking up evaluation and other studies to assess the working of various development programmes being implemented for the welfare of the Scheduled Tribes and their impact on ameliorating the socio-economic condition of the target groups.

1.20 In reply to a query regarding action taken on the recommendation of NCST made in their First Report (2004-05 and 2005-06) for upgradation of four Regional Offices of the Commission and to augment the existing strength of supporting staff in six Regional Offices and to create four more regional offices, the Ministry in their post-evidence note have stated that the Commission in its Annual Report for the years 2004-2005 and 2005-06 has recommended setting up of four additional Regional Offices at Hyderabad (A.P.), Nagpur (Maharashtra), Shimla (H.P.) and Ahmedabad (Gujarat). At present the Commission has only six Regional Offices at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi and Shillong. However, no formal proposal from the NCST for upgradation of existing four regional offices and augmentation of the existing strength of supporting staff in the six Regional Offices and creation of four more Regional Offices have been received so far. The National Commission for Scheduled Tribes has been asked to submit the formal proposal in this regard.

**1.21 The Committee note that after bifurcation of National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) into National Commission for Scheduled Castes and National Commission for Scheduled Tribes, staff at headquarters office of NCSCST and its 18 regional offices were distributed between the two Commissions in the ratio of 2:1. The NCST is now left with headquarters as well as six regional offices located at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi and Shillong. The Committee also note that there are four wings at headquarters of NCST viz. Administration/Establishment Wing; Economic and Social Development Wing; Service Safeguards & Coordination Wing; and Atrocities Wing. The Committee further note that regional offices of the Commission keep a watch on the formulation of policy and issue of guidelines relating to the Welfare of Scheduled Tribes in the respective States/UTs under their jurisdiction and inform the Headquarters about the developments periodically. They liaise with State/UT Administrations for evaluation and assessment of the working of various development programmes and their impact on ameliorating the socio-economic condition of STs and also bring to the notice of the concerned State Government for taking remedial measures. The Committee also note that NCST in their First Report (2004-05 and 2005-06) had recommended for upgradation of four regional offices, augmentation of the existing strength of supporting staff in six regional offices and creation of four more regional offices. The Committee do not agree with the reply of the Ministry that a formal proposal in this regard has not been submitted to them**

by the NCST. The Committee feel that instead of waiting for a formal proposal from the NCST for so long, the Ministry of Tribal Affairs should have taken the initiative after receiving the recommendation of the NCST. The Committee view that NCST has made a legitimate and genuine demand for upgradation and augmentation of its regional offices since the existing regional offices would not be in a position to handle the needs and problems of ST population spread all over the country in almost all the States/UTs. It would be naïve to think that merely setting up of a separate Commission without sufficient number of regional offices and staff is good enough to achieve the objective for which it has been constituted. The Committee, therefore, recommend that the Government should set up more regional offices according to the present need, upgrade the four regional offices and augment the existing staff strength of NCST accordingly on a priority basis. However, the Committee feel that to some extent it was also a lapse on the part of the Secretarial staff of the Commission who were supposed to send a formal proposal to the Ministry on a priority basis as it was an urgent need of the Commission.

**(iv) Autonomy for organisational and financial management**

1.22 The National Commission for Scheduled Tribes functions under the administrative control of the Ministry of Tribal Affairs and therefore, the proposals involving financial implications over and above the power given to the Head of the Department are required to be referred to the Integrated Finance Division of the Ministry of Tribal Affairs through the concerned administrative branch in the Ministry

of Tribal Affairs. The Commission has thus been conferred the powers of a Ministry/ Department of the Central Government as provided under the Delegation of Financial Power Rules, 1978 except the following:

- a) Creation of posts;
- b) Re-appropriation of funds;
- c) Purchase of vehicles; and
- d) Permitting any officer of the Commission to participate in seminar, conference or training abroad.

1.23 Special provisions have been made in the Constitution for social, educational, political and economic upliftment of Scheduled Tribes in the country and for safeguarding their rights. Important safeguard is a provision for setting up the National Commission for Scheduled Tribes, a Constitutional body, to fulfill certain constitutional responsibilities towards upliftment of Scheduled Tribes, as specified in Clause (5) of Article 338A of the Constitution. In view of this status of the Commission, as already stated in para 1.2, the Chairperson and Vice Chairperson of NCST have been given the status of Union Cabinet Minister and Minister of State respectively and the Members have been given the status of the Secretary to the Government of India. The Secretary of the Commission is full-fledged Secretary to the Government of India.

1.24 Clause (8) of Article 338A vests the Commission with the power of a civil court trying a suit, while Clause (9) of Art. 338A of the Constitution makes it mandatory for Union and every State Government to consult the Commission on all major policy matters affecting Scheduled Tribes. Notwithstanding the important role and status of National Commission for Scheduled Tribes and the powers given to the Commission under the Constitution and those mentioned above, Commission is

asked to route its proposals on financial, administrative and legal matters through Ministry of Tribal Affairs.

1.25 When asked whether lack of provision for direct financial allocations has so far been major handicap in regard to independent functioning of the Commission and whether the Government propose to take early steps to bring suitable legislation spelling out necessary provisions for independent functioning of the Commission, the Ministry vide their post evidence reply have stated that in so far as NCST is concerned, a budget of Rs. 4.32 Crore has been earmarked for 2007-08 under the Head 2225. Similar arrangements existed in the previous year also. In other words, it would be seen that a sizable amount has already been allocated for the NCST. This amount was allocated in favour of NCST on the basis of their own proposal as modified by the Ministry. The allocation is considered adequate. In view of the above, the question of NCST facing a handicap does not arise.

1.26 In regard to creation of a new head "other Administrative Expenses" under the non-plan budget, as requested by NCST in their First Report (2004-05 and 2005-06), the Committee have been informed that the Planning Commission had suggested that the budget provision for NCST should be shown under a separate Demand for Grants instead of being a part of the Demand for Grants of the Ministry of Tribal Affairs. The matter was referred to Ministry of Finance for their comments/views, but the proposal was not agreed to by Ministry of Finance.

**1.27 The Committee note that NCST functions under the administrative control of the Ministry of Tribal Affairs and the proposals involving financial implications are required to be referred to the Integrated Finance Division of**

the Ministry through the concerned Administrative Branch of the Ministry of Tribal Affairs. The Committee also note that the Commission has been conferred the powers of a Ministry/Department of the Central Ministry as provided under the Delegation of Financial Power Rules, 1978 even though it has no say in creation of posts, re-appropriation of funds, purchase of vehicles and grant of permission to officers of the Commission to participate in seminars, conferences, etc. It is sad that the Commission, which has been given statutory status has to depend upon the Ministry for its day to day functioning. It has also to route its proposals on financial, administrative and legal matters through the Ministry. The Committee are surprised by the fact that although, Planning Commission had suggested that budget provisions for NCST should be shown under a separate Demand for Grants instead of being a part of the Demand for Grants of the Ministry of Tribal Affairs, the suggestion has not been agreed to by the Ministry of Finance. The Committee are distressed that even the status of statutory entity does not entitle NCST to have a separate entity. The Committee are of the firm opinion that when it was decided to create NCST, it was never envisaged that it would function as a part of the Ministry of Tribal Affairs. If it was so, there was no need to constitute the Commission as a statutory body and it could have continued to function as a non-statutory body as earlier. The NCST would not be able to work fearlessly and independently unless it is given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters. The Committee also fail to

understand the logic as to why the Ministry of Finance have objected to the proposal of the Planning Commission for showing separate Demand for Grants for NCST.

1.28 After having considered all the facts, the Committee are of the strong view that only limited administrative and financial powers have been given to the NCST by making it a part of Ministry of Tribal Affairs. The Committee, therefore, recommend that full administrative and financial powers should be given to NCST so that it is not dependent on the administrative Ministry for every piece of proposal having financial implications. The Committee are of the view that NCST is an independent statutory body and it has every right to have a separate Budget Head to advance its Demand for Grants in a realistic manner. The Committee would like to be apprised of the reasons adduced by the Ministry of Finance for rejecting the proposal of the Planning Commission for separate Demand for Grants for NCST. Keeping in view the magnitude of the functions and duties assigned to NCST, the Committee also recommend that a fresh proposal should be sent to Ministry of Finance for creating a separate Demand for Grants for NCST on the lines of other constitutional bodies such as Election Commission, Union Public Service Commission, etc. as it is essential for the independent functioning of the Commission. The Committee may also be apprised of the outcome within three months.

**(v) Appointment of staff**

1.29 The Committee have been informed that there are basically two categories of Staff at the Headquarters of the Commission at New Delhi, namely (a) Secretarial Staff belonging to CSS, CSSS and CSCS cadre and (b) Joint cadre staff comprising of (i) Director (in the scale of pay of Deputy Secretary to Govt. of India) (ii) Deputy Director, (iii) Assistant Director, (iv) Research Officer, (v) Senior Investigator and (vi) Investigator. The staff with respect to the posts at (i), (ii) and (iii), which are group 'A' posts of joint cadre, is provided by the Ministry of Social Justice & Empowerment, being the cadre controlling authority and the staff with respect of the posts at Sl. No. (iv), (v), and (vi) is provided by the National Commission for Scheduled Castes, who are the cadre controlling authority for these posts. The staff belonging to CSS, CSSS and CSCS is provided by the Department of Personnel & Training, through Ministry of Social Justice & Empowerment. The secretarial staff in the Regional Offices of the Commission is appointed and provided by National Commission for Scheduled Castes, who is the cadre controlling authority for these posts. The Group 'D' staff and some of the Group 'C' posts are appointed by the National Commission for Scheduled Tribes itself. A few isolated posts have been created by Ministry of Tribal Affairs vide their Order dated 19.04.2004 which do not belong to any organised Cadre. The Commission has initiated the process of framing the Recruitment Rules for filling up these isolated posts.

1.30 The Committee have also been provided with details of staff strength and vacancies in each group as on 1.12.2004, unchanged as on 1.1.2007 as under:-

<b>Category of post</b>	<b>Sanctioned strength</b>	<b>Vacancies (as on 01.01.2007)</b>
Group 'A'	17	6
Group 'B'	34	14
Group 'C'	44	16
Group 'D'	30	7
<b>Total</b>	<b>125</b>	<b>43</b>

1.31 During evidence, the Secretary, Ministry of Tribal Affairs stated in regard to 43 vacancies in NCST:-

“...I was really surprised to see that in this Commission, the vacancies are 43 out of 125 which means there are only 82 persons available. Naturally, it appears to be quite shocking, but when I discussed with them, they are aware that with full staff, they would have done much more. But the general impression which I have from talking to the Secretary is that they have laid down the procedures and they have also pinpointed what they have to do. They are doing reasonably well and they seem to be satisfied with whatever is possible with this staff...”.

1.32 When asked about the reasons for not filling up the 43 vacancies of various categories of posts, the Ministry in their post-evidence reply have inter-alia stated that although the Commission has been in continuous correspondence with the Ministry of Social Justice & Empowerment and the National Commission for Scheduled Castes to fill up these posts, vacancies continue to exist. The Committee have also been informed that apart from the posts as mentioned in para 1.29, the Ministry of Tribal Affairs have created one post each of (i) Secretary, (ii) Joint Secretary, (iii) SP, (iv) Assistant Director (Programming), (v) Law Officer, (vi)

Assistant Director (OL), (vii) Senior Hindi Translator, (viii) PPS to Secretary, (ix) PS to JS (x) Librarian-cum-Documentation Assistant, (xi) Accountant, (xii) Dispatch Rider. Out of these 12 posts, 7 posts are vacant. These are- (i) SP, (ii) Assistant Director (Programming), (iii) Law Officer, (iv) Senior Hindi Translator, (v) Librarian-cum-Documentation Assistant, (vi) Accountant, and (vii) Dispatch Rider. The process of filling up the posts whether on deputation or on regular basis involves a prescribed procedure and requires completion of various formalities such as, advertisement, selection, scrutiny of CRs/verification of character etc. This process is on. In addition, the posts of Law Officer, Senior Hindi Translator, AD(OL) and Accountant need to be upgraded. As this requires the approval of the 6<sup>th</sup> Pay Commission, NCST has already been requested to send a proposal to the Sixth Pay Commission in this regard.

1.33 In reply to a query as to why only Group 'D' and some of Group 'C' posts are being filled up by the NCST, the Ministry have stated that the existing arrangement to fill up Group 'D' and a few Group 'C' posts (Staff Car Drivers) by the National Commission for Scheduled Tribes is on the line of the arrangement in the Central Ministries and Departments. There is no organised cadre for Group 'D' posts and the post of Staff Car Drivers therefore, these posts are required to be filled up by the concerned organisation only. When asked whether Recruitment Rules regarding isolated posts have been framed it has been informed that the Commission has initiated action to frame the Recruitment Rules to fill up few isolated posts.

1.34 On the issue of Joint cadre staff system of NCST, the representative of the Ministry of Tribal Affairs clarified:-

“Sir, a Joint Cadre for Director, Deputy Director, Assistant Director and Research Officer has been maintained. Their cadre is controlled by the Ministry of Social Justice and Empowerment. The cadre control for Senior Investigator, Investigator is also done by NCSC because previously it was a single Commission. If NCST becomes cadre controlling authority for itself then a peculiar situation will be created. As stated earlier by the Secretary, there will be limited opportunities. There would not be any career movement. Since, there are no chances of much expansion, the joint cadre has been maintained...”

1.35 When the Committee stressed the need for a separate cadre for NCST, the Secretary stated:-

“...the two Hon’ble Members mentioned about the need to have a separate structure for the Scheduled Tribes Commission so that we keep in view our aims rather than somebody else’s aim. This is very logical and we will take into account your views. We can explore the possibility of not going through the general cadre, but finding out, if we have our own people, how we can give them a degree of satisfaction by various methods, may be stage by stage increase in the scale or salary or whatever it is. But for all these things, we have to consult the DOP&T and may be we will have to bring a kind of a paper to the Cabinet. We will do that”.

1.36 On the question of providing staff to NCST by the Ministry of Social Justice and Empowerment, the Ministry in their post-evidence note have stated that although Ministry of Tribal Affairs is an independent entity, many posts of Ministry of Tribal Affairs continue to be under the joint cadre controlled by Ministry of Social Justice & Empowerment. Thus the National Commission for Scheduled Tribes, which is under the administrative control of Ministry of Tribal Affairs has also to be allocated staff for various post by the Ministry of Social Justice & Empowerment under the existing arrangement.

**1.37 The Committee note with concern that the procedure for appointment and regulation of staff of the Secretariat of NCST is quite complicated. The Committee note that some secretarial staff at the headquarters of NCST belongs to CSS, CSSS and CSCS cadre and as such, staff of this cadre are provided by the DOP&T through the Ministry of Social Justice & Empowerment. In case of Group 'A' posts namely, Director, Deputy Director and Assistant Director, which are joint cadre posts, the Ministry of Social Justice & Empowerment being the cadre controlling authority, provide the staff for these posts, whereas the staff for the posts of Research Officer, Senior Investigator and Investigator are provided by the National Commission for Scheduled Castes being the cadre controlling authority for such posts. The Committee also note that the National Commission for Scheduled Castes is the cadre controlling authority for appointment and provision for secretarial staff of regional offices of NCST. The Committee, however note that only Group 'D' staff and some of the Group 'C' posts are appointed by the National**

**Commission for Scheduled Tribes itself. It has also been stated that a few isolated posts have been created by Ministry of Tribal Affairs which do not belong to any organised cadre. The Committee are distressed by the multiplicity of cadre controlling authorities and for delay in filling up of vacancies that have existed since 1.12.2004. Even for posts created by NCST, Recruitment Rules are being processed. The Committee wonder as to when all the sanctioned vacant posts will be filled up.**

**1.38 The Committee observe that out of the sanctioned strength of 125 in Group 'A', 'B', 'C' and 'D' posts, 43 vacancies in these groups had not been filled up till 1.1.2007 even though the Commission claims to have been in continuous correspondence with the Ministry of Social Justice and Empowerment and NCSC to fill up these posts. The Committee do not concur with the view of the representative of the Ministry of Tribal Affairs that if NCST will become cadre controlling authority then a peculiar situation will be created and there will be limited opportunities and no career movement for the staff. The Committee insist that since NCST has been constitutionally given an independent mandate to safeguard the interest of Scheduled Tribes, it should no longer be tagged along with the Ministry of Social Justice & Empowerment or to the National Commission for Scheduled Castes for provision of its staff. It does not seem logical to be attached with the Ministry of Social Justice and Empowerment any longer. Unless the people have a sense of belonging to a particular institution they will never give their best to work for it. While deposing before the Committee, the Secretary had also**

agreed with the members for NCST to have a separate structure saying that it was a very logical view and had promised to consult the DOP&T or to prepare a paper for the Cabinet. The Committee, therefore, impress upon the Government to initiate action to create a separate cadre for NCST and its all Regional Offices at the earliest in consultation with DOP&T so that objective of NCST is achieved through the staff working therein. The Committee would like to be apprised of the action taken in this regard within three months of the presentation of this report to Parliament.

## CHAPTER – II

### CONSTITUTIONAL PROVISION FOR LAYING OF REPORTS

#### (i) Submission of reports

2.1 The Committee have been informed that the erstwhile National Commission for Scheduled Castes and Scheduled Tribes which was set up on 12<sup>th</sup> March, 1992 and ceased to exist on 19<sup>th</sup> February, 2004 consequent upon its bifurcation into two separate Commissions i.e. National Commission for Scheduled Castes and National Commission for Scheduled Tribes from that date, had submitted seven regular and three special reports to the President of India. The National Commission for Scheduled Tribes came into existence w.e.f. 19<sup>th</sup> February, 2004 in terms of the provisions of Article 338A of the Constitution. In terms of the provisions under sub-clause (d) of Clause (5) of Art. 338A of the Constitution, the National Commission for Scheduled Tribes has submitted its first report for the years 2004-05 and 2005-06 to the President of India on 8<sup>th</sup> August, 2006. As per provision under clause 6 of the Article 338 of the Constitution, the President shall cause all such reports to be laid before each House of the Parliament along-with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for non acceptance, if any. As per provision under clause 7 of the Article 338 A of the Constitution the report relating to the State Governments have been forwarded to the Governors of the States.

2.2 The First report of the NCST has been examined in the Ministry of Tribal Affairs. It has been stated that as the subject matter of various recommendations of

the NCST concerns various States/Union Territories as well as the Central Ministries/Departments etc., the recommendations of the NCST have been circulated vide the Ministry's letter No.18012/4/2006-C&LM-I dated 3<sup>rd</sup> April, 2007 among various States/Union Territories as well as Central Ministries/Departments etc. for furnishing of their comments/views as well as ATR to the Ministry for further necessary action in the matter so that the Ministry may take further action for laying the report in the Parliament.

2.3 When asked about delay in circulation of First Report of NCST to various States/UTs as well as the Central Ministries/Departments after its presentation to the President, the Ministry in their post-evidence reply have submitted that the first Report of the National Commission for Scheduled Tribes for the year 2004-05 and 2005-06 covers two years' period; it is a bulky report, containing 9 chapters and was required to be examined in the Ministry of Tribal Affairs before circulating the relevant recommendations to the concerned States/Union Territories as well as Central Ministries/Departments. To a query as to whether any action has been taken/proposed to be taken by the Government on the recommendations contained therein, it was replied that as per provisions contained in the Clause (6) and Clause (7) of Article 338A of the Constitution, this Report will be laid in the Parliament only after receiving comments/views as well as the Action Taken Report from the concerned States/Union Territories and various Central Ministries/Departments. Therefore, no time limit/gap between the submission of the Report to the Government and its presentation to the Parliament may be mentioned.

2.4 The Committee had asked whether there would not be inordinate delay if comments from concerned States/UTs/Central Ministries/Departments are not sent within reasonable time, whether in the absence of time limit for presentation of report to the Parliament, the recommendations made by the NCST would become obsolete and whether it is mandatory on the part of Government to have discussion on reports. The Ministry in their post-evidence note have stated that the relevant recommendations of the NCST have been communicated to the Offices of Governors as well as the Chief Secretaries of the States/UTs and Secretaries of the Central Ministries/Departments. It is, therefore, expected that the response will be received timely. In case of delay, the Ministry shall again take up the matter with concerned authorities for an early response. The provision contained in Clause (6) and Clause (7) of Article 338A of the Constitution provide as under:-

- Clause (6)** The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.
- Clause (7)** Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

2.5 In their First Report (para 2.3.2), the National Commission for Scheduled Tribes have proposed some amendments in the existing Clause (6) and (7) of Article 338 A of the Constitution as under:-

**Clause (6)** The President shall cause all such reports to be laid before each House of Parliament within three months of such submission and a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations shall be placed before each House of the Parliament within six months of such submission.

**Clause (7)** Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State within three months and a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations shall be laid before the Legislature within six months of such submission.

