



No.1/7/2018-Coord.  
Government of India  
National Commission for Scheduled Tribes  
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6<sup>th</sup> Floor, 'B' Wing, Lok Nayak Bhawan,  
Khan Market, New Delhi -110003  
Dated: 12<sup>th</sup> September, 2018

To,

1. Shri Nand Kumar Sai, Hon'ble Chairperson
2. Miss Anusuiya Uikey, Hon'ble Vice-Chairperson
3. Shri Hari Krishna Damor, Hon'ble Member
4. Shri Harshadbhai Chunilal Vasava, Hon'ble Member
5. Smt. Maya Chintamn Ivnate, Hon'ble Member

**Subject: Summary Record of discussions of 106<sup>th</sup> Meeting of National Commission for Scheduled Tribes (NCST) held on 05.09.2018 at 3:00 P.M.**

Sir/Madam,

I am directed to refer to the above subject and to say that 106<sup>th</sup> meeting of the National Commission for Scheduled Tribes was held on 05.09.2018 at 3:00 P.M in the Conference Room of NCST at Lok Nayak Bhawan, New Delhi. The Meeting was presided over by Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes. A copy of the Summary Record of discussions of meeting is enclosed for information and record.

Yours faithfully,

(S.P. Meena)

Assistant Director

Copy for necessary action, a copy of the Summary Record of discussions of 106<sup>th</sup> meeting of NCST is enclosed. The action taken report in the matter may be intimated to Coord. Section by 28.09.2018.

- (i) Deputy Secretary (RU-I & II)
- (ii) Under Secretary (Estt.)
- (iii) Assistant Director (RU-II & Coordination)
- (iv) Assistant Director (RU-I & OL)
- (v) Assistant Director (RU-III & Admin)
- (vi) Research Officer (RU-IV)

Copy for information:

1. Sr.PPS to Secretary, NCST
2. PA to Joint Secretary, NCST
3. Secretary, MoTA, Shastri Bhawan, New Delhi.
4. Director/AD/R.O. Regional Office, NCST, Bhopal, Bhubaneswar, Jaipur, Raipur, Ranchi and Shillong.
5. NIC, NCST for uploading on the website.



फाइल न. 1/7/2018.समन्वय  
भारत सरकार  
राष्ट्रीय अनुसूचित जन जाति आयोग

छठा तल, लोकनायक भवन,  
खान मार्किट नई दिल्ली-110003  
दिनांक: 12 सितम्बर, 2018

सेवा में,

1. श्री नन्द कुमार सांय माननीय अध्यक्ष
2. सुश्री अनुसुईया उइके, उपाध्यक्ष
3. श्री हरिकृष्ण डामोर, सदस्य
4. श्री हर्षदभाई चुनीलाल वसावा, सदस्य
5. श्रीमती माया चिंतामण ईवनाते, माननीय सदस्य

विषय: राष्ट्रीय अनुसूचित जनजाति