**2.6 The Committee note that the erstwhile National Commission for Scheduled Castes and Scheduled Tribes, which was set up on 12<sup>th</sup> March, 1992 and ceased to exist on 19<sup>th</sup> February, 2004, had submitted seven regular and three special reports to the President during the period of about 12 years. The Committee note that the NCST which came into existence on 19<sup>th</sup> February, 2004 has submitted its first report (2004-05 and 2005-06) to the President of India on 8<sup>th</sup> August, 2006. The Committee, further note that the report is required to be laid in Parliament as provided in clause 6 of Article 338A of the Constitution which states that the President shall cause all such reports to be laid before each House of the Parliament alongwith Memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for non-acceptance. The Committee note that the first report of NCST has not been laid before each House of the Parliament as yet as the Ministry of Tribal Affairs, after examining the report presented to the President, had to circulate the same to**

obtain comments/views on the recommendations contained in the report as well as ATR for further necessary action in the matter from various States/UTs as well as the Central Ministries/Departments. As per provision of clause 7 of Article 338A of the Constitution, the report relating to the State Government are forwarded to the Governor of the States for similar action to be taken at State level. The Committee are dismayed to note that considerable time has been taken by the Ministry to circulate the report and the reason adduced by them for such a delay is that the report was bulky covering a period of two years and containing 9 chapters and so on. In this era of rapid information technology the reasoning is not at all convincing. The Committee are concerned that in the absence of a time limit fixed for the submission of reports by the Government to the Parliament after it has been presented to the President, the Ministry cannot act and persuade the other Ministries/Departments to expedite views/opinion alongwith memoranda of action taken on the recommendations on the report or otherwise. The Committee are of the view that unless timely action is taken on the recommendations made in the report, the purpose for which the recommendations were made may lose their relevance. The Committee, therefore, strongly feel that the NCST not only submit its report annually but the Ministry should also take timely action to get the reports presented in the Parliament so that problems of the STs are taken care of assiduously. The Committee, therefore, concur with the views expressed by NCST in their first report for fixing a time limit for submission of report to Parliament by making necessary amendment in clause (6) and (7)

**of Article 338A of the Constitution. The Committee, therefore, strongly recommend that necessary amendment in the clause (6) and (7) of Article 338A of the Constitution may be made so that target to lay reports of NCST within a prescribed time limit in the Parliament is fixed and adhered to.**

**(ii) Nature and effect of recommendations of NCST**

2.7 In reply to a query whether the recommendation/finding given by the Commission has the same effect as that of ruling/finding given by a court of Law, the Committee have been informed that under Article 338A (5) of the Constitution, the National Commission for Scheduled Tribes is vested with the duty to inter-alia investigate all matters relating to the safeguards provided to Scheduled Tribes and to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes. While investigating such matters or inquiry in specific complaints, powers of a Civil Court, trying a suit, have been given to National Commission for Scheduled Tribes under Clause (8) of Article 338A of the Constitution, particularly, in respect of the following:

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) requiring the discovery and production of any documents;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses and documents; and

(f) any other matter which the President may, by rule, determine.

2.8 When asked whether the recommendations/findings of the Commission are binding and, if not, what are the reasons and what measures have been proposed in this regard, the Committee have been informed that the recommendations of the National Commission for Scheduled Tribes are of advisory nature, which are sent to the Government for appropriate action.

2.9 When asked to elaborate on the advisory nature of the recommendations of the Commission as also to state the action taken by the NCST if their decision is not accepted by the concerned organisation/authority, the Ministry in their post-evidence reply have stated that the decisions/recommendations of the National Commission for Scheduled Tribes are advisory in nature. The recommendations made by the Commission are referred to the concerned Central Ministries/Departments/Organisation/State Governments for taking appropriate action on the recommendations. Since recommendations of the Commission are advisory in nature and it is for the concerned Organisation/the Central Government or the State Government to accept or not to accept the Commission's recommendations. It has, however, been noticed that as the recommendations of the Commission with respect to individual cases/petitions are based on certain specific instructions of the Government they are generally accepted by the Central/State organisations to whom they pertain. The Commission, however, has no power to take any action if the Government or the concerned authority does not accept its recommendations.

2.10 In regard to a query as to whether NCST enjoyed equal judicial powers as the civil courts, it has been stated that the National Commission for STs is empowered to function as a Civil Court only in matters of summoning and enforcing attendance of any person including examination of witnesses and documents. Commission has no judicial power like other civil courts. It is true that in terms of Clause (8) of Article 338A of the Constitution, the Commission has been given the powers of a Civil Court for trying a suit. However, the Hon'ble Supreme Court of India in their judgment dated 31.10.1996 in All India Overseas Banks SC & ST Employees Welfare Association and others V/s Union of India & Others have, *inter alia*, observed that "all the procedural powers of a Civil Court given to the National Commission for Scheduled Castes and Scheduled Tribes by Article 338(8) of the Constitution of India are for the limited purpose of investigating any matter under Article 338(5)(a) or inquiring into any complaint under Article 338(5)(b). The powers of a Civil Court of granting injunctions temporary or permanent do not inhere in the Commission nor can such a power be inferred or derived from a reading of clause (8) of Article 338 of the Constitution. The Commission having not been specifically granted any power to issue interim injunctions lacks the authority to issue any order to stay any proceeding.

**2.11 The Committee note that the National Commission for Scheduled Tribes has been vested with the duty to *inter alia* investigate all matters relating to the safeguards provided to STs and to enquire into specific complaints with respect to the deprivation of rights and safeguards of the STs. The Committee further note that while investigating such matters, or**

making inquiry in specific complaints, powers of a civil court, trying a suit, have been given to NCST under clause (8) of the Article 338A of the Constitution. The Committee, however, note that the role of NCST as a civil court is limited to that of summoning and enforcing attendance of any person including examination of witnesses and documents and has no judicial power as other civil courts. The limited role of NCST as civil court has also been observed by the Apex Court of India in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & others that the powers of a civil court for granting injunctions temporary or permanent do not inhere in the Commission nor can such a power be inferred or derived from a reading of clause (8) of Article 338A of the Constitution. The Committee also note that the recommendations of NCST are of advisory nature, which are sent to the Government for appropriate action. In such a situation, the Committee are of the view that the Commission has been placed in a peculiar position as on the one hand the Commission has been given powers to investigate matters as a civil court but on the other hand its recommendations are treated as advisory in nature. The Committee feel that if the recommendations are advisory and not mandatory and acceptance of the same depends on the sole discretion of the concerned organisation/the Central Government or the State Governments then the very purpose for the existence of a Constitutional body becomes meaningless. The Committee feel that NCST has not been treated as a separate entity but has been made to function as an appendage of the Ministry of Tribal Affairs. The Committee,

therefore, recommend that the Constitution should be amended in such a manner that recommendations of the NCST may be taken by concerned authorities as mandatory and it functions with greater judicial powers on the lines of the powers of a civil court so that it is empowered to act as an effective and independent organisation.

## CHAPTER – III

### INVESTIGATING AND MONITORING SYSTEM

#### (i) Investigating Procedure

3.1 In reply to a query whether the Commission has so far clearly determined the procedure and methodology of its investigation, it has been informed that the Commission has framed its own Rules of Procedure which were notified on 17<sup>th</sup> September, 2004 (Appendix-A). According to the procedure provided in its Rules of Procedure, the Commission may adopt any one or more of the following methods for investigating or inquiring into the matters falling within its authority:

1. by the Commission directly
2. by an Investigating Team constituted at the Headquarters of the Commission; and
3. through its State Offices

#### (ii) Monitoring and Evaluation

3.2 In regard to existing mechanism of personnel and processing systems of the Commission for monitoring of all the matters covered by the Constitutional provisions, laws and Government orders, the Committee have been informed that in terms of Clause (5) of Article 338A of the Constitution, it is the duty of the NCST to investigate and monitor all matters relating to the safeguards provided for STs under the Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards. The important safeguards for STs are mentioned below:-

- (a) All rights available to the citizens of India are available to the STs also.

- (b) Special provisions have been made in Article 15, 16, 23, 24, 29, 46, 164, 243, 244, 275, 320, 332, 335, 338A, 339, 350, 371A, 371B, 371C & 371F and Fifth and Sixth Schedules of the Constitution.
- (c) Implementation of important protective Acts, Rules and Regulations there-under and executive orders and directions issued by the Government from time to time.
- (d) Implementation of Tribal Sub-Plan for integrated development of the Scheduled Tribes.

3.3 The Committee have been informed that the Commission monitors matters by holding review meetings with State Governments, Ministries/Departments of Central Government and PSUs, Banks, Autonomous Bodies and Institutions. It holds State level review meetings where implementation of development programmes for STs under TSP, protective legislation, reservation policy etc. are comprehensively reviewed. The Commission interacts with the State Governments through its Headquarters Secretariat and Regional Offices. The Members in charge of the States/UTs interact with the State Governments/UT Administrations through meetings, field visits and correspondence.

3.4 When asked whether any data are being collected from all concerned agencies to monitor and evaluate the working of such safeguards, the Ministry in their post-evidence reply have stated that prior to holding such review meetings, the Commission collects detailed data relating to various aspects of tribal development through questionnaires which have been prescribed for reviewing the working of safeguards provided for Scheduled Tribes in respect of State Governments, Central

Ministries and Central PSUs. Apart from this, the Commission also obtains data on the representation of Scheduled Tribes in services/posts in Central Ministries/Departments, CPSEs, Public Sector Banks, Insurance Companies, Financial Institutions and Central Universities and based on this data, the Commission advises these organisations to take necessary corrective steps to increase the level of representation of the Scheduled Tribes in services/posts.

3.5 When asked specifically as to what action is taken if lack of zeal on the part of Organisation/State Government, etc. is noticed in providing safeguards to STs, it has been replied that observations of the Commission regarding shortfall in the implementation of safeguards provided for Scheduled Tribes are sent to the respective Head of the organisation/Chief Secretary of the State Government concerned for taking suitable corrective action under intimation to the Commission. In reply to a query with regard to shortcomings pointed out by the NCST, it has been stated that the Commission has generally observed that the response from the concerned organisation regarding taking necessary action to remove the shortcomings pointed out by the National Commission for Scheduled Tribes during the review meetings is very encouraging.

**3.6 The Committee note that it is the duty of the NCST to investigate and monitor all matters relating to the safeguards provided for STs under the Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards. The Committee note that as per the Rules of Procedure of the National Commission for Scheduled Tribes, the Commission may investigate or**

inquire into matters falling within its authority either directly or through an Investigating Team constituted at the Headquarters or through its State Offices. The Committee are happy that NCST has a sound investigating methodology in place. The Committee strongly recommend that there should not be any laxity in investigation relating to safeguards provided to STs.

3.7 The Committee also note that the Commission holds review meetings with various organisations of the Central Government and with State Governments to monitor and evaluate the working of safeguards provided to STs. Before holding such review meetings, the Commission collects detailed data relating to various aspects of tribal development through questionnaire. The Commission also obtains data on the representation of STs in services/posts in Central Ministries/Departments, Public Sectors, Banks, Insurance Companies, Financial Institutions and Central Universities and based on this data, the Commission advises these organisations to take corrective steps. The Committee has been informed that the Commission has generally observed a very encouraging response of the authorities/organisations for taking such necessary corrective steps. The Committee would like to know the facts on the basis of which the Commission has arrived at such a conclusion.

**(iii) Study on performance of NCST**

3.8 The Committee had asked whether any analysis of the performance of the NCST has ever been made since its inception. In reply, the Committee have been informed that the Ministry of Personnel, Public Grievances & Pensions (Department

of Administrative Reforms & Public Grievances) has commissioned a study on the National Commission for Scheduled Tribes by Centre for Policy Research, New Delhi. The report of the study is awaited.

3.9 When asked about the terms of reference for the study, the Ministry in their post-evidence note have stated that the terms of the reference for the study are as following:-

- (a) The purpose for which the organisation was set up, its vision and whether the objectives are being achieved.
- (b) The focus of the report should be on its functioning as interventions for betterment of service and service delivery to the people and to what extent this has been achieved rather than on organisational structure and assigned functions.
- (c) Whether there is an Citizen's Charter framed in consultation with the stakeholders and is it being effectively implemented.
- (d) Whether there is an institutional mechanism to handle Grievances, their effective monitoring and disposal in the prescribed timeframe.
- (e) Perception of people/stakeholders about the performance of the organisation and its effectiveness. Shortcomings and suggestions for improvement in its performance may be suggested.
- (f) Mechanism to benchmark the services rendered. Is there any periodical internal or external evaluation being done to evaluate the effectiveness of the organization in fulfilling its objectives.

- (g) Quick survey comparing the levels of quality of service delivery before and after the establishment of the concerned organisation.

3.10 When asked about the reasons as to why such study was referred to the Centre for Policy Research, New Delhi and when was this study entrusted to it, it was replied that after the approval of the Cabinet Secretariat, it was decided to entrust the study of National Commission for Scheduled Tribes to Centre for Policy Research who had the requisite experience in the field and had also quoted lowest cost. The study was entrusted to the Centre for Policy Research on 29/12/2005. The Centre for Policy Research has informed in their letter dated 27/06/2007 that they will try to complete the study on National Commission for Scheduled Tribes as soon as possible.

**3.11 The Committee note that the Ministry of Personnel, Public Grievances and Pensions (Department of Administrative Reforms and Public Grievances) has commissioned a study on NCST by Centre for Policy Research, New Delhi on 29.12.2005. The Committee also note that the terms of the reference of such study have many aspects for the Centre to examine. The Committee also observe that the study had been commissioned within 2 years of the constitution of the Commission and hope that while evaluating the performance of the Commission, the initial teething problems, particularly with regard to its basic need i.e. staff are taken into account. The Committee recommend that the Centre for Policy Research, New Delhi which has already taken more than 2 years for this study should be advised to complete its study expeditiously so that corrective measures can be taken to enhance the**

**service and service delivery system. The Committee may be furnished with a copy of the study report alongwith action taken report of the Government in this regard.**

**CHAPTER – IV**  
**MISCELLANEOUS**

**(i) Publicity about working of NCST**

4.1 The Committee have been informed that the National Commission for Scheduled Tribes have published the following booklets/pamphlets highlighting its objectives, duties, functions and procedures of working and other issues relating to tribals in the country:-

(i) National Commission for Scheduled Tribes (Pamphlet – 2004)

(ii) Rashtriya Anusuchit Janjati Aayog (Pamphlet – 2004)

(iii) Know your Rights and Duties

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

and

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Rules 1995

(iv) National Commission for Scheduled Tribes (Pamphlet Revised – 2005)

(v) National Commission for Scheduled Tribes – A Handbook(booklet– 2005)

(vi) Rashtriya Anusuchit Janjati Aayog [Pustika (Handbook – 2005)]

(vii) Rashtriya Anusuchit Janjati Aayog (Pamphlet Revised – 2005)

(viii) National Commission for Scheduled Tribes (Pamphlet Revised – 2006)

(ix) Rashtriya Anusuchit Janjati Aayog (Pamphlet Revised – 2006)

4.2 It has been stated that the publications are distributed free of cost to the public for creating awareness among STs as well as general public and the Government machinery about constitutional rights of the Scheduled Tribes and role of National Commission for Scheduled Tribes in safeguarding their rights. The Website of the National Commission for Scheduled Tribes (<http://www.ncst.nic.in>) has also been launched and information relating to working of the Commission is available on the Website. The Handbook of the Commission is also available on the Website.

4.3 When asked whether the information/material about NCST is available in regional language and how it is ensured that the information reaches to the remotest of the remote villages inhabited by the ST population, the Ministry in their post-evidence note have informed that the National Commission for Scheduled Tribes has prepared the information/material about the Commission in English as well as in Hindi. The Commission has six Regional Offices at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi and Shillong. Each Regional Office has been assigned the responsibility to deal with the matters relating to the implementation of the safeguards provided to Scheduled Tribes residing in the States/UTs under the jurisdiction of the Regional Offices. On the direction of the Headquarters, some of the Regional Offices have got the pamphlet on the Commission translated into the regional language of the State in which they are located for distribution among the local tribal population of the State. They are also being advised to get the pamphlet on the Commission translated into the regional languages of other States falling within their jurisdiction and make arrangements for their distribution among the tribal

population living in the remote areas of the respective State. It has further been stated that whenever members of National Commission for Scheduled Tribes visit the tribal areas, they meet the local tribals with the help of the local officers. Information about the Commission and its functioning is invariably provided to them in local language through the help of the local officers. The material published in English and Hindi is also distributed for use among the educated tribals. Information about the working of the Commission is also available in English as well as in Hindi on the Website of the Commission i.e. <http://www.ncst.nic.in>.

**4.4 The Committee note that NCST through publication and free distribution of booklets, pamphlets etc. disseminates information on objectives, functions and procedure of its working for creating awareness among STs. The Committee further note that the information/material about Commission has been prepared in English as well as in Hindi and on the direction of the Headquarters, some Regional Offices have got the pamphlet translated into the regional language of the State in which they are located for distribution among the local tribal population of the State. The Committee also note that other regional offices have also been advised to get the pamphlets translated into regional languages of other States falling within their jurisdiction. The Committee are, however, aware that there are many tribal people living in remote areas who cannot read or write and are still in dark about their rights and the safeguards available to them. The Committee would, therefore, recommend that NCST should send teams to remote tribal areas not only to monitor and evaluate the working of safeguard physically**

**but also to create an increased level of awareness among STs. The Committee would also like all regional offices to make every effort to see that all tribals living in their regions are aware that NCST is the custodian of their rights and could be approached for safeguarding their rights and interests. The Committee also recommend that working of NCST should also be publicised through Doordarshan and All India Radio.**

**(ii) Role of NGOs working in tribal areas**

4.5 The Committee have been informed that the Ministry of Tribal Affairs are providing funds to Non-Governmental Organisations (NGOs) under following schemes:

- (a) Grants-in-aid to voluntary organisations working for the welfare of Scheduled Tribes including coaching and award of special incentives;
- b) Educational Complex in low literacy pockets for development of women literacy in tribal areas;
- c) Vocational Training Centre in tribal areas; and
- d) Development of Primitive Tribal Groups.

4.6 The Committee have been provided with the details of funds given to NGOs during the years 2004-05, 2005-06, 2006-07 (Appendix-II).

4.7 When asked whether any verification was made regarding credibility of NGOs before releasing funds to them, the Ministry in their post-evidence note have informed that since 2005-06, the Ministry has adopted a decentralised procedure for release of grants-in-aid to NGOs. Under this system, there is a multi-disciplinary State level Committee in each State, which receives, scrutinises and recommends

the most essential projects in service deficient tribal areas in order of priority. The proposals are recommended by the State Committees of the State Government. The Ministry considers only such recommended proposals on merits. Further, funds are released to the NGOs only on receipt of satisfactory inspection reports from District Collector/Deputy Commissioner and audited accounts.

4.8 During evidence, the Committee had pointed out that 80% NGOs are doing business in the name of helping out the Scheduled Castes and the Scheduled Tribes.

**4.9 The Committee note that funds are being provided by the Ministry of Tribal Affairs to Non-Governmental Organisations (NGOs)/Voluntary Organisations working for the welfare of STs under different schemes including providing coaching, running educational complex in low literacy pockets for development of women literacy in tribal areas, vocational training centre and development of Primitive Tribal Groups. In this connection, details of funds released to various NGOs in different States during the years 2004-05, 2005-06 and 2006-07 have been provided. While going through the list of NGOs which have been granted aid, the Committee observe that there are certain NGOs having addresses in Delhi but which have been given grants for different purposes for working in different States. When asked whether the credibility of NGOs is verified, before releasing fund. The Committee have been informed that the procedure for release of grants-in-aid to NGOs has been decentralized since the year 2005-06. There is a multi-disciplinary State Level Committee in each State which scrutinises and recommends the most**

**essential projects in service deficient tribal areas in order of priority. The proposals are recommended by the State Committees of the State Government and that the Ministry then considers only such recommended proposals on merits and funds are released to the NGOs only on receipt of satisfactory inspection reports from District Collector/Deputy Commissioner and audited accounts. The Committee desire that utmost care should be taken to choose only those NGOs which are genuinely working for the welfare of tribal people. The Committee recommend that NCST should also examine whether the fund granted to NGOs during the last 3 years have actually been incurred for the purpose for which it had been granted and whether it has resulted in improvement in the lives of tribal people.**

**(iii) Displacement and Rehabilitation of Tribals**

4.10 The Committee pointed out that notwithstanding Act and regulations to control alienation of tribal land, tribal people are being alienated from their land in the name of development and due to insufficient amount given to them for their land, they migrate to other places in search of livelihood. When asked whether the Ministry of Tribal Affairs/NCST conducted any survey in regard to many young educated tribal girls having migrated to big cities to work as domestic servants, the Committee were informed in their written reply that this issue has been given in-depth consideration by the Commission having regard to all its dimensions and the Commission in Paras 4.1.2, 4.1.3, 4.1.4 of its first Annual Report has suggested a number of measures to control the problem of alienation of tribal land and to ensure their proper rehabilitation in the event of acquisition of their land for developmental

projects. The Ministry in their post-evidence note further informed that a Working Group on 'Migration of Tribal Girls' was constituted in the Ministry on 25/07/2006 under the chairpersonship of Secretary (TA) with the objective to assess the magnitude of migration of tribal girls, its possible causes and consequences and measures to check the migration. The first meeting of the Working Group was held on 04/05/2007.

4.11 During evidence it was also pointed out that tribal lands in Chhota Nagpur and Santhal Pargana are rich in mineral and have been taken over for mining purposes. As a result tribal people have been alienated from their lands and in return have not been properly rehabilitated.

4.12 It was also pointed out during evidence that certain tribals of Gujarat and Maharashtra migrate to work in sugar mills for 4 months in a year. As a result, their children are not able to go to school during migration.

4.13 During the course of evidence, the Committee also pointed out the reported protest by Tribals against Government's plan to mine uranium in Meghalaya.

4.14 In response, the Secretary stated:

"The Hon'ble Member mentioned about what is happening in Meghalaya with regard to uranium mining. We have been reading the newspapers and frankly we have not taken any pro-active action because normally we believe that we take land issues to be the State Government's responsibility, but when it becomes little wider, like the rehabilitation issue, then we do try to get ourselves involved. We have noted your suggestion that we should get to know what is happening both from the State Government and from the Department of Atomic Energy. We will take it up".

4.15 In reply to a query whether the Ministry of Tribal Affairs or NCST have undertaken any study regarding displacement and rehabilitation of Tribal in different parts of the country, the Ministry have stated that no such study has been undertaken by the National Commission for Scheduled Tribes. The Ministry of Tribal Affairs in February, 2007 has commissioned a “Evaluation study on Resettlement and Rehabilitation” to be conducted by National Institute of Rural Development, Hyderabad. However “Resettlement and Rehabilitation” being the subject matter of the Ministry of Rural Development, that Ministry had notified the “National Policy on Resettlement & Rehabilitation, 2003”. However, to ensure justice and better compensation package for the Scheduled Tribes being displaced due to construction of development projects, the Ministry of Tribal Affairs has taken up the matter with the Ministry of Rural Development and also proposed suitable provisions and/or safeguards in draft of the National Tribal Policy, 2007.

**4.16 The Committee note that NCST in their First Annual Report had suggested a number of measures to control the problem of alienation of tribal land and to ensure their proper rehabilitation in the event of acquisition of their land for development projects. According to the reply of the Ministry of Tribal Affairs, neither the Ministry of Tribal Affairs nor NCST has undertaken any study in regard to displacement and rehabilitation of tribals in different parts of the country. The Committee, however, note that the Ministry had commissioned an “Evaluation Study on Resettlement and Rehabilitation” by National Institute of Rural Development, Hyderabad. It has also been informed that the Ministry of Rural Development had notified the “National**

**Policy on Resettlement and Rehabilitation, 2003". However, to ensure justice and better compensation package for the STs being displaced due to construction of development projects, the Ministry of Tribal Affairs have taken up the matter with the Ministry of Rural Development and also proposed suitable provisions and safeguards in the draft of the National Tribal Policy, 2007. The Committee may be apprised whether the measures suggested by the NCST in their report to control the problems of alienation of tribal land and proper rehabilitation of tribals on acquisition of their land as also the study undertaken by the National Institute of Rural Development, Hyderabad have been taken into consideration while preparing the National Tribal Policy 2007.**

**4.17 The Committee are concerned that a number of tribals migrate from their villages in search of employment. The Committee recommend that the Ministry of Tribal Affairs should take up this matter with the concerned authorities to ensure that tribals who migrate to work elsewhere for a limited period of time in a year, should be covered under Rural Employment Guarantee Schemes, so that the migrant tribals do not have to leave their homes for seeking employment elsewhere. The Committee also recommend that the Ministry of Tribal Affairs should also take up the matter with the concerned authorities for provision of residential schools for children of migrant tribals who leave their villages for employment.**

**4.18 The Committee observe that a Working Group on "Migration of Tribal Girls" was constituted on 25.7.2006 under the Chairmanship of Secretary (TA)**

with the objective to assess the magnitude of migration of tribal girls, its possible causes and consequences and measures to check migration. The Committee would like to know whether the report by the working Group has been completed and presented to the Ministry. The Committee strongly recommend that proactive action should be taken expeditiously so that young tribal girls who migrate to cities are not exploited for want of proper shelter and opportunity.

4.19 The Committee are distressed by the fact that tribals are agitating in Meghalaya as mining of uranium is being carried out. The Committee should also be apprised of the response of the State Government and the Department of Atomic Energy in regard to reported mining of uranium in Meghalaya. The Committee strongly feel that tribals should not suffer in the name of development by way of displacement or alienation. The Committee recommend that the Ministry of Tribal Affairs should take immediate su-moto action whenever it is reported that tribal people are agitating against displacement and endangerment to their lives. The Committee should also be apprised of provision/safeguards suggested by the Ministry of Tribal Affairs to be included in the draft of National Tribal Policy, 2007 and detailed role played by the Ministry of Tribal Affairs in framing this policy.

**(iv) Allocation of plan funds**

4.20 When enquired about the role of Ministry of Tribal Affairs as well as NCST in regard to allocation of plan funds in proportion to ST population and their utilisation and monitoring thereof, the Committee have been informed that the Planning

Commission has issued guidelines for adoption of Tribal Sub Plan (TSP) strategy which inter-alia includes allocation of funds for schemes/programmes meant for Scheduled Tribes at least in proportion to the Scheduled Tribe population. As such the Ministry does not have any power to enforce these guidelines. It has also been stated that the Ministry seeks information from Central Ministries and States about the allocation of funds under TSP and expenditure. It has also been stated that to encourage States to adopt TSP strategy, the Ministry of Tribal Affairs provides incentive grants under SCA to TSP and innovative grants under Article 275(1) of the Constitution as per guidelines. The Ministry of Tribal Affairs have also stated that they had got a study conducted by Indian Institute of Public Administration (IIPA), New Delhi on 'Adoption of TSP approach in Madhya Pradesh, Maharashtra and Andhra Pradesh'.

4.21 During evidence it was pointed out that in the Fourth Five Year Plan, a commitment was made by the Government to allocate percentage of plan funds equivalent to population. However, most of the Ministries are not following what is mentioned in the Tribal Sub Plan.

4.22 On this issue, the Secretary of the Ministry inter alia stated:-

“...The Planning Commission atleast has a paper...but now the Planning Commission when they are having a meeting with the States and also when they are having a meeting with the Government Departments, they now have a paper which says that this is so much of percentage that they have to give. Now what is necessary is to have a mechanism to see that whatever they have to give whether that goes in the effective programme or not ...”.

4.23 The Committee further pointed out that each Ministry is required to spend 8.2 percent out of its budget towards Tribal Sub Plan. In this connection, the NCST should also visit States to oversee how much fund is being utilised there. In response, the Secretary, NCST stated:

“...The Commission visited 6 States, had meetings and held discussion with Planning Commission. The matter is not only about 8.2 percent of Budget but it is of much more serious nature. The budget amount allocated is only a notional projection. This matter has been brought to the knowledge of Planning Commission and this matter has been considered seriously by them. It is now being considered to mark 8.2 percent of Budget at the disposal of the Ministry of Tribal Affairs so the fund released is project based and tribal oriented”.

**4.24 The Committee note that the Planning Commission has issued guidelines for adoption of Tribal Sub Plan (TSP) strategy which inter-alia includes allocation of funds for schemes/programmes meant for STs atleast in proportion to their population. The Committee, however, note that the Ministry do not have any power to enforce these guidelines. The Committee also note that to encourage States to adopt TSP strategy, the Ministry provide incentive grants under Special Central Assistance (SCA) to TSP and innovative grants under Article 275(1) of the Constitution as per guidelines. The Committee are distressed by the fact that despite the guidelines issued by the Planning Commission, the Ministries of the Central Government and State Governments are not adhering to the guidelines. The Committee would**

like to know the names of defaulting Ministries and States. The Committee are also disturbed by the submission made during evidence that the budget allocation, which is to be made for the development of tribals at 8.2 percent, is actually a notional projection and this fact has been brought to the notice of the Planning Commission by the NCST and that they are seized of the matter. The Committee sincerely hope that the Government would give top priority to the matter and give clearance to the proposal to park 8.2 percent of budget amount at the disposal of the Ministry of Tribal Affairs for funding project based on tribal oriented schemes. The Committee recommend to the Planning Commission to ensure that just as States plans are not approved unless TSP/SCP are not provided in their plans, this principle should be applied in respect of the Central Ministries as well. The Committee are also concerned that there is lack of mechanism as mentioned by the Secretary, Ministry of Tribal Affairs to see that the amount allocated goes in the effective programme or not. The Committee, therefore, recommend that the Ministry should evolve an effective and credible system of mechanism regarding utilisation of funds under TSP. The Committee also recommend that apart from the Ministry, NCST should also regularly monitor utilisation of funds under TSP.

**(iv) Loans to tribal people**

4.25 The Committee pointed out the problems faced by tribals owning land. It was stated that they cannot borrow money from Banks due to operation of several Acts governing the land. In this connection, the Secretary, Ministry of Tribal Affairs, stated:-

“...The land mortgage, is a very complicated issue... There are many committees which have gone into it. In scheduled areas land transfer is not possible. There are problems... It has come to me during my earlier tenure when I had gone for an inspection of a divisional office. A person wanted to sell his land for the treatment of his wife. He could not do it because it is not possible under the law, whereas expert committee have taken the view that in the overall context, let it remain as it is, do not change it“.

A member of the Committee then asked:-

“We are not selling it but we want to mortgage our land for taking loan”.

In reply the Secretary stated:-

“Recently, there is a Planning Commission Report... wherein it has been discouraged.... because of repercussions .... we will study a little more”.

4.26 The Ministry in their post evidence reply have informed that under the Land Laws/Land Revenue Codes, the land belonging to the Scheduled Tribes in the scheduled areas/tribal areas is not transferable or alienable to a non-tribal without the permission of the District Collector or any other authority specified in these laws. Due to this fact, the papers produced by the tribal applicants in respect of land

owned by them are not accepted by the Bank authorities for purposes of mortgage as they cannot attach the land, in the event of default in repayment of the loan amount. In this scenario it would be appropriate if the State level ST Development and Finance Corporations and the National Scheduled Tribes Finance and Development Corporation are advised to play more active role in extending loan facilities to the tribal entrepreneurs.

**4.27 The Committee observe that Banks do not lend money to tribal people even if they are prepared to mortgage their land and hence, they are unable to raise money for business purposes. The Committee also note that under the land laws/land revenue codes, the land belonging to STs in the scheduled areas/tribal areas is not transferable or alienable to a non-tribal without the permission of the District Collector or any other authority specified in these laws. Consequently, the papers produced by the tribal applicants in respect of land owned by them are not accepted by the Bank authorities for the purpose of mortgage as they cannot attach the land, in the event of default in repayment of amount. The Committee are pained to observe that this is a peculiar situation for which no concrete solution has been explored by the Government so far. The suggestion of the Ministry of Tribal Affairs that state level ST Development and Finance Corporations and the National Scheduled Tribes Finance and Development Corporation should be asked to play more active role in extending loan to tribal entrepreneurs may serve to limited extent. The Committee are of the view that the role as well as the extant of loan amount sanctioned by the State level ST Development and Finance**

Corporation is often not sufficient to meet the requirement of a borrower because of increased need of funds for business in present times. The Committee, therefore, recommend that to cope up with this problem, a proposal may be sent to the Ministry of Finance for examination so that they may be able to issue necessary guidelines to Banks/Financial Institutions to lend money to ST people.

New Delhi;  
October, 2008  
Kartika, 1930 (Saka)

**RATILAL KALIDAS VARMA**  
Chairman  
Committee on the Welfare  
of Scheduled Castes and  
Scheduled Tribes

**NOTIFICATION**

New Delhi the 17<sup>th</sup> September, 2004 \_\_\_\_\_

G.S.R.365--RULES OF PROCEDURE OF THE NATIONAL COMMISSION FOR SCHEDULED TRIBES:-

**CHAPTER I****GENERAL****Constitution of the Commission**

1. The National Commission for Scheduled Tribes (hereinafter called the Commission) has been constituted under new Article 338A of the Constitution of India as amended by the Constitution (Eighty-Ninth Amendment) Act, 2003. The Commission consists of a Chairperson, a Vice-Chairperson and three other Members.

**Headquarters of the Commission**

2. The Headquarters of the Commission shall be located at New Delhi.
3. The functions and responsibilities of the Commission as laid down in Article 338A of the Constitution are:
- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under the Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
  - (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes;
  - (c) to participate and advise on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State;
  - (d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
  - (e) to make in such report recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes; and
  - (f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.
4. The Commission shall function by holding 'sittings' and 'meetings' at any place within the country and also through its officers at the Headquarters and in the Regional Offices. The Members of the Commission including the Chairperson and the Vice-Chairperson shall function in accordance with the procedure prescribed under these rules.

**CHAPTER II****DIVISION OF RESPONSIBILITIES AND ALLOCATION OF WORK****Chairperson**

5. The Chairperson shall be the head of the Commission and shall have the residuary powers to decide on all questions and matters arising in the Commission excepting such matters where specific provision has been made in these rules.

6. The Chairperson shall allocate subjects and responsibilities among the Members of the Commission. The Order allocating the subjects and responsibilities shall be circulated to all concerned by the Secretariat of the Commission.

7. The Chairperson shall be the authority to sanction leave and approve tours of the Members.

8. The Chairperson shall preside over the meetings of the Commission.

9. All important decisions in the Commission pertaining to the subjects allotted to the Members shall be taken with the approval of the Chairperson.

10. The Chairperson may call for any records on any matter, which he/she considers important and may take a decision on it himself/ herself or, if necessary, place it at the meeting of the Commission.

**Vice-Chairperson**

11. The Vice-Chairperson shall preside over the meetings of the Commission in the absence of the Chairperson.

12. The Vice-Chairperson shall perform such functions as are entrusted to him/ her by the Chairperson.

**Members**

13. The Members of the Commission shall have collective responsibility and shall function by participating in the 'meetings' and 'sittings' of the Commission and looking after the subjects allocated to them. Important actions and decisions of a Member may be brought at a meeting of the Commission which may review the same.

14. Any Member may suggest items for inclusion in the agenda of a meeting of the Commission and the same shall be so included after obtaining the consent of the Chairperson.

15. Each Member shall have overall responsibility of subjects and/or regions or State(s) as may be allocated to him.

16. The Members shall play the role of advising the State Governments under their jurisdiction on matters of planning and development relating to the welfare of Scheduled Tribes. The Commission's Secretariat at Headquarters and the Regional Offices shall assist the Members in keeping them fully informed of the problems and activities of the States and subjects under their respective charge.

17. One or more Members may, in accordance with the procedure specified in the rules elsewhere, hold sittings of the Commission to give hearing to the cases or to collect evidence or information on any matter, issue or case under investigation or inquiry of the Commission.

18. The Members shall communicate their tour programme well in advance to the Regional Offices indicating in detail the purpose of the visit and to the State Govt. Department and other concerned for discussions/inquiry, etc., during the tour/visit. The Members will observe the norms laid down by the State Govts. regarding security/travel/ accommodation etc., during such tours.

**Secretary**

19. The Secretary shall be the administrative head of the Commission and shall assist the Commission in the discharge of its functions with the assistance of the officers of the Commission.

20. All important administrative matters shall be placed before the Secretary who may pass general or specific orders on such matters.

21. The Secretary shall be responsible for having the agenda prepared for the meetings of the Commission and for circulating the minutes.

22. The Secretary shall assist the Commission in finalizing the Reports.

23. The Secretary may, in his discretion, delegate any of his functions or authority to a subordinate officer of the Secretariat.

## CHAPTER III

### INVESTIGATION AND INQUIRY BY THE COMMISSION

#### Methods of investigation and inquiry

24. The Commission may adopt any one or more of the following methods for investigating or inquiring into the matters falling within its authority:

- (a) by the Commission directly;
- (b) by an Investigating Team constituted at the Headquarters of the Commission; and
- (c) through its Regional Offices

#### **Investigation and Inquiry by the Commission directly**

25. The Commission may hold sittings for investigation into matters relating to safeguards, protection, welfare and development of the Scheduled Tribes for inquiry into specific complaints for which the Commission decided to take up investigation or inquiry directly. Such sittings may be held either at the Headquarters of the Commission or at any other place within the country.

26. The sitting(s) of the Commission would be held after giving due notice to the parties intended to be heard and also due publicity notice to the general public. Care will be taken to see that the members of the Scheduled Tribes who are affected in the matter under investigation or inquiry are given due information through notice or publicity.

27. When a decision for direct investigation is taken, an officer not below the rank of Assistant Director/ Research Officer/ Section Officer concerned with the subject matter of investigation, alongwith necessary staff may be attached to the Member(s) entrusted with such investigation or enquiry and they shall take all steps to arrange such sittings.

28. (i) In accordance with clause 8 of Article 338A of the Constitution, while investigating in a matter referred to in sub-clause (a) or in inquiring into any complaint referred to in sub-clause (b) of clause (5) of Article 338A, the Commission shall have all the powers of civil court trying a suit and in particular in respect of the following matters, namely:-

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
  - (b) requiring the discovery and production of any document;
  - (c) receiving evidence on affidavits;
  - (d) requisitioning any public record or copy thereof from any court or office;
  - (e) issuing commissions for the examination of witnesses and documents;
  - (f) any other matter which the President may, by rule, determine.
- (ii) The Commission for the purpose of taking evidence in the investigation or inquiry may require the presence of any person and when considered necessary may issue summons to him/her. The summons for enforcing attendance of any person from any part of India and examining him/her during the course of investigation and inquiry by the Commission shall provide at least 15 days' notice to the person directed to be present before the Commission from the date of receipt of the summons.

29. Where the property, service/employment of Scheduled Tribes and other related matters are under immediate threat and prompt attention of the Commission is required, the matter shall be taken cognizance by issue of telex/fax to the concerned authority for making it known to them that the Commission is seized of the issue. Urgent reply by telegram or fax shall be called from the concerned authority. In case no reply is received

within ten working days, the authority concerned may be required to appear before the Commission at a shorter notice for enquiry.

30. The Commission may issue commission/under clause 8 (e) of Article 338A of the Constitution to take evidence in any matter under investigation or inquiry and for this purpose appoint any person by an order in writing. The Commission may make further rules for payment of fee and travelling and other allowances to persons appointed to take evidence on commission.

31. After holding the required sittings, the Member(s) who conducted the investigation shall make a report which shall be sent to the Secretary or any other officer authorized to receive the report. After examination, action may be initiated on the report with the approval of the Chairperson.

#### **Investigation or inquiry by an Investigation Team constituted at the Headquarters of the Commission**

32. The Commission may decide about the matter that is to be investigated or enquired into by an Investigating Team of officials of the Commission, provided that in case the matter is urgent, the decision for such investigation or inquiry may be taken by the Chairperson.

33. The Investigating Team shall hold the investigation or inquiry, as the case may be, promptly and for this purpose, may initiate necessary correspondence including issuance of notices for production of documents in Form I, appended to these rules.

34. The Investigating Team may visit the area concerned after observing due formalities for obtaining approval of tours and other administrative requirements and after giving information to the concerned local authorities regarding the matter, purpose, scope and procedure of the investigation or inquiry. The Investigating Team may enlist the help of the officers and staff of the concerned Regional Office but the responsibility of preparing and presenting the report shall rest with the head of the Investigating Team.

35. The Investigating Team shall submit the report of the investigation or inquiry, as the case may be, to the Secretary or a subordinate officer of the Commission as may be directed by general or specific orders within the stipulated time, if any. If the time limit stipulated is likely to be exceeded, the head of the Investigating Team shall obtain the orders of the Secretary through the Officer-in-charge of the matter. The report shall be examined and put up to the competent authority for a decision regarding the action to be taken on the report.

36. The report shall be placed before the Chairperson of the Commission who will take appropriate action in the matter.

#### **Investigation and inquiry through the State Offices**

37. The Chairperson, the Vice-chairperson, the Members having jurisdiction over the subject or the Secretary of the Commission may decide about an investigation or inquiry that may be carried out through the State Offices of the Commission. The decision will be conveyed to the Officer-in-Charge of the concerned State Office who will be asked to get the matter investigated or inquired into within a stipulated time and send the report. The State Office shall conduct the investigation or inquiry through interrogation, on the spot visit, discussions and correspondence and examination of documents as may be necessary in the case and shall follow any special or general instructions issued in the matter by the Secretariat of the Commission from time to time.

38. If the investigation or inquiry cannot be completed within the stipulated time, the officer-in-charge of the State Office may send a communication to the Secretariat of the Commission before the expiry of the stipulated time and explain the circumstances and reasons for non-completion of the investigation or inquiry, as the case may be, within the stipulated time. The Secretary to the Commission or an officer acting under delegated functions may consider the request and communicate a revised date for the completion of the investigation or inquiry.

39. If during the course of investigation or inquiry, the Head of the State Office feels that it is necessary to invoke the powers of the Commission to require the production of any document or compelling the attendance of a person, he may make a special report with full facts to the Secretariat of the Commission. On receipt of such special report, the matter shall be placed before the Secretary/Member in-charge of the subject/State/UT who may make an order that necessary legal processes to compel attendance or to require production of any document may be issued. The summons and warrants issued for the purpose may be served

on the person concerned either directly or through the officer-in-charge of the State Office as may be directed by the Secretary/Member authorizing issue of such legal process.

40. After completion of the investigation or inquiry, as the case may be, the head of the State Office shall submit the report to the Secretary of the Commission suggesting the course of action that could be followed in the matter. The gist or findings of the report may be placed before the Secretary who may decide about further action in the matter.

#### **Confidentiality of certain reports**

41. The Commission may, through a decision at a meeting or otherwise, direct that the contents of any report made on any matter shall be kept confidential and shall not be revealed to any person other than those who have been authorized access to such report.

#### **Legal processes**

42. All summons and warrants that are required to be issued in pursuance of the exercise of the powers of a civil court by the Commission shall be written in the prescribed form and shall bear the seal of the Commission. The legal process shall be issued from the Legal Cell of the Commission and shall bear its seal. The provisions of the Code of Civil Procedure applicable for the service of the legal processes shall be followed by the Commission.

#### **Issue of letters and notices**

43. Letters and notices as provided in Form I requiring production of documents which are issued without exercising the powers of the civil court by the Commission may be signed by an officer not below the rank of Research Officer/Section Officer.

#### **Form of summons and warrants**

44. The summons and warrants shall be as provided in Form II and Form III respectively, appended to these rules.

## **CHAPTER IV MEETINGS OF THE COMMISSION**

### **Frequency of meetings**

45. The Commission shall meet at least once in two months. The notice for a meeting shall normally be issued two weeks in advance. Emergent meetings may also be called by the Chairperson either on his own or on the request of a Member or the Secretary for disposing of important matters requiring urgent consideration by the Commission.

#### **Quorum**

46. Presence of atleast three members including the Chairperson and/or Vice-Chairperson shall constitute the quorum for holding meeting of the Commission.

#### **Matters requiring decisions by the Commission at its meetings**

47. The following matters shall be brought up before the Commission at a meeting for consideration and decision:

- (i) any amendment to these Rules of Procedure;
- (ii) matters to be investigated by the Commission directly;
- (iii) all the reports that are required to be considered by the Commission as provided in these rules;

(iv) any matters that a Member may like to bring to the meeting, with the approval of the Chairperson;

(v) important matters relating to planning and development for the welfare and advancement of the Scheduled Tribes and specially references received under Article 338A (9) of the Constitution; and

(vi) any matter that the Chairperson may direct to be placed at a meeting of the Commission.

#### **Agenda for the meeting**

48. The agenda will normally be circulated to all the Members at least seven days before the date of the meeting, provided that for an Emergent Meeting, this time limit may not apply.

49. The minutes of a meeting shall be circulated as soon as possible to all the Members.

#### **Place of meeting of the Commission**

50. Normally the place of meeting of the Commission shall be the Headquarters of the Commission at New Delhi. The Commission may, however, decide to hold a meeting at any other place in India.

#### **Fee**

51. The Chairperson, the Vice-Chairperson and the Members shall not be entitled to any fee for sitting in the meeting of the Commission. However, the entitlement of part-time Members, if any, may be determined by the terms of appointment of such Members.

## **CHAPTER V**

### **SITTINGS OF THE COMMISSION Need for sittings**

52. Whenever a matter is to be investigated into directly by the Commission it may do so by holding sittings of the Commission. In the case of such sittings, the presence of all the Member may not be necessary.

#### **Officers to be present**

53. Whenever a Member(s) is holding a sitting, an officer of the Commission, not below the rank of Research Officer/Section officer, duly deputed for the purpose, shall be present to assist the Member(s) holding the sitting to discharge the functions properly and promptly. It shall be the duty of the officer to assist the Member(s) in preparing the report if called upon to do so by the Member(s). The officer shall also be responsible for assisting the Member(s) in following the prescribed procedure.

#### **Frequency of sitting(s)**

54. Sittings of the Commission may be held as and when necessary. The Commission may hold more than one sitting simultaneously in different parts of the country with different Members functioning separately.

#### **Programme of the sittings**

55. The programme of the sittings, both at the Headquarters and at other places, would normally be worked out each month in advance and duly circulated. Defraying expenses to witnesses

56. The Commission may defray travelling expenses to persons who have been called through summons to appear before the Commission in a sitting, provided that the place of residence of one person is more than 8 kms. from the place of the sitting of the Commission. The amount so defrayed shall be limited to the actual traveling expenses plus Daily Allowance for the number of days that the person has appeared before the Commission in its sitting, provided that the person is not entitled to travelling and daily allowance from any other source. Persons who are employees of the Government/Public Sector Undertaking shall be deemed to be

on duty if they are summoned to depose before the Commission or produce documents. The limit of travelling expenses shall be determined on the basis of the rail fare and road mileage calculated on the basis of the rates that may be prescribed by the Commission. In the case of any doubt regarding the entitlement of the person, the decision of the Secretary of the Commission shall be final.

57. The officer attached to the Member for the purposes of the sitting shall take steps to ensure that sufficient cash amount is carried if the sitting is held at a place other than the Headquarters of the Commission. The Secretariat of the Commission may devise a suitable procedure to ensure that such claims as above are paid on the spot and in cash to the person(s) so appearing.

58. The claim for traveling expenses as above shall not be admissible in the case of a person who appears before the Commission during any investigation or enquiry on his own accord or in response to a communication or notice which is not a summon issued by the Commission.

## CHAPTER VI

### DUTIES OF THE STATE OFFICES OF THE COMMISSION

59. It shall be the duty of the State Offices of the Commission:

- (i) To act as the "eyes and ears" of the Commission in the State(s) under their jurisdiction.
- (ii) To maintain effective interaction and liaison with State Government/UT Administration on behalf of the Commission.
- (iii) To serve on State Level Advisory Councils/Committees/Corporations, etc. on behalf of the Commission:
- (iv) To provide information and documentation about the policies and programmes of the Union Government for the welfare and advancement of Scheduled Tribes to the States, NGOs, Media in their respective jurisdiction, and obtain similar information and documentation from such organizations and provide to the Headquarters of the Commission information/documentation about important developments, social movements, policy changes etc. in the State(s) affecting the interest of Scheduled Tribes.
- (v) To monitor and inspect the working of voluntary and other non-governmental organizations receiving grant-in-aid from the Ministry of Tribal Affairs as also other Ministries/Departments of the Central Government, the concerned State Governments and Foreign Aid Agencies etc., for Research Studies on Scheduled Tribes
- (vi) To conduct Research Studies, Seminars, Conferences, Surveys etc. either on their own or as entrusted to them by Headquarters from time to time and to organize Awareness Camps on the role of the Commission in ensuring the proper implementation of the safeguards available to members of STs including the schemes and programmes for their development in different districts in collaboration with the States/UTs.
- (vii) To conduct on-the-spot inquiries into cases of atrocities on Scheduled Tribes either on their own or as entrusted to them by Headquarters and interact with the concerned Administrative/Police authorities having jurisdiction and submit report to the Headquarters.
- (viii) To deal with complaints/representations from individuals, Scheduled Tribes Welfare Associations, etc., on various matters as also to deal with, suo moto grievances of Scheduled Tribes published in print media.
- (ix) To participate and advise in the planning process for socio-economic development of Scheduled Tribes as envisaged under Clause (5) of Article 338A of the Constitution of India.
- (x) To collect, compile, analyse and monitor issues pertaining to development of Scheduled Tribes in the states especially with reference to Tribal Sub Plan (TSP) and Special Central Assistance (SCA) and prepare drafts of Reports pertaining to the State(s)/UT(s) under their jurisdiction.

- (xi) To prepare and maintain a comprehensive and up-to-date database of Scheduled Tribes population, education, development etc. in the State(s)/UT(s); and
- (xii) To perform any other duty specifically assigned/entrusted to the State Office(s) by the Commission or the Secretary or any other officer empowered in this regard.

## CHAPTER VII

### **ADVISORY ROLE OF THE COMMISSION**

#### **Interaction of the Commission with the State Governments.**

60. The Commission shall interact with the State Governments through its Members, Secretariat and the Regional Offices.

61. The Members in-charge of the State/UT would interact with the State Government/UT Administration through meetings, personal contacts, visits and correspondence. The information in this regard may be sent to the concerned Deptt./Organizations well in advance and the Regional Offices should also be informed about the same. For this purpose, detailed guidelines may be formulated by the Commission. The Secretariat of the Commission through its concerned Wing(s) would provide necessary assistance and information to the Member for enabling him to discharge his functions effectively. The State Governments should provide facilities for transport, security, accommodation etc. to the Member as per his entitlement.

#### **Interaction with the Planning Commission**

62. The Commission shall interact with the Planning Commission at appropriate levels through representation in the various Committees, Working Groups or other such bodies set up by the Planning Commission. The Commission shall indicate this requirement through general or specific communication to the Planning Commission.

63. The Commission may request the Planning Commission to forward copies of all the documents concerning the process of planning and development and evaluation of all programmes and schemes touching upon the Scheduled Tribes.

64. The Commission may decide about the manner of interaction between the Chairperson/Members of the Commission and the Deputy Chairman/Members of the Planning Commission.

#### **Interaction of the State Offices with the State Governments**

65. The State Offices of the Commission shall work in a manner so as to provide a regular and effective link between the State Governments concerned and the Commission. For this purpose, the Commission may send communications to the State Governments suggesting that the officers-in-charge of the State Offices of the Commission may be taken on important Planning, Evaluation and Advisory bodies including Corporations concerned with the welfare, protection and development of the Scheduled Tribes.

66. The officers-in-charge of the Regional Offices may be directed or authorized by the Commission to convey to any State authority the formal views, opinion or approach of the Commission on any specific or general matter or issue arising at any meeting or deliberation.

#### **Research/Studies/Surveys/Evaluation**

67. The Commission may undertake studies to evaluate the impact of the development schemes on the socio-economic development of the Scheduled Tribes taken up by the Union or State Governments. For this purpose, the Commission may constitute Study Teams either at the Headquarters or at the Regional Offices. The Study Teams may undertake investigations, surveys or studies either in collaboration with Central or State Govt. authorities or Universities or Research Bodies, as the case may be, or may do so independently.

68. The Commission may entrust surveys or evaluation studies to any professional body or person considered suitable and competent to undertake such work and, for this purpose, may make any reasonable payment to such body or person towards the cost of the study by way of fee or grant.

69. The studies so undertaken or their gists may form part of the Annual or Special Report of the Commission to be presented to the President or may be published separately by the Commission.

70. The Commission may forward a copy of such a study report to the Union or the State Government concerned, as the case may be, asking for their comments, if any. The comments or action taken reports by the Union/State Government may also form part of the Annual Report of the Commission.

## CHAPTER VIII

### MONITORING FUNCTIONS OF THE COMMISSION

#### **The Commission to determine subjects for monitoring**

71. The Commission may determine from time to time the subjects or matters and areas that it would monitor relating to safeguards and other socio-economic development measures provided for the Scheduled Tribes under the Constitution or under any other law for the time being in force or under any order of the Govt.

#### **Prescribing returns and reports.**

72. The Commission may prescribe periodical returns or reports to be furnished by any authority responsible for or having control of the subject matter of which monitoring is being done by the Commission.

73. The Commission may from time to time issue instructions to its Regional Offices to collect information and data on any particular subject or matter from the State Governments, Local bodies, Corporate Bodies or any other authorities which is charged with the implementation of the safeguards provided for the Scheduled Tribes.

74. The Commission may direct its Regional Offices to process the information/ data in the Regional Offices with a view to arriving at conclusions with regard to the deficiencies/shortcomings discovered through such processing or analysis of the data and to bring these to the notice of the concerned authority for comments and rectification, where necessary.

75. The Commission may have data, relating to the subjects monitored, collected at the headquarters and may prescribe returns and reports for the purpose to be sent directly to its Headquarters by the Ministries/Departments of the Central government or a State Government or Public Sector Undertaking or any other body or authority which is charged with the responsibility of implementing safeguards relating to the Scheduled Tribes.

#### **Follow-up action**

76. In order to ensure that monitoring is done effectively, the Commission, after getting the information as prescribed in the above rules and after reaching conclusions, may as early as possible send out communications to the concerned authority describing the shortcomings that have been noticed in the implementation of the safeguards and suggesting corrective steps. Decisions on sending out such a communication may be taken at a level not lower than that of Joint Secretary/ Secretary at Headquarters. Heads of Regional Offices may take decisions on routine matter whereas they will seek approval of the Secretary and the concerned Member on complex and important matters affecting the interest of Scheduled Tribes as a group.

77. The Commission may ask for the comments of the concerned authority on the action taken in pursuance of the communications sent under the Rule 76.

78. The Commission may include in its Annual Report or any Special Report, findings and conclusions arrived at through the process of monitoring of the subjects relating to the safeguards and socio-economic development measures provided for the Scheduled Tribes under the Constitution or under any other law for the time being in force or under any order of the Union/State Government.

## CHAPTER IX

### **Non-formal actions by the Commission**

79. The Commission may initiate correspondence in special cases in matters which are not strictly covered under the law if the matter is such that the welfare of an individual person belonging to Scheduled Tribes or that of a group of such persons is involved and it is necessary for the Commission in its inherent capacity as the protector of the interests of these classes of persons, to take action. The decision for correspondence on such matter shall be taken at the level of Director or above.

80. All routine formal communications from the Commission shall be issued under the signatures of an Officer not below the rank of Research Officer/Section Officer.

81. The Commission can sue or be sued through its Secretary.

82. The Scheduled Tribes in these rules will have the same connotation as is given in clause 10 of Article 338A of the Constitution.

### **Applicability of rules, etc., of the Central Government**

83. All rules, regulations and orders issued by the Central Government and applicable in the Ministries/Departments will also apply in the Commission.

84. The provisions relating to the delegation of financial powers in the Government of India shall apply to the corresponding officers in the Commission.

### **Use of Staff cars**

85. The Staff Car Rules of the Government of India shall apply for the purposes of utilization of staff cars in the Commission.

### **Decision on matters not specified in these rules**

86. If a question arises regarding any matter pertaining to the mandate of the Commission for which no provision exists in these rules, the decision of the Chairperson shall be sought. The Chairperson may, if he deems fit, direct that the matter may be considered at a meeting of the Commission.

[F.No.1/1/NCST/2004-C.Cell]

MANOJ KUMAR, Secy.

**NATIONAL COMMISSION FOR SCHEDULED TRIBES****[A Constitutional body set up under Article 338A of the Constitution of India]**5th Floor, Lok Nayak Bhawan  
New Delhi – 110 003.

(Notice for collecting basic facts)

To

Whereas a petition/complain/information has been received by this Commission from \_\_\_\_\_ or press news under caption \_\_\_\_\_ appearing in \_\_\_\_\_ dated \_\_\_\_\_ as enclosed and the Commission has decided to investigate/inquire into the matter in pursuance of the powers conferred upon it under Article 338A of the Constitution of India, you are hereby requested to submit the facts and information on the action taken on the allegations/matters to the undersigned within 30 days of receipt of this notice either by post or in person or by any other means of communication.

Please take notice that in case the Commission does not receive reply from you within the stipulated time, the Commission may exercise the powers of civil court conferred on it under Article 338A of the Constitution of India and issue summons for your appearance in person or by a representative before the Commission.

Signature

Director/Dy Secretary/Under Secretary, Dy. Director/Assistant Director  
Research Officer/Section Officer  
National Commission for Scheduled Tribes

## BEFORE THE NATIONAL COMMISSION FOR SCHEDULED TRIBES

[A Constitutional body exercising powers of a civil court under Clause (8) of Article 338A of the Constitution of India]

File No. :

## SUMMONS

5th Floor, Loknaya Bhawan  
New Delhi – 110 003

To

Whereas this Commission has decided to investigate into the following matter in pursuance of powers conferred upon it under Article 338A of the Constitution of India, your attendance is hereby required in person to appear before the National Commission on the \_\_\_\_\_ of \_\_\_\_\_ 200\_\_\_\_\_ at \_\_\_\_\_ hours \_\_\_\_\_ . You are also required to bring with you the connected documents for examination by this Commission.

**Case of reference**

If you fail to comply with this order without lawful excuse, you shall be subjected to the consequences of non-attendance as laid down in Rule 12 of Order XVI of Code of Civil Procedure, 1908.

Given under my hand, and seal of the National Commission for Scheduled Tribes exercising powers of a civil court, this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_\_.

Signature  
Court Officer

SEAL

## FORM-III

(Warrant of arrest of witness)

## NATIONAL COMMISSION FOR SCHEDULED TRIBES

[A Constitutional body exercising powers of a civil court under Article 338A of the Constitution of India]

5th Floor, Loknaya Bhawan  
New Delhi – 110 003.

To

Whereas \_\_\_\_\_ r/o \_\_\_\_\_ was duly served with a summons but has failed to attend (absconds and keeps out of the way for the purpose of avoiding service of the summons), the National Commission for Scheduled Tribes exercising the powers of a civil court under Article 338(8) of the Constitution of India hereby orders you to arrest and bring the said \_\_\_\_\_ before National Commission at Delhi.

You are further ordered to return this warrant on or before the \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_\_ with an endorsement certifying the day and the manner in which it has been executed.

Given under my hand, and the seal of the National Commission exercising powers of Civil Court, this \_\_\_\_\_ of \_\_\_\_\_ 200\_\_\_\_\_.

Signature  
Court Officer

SEAL

## APPENDIX-B

**STATEWISE LIST OF VOLUNTARY ORGANIZATIONS/NON-GOVERNMENTAL ORGANISATIONS FUNDED DURING TENTH FIVE YEAR PLAN UNDER THE SCHEME OF GRANT-IN-AID TO VOLUNTARY ORGANISATION**

(Amount in Rs.)

Sl. No.	Name of the VO/NGOs with addresses	Project	2004-05	2005-06	2006-07
<b>ANDHRA PRADESH</b>					
1.	Papuji Integrated Rural Development Society. At: Gaddamanugu, District: Krishna, A.P.	Residential School	727515	2889810	1451295
2.	Centre for Rural Education & Dev. Anantapur, Andhra Pradesh	Residential School	1039320	0	0
3.	Gram Abhyudaya Society for Integrated Rural Devt., 6 <sup>th</sup> Ward, Kota Street, Urvakonda, Distt. Anantapur, A.P.	Residential School	1509129	0	0
4.	Integrated Devt. Agency, Raithupet, Nandigama, Krishna Distt. A.P.	10-Bedded school and Mobile	0	0	0
5.	Jagruthi Educational and Community Devt. Society, Hyderabad, A.P.	Residential School for ST Boys.	0	1862990	0
6.	JANAHTA, Vatsalya Complex, Vataslyapuri, Kondayapatem Road, Nellore-524004.	Non-Residential School	1196820	9643770	0
7.	Jeeyar Educational Trust Gangnmahal Colony, Domatguda, Hyderabad, A.P.	Non-Residential School	677160	1326342	852301
8.	K.S.R. Memorial Charitable Trust for Rural Development, Naidupet, Distt. Nellore, A.P.	Non-Residential School	0	594180	0
9.	People's Educational Society, H.N.13-1-45, Opp. Inspection Bungalow, Krimnagar.	Residential School	1935878	0	0
10.	Pratibha Educational Society, Nandyal, Distt. Kurnool, A.D.	Non-Residential School	1008585	0	0
11.	R.K. Mission, Korukonda Road, Rajamundry, A.P.	Mobile Dispensary	1052533	334627	327164
12.	R.K. Mission Ashram, R.K. Beach, Visakhapatnam, A.P.	Mobile Dispensary	1196454	161206	0
13.	Rural Organisation for Social Activity, At/PO. Manthenavanipalem, Distt. Guntur	Residential School	1039320	1005245	0
14.	Sarada Educational Society, At: Vinukonda, Distt. Guntoor, A.P.	Residential School	2078640	0	1932228
15.	Seva Bharati, Khammam, A.P.	Hostel	0	0	654192
16.	Simphapuri Vidya Seva Samiti, Nellore, A.P.	10-Bedded Hospital	838314	962910	1245204
17.	Society for Assistance and Vocational Education, Machilipatnam, Dist. Krishna, A.P.	Residential School	1060200	0	0
18.	Sri Govindraja Swamy Social Devt. Society, Dist. Kurnool, A.P.				
19.	Sri Laxmi Mahila Mandali, Gaddamanugu, Krishna Dist., A.P.	Non-Residential School	864090	898223	593730
20.	Sri Parmeswari Educational Society, Almkur, Dist. Kurnool, A.P.	Mobile Dispensary	331072	0	347602
21.	Sri Sai Ram Seva Sangam, Vill: Annaram, Dist. Karimnagar, A.P.	Residential School	519660	0	0
22.	Sunitha Mahila Mandali, Yeleswaran, East Godavari, A.P.	Residential School	0	0	2808108
23.	Swan Educational Society, near Deccalamma Temple, R.P. Road, Secundrabad, A.P.	Residential School, Typing and Mobile Library Cum A.V. Unit.	1523718	0	1141904
24.	Vani Niketan Mahila Mandali, Nandigam, Dist. Krishna, A.P.	Non-Residential School	311130	0	0
25.	Youth in Action Society, Sathya Apts., Chappal Bazar, Kachiguda, Hyderabad, A.P.	10-Baddded Hospital	1005750	0	0
26.	Sri Saraswathi Vidya Peetham, At-Saradadhamam, Bandlagudem Jagir, PI-Kismatpur, Hyderabad, A.P.	Residential School	0	1802511	0
27.	Society for Integrated Rural Improvement (SHRI), 7/163-A Prakash Road, Anantapur, A.P.	Residential School	0	2078640	0
28.	Human Resources Dev. Association, 13-2-1, Kotta Indlu Punganoor, Punganoor, Distt. Chittoor, A.P.	Residential School	0	4117356	0
29.	Mandalapu Narayana Educational Society, (Narayana Educational & Rural Development Society), H.O.: Jangamaheswarapuram (Village), Gurazala(Mandal), Guntur(District), A.P.	Residential School	0	0	975771

		Total	19534948	18998418	16075866
<b>ANDAMAN &amp; NICOBAR ISLANDS</b>					
1.	Ramakrishna Mission, Port Blair, Andaman, Andaman & Nicobar Islands	Residential School	0	430020	154152
		<b>Total</b>	<b>0</b>	<b>430020</b>	<b>154152</b>
<b>ARUNCHAL PRADESH</b>					
1.	Abotani Ashram Welfare Association, Naharlagun-791110, Arunchal Pradesh	Hostel	0	0	1209528
2.	Arunachal Pali Vidyapeeth, Changkham, Dist Lohit, Arunchal Pradesh.	Residential School and Mobile Dispensary	2180583	3098187	2564460
3.	Buddhist Cultural Preservation Society, Uppor Gampa, PO/PS: Bamdila, Distt. West Kamang, A.P.	Residential School	2818701	1424826	1408680
4.	Centre for Buddhist Cultural Studies, Vill./PO: Tawang, Dist. Tawang, A.P.	Residential School	873072	1746144	1443939
5.	R.K. Mission, Narottam Nagar, Via Deomali, Dist. Tirap, A.P.	Computer Training Centre, Residential School and Mobile Diopensary	6854048	5948658	3060840
6.	R.K. Mission. PO: Vivekanandnagar, Along, West Siang Dist., A.P.	Non- Residential School, 10-Bedded Hospital, Mobile Dispensary, Hostel and A.V. Unit.	3060840	6121680	3060840
7.	R.K. Mission Hospital, Itanagar, A.P	60-Bedded Hospital	5008423	4366710	4847160
8.	Ramakrishna Sarda Mission, PO: Khonsa, Dist. Tirap, A.P.	Residential School	3478402	2751669	2752569
9.	Bharatiya Adimjati Sevek Sangha, Thakkar Bapur Samarak Sadan, N. Delhi-110055	Hostel	0*	35550	1733759
10.	Vivekananda Kendra Arunijyoti, Itanagar, At-Itanagar, Dist. Papumpare, A.P.	Workers Training Centre and Mobile Library	457830	415519	0
11.	Oju Welfare Association, near Naharlagun Police Station, Naharlagun, A.P.	Residential School	0	1915362	2092656
12.	Purvottar Janjati Shiksha Samiti, Madhav Dham, Tezpur, Assam	Residential School	1739800	0	0
		<b>Total</b>	<b>26471699</b>	<b>28144255</b>	<b>27494267</b>
<b>ASSAM</b>					
1.	Assam Centre for Rural Development, indrakanta Bhawan, Kanaklata Path, PO: Ulubari, Guwahati-781007, Assam	Mobile Dispensary	0	586755	583155
2.	Bharat Sevashram Sangha (Guwahati), Lakhra Road, Kahilipura, Guwahati, Assam	Mobile Dispensary	379233	0	0
3.	Dr. Ambedkar Mission, Vill. Dhopatari, Dist. Kamrup, Assam	10-Bedded Hospital and Mobile Dispensary			
4.	Gram Vikas Parishad, At: Rangalo, Dist. Nagaon, Assam	Mobile Dispensary	0	781740	390870
5.	Pathari Vocational Institute, Bar Libraug, Nagaon, Assam.	Computer Training Centre	312390	208260	208260
6.	Prantiya Sarbojanin Kalyan Kendra, Lakhimpur, Assam.	Knitting & Weaving and Tailoring Centre, Mobile Dispensary, Typing and Hostel	0	1137354	0
7.	R.K. Mission Ashram, Ulbari and Guwahati, Assam	Hostel, Mobile Dispensary and Library	810540	801900	799200
8.	R.K. Mission Sevashram, Silehar Assam	Hostel	0	959800	0
9.	Sadau Asom Gramya Puthibharal, Santha, Tellipatty, Distt. Nagaon, Assam	Library and Non-Residential School	392957	681282	706230
10.	Saraswati Vidya Mandir Marichalana Samity, Boro Haflong, N.C. Hills, Dist. Assam	Library and Non-Residential School	269862	0	0
11.	Shishu Shiksha Samiti, Guwahati, Assam	Residential School, Computer Training Centre and Mobile Library	1610073	0	0
12.	Sreemanta Sankar Mission, PO/Dist. Nagaon, Assam	Mobile Dispensary	177435	354870	390870
13.	Uttar Purbanchal Janjati Seva Samiti, Haflong, Dist. N.C. Hills, Assam	Hostel	246369	0	0
14.	Akhil Bharatiya Dayanand Sevashram Sangha, 315, Asaf Ali Road, New Delhi	4-Hostel	924628	3697074	1882152

15.	Bharatiya Adimjati Sevek Sangha, Thakkar Bapur Samarak Sadan, New Delhi-110055	Hostel	0*	716853	471987
<b>Total</b>			<b>7226769</b>	<b>11365575</b>	<b>6872904</b>
<b>CHHATTISGARH</b>					
1.	Kachana Dhurwa Sewa and Kalyan Samiti Vill+ P.O.-Panduka, Distt.-Raigarch Chhattisgarh	Non-Residential School	0	0	54000
2.	Nav. Abhilasha Siksha Sansthan, At/PO: Budhwani, Dist. Rainandgaon, Chhattisgarh	Non- Residential School	348399	574493	1213133
3.	R.K. Mission Ashram, Narainpur, Distt. Baster, Chhattisgarh	6-Hostel, 1-Tribal Youth Training Centre and Automobile Engineering + New projects of Divyan Agri. Trg. & Allied Subjects & Mobile Dispensary.	778899	2300978	2414905
4.	Sewa Bharati (Madhya Bharat), 'Matruchhaya', Swami Ramtirth Nagar, Opp. Maida Mill, Hoshangabad Road, Bhopal, Madhya Pradesh, Pin-462011	Three units of CTC, two unit of Hostel and a Residential School	0	722703	485677
5.	Vyakti Vikas Kendra, India, Tribal Welfare Project Office, Kirti Studio, Deviganj Road, Ambikapur, Chhattisgarh-497001	Mobile Dispensary and Drinking Water	0	0	456111
<b>Total</b>			<b>1127298</b>	<b>3598174</b>	<b>4623826</b>
<b>GUJARAT</b>					
1.	Anugrah Adivasi Education Trust, At/PO: Vadwa, District Dahod, Gujarat	Mobile Dispensary	365569	0	0
2.	Bharat Sevashram Sangha, Dediapada, Narmada, Gujarat	Mobile Dispensary	918005	0	401670
3.	Bharat Sevashram Sangha, Gangpur(Navasari),Navasari, Gujarat	Mobile Dispensary	1071400	547830	5143618
4.	Bharat Yatra Kendra, Sediapada, Naramada, Gujarat	Hostel, Mobile Dispensary and Typing Training Centre	745560	369270	1000881
5.	INRECA,Raypipta Road, Timbapada, Dediapada, Dist. Narmada, Gujarat	Hostel,	745338	0	756104
6.	Panchmahal Adivasi Vikas Yuvak, At: Dhalsimal, PO. Moli, Ta: Jhalod, Dist. Jhalod, Gujarat	Residential School	1186920	0	3298500
7.	Sant Shri Asaramji Ashram, Sabarmati, Ahmedabad, Gujarat	Mobile Dispensary	801990	1606680	0
8.	Shiv Shakti Education Trust, H.No. 17, Municipal Shopping Centre, Near New Fire Station, Dahod, Gujarat	Mobile Dispensary	0	0	194814
9.	Shree Adivasi Yuvak Seva Sangh, Jhalod, Dist. Dahod, Gujarat	Non- Residential School and Residential School	575910	1558980	2714162
10.	Shree Dhadhela Kelvani Mandal, At:PO:Dhadhela, Dist. Dahod, Gujarat	Hostel	0	0	932791
11.	Shri Mangalam Educational Trust, Naka, Ta: Khedbrahma, S.K., Pin-383275, Gujarat	Non-Residential School	300915	0	0
12.	Shri Sadgurudeo Swami Akhananda Charitable Trust, Barumal, Dist. Valsad, Gujarat	Hostel	387107	1089558	0
13.	Shri Swamin Narayan Education Trust, Valsad, Gujarat	Residential School	0	1051920	0
14.	Sri Sadgurudeo Swami Akhandananda Memorial Trust, At/PO: Barumal, Dist. Valsad, Gujarat	Mobile Dispensary and Hostel	1099073	1089558	0
15.	Swami Narayan Education Trust, Motapandha, Dist. Valsad, Gujarat	Residential School	1038050	0	989325
16.	Swami Vivekananda Education Trust, Dahod, Gujarat	Residential School	1027395	0	0
17.	Bhartiya Adimjati Sevak Sangh, Thakkar Bapa Smarak Sadan, New Delhi-55	Computer Training Centre at Dahod	0	0	405535
<b>Total</b>			<b>10263232</b>	<b>7313796</b>	<b>15837400</b>
<b>HIMACHAL PRADESH</b>					
1.	Buddhist Cultural Society of Key Gampa, PO: Key Campa, Dist. Lahaul & Spiti, H.P.	Hostel	0	811524	466110
2.	Himalaya Buddhist Cultural Association, PO. Box No. 98, Club House Road, Mandli, Dist. Kullu, H.P.	Residential School	2388537	1665639	1569096
3.	Institute of Studies in Buddhist Philosophy and Tribal Cultural Society, Tabo, Dist. Lahaul & Spiti, H.P.	Residential School	1500675	1037890	1039320
4.	Ramdha Buddhist Society, Viullage/PO: Rangrik, Dist. Lahaul Spiti, H.P.	Hostel	332730	764460	848160

5.	Rinchen Zangpo Society for Spiti Development, Yol Cantt. Dist. Kangra, H.P.	Residential School	1918600	958800	1914000
<b>Total</b>			<b>6140542</b>	<b>4238313</b>	<b>5836686</b>
<b>JAMMU &amp; KASHMIR</b>					
1.	Gurjar Desh Charitable Trust, Gurjar Colony, J&K.	Mobile Dispensary	3892532	2937550	3324752
2.	Himalayan Buddhist Cultural Society, Vill: Gulabgarh, PO: Athouli, Dist. Doda, J&K.	Residential School	0	1246743	2638260
3.	Lamdon Social Welfare Society, Leh, Ladhak, J&K.	Residential School	1078088	1097903	0
4.	Mahabodhi International Meditation, J&K	Residential School	0	1298088	0
<b>Total</b>			<b>4970620</b>	<b>6580284</b>	<b>5963012</b>
<b>JHARKHAND</b>					
1.	Bharat Sevashram Sangha (Ghatsila), Vill: Barajuri, Via: Chatsila, Dist. E.Singhbhum, Jharkhand	2-Mobile Dispensary, 10-Bedded Hospital and Residential School	4360374	0	0
2.	Bharat Sevashram Sangha (Pakur), At/PO/Dist: Pakur, Jharkand	Residential School and Computer Training Centre	1966263	1342060	0
3.	Bharat Sevashrama Sangha (Sonari), Sonari(W), Rivers Meet Road, Jamshedpur, Jharkhand	Mobile Dispensary (4 nos), Computer Training Centre, Cane and Bamboo, Mobile Library-cum-AV Unit and Residential School	24458276	12045636	8895429
4.	R.K. Mission Math, AT/PO/Dist. Jamtara, Jharkhand	Mobile Dispensary	0	683846	338709
5.	R.K. Mission Vivekananda Society, Bistupur, Jamshedpur, Jharkhand	Hostel, Mobile Library Computer Training, Typing and AV Unit.	383606	1133232	763914
6.	R.K. Mission Ashram, Morabadi, Ranchi, Jharkhand	Divyan Unit, Rural Night School, Mobile Dispensary, Library, AV Unit	9189206	6088709	4202830
7.	R.K. Mission TB Sanatorium, Ranchi, Jharkhand	50-Bedded Hospital and Mobile Dispensary	4839493	4880704	4112773
8.	Vyakti Vikas Kendra, No. 19, 39 <sup>th</sup> Cross, 11 <sup>th</sup> Main 4 <sup>th</sup> T. Block, Jaynagar, Bangalore-560041	Mobile Dispensary and Drinking Water	416790	0	589296
<b>Total</b>			<b>45614008</b>	<b>26174187</b>	<b>18902941</b>
<b>KARNATAKA</b>					
1.	Ashirwad Rural Development Trust, Kazipet Gudibande, Distt. Kolar, Karnataka	10-Bedded hospital	1034110	0	2055420
2.	Bharati Eeducational Trust, AT-Pathapally Taluk, Bagepalli, Dist. Kolar, Karnataka	Residential School	504810	1024290	1025460
3.	Dr. Ambedkar Education Society@ Nalkudure Gomala, Nalkudure, Pin-577544, Channagiri Taluk, Evengere Distt., Karnataka	Residential School	14777110	0	2077830
4.	Harihara Graminbirudhi Sangh, At: Siddaganahalli, Dist. Kolar Karnataka	Mobile Dispensary	390870	0	781740
5.	Kumudhwati Rural Development Society, H.No.32, R.R. Extension Madhugiri-572132, Tumkur Dist., Karnataka	Mobile Dispensary and Non Residential School.	0	1329043	0
6.	Nayak Student Federation, Gokak, Belgaum, Karnataka	Residential Primary School	331479	0	1011137
7.	Pragati Rural Development Society, PO: Gerahalli, Chickalbalapur Taluk, Kolar Dist., Karnataka	Hostel	1134540	756360	756360
8.	Sant Kabirdas Education Society, Gulbarga, Karnataka	Residential School	373392	0	970137
9.	Sri Hoysala Vidya Samsthe@, Vill.PO: Nilgiri, Dist. Davangere, Karnataka	Mobile Dispensary and Residential School	0	0	2788702
10.	Sri Manjunatha Swamy Vidya Samstha, 4206/9, Dist. Davangere, Karnatama	Residential School	408500	0	1844593
11.	Sri Sant Kabir Education Society, Chincholi Camp, Gulbarga, Karnataka	Residential School	0	2078640	0
12.	Sri Swamy Sarvadhama Shamayala Trust, Rangapura, Dist. Tumkur, Karnataka	Non-Residential School and Mobile Dispensary	1564284	0	3207115
13.	Sri Vinayaka Seva Trust, H.No. 2608, Shankarakrupa, Vijayanagar-II, Bangalore, Karnataka	Residential School	1027268	1025820	1039320
14.	Swami Vivekanand Youth Movement, Kanchanahalli, Dist. Mysore, Karnataka	Residential School, 10 Bedded School and Mobile Dispensary	7484301	5466553	5170080
15.	Unity Educational and Rural Development Trust@, Vill.	Non-Residential School	553770	0	0

	Pathenehalli, Dist. Kolar, Karnataka				
16.	Vivekananda Girijana Kalyan Kendra, Dist. Chamrajnagar, Karnataka	Mobile Dispensary, 10-Bedded Hospital and Residential School.	4385525	2851274	1439917
<b>Total</b>			<b>20670647</b>	<b>14531980</b>	<b>24167811</b>
<b>KERALA</b>					
1.	Maa Amritamayi Math, Amrita Bhavanam, Paripally, PO: Kolam 691574 (Kerala)	Hostel & 10-Bedded School	856260	0	3046240
2.	Sri Ramakrishna Advaita Ashram, PO: Kalady, Dist Ernakulam, Kerala	Hostel	955725	941336	1008630
3.	Swami Nirmalananda Balbhawanam, Kayamkulam, Kerala	Hostel	780030	622747	0
4.	Swami Vivekanand Medical Mission, Muttil, Wayanad, Kerala	10 Bedded School.	2258811	1519513	0
5.	Vanvasi Ashram Trust, At/PO: Periya, Distt, Wayanad, Kerala	Residential School	2773580	0	3681099
6.	Vinobhaniketan, PO: Vinobhaniketan, Dist. Trivendru, Kerala	Hostel and Mobile Dispensary	4613592	1182645	448853
<b>Total</b>			<b>12237998</b>	<b>4266241</b>	<b>8184822</b>
<b>MADHYA PRADESH</b>					
1.	Ashirvad Shiksha Evam Samaj Kalyan Samiti, A-7, Amit Apartment, Phase-I, Vijay nagar, Lalghati, Bhopal.	Non-Residential School	300915	0	0
2.	Asheep Kalyan Samiti, 86, Vinoba Ward, Sihora, District Jabalpur, MP	Residential School and Knitting, Weaving and Handloom	0	0	1387038
3.	Amarpur Bal Vikas Vidyamandir, AT/PO-Amarpur, District Dindori, MP	Non-Residential School	0	0	54000
4.	Annapurna Shiksha Samiti, AT/PO: Semarkhpa, Dist. Mandla, MP	Non-Residential School	712790	0	1976567
5.	Baihar Nari Utthan Seva Mahila Mandal, Baihar, Sist. Balurghat, MP	Non-Residential School	0	0	1004279
6.	Bandhewal Shiksha Samiti, Bhopal, MP	Non-Residential School and Computer Training Centre	0	217980	422507
8.	Hitashi Samajik Santha, MIG-30/4B, Saketnagar, Bhopal, MP	Mobile Dispensary	0	0	346500
9.	Jan KalyanAshram Samiti, Vill-Siddhapur, Dist. Hosangabad, MP	Residential School	0	0	157500
10.	Jeevan Jyoti Shiksha Prasar Samiti, Singapur, Mandla, MP.	Non-Residential School	0	0	1117187
11.	M.P. Anusuchit Jati Nangati Picha Varg Kalyan Samiti, Ujjain, MP	Residential School	519660	2099183	940950
12.	M.P. Vanvasi Seva Mandal, Maharajapur, Mandla, MP	Non-Residential School	300915	681930	1368019
13.	Puspa Convent Shiksha Samiti, C-537-538, Pushpa Nagar Colony, Bhopal-462010 (MP)	Non-Residential School	208350	0	0
14.	Rama Education and Welfare Society, Warikalkhedha, Bhopa, MP	Non-Residential School and Computer Training Centre	516600	759417	428267
15.	Seva Bharti, Swami Ramtirth Nagar, Near Malda Milla, Hosangabad Road, Bhopal-462011 MP	Residential School, 2 Computer Training Centre & 2 Hostels	1934973	224046	2752479
16.	Swami Vivekanand Vidya Niketan Shikechak Samiti, Yuvraj Club, Cantt Road, Guna, M.P.	Non-Residential School	0	0	570262
17.	Yuwak Kalyan Sewa Prakshihan Sansthan, Vill-Rangri(Thoka), At Angangaon, district Chindwara, MP	Residential School(s)	0	0	192500
<b>Total</b>			<b>4494203</b>	<b>5356676</b>	<b>12718055</b>
<b>MAHARASHTRA</b>					
1.	A.B.M. Samaj Probodhan Sansthan, Dist, Thane, Maharashtra	50 Balwadi/Creche	2408400	2959920	4141760
2.	Abhyudaya Sanstha, Malegaon, Laxminarayan Aptt., Nasik, Maharashtra.	Non-Residential Primary School.	0	0	994019
3.	Adivasi Deomongara Educational Society, At/PO: Natawad, Dist. Nandurbar, Maharashtra	Non-Residential Primary School.	0	459810	0
4.	Deonil shishan Prasarak mandal, Chandrapur, Maharashtra	Residential School (New).	0	0	157500
5.	Dharma Swamy Maharashee Sri Sant Gulabrao Maharaj Workari & Vikas Shikshan Sanstha, At/PO: Karla, Dist. Amravati, Maharashtra	10-Bedded Hospital and Mobile Dispensary	1316474	1715940	0
6.	Hindustan Sports and Judo Karate Association, Pimpalnu, Dhule, Maharashtra	Non-Residential School	0	0	1127970
7.	Jai Hind Mitra Mandal, Kolha, Dist. Phulbani, Maharashtra	Non-Residential School.	0	0	588708
8.	Jai Jagdamba Bahuddeshiya Sanstha, At/PO: Sarjapur, Tal.	Non-Residential Primary	0	0	1012098

	Barshi, Dist. Solapur, Maharashtra	School.			
9.	Khanderao Education Society, AT: Basar, Dist. Dhule, Maharashtra	Non-Residential Primary School and Residential School (New).	0	1315933	718169
10	Late RC Patil, Maharashtra	Residential School (New).	0	0	157500
11.	Navayuvati Mahila Mandal, Shirur, Dist, Latur, Maharashtra	Non-Residential Primary School.	0	0	1018373
12.	Rajamata Jijau Mahila Mandal, At. Parsolc Secondary School, Mail Road, Taloda, Tq. Taloda, Dist. Nandurbar (Maharashtra)	Non-Residential Primary & Secondary School.	0	508230	0
13.	Rajamata Shikshan Prasarak Mandal, Doithan, , Tal-Ashti, Distt-Beed, Maharashtra)	Residential School (New).	0	0	157500
14.	Rajiv Bahuuddeshiya Shikshan Sanstha, PO: Nalwadi, Dist Wardha, Maharashtra	Non-Residential School.	0	0	784526
15.	Renuka Devi Shikshan Prasarak Mandal, Kukane, Malegaon, Maharashtra	Non-Residential Primary School.	0	542713	0
16.	Sankrutayyan Shikshan Prasarak Mandal, At: Mul, Dist. Chandrapur Maharashtra	Non-Residential School	0	0	286751
17.	Shiv Kripa Gamin Tribal Bahuuddeshiya Sansthan, Ward No. 2, Manas Mandir, Wardha, Maharashtra	Mobile Dispensary	0	0	778899
18.	Shivaji Shikshan Prasarak Mandal, Jalgaon, Maharashtra	Residential School (New).	0	0	157500
19.	Shri Kalikadevi Bahuuddeshiya Shikshan Prasarak Mandal, Kasar-Sirshi, Tq: Nilaga, Dist. Latur, Maharashtra	Non-Residential School	0	0	1079042
20	Shri Kanaiyalal Maharaj Trust Samode, Dist. Dhule, Maharashtra	Residential Primary School .	0	918360	10-35448
21	Shri Sainath Education Soeicty, Pratappur, Tal. Taloda, Nandurba (Maharashtra)	Hostal	0	0	1183868
22	Shri Swami Swayam Seva Bhavi Sanstha, Ganeshpur, Dist. Dhule, Maharashtra.	Residential School	0	912960	1028493
23	Sidhakala Shikshan Prasarak mandal, Nandgaon, Tal. Nandgaon, Dist. Nasik, Maharashtr	Residential Primary School	0	918360	993888
24.	Sushma Shiksan Prasarak Mandal, Bhandara, Maharashtra	Residential School (New).	0	0	157500
25.	Tapi Parisar Education & cultural Trust, At-Newade, Distt-Dhule, Maharashtra,	Residential School (New).	0	0	157500
26.	Ujwal Rural Development Society, At/PO Newade, Dist. Dhule, Maharashtra	Hostel	0	754110	739944
27	Yashwant Bahuddeshiya Jankalyan Lohari, Dist. Nagpur, Maharashtra	Mobile dispensary	0	390870	0
28	Youth Welfare Association of India, Baldana, Maharashtra	1-Bedded Hospital (New)	0	0	381764
29	Bharatiya Adimjati Sevak Sangh, Thakkar Bapur Samarak Sadan, New Delhi-110055	Workers Training Centre	0	635980	376558
30.	Kal Thangubai Shankar Deore Devibhavi Sanstha, At-Saudane, Navnath Nagar, Tal Malegaon Distt Nashik, Maharashtra.		0	0	1106145
		<b>Total</b>	<b>3724874</b>	<b>12033186</b>	<b>20321423</b>

**MANIPUR**

1.	Centre of Rural Upliftment Service Wangbal, Dist. Thoubal, Manipur	Typing & Shorthand Training Centre	166220	0	0
2.	Chil Chil Asian Mission Society Kanglatanbi, Manipur	Hostel	0	752310	411930
3.	Christian Grammar School (Child Development Centre), Thingkham, Tamenglong, Manipur-795141	Computer Training Centre	0	0	2299860
4.	Dr. Ambedkar School Planning & Development Society, New Lamka, Churachandpur, Manipur	Residential School	1147563	1122174	0
5.	Institute of Social Deve. For Weaker Sections Wahengbam Leikai, Khongnang Hogibi, New Cachar Road, Imphal, Manipur.	Computer Training Centre	227160	0	0
6.	Integrated Educational Social Development Organisation, Imphal East, Manipur	Non-Residential School	0	0	1309140
7.	ntegrated Rural Development & Educational Organisation, Wangbal, PO Thoubal, Manipur	Two units of Residential School	2289510	2273580	2284335
8.	Manipur Borader Area Development Society Chakpikarong, Zaphou Bazar, Chandel Dist. Manipur	Typing & Shorthand Training Centre	155160	0	0
9.	Manipur Tribal Farmers Development Association, Imphal	Hostel	0	617130	0

	Manipur.				
10.	Onnuri Mission Society, Imphal, Manipur	Residential School	1163520	0	0
11.	Rural Development Association, Dist. Imphal, Manipur	Computer Training Centre	316440	0	0
12.	Rural Educational and Socio-Economic Development Organisation, At:Thanga Tongbram Leikai, BPO Thanga, Dist. Bishnupur, Manipur	Non-Residential School	0	289665	0
13.	Rural Voluntary Sevice, Thoubal, Manipur	Mobile dispensary	401670	0	0
14.	Siamsinpawpi, Churachandpur, Manipur	Residential School	2610090	4885259	6414147
15.	Tear Fund India Committee on Relief and Rehabilitation Service, Churchandpur, Manipur	Residential School	0	1664968	0
16.	TRINITY-Institute for Rural Tamenglong, Manipur	Hostel	752560	0	0
17.	Type Writing Institution & Rural Development Service, Thoubal, Manipur	Residential School	1720053	0	192600
18.	DAV College Managing Committee, Chitra Gupta Road, New Delhi	Hostel	505175	276210	0
19.	Society for Women's Education, Action and Reflection, Athokpam, Khunou, Po Thoubal, Manipur	Mobile Dispensary	0	383670	190485
20.	Bharatiya Adimjati Seval Sangh, Thhakkar Bapa Smarak Sadan, Dr. Ambedkar Marg, (Link Road), New Delhi.	Hostel	0	777960	0
21.	United Rural Development Service HO: Heirolk Heitupokpi, Dist. Thoubal, Manipur	Residential School	0	1039320	1965060
22.	Volunteers for Rural Health ad Action, Lamding, Wangging, Manipur	Mobile Dispensary and Typing & Shorthand Training Centre	0	552870	0
<b>Total</b>			<b>11455221</b>	<b>14935116</b>	<b>17200957</b>
<b>MEGHALAYA</b>					
1.	R.K. Mission, Shillong, East Khasi Hills, Meghalaya	Hostel, Mobile Dispensary and Two-Library	1055400	1225500	1085300
2.	R.K. Mission, Cherapunjee, Distt. East Khasi Hills, Meghalaya	62-LP&ME/Secondary School, Hostel and Higher Secondary School.	35783271	32526377	31088385
3.	Seva Bharati, Shillong, Meghalaya	2-Mobile Dispensary and Residential School	785741	2048736	0
<b>Total</b>			<b>37624412</b>	<b>35800613</b>	<b>32172685</b>
<b>MIZORAM</b>					
1.	Mizoram Hmeithai Association, Upper Republic Road, Aizwal, Mizoram	Residential School and Mobile Dispensary	1554390	694000	0
2.	Sacred Heart Society, Bungkawn Nursary, Aizwal, Mizoram	Residential School	2194290	0	0
3.	Social Guidance Agency, Aizwal, Mizoram	Mobile Dispensary	106875	652950	299520
4.	Thutak Nuntak Nunpuitu Team, Zungtui, Aizwal-796017, Mizoram	Residential School	508860	586900	0
<b>Total</b>			<b>4364415</b>	<b>1933850</b>	<b>299520</b>
<b>NAGALAND</b>					
1.	Akhil Bharatiya Dayanand Sevashram Sangha, 315, Asaf Ali Road, New Delhi.	Hostel	483210	483210	974070
2.	Hekiye and Sons Society, Satakha Twon, Distt. Zunheboto, Nagaland	Residential School (New)	0	0	157500
3.	Hill View Welfare Society, Diphupar, Distt. Dimapur, Nagaland	Residential School (New)	0	0	157500
4.	K. Hollohon Welfare Society, Dimapur, Nagaland	Non-Residential School (New)	0	0	54000
5.	Nagaland Children Home, Dimapur, Nagaland	Hostel	0	1124689	525906
<b>Total</b>			<b>483210</b>	<b>1607899</b>	<b>1868976</b>
<b>DELHI</b>					
1.	Bharat Sevashram Sangha (Delhi), Srinivasपुरi, New Delhi.	Computer Training Centre & Hostel	531471	571743	601775
2.	Bharatiya Adimjat Sevak Sangha, Thakkar Bapur Samarak Sadan, New Delhi-110055	Hostel and Computer Training Centre	7177454	706302	842339
3.	Sewa Bharati, Jhandewalan, Delhi	Residential School	1820867	605201	467680
<b>Total</b>			<b>9529792</b>	<b>1883246</b>	<b>1911794</b>
<b>ORISSA</b>					
1.	Adivasi Social and cultural Society At/PO: Kuehinda, District Sabalpur, Orissa.	Residential School	0	0	792925

2.	Ambedkar Educational Complex, Niladri Vihar, Chandrashekharapur, Bhubaneswar, Orissa	Hostel	0	0	2113728
3.	Aranyakm At-Talmul Sasan, PO:Talmul, Dist. Angul, Orissa	Computer Training Centre	90990	0	0
4.	Arun Institute of Rural Affairs, At: Aswakhola, PO: Karamul, Dist. Dhenkanal, Orissa	Residential School	519660	2063628	1176705
5.	Association for Voluntary Action Dimapur, Puri, Orissa	Residential School	1162520	0	3394027
6.	Banbasi Seva Samiti, PO: Baliguda, Dist. Khandamal, Orissa	Hostel	0	0	1446921
7.	Banki Achalik Adivasi Harijan Kalyan Parishad, Cuttack, Orissa	Hostel and Creche Centre	0	1086440	2168662
8.	Bhairabi Club, At-Kumurpada, Dist. Khurda, Orissa	Residential School	519660	2078640	0
9.	Council for Tribal and Rural Development, Plot No. 420, Sahid Nagar, Bhubaneswar, Orissa	Computer Training Centre	94711	0	0
10.	Cuttack Zila Harijan Adivasi Seva Sanskar Yojana, Haladi, Bansta, Distt. Kandupara, Oriss	Residential School	0	921987	0
11.	Global Village for Rehabilitation & Development, At/PO: Udulibeda, Dist. Malkangiri, Orissa	Mobile Dispensary	0	307175	0
12.	Kalinga Institute of Industrial Pata, Khurda, Orissa	Residential School	0	0	2275920
13.	Nehru Seva Sangha, PO: Banpur, Dist. Khurda, Orissa,	Hostel	0	0	1521725
14.	Nikhila Utkal Harijan Seva Sangha, Niladri Vihar, Sallashree Vihar, Bhubaneswar, Orissa	Residential School	0	1142000	2266883
15.	Organisation for Rural Development and Reconstruction, At: Harekrushnapur, Mayurbhanj, Orissa	Hostel	0	1055978	0
16.	Organisation for the Rural Women & Youth Development At: Harekrushnapur, Via-Nalaganja, Distt. Mayurbhanj, Orissa	Residential School	530190	0	748740
17.	Orissa Harijan Sevak Sangha, Bhanjpur, PO: Baripada, Dist. Mayurbhanj, Orissa	Residential School	1421394	1179409	2216432
18.	Orissa Khadi and Village Association, Plot No. 805 & 823(P), Jaydev Vihar, Bhubaneswar, Orissa	Computer Training Centre	221265	0	0
19.	Orissa Sarvodaya Parishad, At/PO: Nuapada, Orissa-766105	Hostel	224915	0	899820
20.	Orissa Social Rural Tech Institute, Dist. Cuttack, Orissa	Residential School	0	0	2099138
21.	R.K. Mission, Vivekananda Marg, Bhubaneswar, Orissa	Hostel and Library	1383760	664920	592020
22.	R.K. Mission, Puri, Orissa	Hostel, Mobile Dispensary, and Typing & Shorthand Training	1144216	759644	1391597
23.	Rashtriya Seva Samiti, 9, Old Huzur Office Buildings, Tirupaqti, Andhra Pradesh	Mobile Dispensary in Orissa	519435	344591	0
24.	Rushikul Sevashram Trust, At-Dumumal, PO: Kuntra, Dist. Sambalpur, Orissa	Mobile Dispensary and 10-Bedded Hospital (2 Nos.)	216641	0	0
25.	Samaj Kalyan Sanstha, Jharpokharia, Dist. Mayurbhanj, Orissa	Residential School	1588320	0	0
26.	Seva Samaj, At/PO: Gunupur, Dist. Rayagada, Orissa	Hostel	299813	599625	1199245
27.	Shree R.K. Mission Ashram, AT/PO: Rampur, Dist. Kalahandi, Orissa	Hostel, Training in Agriculture and Allied Subject and Mobile Dispensary	0	786870	6487640
28.	Social Weakens Awareness, Development and Economic Service (SWADESHI), At: Gopalbandhu Nagar, Phulbani, Dist. Kandhamal, Orissa.	Residential School	0	2077290	441541
29.	Vishwajeevan Seva Sangha, At-Saradhapur, Dist. Khurda, Orissa	Residential School	0	1039320	2032083
30.	Bharat Sevashram Sangha (Sonari), Sonari (W), Rivrs Meet Road, Jamshedpur, Jharkhand	Residential School, Two Units Mobile Dispensary, 10-Bedded Hospital and Knitting, Weaving and Handloom Training	2917569	3719718	2552569
31.	Laxmi Narain Harijan & Adivasi Backward Development Society, Jajpur, Orissa	Residential School	0	1039320	0
32.	Vyakti Vikas Kendra, No. 19, 39 <sup>th</sup> Cross, 11 <sup>th</sup> Main 4 <sup>th</sup> T Block, Jaynagar, Bangalore-560041	Mobile Dispensary and Drinking water	416790	401670	0
33.	Bharatiya Adimjati Sevak Sangha, Thakkar bapur Samarak Sadan, New Delhi-110055	Hostel	0	1131300	732690
<b>Total</b>			<b>15221849</b>	<b>22399525</b>	<b>38551011</b>
<b>RAJASTHAN</b>					
1.	Banasthali Vidyapeeth Banasthali, Dist. Tonk, Rajasthan	Stipend Scheme	2730000	0	3885000
2.	Janjati Mahila Vikas Sansthan, Swai Madhopur Dist.,	Hostel	670064	714205	667113

	Rajasthan				
3.	Mewar Saririk Shiksha Samiti, Hinta, the Balabnagari, Bhinder, Dist. Udaipur, Rajasthan	Residential School	850085	0	2038471
4.	Sant Srhi Asaramji Ashram Trust, Sabarmati, Amdavad, Gujarat	Mobile Dispensary	0	803340	0
5.	Sharadhalaya Ashram Samiti, Surajpot, Kota, Rajasthan	Residential School	581760	0	0
<b>Total</b>			<b>4831909</b>	<b>1517545</b>	<b>6590584</b>
<b>SIKKIM</b>					
1.	Human Development Foundation of Chogney Tar, Gangtok, Sikkim	Residential School and Hostel	0	2773945	1831508
2.	Muyal Liang Trust, Yongda Hill, DPCA, Gangtok, Sikkim	Residential School	0	0	2156108
<b>Total</b>			<b>0</b>	<b>2773945</b>	<b>3987616</b>
<b>TAMIL NADU</b>					
1.	Graameeya Makkal Abivirudhi Lyakkam (GMAI), 125, Kumaran Garden, Edayarpalayam Pirivu, Kuniyamuthur Post, Coimbatore-District, Pin-641008, Tamil Nadu	10-Bedded Hospital and Mobile Dispensary	0	0	1082829
2.	New Life Agency for Tribal People Upliftment, Vellore, T.N.	Hostel	752093	756360	861795
3.	Nilgris Adivasi Welfare Association, Kalagiri, T.N.	Mobile Dispensary and Hospital	4472200	0	0
4.	South India Scheduled Tribes Welfare Association, Saidapet, Tamil Nadu	Residential School	958451	2032533	0
<b>Total</b>			<b>6182744</b>	<b>2788893</b>	<b>1944624</b>
<b>TRIPURA</b>					
1.	Bahujan Hitaya Education Trust, Bishnupur, Tripura	Residential School (New)	0	0	157500
2.	R.K. Mission, Viveknagar, Tripura	Computer Training Hostel and Water Dam	1343518	895680	582990
3.	Vyakti Vikas Kendra, India, Tribal Welfare Project Office, Kirti Studio, Deviganj Road, Ambikapur, Chhattisgarh-497001	Mobile Dispensary and Drinking Water	214994	0	401670
<b>Total</b>			<b>1558512</b>	<b>895680</b>	<b>1142160</b>
<b>UTTAR PRADESH</b>					
1.	Jan Kalyan Evam nari Utthan Samiti, Sahebganj, Dist. Faizabad, U.P.	Mobile Dispensary	390870	0	0
2.	Servants of Indian Society, Pune, Maharashtra	Various Project	0	2134485	0
3.	Vanavasi Seva Sansthan, Khiri, U.P.	Residential School	0	577080	0
4.	Deendayal Research Institute, 7-F, Ramtirth Nagar, New Delhi	Mobile Dispensary and Hostel	1150591	0	0
<b>Total</b>			<b>1542461</b>	<b>2711565</b>	<b>0</b>
<b>UTTARANCHAL</b>					
1.	Ashok Ashram, PO: Ashok Ashram, Via Dak Pathar, Dehradun, Uttaranchal	Residential School	823302	1767870	0
2.	Mahila Grameen Utthan Samiti, Diwan Niwas, Zila Parishad Bhawan, Tildukri, Dist. Pithoragarh, Uttaranchal	Residential School	573660	2078640	0
3.	Seemant Anusuchit Evam Janjati Seva Sansthan, Uttaranchal	Residential School	552483	552483	0
4.	Uttarakhand Gramin Vikas Samiti, At/PO: Gwaldan, Dist. Chamoli, Uttaranchal	Mobile Dispensary	0	398370	0
5.	Bharatiya Adimjati Sevak Sangha, Thakkar Bapur Samarak Sadan, New Delhi-110055	Hostel	0	588534	0
6.	Servants of Indian Society, Pune, Maharashtra	Various Project	700557	1263834	0
<b>Total</b>			<b>2650002</b>	<b>6649731</b>	<b>0</b>
<b>WEST BENGAL</b>					
1.	Bharat Sevashram Sangha (Aurangabad), At/PO: Aurangabad, Dist. Murshidabad, W.B.	Hostel and Mobile Dispensary	1311340	1241208	0
2.	Bharat Sevashram Sangha (Balurghat), At-Balurghat, Dist. Dakshin Dinajpur, W.B.	Hostel, Library and Mobile Library-cum-AV Unit	4661814	299800	8367800
3.	Bharat Sevashram Sangha (Beldanga), Beldanga, Dist. Murshidabad, W.B.	2-Residential School, Mobile Dispensary, 10-Bedded Hospital and Typing Shorthand Training Centre	2975503	6170629	0
4.	Bharat Sevashram Sangha (Muluk), Via Bolpur, Dist. Birbhum, W.B.	Residential School, 2-Mobile Dispensary and Knitting/weaving &	2151612	0	4101340

		Handloom			
5.	Bharat Sevashram Sangha (Suri), Dist. Birbhum, W.B.	Hostel and Mobile Dispensary	796700	0	1192410
6.	Bharat Sevashram Sangha (Dokra), Vill+PO:Dokra Dist. Midnapore, W.B.	Mobile Dispensary and Residential School	0	331412	1231797
7.	Bharat Sevashram Sangha (Durgapur), Durgapur Branch, Dist. Burdwan, W.B.	Mobile Dispensary	210870	0	0
8.	Bharat Sevashram Sangha (Farakka), Berahampur, Murshidabad, W.B.	Hostel	437850	437850	0
9.	Bharat Sevashram Sangha, At/PO:-Berhampore, Dist. Murshidabad, W.B.	Hostel	437850	437850	0
10.	Bharat Sevashram Sangha (Ghaksore), Ghaksore Unit, Dist. Malda, W.B.	Mobile Dispensary and Hostel	451773	0	949506
11.	Bharat Sevashram Sangha (Hooghly), Vill. Panjipurkur, Dist. Hooghly, W.B.	Hostel and Library	799339	791460	0
12.	Bharat Sevashram Sangha (Malda), Sahapur, Malda, W.B.	Hostel	1463126	0	0
13.	Bharat Sevashram Sangha (Nadia), Vill. Kusuria, PO: Pritinagar, Dist. Nadia, W.B.	Residential School Computer Training Centre, Typing and Mobile Dispensary	2717253	1982068	1948539
14.	Bharat Sevashram Sangha (Purulia), AT/PO/Dist. Purulia, W.B.	Hostel, CTC and Mobile Dispensary	884984	854993	0
15.	Bharat Sevashram Sangha (Raiganj), Raiganj, Uttar Dinajpur, W.B.	Mobile Dispensary	0	602505	591705
16.	Bharat Sevashram Sangha (Tajpur), Tajpur Unit, Dist. Malda, W.B.	Mobile Dispensary and Hostel	0	0	791294
17.	Bharat Sevashram Sangha (Teor), Vill./P.O. Teor, Dist. D. Dinapur, W.B.	Mobile Dispensary and Hostel	1393098	0	2520600
18.	Bharat Sevashram Sangha (Kunor), Vill./P.O. Kunor, Dist. Uttar Dinapur, W.B.	Hostel	768600	732600	732600
19.	Vikash Bharati Welfare Society, 20/1B, Lalbazar Street, Kolkata	Mobile Dispensary	390870	195435	195435
20.	Birsa Munda Education Centre, vill. Kranti, P.O. Krantihat, Dist. Jalpaiguri. W.B.	Residential School	986970	1859088	4897917
21.	Gohaldiha Jati Upjati Blue Bird women's Welfare Centre, Gohaldiha, Dist. Midnapore, W.B.	Residential School	0	1039320	1039320
22.	Himalayan Buddhist Cultural Association Buddha Kendra, Salugara, W.B.-734318	Non-Residential School	0	357165	601830
23.	Khalisgaria Society for Human Resource Development, At Khalisgari, Dist. Midnapore, W.B.	Residential School	0	766235	1039320
24.	Paschim Banga Kheria Sabar Kalyan Samiti, voll + PO – Rajnowagarhi Dist. Purulia, W.B.-723128	Hostel	220965	0	294862
25.	Pranab Kanya Sangha Pranab Pally. P.O. Kora Chandigarh, madhyamgram, N 24-Pargana, W.B.-743298	Hostel	154597	239513	0
26.	R.K. Mission Boys Hme, Rahara, Dist. North 24 Parganas, W.B.	Hostel-cum-Residential	815417	1518030	0
27.	Vivekanand Adarsh Sevashram, At: Golapi Chowk, Dist. Midnapore, W.B.	Non-Residential School	298215	0	0
		<b>Total</b>	<b>24328746</b>	<b>19858061</b>	<b>30496275</b>

**Details of funds released to NGOs under the scheme of Educational Complex in low literacy pockets for development of woken literacy in tribal areas during last three years**

S.N	Name of the Organisation	2004-05	2005-06	2006-07
<b>ANDHRA PRADESH</b>				
1.	A.P Tribal Welfare Ashram and Residential Education Institute Society, Hyderabad, A.P. (41-Educational complexes in Srikakulam, Vizianagaram, Visakhapatnam, Khammam, Warangal, Adilabad, Guntur, Prakasham, Nellore, Cuddapah, Kurnool, Mahoobnagar, Ranga Reddy, Medak nizamabad, Karimnagar and Nalgonda District)	32003403	26242500	9850305
2.	Gagruthi Educational and Community Devt. Society, Jawahar Nagar, Chikkadpally, Hyderabad, A.P.	0	2136800	0
3.	Navodya Integration Cultural Social Education and Voluntary Action, Kurnool, A.P.	0	1836378	0
4.	Rural Mahila Welfare Society, Kurnool, A.P.	858000	0	0
5.	Sarojini Devi Harijan Mahila Mandal, H.No. 11-10-635	0	543760	308469
6.	Social Action for Social Development, 131/B, Sanjeeva Reddy Nagar, Hyderabad	1089500	0	0
7.	Social Integration and Rural Development Society, Nalgonda, A.P.	0	0	1900134
8.	Vennela Educational & Rural Development Society, Hyderabad.	0	1548908	757192
<b>Total</b>		<b>33950906</b>	<b>32308346</b>	<b>12816100</b>
<b>CHHATTISGARH</b>				
1.	Vivekanand Institute of Social Health and Welfare Service, Narainpur, Dist. Baster, Chhattisgarh	1173400	942800	1585800
<b>Total</b>		<b>1173400</b>	<b>942800</b>	<b>1585800</b>
<b>GUJARAT</b>				
1.	Gram Swaraj Sangh, Kutch, Gujarat	1466000	0	0
2.	Lok Niketan, At-Kakanpur, Banaskantam, Gujarat	535900	1100000	2005733
3.	Shree Sarvodaya Ashram Trust, Dist. Banaskantha, Gujarat	0	0	1124685
4.	Sushil Trut, Kutch, Gujarat	698417	0	0
<b>Total</b>		<b>2700317</b>	<b>1100000</b>	<b>3130418</b>
<b>HIMACHAL PRADESH</b>				
1.	Bharatiya Adimjati Sevak Sangha, Thakkar Bapur Samarak Sadan, New Delhi	338881	153600	0
<b>Total</b>		<b>338881</b>	<b>153600</b>	<b>0</b>
<b>JHARKHAND</b>				
1.	Bharatiya Adimjati Sevak Sangha, Thakkar Bapur Samarak Sadan, New Delhi	338881	453600	300000
<b>Total</b>		<b>338881</b>	<b>453600</b>	<b>300000</b>
<b>KARNATAKA</b>				
1.	Karnataka Residential Educational Society, Karnataka J5-Educational Complexes in Gurugunta, Huskurmala, Kakkera Hathikuni and Sagara District)	5347000	0	0
<b>Total</b>		<b>5347000</b>	<b>0</b>	<b>0</b>
<b>MADHYA PRADESH</b>				
1.	Adarsh Lok Kalyan Sanstha, J.R. Birla Road, Near Gyan Mandhi Hr. Sec. School, Satna, M.P. (2-Educational Complexes)	3882500	2616000	2820000
2.	Bandhewal Shikshan Samiti, Bhopal, M.P.	2316000	0	4193000
3.	Kasturba Gandhi National Memorial Trust, Kasturbagram Indore, M.P.	88000	0	0
4.	M.P. Anusuchit Jati Janjati Pichda Varg Kalyan Samiti, 166-E, Muninagar, Ujjain, M.P.	0	642000	527957
5.	Pushpa Convent Education Society, Bhopal, M.P.	1428000	1428000	0
6.	Rajenda Ashram Trust, Kathiawad, Jhabua, M.P.	451000	2019360	1090000
7.	Rural Development Service Society, Silwani, M.P.	0	0	459000
8.	Savya Sanchi Centre for Urban & Rural Development, M.P.	0	0	1814000
9.	Seva Bharati, Bhopal, M.P.	377305	0	263872
10.	Deendayal Research Institute, 7-E, Ramtirth Nagar, new Delhi	1101000	1102000	1095000
11.	Gramin Seva Kendra, Mandlinathu, District Jhabua, Madhya Pradesh	0	562000	549000
12.	Sri Ramakrishna vivekananda Sevashram, Mai Ki Bagia, Amarkantak, District Anupur PIN 484886, Madhya Pradesh	140000	0	1181607
<b>Total</b>		<b>9783805</b>	<b>8369360</b>	<b>13993436</b>
<b>MAHARASHTRA</b>				
1.	A.B.M. Samaj Prabodhan Sansthan, Dist. Thane, Maharashtra	0	0	1238000
2.	Sandhi Niketan Shikshan Sanstha Wadgaon, Dist. Nanded, M.S.	0	0	1537200
<b>Total</b>		<b>0</b>	<b>0</b>	<b>2775200</b>
<b>ORISSA</b>				
1.	Arun Institute of Rural Affairs, At: Aswakhola, PO: Karamul, Dist. Dhenkanal, Orissa	0	1398000	2825466
2.	Bright Career Academy, Koraput, Orissa	27076000	1422000	1413000
3.	Kasturba Gandhi National Memorial Trust, Utkal Branch, PO-Satyabhamapur, Dist. Gopalwadi (Ketiguda), Rayagada, Oissa.	965221	0	379886
4.	Korapur Development Foundation, Ground Floor, NAC Complex, Sunabeda, Dist. Koraput, Orissa	0	1822000	2014470
5.	Liberation Education and Action for Development (LEAD), Vill. Sundergarh, Dist. Koraput, Orissa.	0	0	2814200

6.	Marr-Munning Ashram, Aurobindo, Koraput, Orissa	0	1437300	1456300
7.	NYSADRI, At-Santhatasara, PO-Santhapur, Dist. Dhenkanal, Orissa.	1043000	0	2570743
8.	Servants of Indian Society, Dist. Rayagada, Orissa	646953	0	882452
9.	Seva Samaj, Dist. Rayagada, orissa	1012500	0	1350000
10.	Social Education for Environment and Development(SEED), Nayapalli, Bhubneswar	498000	0	1752536
11.	Social Welfare & Rural Development (SWARD), PO-Bainsia, Dist. Dhenkanal, Orissa.	249000	0	3137000
12.	Society for Nature Edu. & Health, Bhubaneswar, Orissa	2183000	0	2472000
13.	Sri Ramakrishna Ashram, At—Badarohila, Angul, Orissa	2586000	0	2837826
14.	Tagore Society for Rural Development, Bhubaneswar, Orissa	833782	1611931	1204000
15.	Sarvodaya Samiti, Koraput, Orissa	690000	2037803	1989000
16.	Bharatiya Adim Jati Sevak Sangha, Thakkar Bapur Samarak Sadan, New Delhi.	1016643	1360800	900000
	<b>Total</b>	<b>14431699</b>	<b>11089834</b>	<b>29998879</b>
<b>RAJASTHAN</b>				
1.	Janjati Mahila Vikas Sansthan, Anurag Niwas, Swai Madhopur	1353000	0	2595800
2.	Mahavir jain Vidyalaya Sansthan, Udaipur, Rajasthan	937000	966000	966000
3.	Mewar Saririk Shiksha Samiti, Udaipur, Rajasthan	1981000	2160000	2293000
4.	Rajasthan Balkalyan Samiti, Vill/PO-Jhadol, Dist. Udaipur, Rajasthan	1755000	0	2813400
	<b>Total</b>	<b>6026000</b>	<b>3126000</b>	<b>8668200</b>
<b>UTTAR PRADESH</b>				
1.	Aggragami Sewa Sansthan, Tiwari Ganj, Lucknow, UP	552000	0	0
2.	Manav Vikas Evam Shiksha Sansthan, 261, Hind Nagar, Lucknow, UP	2028311	0	0
	<b>Total</b>	<b>2580311</b>	<b>0</b>	<b>0</b>
<b>WEST BENTAL</b>				
1.	Bharat Sevashram Sangha, Beldanga, Dist. Murshidabad, W.B.	1474400	2456460	5862100
	<b>Total</b>	<b>14744000</b>	<b>2456460</b>	<b>5862100</b>

**Statewise List of Non-Governmental Organisations funded during the Xth Five Year Plan  
under the Scheme of Vocational Training Centre in Tribal Areas.**

(Amount in Rs.)

	Name of the Organisation	2004-05	2005-06	2006-07
<b>ASSAM</b>				
	Dr. Ambedkar Mission, Kamrup, Assam	1410000	1386000	1410000
	Grama Vikas Parishad, PO-Jumarmur, Distt. Nagaon, Assam	0	2526000	1398000
	Pathari Vocational Institute, Bar Library, Nagaon, Assam	1398000	1398000	1398000
<b>Total</b>		<b>2808000</b>	<b>5310000</b>	<b>4206000</b>
<b>CHHATTISGARH</b>				
	Gemological Development Institute, Old RTO Building Devpuri, Raipur, Chhattisgarh.	0	0	842500
<b>Total</b>		<b>0</b>	<b>0</b>	<b>842500</b>
<b>KARNATAKA</b>				
	Social Educational & Vocational Association (SEVA), No. 12-11-61, Arab Mohalla, Raichur-584101, Karnataka	699000	0	0
	Sri Manjunatha Swamy Vidya Sanstha, Davangere,	699000	0	2796000
<b>Total</b>		<b>1398000</b>	<b>0</b>	<b>2796000</b>
<b>MADHYA PRADESH</b>				
	Ankit Shiksha Prasar Evam Samaj Kalyan Samiti, Vinay Nagar, Gwalior, M.P.	1398000	0	2796000
	Bandhewal Shiksha Samit, Bhopal	0	1446000	0
<b>Total</b>		<b>1398000</b>	<b>1446000</b>	<b>2796000</b>
<b>MAHARASHTRA</b>				
	Priyadarshni Gramin and Adivasi Sevabhavi Sanstha, D.No. 45-56-9, Saligramapuram, Narsimhnagar, Akkayyapalem, Visakhapatman-500024	0	0	2506201
<b>Total</b>		<b>0</b>	<b>0</b>	<b>2506201</b>
<b>MEGHALAYA</b>				
	Nongkrem Youth Development Association, PO: Nongkrem, Via-Madamriting, Shillong-793021	50135	396500	1380000
<b>Total</b>		<b>50135</b>	<b>396500</b>	<b>1380000</b>
<b>RAJASTHAN</b>				
	Laxmi Grih Udyog Sahamari Samiti Ltd. Distt. Pratapgarh, Rajasthan	0	0	462000
<b>Total</b>		<b>0</b>	<b>0</b>	<b>462000</b>
<b>DELHI</b>				
	Bharat Sevashram Sangha, Srinivaspuri, New Delhi.	0	188793	0
<b>Total</b>		<b>0</b>	<b>188793</b>	<b>0</b>

**Details of funds released to NGOs under the scheme of Development of Primitive Tribal Groups during the last three years.**

(Rs. In lakhs)					
S. No.	Name of the State	Name of Implementing Agency States/NGOs	2004-05	2005-06	2006-07
1	<b>Andhra Pradesh</b>	Sewa Bharti Khamam, A.P.	0.000	8.926	0.000
		Sri Saraswatividyapeetham, Hyderabad	35.641	0.000	0.000
		Centre for Environment and Concern, Barkatpura, Hyderabad	25.900	0.000	0.000
2	<b>Chhattisgarh</b>	VISHWAS, Narayanpur, Distt. Bastar	0.000	15.060	4.260
		Ramakrishna Mission Ashram, Naryanpur, Distt. Bastar	0.000	13.400	8.936
3	<b>Gujarat</b>	Acil Navsarjen Rural Development Foundation, Limbadi, Dist Sundernagar, Gujarat.	8.500	0.000	0.000
4	<b>Jharkhand</b>	Bharat Sewa Ashram Sangha, Jamshedpur	168.477	170.256	134.954
		Vikas Bharti, Gumla, E. Singhbhum	19.327	19.575	34.611
		Bharat Sewa Ashram Sangha, Pakur	25.645	25.695	25.695
5	<b>Karnataka</b>	Swami Vivekananda Youth Movement, Mysore Distt	0.000	17.473	8.350
		Vivekananda Foundation (R) Mysore	0.000	9.926	0.000
6	<b>Madhya Pradesh</b>	Sewa Bharathi, Bhopal	13.500	20.701	41.505
		Bonded Liberation Fund, New Delhi	13.288	17.220	11.677
7	<b>Maharashtra</b>	Tribal and Weaker Section Empowerment Society, Pune	14.429	0.000	0.000
		Aadima Tribal and Weaker Section Development Society, Pune-411041	0.000	14.649	16.363
8	<b>Himachal Pradesh</b>	The Dubbling, Handicraft, Development and Welfare Association, Vill-Kelti, PO-Dhalli, Distt Shimla, Himachal Pradesh	6.600	3.300	3.300
9	<b>Manipur</b>	Senapati Dist. Economic Development Association Senapati Distt	11.548	0.000	20.786
10	<b>Rajasthan</b>	SWARC, Distt Ajmer	13.500	0.000	0.000
11	<b>Tamilnadu</b>	Nilgiris Adiwasi Welfare Association, Kotagiri, Nilgiris distt, Tamilnadu.	0.000	38.419	78.357

**Details of funds released to NGOs under the scheme of Coaching & Allied during the last three years.**

(Rs. In lakhs)

Name of the State/UT/University/Private Institution	Grants released		
	2004-05	2005-06	2006-07
Delhi Education Centre, Delhi (NGO)	8.31	1.69	5.52
Chanakya Academy, Delhi	0.00	0.00	0.00
Krester Education & Welfare Society, Shivpuri, M.P.	1.02	1.02	0.00
Study Forum, G-30, Chanmari, Aizawal, Mizoram	1.77	7.46	6.68
Institute of Social Development & Weaker Sections, At-Whenbam Leikai, NC Road, PO-Imphal, Manipur	0.00	0.75	0.00

MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2007-2008)**

**(FOURTEENTH LOK SABHA)**

**THIRD SITTING  
(18.06.2007)**

**The Committee sat from 1100 to 1300 hrs.**

PRESENT

**Shri Ratilal Kalidas Varma - Chairman**

MEMBERS LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Shri S. Ajaya Kumar
4. Shri Kailash Baitha
5. Dr. Tushar A. Chaudhary
6. Shri Eknath M. Gaikwad
7. Smt. Sushila Kerketta
8. Shri Kailash Meghwal
9. Shri Jual Oram
10. Shri Baju Ban Riyan
11. Shri Sarvey Sathyanarayana
12. Shri Sugrib Singh
13. Shri Chengara Surendran
14. Shri Vanlalawma

MEMBERS RAJYA SABHA

15. Shri Krishan Lal Balmiki
16. Shri Robert Kharshiing
17. Shri Lalhming Liana
18. Dr. Radhakant Nayak
19. Shri Jesudas Seelam
20. Miss Anusuiya Uikey

**SECRETARIAT**

1. Shri P.K. Misra, Joint Secretary
2. Shri Gopal Singh, Director,
3. Ms. J.C. Namchyo, Deputy Secretary
4. Smt. Maya Lingi, Under Secretary

**WITNESSES****REPRESENTATIVES OF THE MINISTRY OF TRIBAL AFFAIRS**

1. Shri G.B. Mukherjee, Secretary
  2. Dr. Bachittar Singh, Joint Secretary
  3. Smt. Ruchira Pant, Joint Secretary
2. At the outset the Chairman welcomed the representatives of the Ministry of Tribal Affairs.
3. The Committee then took evidence of the representatives of the Ministry of Tribal Affairs on the subject "National Commission for the Scheduled Tribes – its mandate and achievements – a review of its organisation and working".
4. The evidence was completed.
- (The witnesses then withdrew)
5. A verbatim record of the proceedings was kept.

**The Committee then adjourned.**

**MINUTES****COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2008-2009)****(FOURTEENTH LOK SABHA)****FOURTH SITTING  
(04.08.2008)****The Committee sat from 1500 to 1600 hrs. in Committee Room 'C',  
Parliament House Annexe, New Delhi****PRESENT**

Shri Ratilal Kalidas Varma - Chairman

**MEMBERS LOK SABHA**

2. Shri Anandrao Vithoba Adsul
3. Shri Kailash Baitha
4. Sardar Sukhdev Singh Libra
5. Shri Kailash Meghwal
6. Shri Rupchand Murmu
7. Shri Jual Oram
8. Shri Virchandra Paswan
9. Shri E. Ponnuswamy
10. Shri Ashok Kumar Pradhan
11. Shri Ramjilal Suman
12. Shri Chengara Surendran
13. Shri Narsingrao H. Suryawanshi

**MEMBERS RAJYA SABHA**

14. Shri Krishan Lal Balmiki
15. Dr. Radhakant Nayak
16. Shri Mahendra Sahni
17. Shri Thomas Sangma
18. Shri Jesudas Seelam
19. Shri Veer Singh
20. Shri Tiruchi Siva
21. Shri Brij Bhushan Tiwari
22. Miss Anusuiya Uikey

**SECRETARIAT**

1. Shri P.K. Misra, Joint Secretary
2. Shri Gopal Singh, Director
3. Ms. J.C. Namchyo, Deputy Secretary
4. Smt. Maya Lingi, Under Secretary

At the outset, the Hon'ble Chairman welcomed the Hon'ble Members of the Committee. Before considering and adopting the draft report, a member of the Committee expressed his concern as to whether the recommendations made by the Committee are actually accepted by the Government. Other members also agreed with him and expressed their concern that the recommendations made by the Committee being not mandatory, it is not known whether and to what extent they are actually implemented by the Government. Thereupon, the Hon'ble Chairman informed the Members that several recommendations of the Committee are being accepted and implemented by the Government, especially during the last 3 to 4 years. The Members thereafter desired that a brief note on the recommendations of the Committee accepted by the Government may be made available to them. The Committee also decided to meet the Hon'ble Prime Minister during the next session of Parliament or on a date convenient to him to apprise him about the functioning of the Committee and to urge that issues relating to SCs and STs may be given due importance by all Ministries/Departments concerned.

2. Thereafter the Committee considered the draft Report on the subject "National Commission for the Scheduled Tribes – its mandate and achievements – A review of its organisation and working" and adopted the same with minor modifications.

3. The Committee authorised the Chairman to finalise the Report in the light of consequential changes and present the same to both the Houses of Parliament.

The Committee then adjourned.

**APPENDIX - E****(Vide para 4 of Introduction)****SUMMARY OF CONCLUSIONS/RECOMMENDATIONS  
CONTAINED IN THE REPORT**

<b>Sl. No.</b>	<b>Para No.</b>	<b>Conclusions/Recommendations</b>
1.	2.	3.
1.	1.12	<p>The Committee note that as per the provision in the Constitution, a special officer known as Commissioner for SCs and STs had been appointed on 18<sup>th</sup> November, 1950 to investigate all matters relating to the safeguards provided for SCs/STs in various statutes. On persistent demand by MPs, the Government had also set up a multi-member Commission for SCs and STs in 1978. However, with the enactment of the Constitution (Sixty-fifth Amendment) Act, 1990, the first Constitutional Commission for Scheduled Castes and Scheduled Tribes was constituted in March, 1992 and the Office of the Commissioner for Scheduled Castes and Scheduled Tribes was abolished. The Committee further note that since the needs and problems of STs and solution thereto were different from those of SCs, it required special approach for development and independent machinery to safeguard their rights. Accordingly, a separate National Commission for Scheduled Tribes (NCST) has been set up by inserting a new Article 338A in the Constitution, through Constitution (Eighty-ninth Amendment) Act, 2003.</p>
2.	1.13	<p>The Committee also note that the Commission has been given the power to regulate its own procedure. According to the National Commission for Scheduled Tribes Chairperson, the Vice Chairperson and Members (Conditions of Service and Tenure) Rules, 2004, the Chairperson and the Vice Chairperson of the Commission have been conferred the rank of Union Cabinet Minister and Minister of State, respectively. The other Members of NCST have been given the rank of the Secretary to the Government of India. The Committee are of the view that functions and duties entrusted to the</p>

Commission under clauses (5), (8) and (9) of Article 338A are very vast and cover different problems and needs of tribal people. The Committee feel the Commission would not be able to accomplish its objective fully and effectively unless the present strength of the Commission is increased. The specific subjects like the conferring ownership rights in respect of minor forest produce over mineral resources and water resources, rehabilitation of tribal groups displaced by development projects, alienation of tribal people from land, etc. are important issues pending for lackadaisical attitude of the Government over the years. The NCST has now been assigned the role to oversee the measures that would be required to be taken to solve those long standing but very important issues concerning the tribals. These issues require judicious handling as the above subjects are very delicate affecting the very existence of tribals living in forest areas, mineral rich areas and those who have already been displaced and alienated from their lands and habitats. The Committee, therefore, strongly recommend that the present strength of the Commission should be increased with a view to assigning each member with a specific job so that he may give his undivided attention to find a favourable solution to the problems/difficulties being faced by the distressed tribal people.

3. 1.14

The Committee note that at the time of evidence tendered before the Committee by the Secretary, Ministry of Tribal Affairs, the post of Chairperson, Vice Chairperson and Members of the Commission were vacant which have since been filled up and notified on 31.7.2008. The Committee take serious note of this attitude of the Government and are of the opinion that by keeping these posts vacant for quite some time, the Commission was made handicapped and its functioning paralysed. The Committee urge the Government not to take the matter relating to welfare of STs lightly and in a casual manner and recommend to complete the process of filling up these important posts well in advance in future so as to maintain continuity in discharge of the functions of the Commission as directed by the Constitution.

4. 1.15

The Committee also note that functions, duties and powers of the NCST *inter-alia* include investigating and monitoring of all matters relating to safeguards provided in Constitution, to enquire into specific complaints regarding deprivation of rights provided under the Constitution, to present to the President annual reports upon working of these safeguards, to make recommendations as to the measures that should be taken by the Union or any State for protection, welfare and socio-economic development of the STs as well as other functions as the President may by rule specify. The Committee also note a very important function in clause (9) of Article 338A which provides that the Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes. The Committee would, therefore, like to be apprised of the policy matters on which the Commission had been consulted by the Union and the State Governments and whether the same were actually concurred by them.
5. 1.16

The Committee also note that the NCST has all the powers and functions that were assigned to the National Commission for Scheduled Castes and Scheduled Tribes (NCSCST). Besides, NCST has been assigned with some additional functions as mentioned in para 1.10. The Committee also note that as per the decision of the Cabinet, DOP&T has entrusted a study to review the performance of NCST and to suggest the remedies necessary for improvement in its performance and that the report is awaited. Keeping in view the enormous functions that have been assigned to the NCST, the Committee are of the opinion that there is a need for further strengthening the NCST and recommend that earnest and credible steps be taken by the Government to make NCST more strong and effective. The Committee also recommend that DOP&T should also be asked to submit its study report on performance of NCST immediately so that timely corrective action is taken.
6. 1.21

The Committee note that after bifurcation of National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) into National Commission for Scheduled Castes and National Commission for Scheduled Tribes, staff at headquarters office of

NCSCST and its 18 regional offices were distributed between the two Commissions in the ratio of 2:1. The NCST is now left with headquarters as well as six regional offices located at Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi and Shillong. The Committee also note that there are four wings at headquarters of NCST viz. Administration/Establishment Wing; Economic and Social Development Wing; Service Safeguards & Coordination Wing; and Atrocities Wing. The Committee further note that regional offices of the Commission keep a watch on the formulation of policy and issue of guidelines relating to the Welfare of Scheduled Tribes in the respective States/UTs under their jurisdiction and inform the Headquarters about the developments periodically. They liaise with State/UT Administrations for evaluation and assessment of the working of various development programmes and their impact on ameliorating the socio-economic condition of STs and also bring to the notice of the concerned State Government for taking remedial measures. The Committee also note that NCST in their First Report (2004-05 and 2005-06) had recommended for upgradation of four regional offices, augmentation of the existing strength of supporting staff in six regional offices and creation of four more regional offices. The Committee do not agree with the reply of the Ministry that a formal proposal in this regard has not been submitted to them by the NCST. The Committee feel that instead of waiting for a formal proposal from the NCST for so long, the Ministry of Tribal Affairs should have taken the initiative after receiving the recommendation of the NCST. The Committee view that NCST has made a legitimate and genuine demand for upgradation and augmentation of its regional offices since the existing regional offices would not be in a position to handle the needs and problems of ST population spread all over the country in almost all the States/UTs. It would be naïve to think that merely setting up of a separate Commission without sufficient number of regional offices and staff is good enough to achieve the objective for which it has been constituted. The Committee, therefore, recommend that the Government should set up more regional offices according to the present need, upgrade the four regional offices and augment the existing staff strength of NCST accordingly on a priority basis. However, the Committee

feel that to some extent it was also a lapse on the part of the Secretarial staff of the Commission who were supposed to send a formal proposal to the Ministry on a priority basis as it was an urgent need of the Commission.

7. 1.27

The Committee note that NCST functions under the administrative control of the Ministry of Tribal Affairs and the proposals involving financial implications are required to be referred to the Integrated Finance Division of the Ministry through the concerned Administrative Branch of the Ministry of Tribal Affairs. The Committee also note that the Commission has been conferred the powers of a Ministry/Department of the Central Ministry as provided under the Delegation of Financial Power Rules, 1978 even though it has no say in creation of posts, re-appropriation of funds, purchase of vehicles and grant of permission to officers of the Commission to participate in seminars, conferences, etc. It is sad that the Commission, which has been given statutory status has to depend upon the Ministry for its day to day functioning. It has also to route its proposals on financial, administrative and legal matters through the Ministry. The Committee are surprised by the fact that although, Planning Commission had suggested that budget provisions for NCST should be shown under a separate Demand for Grants instead of being a part of the Demand for Grants of the Ministry of Tribal Affairs, the suggestion has not been agreed to by the Ministry of Finance. The Committee are distressed that even the status of statutory entity does not entitle NCST to have a separate entity. The Committee are of the firm opinion that when it was decided to create NCST, it was never envisaged that it would function as a part of the Ministry of Tribal Affairs. If it was so, there was no need to constitute the Commission as a statutory body and it could have continued to function as a non-statutory body as earlier. The NCST would not be able to work fearlessly and independently unless it is given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters. The Committee also fail to understand the logic as to why the Ministry of Finance have objected to the proposal of the Planning Commission for showing separate Demand for Grants for NCST.

8. 1.28 After having considered all the facts, the Committee are of the strong view that only limited administrative and financial powers have been given to the NCST by making it a part of Ministry of Tribal Affairs. The Committee, therefore, recommend that full administrative and financial powers should be given to NCST so that it is not dependent on the administrative Ministry for every piece of proposal having financial implications. The Committee are of the view that NCST is an independent statutory body and it has every right to have a separate Budget Head to advance its Demand for Grants in a realistic manner. The Committee would like to be apprised of the reasons adduced by the Ministry of Finance for rejecting the proposal of the Planning Commission for separate Demand for Grants for NCST. Keeping in view the magnitude of the functions and duties assigned to NCST, the Committee also recommend that a fresh proposal should be sent to Ministry of Finance for creating a separate Demand for Grants for NCST on the lines of other constitutional bodies such as Election Commission, Union Public Service Commission, etc. as it is essential for the independent functioning of the Commission. The Committee may also be apprised of the outcome within three months.
9. 1.37 The Committee note with concern that the procedure for appointment and regulation of staff of the Secretariat of NCST is quite complicated. The Committee note that some secretarial staff at the headquarters of NCST belongs to CSS, CSSS and CSCS cadre and as such, staff of this cadre are provided by the DOP&T through the Ministry of Social Justice & Empowerment. In case of Group 'A' posts namely, Director, Deputy Director and Assistant Director, which are joint cadre posts, the Ministry of Social Justice & Empowerment being the cadre controlling authority, provide the staff for these posts, whereas the staff for the posts of Research Officer, Senior Investigator and Investigator are provided by the National Commission for Scheduled Castes being the cadre controlling authority for such posts. The Committee also note that the National Commission for Scheduled Castes is the cadre controlling authority for appointment and provision for secretarial staff of regional offices of NCST. The Committee, however note that only Group 'D' staff and some of the Group 'C' posts are

appointed by the National Commission for Scheduled Tribes itself. It has also been stated that a few isolated posts have been created by Ministry of Tribal Affairs which do not belong to any organised cadre. The Committee are distressed by the multiplicity of cadre controlling authorities and for delay in filling up of vacancies that have existed since 1.12.2004. Even for posts created by NCST, Recruitment Rules are being processed. The Committee wonder as to when all the sanctioned vacant posts will be filled up.

10. 1.38

The Committee observe that out of the sanctioned strength of 125 in Group 'A', 'B', 'C' and 'D' posts, 43 vacancies in these groups had not been filled up till 1.1.2007 even though the Commission claims to have been in continuous correspondence with the Ministry of Social Justice and Empowerment and NCSC to fill up these posts. The Committee do not concur with the view of the representative of the Ministry of Tribal Affairs that if NCST will become cadre controlling authority then a peculiar situation will be created and there will be limited opportunities and no career movement for the staff. The Committee insist that since NCST has been constitutionally given an independent mandate to safeguard the interest of Scheduled Tribes, it should no longer be tagged along with the Ministry of Social Justice & Empowerment or to the National Commission for Scheduled Castes for provision of its staff. It does not seem logical to be attached with the Ministry of Social Justice and Empowerment any longer. Unless the people have a sense of belonging to a particular institution they will never give their best to work for it. While deposing before the Committee, the Secretary had also agreed with the members for NCST to have a separate structure saying that it was a very logical view and had promised to consult the DOP&T or to prepare a paper for the Cabinet. The Committee, therefore, impress upon the Government to initiate action to create a separate cadre for NCST and its all Regional Offices at the earliest in consultation with DOP&T so that objective of NCST is achieved through the staff working therein. The Committee would like to be apprised of the action taken in this regard within three months of the presentation of this report to Parliament.

11. 2.6

The Committee note that the erstwhile National Commission for Scheduled Castes and Scheduled Tribes, which was set up on 12<sup>th</sup> March, 1992 and ceased to exist on 19<sup>th</sup> February, 2004, had submitted seven regular and three special reports to the President during the period of about 12 years. The Committee note that the NCST which came into existence on 19<sup>th</sup> February, 2004 has submitted its first report (2004-05 and 2005-06) to the President of India on 8<sup>th</sup> August, 2006. The Committee, further note that the report is required to be laid in Parliament as provided in clause 6 of Article 338A of the Constitution which states that the President shall cause all such reports to be laid before each House of the Parliament alongwith Memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for non-acceptance. The Committee note that the first report of NCST has not been laid before each House of the Parliament as yet as the Ministry of Tribal Affairs, after examining the report presented to the President, had to circulate the same to obtain comments/views on the recommendations contained in the report as well as ATR for further necessary action in the matter from various States/UTs as well as the Central Ministries/Departments. As per provision of clause 7 of Article 338A of the Constitution, the report relating to the State Government are forwarded to the Governor of the States for similar action to be taken at State level. The Committee are dismayed to note that considerable time has been taken by the Ministry to circulate the report and the reason adduced by them for such a delay is that the report was bulky covering a period of two years and containing 9 chapters and so on. In this era of rapid information technology the reasoning is not at all convincing. The Committee are concerned that in the absence of a time limit fixed for the submission of reports by the Government to the Parliament after it has been presented to the President, the Ministry cannot act and persuade the other Ministries/ Departments to expedite views/opinion alongwith memoranda of action taken on the recommendations on the report or otherwise. The Committee are of the view that unless timely action is taken on the recommendations made in the report, the purpose for which the recommendations were made may lose their relevance. The Committee, therefore,

strongly feel that the NCST not only submit its report annually but the Ministry should also take timely action to get the reports presented in the Parliament so that problems of the STs are taken care of assiduously. The Committee, therefore, concur with the views expressed by NCST in their first report for fixing a time limit for submission of report to Parliament by making necessary amendment in clause (6) and (7) of Article 338A of the Constitution. The Committee, therefore, strongly recommend that necessary amendment in the clause (6) and (7) of Article 338A of the Constitution may be made so that target to lay reports of NCST within a prescribed time limit in the Parliament is fixed and adhered to.

12. 2.11

The Committee note that the National Commission for Scheduled Tribes has been vested with the duty to *inter alia* investigate all matters relating to the safeguards provided to STs and to enquire into specific complaints with respect to the deprivation of rights and safeguards of the STs. The Committee further note that while investigating such matters, or making inquiry in specific complaints, powers of a civil court, trying a suit, have been given to NCST under clause (8) of the Article 338A of the Constitution. The Committee, however, note that the role of NCST as a civil court is limited to that of summoning and enforcing attendance of any person including examination of witnesses and documents and has no judicial power as other civil courts. The limited role of NCST as civil court has also been observed by the Apex Court of India in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & others that the powers of a civil court for granting injunctions temporary or permanent do not inhere in the Commission nor can such a power be inferred or derived from a reading of clause (8) of Article 338A of the Constitution. The Committee also note that the recommendations of NCST are of advisory nature, which are sent to the Government for appropriate action. In such a situation, the Committee are of the view that the Commission has been placed in a peculiar position as on the one hand the Commission has been given powers to investigate matters as a civil court but on the other hand its recommendations are treated as advisory in nature. The Committee feel that if the recommendations are advisory and not mandatory and acceptance of the same

depends on the sole discretion of the concerned organisation/the Central Government or the State Governments then the very purpose for the existence of a Constitutional body becomes meaningless. The Committee feel that NCST has not been treated as a separate entity but has been made to function as an appendage of the Ministry of Tribal Affairs. The Committee, therefore, recommend that the Constitution should be amended in such a manner that recommendations of the NCST may be taken by concerned authorities as mandatory and it functions with greater judicial powers on the lines of the powers of a civil court so that it is empowered to act as an effective and independent organisation.

13. 3.6

The Committee note that it is the duty of the NCST to investigate and monitor all matters relating to the safeguards provided for STs under the Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards. The Committee note that as per the Rules of Procedure of the National Commission for Scheduled Tribes, the Commission may investigate or inquire into matters falling within its authority either directly or through an Investigating Team constituted at the Headquarters or through its State Offices. The Committee are happy that NCST has a sound investigating methodology in place. The Committee strongly recommend that there should not be any laxity in investigation relating to safeguards provided to STs.

14. 3.7

The Committee also note that the Commission holds review meetings with various organisations of the Central Government and with State Governments to monitor and evaluate the working of safeguards provided to STs. Before holding such review meetings, the Commission collects detailed data relating to various aspects of tribal development through questionnaire. The Commission also obtains data on the representation of STs in services/posts in Central Ministries/Departments, Public Sectors, Banks, Insurance Companies, Financial Institutions and Central Universities and based on this data, the Commission advises these organisations to take corrective steps. The Committee has been informed that the

Commission has generally observed a very encouraging response of the authorities/organisations for taking such necessary corrective steps. The Committee would like to know the facts on the basis of which the Commission has arrived at such a conclusion.

15. 3.11

The Committee note that the Ministry of Personnel, Public Grievances and Pensions (Department of Administrative Reforms and Public Grievances) has commissioned a study on NCST by Centre for Policy Research, New Delhi on 29.12.2005. The Committee also note that the terms of the reference of such study have many aspects for the Centre to examine. The Committee also observe that the study had been commissioned within 2 years of the constitution of the Commission and hope that while evaluating the performance of the Commission, the initial teething problems, particularly with regard to its basic need i.e. staff are taken into account. The Committee recommend that the Centre for Policy Research, New Delhi which has already taken more than 2 years for this study should be advised to complete its study expeditiously so that corrective measures can be taken to enhance the service and service delivery system. The Committee may be furnished with a copy of the study report alongwith action taken report of the Government in this regard.

16. 4.4

The Committee note that NCST through publication and free distribution of booklets, pamphlets etc. disseminates information on objectives, functions and procedure of its working for creating awareness among STs. The Committee further note that the information/material about Commission has been prepared in English as well as in Hindi and on the direction of the Headquarters, some Regional Offices have got the pamphlet translated into the regional language of the State in which they are located for distribution among the local tribal population of the State. The Committee also note that other regional offices have also been advised to get the pamphlets translated into regional languages of other States falling within their jurisdiction. The Committee are, however, aware that there are many tribal people living in remote areas who cannot read or write and are still in dark about their rights and the safeguards available to them. The

Committee would, therefore, recommend that NCST should send teams to remote tribal areas not only to monitor and evaluate the working of safeguard physically but also to create an increased level of awareness among STs. The Committee would also like all regional offices to make every effort to see that all tribals living in their regions are aware that NCST is the custodian of their rights and could be approached for safeguarding their rights and interests. The Committee also recommend that working of NCST should also be publicised through Doordarshan and All India Radio.

17. 4.9

The Committee note that funds are being provided by the Ministry of Tribal Affairs to Non-Governmental Organisations (NGOs)/Voluntary Organisations working for the welfare of STs under different schemes including providing coaching, running educational complex in low literacy pockets for development of women literacy in tribal areas, vocational training centre and development of Primitive Tribal Groups. In this connection, details of funds released to various NGOs in different States during the years 2004-05, 2005-06 and 2006-07 have been provided. While going through the list of NGOs which have been granted aid, the Committee observe that there are certain NGOs having addresses in Delhi but which have been given grants for different purposes for working in different States. When asked whether the credibility of NGOs is verified, before releasing fund. The Committee have been informed that the procedure for release of grants-in-aid to NGOs has been decentralized since the year 2005-06. There is a multi-disciplinary State Level Committee in each State which scrutinises and recommends the most essential projects in service deficient tribal areas in order of priority. The proposals are recommended by the State Committees of the State Government and that the Ministry then considers only such recommended proposals on merits and funds are released to the NGOs only on receipt of satisfactory inspection reports from District Collector/Deputy Commissioner and audited accounts. The Committee desire that utmost care should be taken to choose only those NGOs which are genuinely working for the welfare of tribal people. The Committee recommend that NCST should also examine whether the fund granted to NGOs during the last 3 years have actually been incurred for the purpose for which it had

been granted and whether it has resulted in improvement in the lives of tribal people.

18. 4.16 The Committee note that NCST in their First Annual Report had suggested a number of measures to control the problem of alienation of tribal land and to ensure their proper rehabilitation in the event of acquisition of their land for development projects. According to the reply of the Ministry of Tribal Affairs, neither the Ministry of Tribal Affairs nor NCST has undertaken any study in regard to displacement and rehabilitation of tribals in different parts of the country. The Committee, however, note that the Ministry had commissioned an "Evaluation Study on Resettlement and Rehabilitation" by National Institute of Rural Development, Hyderabad. It has also been informed that the Ministry of Rural Development had notified the "National Policy on Resettlement and Rehabilitation, 2003". However, to ensure justice and better compensation package for the STs being displaced due to construction of development projects, the Ministry of Tribal Affairs have taken up the matter with the Ministry of Rural Development and also proposed suitable provisions and safeguards in the draft of the National Tribal Policy, 2007. The Committee may be apprised whether the measures suggested by the NCST in their report to control the problems of alienation of tribal land and proper rehabilitation of tribals on acquisition of their land as also the study undertaken by the National Institute of Rural Development, Hyderabad have been taken into consideration while preparing the National Tribal Policy 2007.
19. 4.17 The Committee are concerned that a number of tribals migrate from their villages in search of employment. The Committee recommend that the Ministry of Tribal Affairs should take up this matter with the concerned authorities to ensure that tribals who migrate to work elsewhere for a limited period of time in a year, should be covered under Rural Employment Guarantee Schemes, so that the migrant tribals do not have to leave their homes for seeking employment elsewhere. The Committee also recommend that the Ministry of Tribal Affairs should also take up the matter with the concerned authorities for provision of residential schools for children of migrant tribals who leave their villages for employment.

20. 4.18 The Committee observe that a Working Group on “Migration of Tribal Girls” was constituted on 25.7.2006 under the Chairmanship of Secretary (TA) with the objective to assess the magnitude of migration of tribal girls, its possible causes and consequences and measures to check migration. The Committee would like to know whether the report by the working Group has been completed and presented to the Ministry. The Committee strongly recommend that proactive action should be taken expeditiously so that young tribal girls who migrate to cities are not exploited for want of proper shelter and opportunity.
21. 4.19 The Committee are distressed by the fact that tribals are agitating in Meghalaya as mining of uranium is being carried out. The Committee should also be apprised of the response of the State Government and the Department of Atomic Energy in regard to reported mining of uranium in Meghalaya. The Committee strongly feel that tribals should not suffer in the name of development by way of displacement on alienation. The Committee recommend that the Ministry of Tribal Affairs should take immediate su-moto action whenever it is reported that tribal people are agitating against displacement and endangerment to their lives. The Committee should also be apprised of provision/safeguards suggested by the Ministry of Tribal Affairs to be included in the draft of National Tribal Policy, 2007 and detailed role played by the Ministry of Tribal Affairs in framing this policy.
22. 4.24 The Committee note that the Planning Commission has issued guidelines for adoption of Tribal Sub Plan (TSP) strategy which inter-alia includes allocation of funds for schemes/programmes meant for STs atleast in proportion to their population. The Committee, however, note that the Ministry do not have any power to enforce these guidelines. The Committee also note that to encourage States to adopt TSP strategy, the Ministry provide incentive grants under Special Central Assistance (SCA) to TSP and innovative grants under Article 275(1) of the Constitution as per guidelines. The Committee are distressed by the fact that despite the guidelines issued by the Planning Commission, the Ministries of the Central Government and State Governments are not adhering to the guidelines. The

Committee would like to know the names of defaulting Ministries and States. The Committee are also disturbed by the submission made during evidence that the budget allocation, which is to be made for the development of tribals at 8.2 percent, is actually a notional projection and this fact has been brought to the notice of the Planning Commission by the NCST and that they are seized of the matter. The Committee sincerely hope that the Government would give top priority to the matter and give clearance to the proposal to park 8.2 percent of budget amount at the disposal of the Ministry of Tribal Affairs for funding project based on tribal oriented schemes. The Committee recommend to the Planning Commission to ensure that just as States plans are not approved unless TSP/SCP are not provided in their plans, this principle should be applied in respect of the Central Ministries as well. The Committee are also concerned that there is lack of mechanism as mentioned by the Secretary, Ministry of Tribal Affairs to see that the amount allocated goes in the effective programme or not. The Committee, therefore, recommend that the Ministry should evolve an effective and credible system of mechanism regarding utilisation of funds under TSP. The Committee also recommend that apart from the Ministry, NCST should also regularly monitor utilisation of funds under TSP.

23. 4.27

The Committee observe that Banks do not lend money to tribal people even if they are prepared to mortgage their land and hence, they are unable to raise money for business purposes. The Committee also note that under the land laws/land revenue codes, the land belonging to STs in the scheduled areas/tribal areas is not transferable or alienable to a non-tribal without the permission of the District Collector or any other authority specified in these laws. Consequently, the papers produced by the tribal applicants in respect of land owned by them are not accepted by the Bank authorities for the purpose of mortgage as they cannot attach the land, in the event of default in repayment of amount. The Committee are pained to observe that this is a peculiar situation for which no concrete solution has been explored by the Government so far. The suggestion of the Ministry of Tribal Affairs that state level ST Development and Finance Corporations and the National Scheduled Tribes Finance and Development

Corporation should be asked to play more active role in extending loan to tribal entrepreneurs may serve to limited extent. The Committee are of the view that the role as well as the extant of loan amount sanctioned by the State level ST Development and Finance Corporation is often not sufficient to meet the requirement of a borrower because of increased need of funds for business in present times. The Committee, therefore, recommend that to cope up with this problem, a proposal may be sent to the Ministry of Finance for examination so that they may be able to issue necessary guidelines to Banks/Financial Institutions to lend money to ST people.

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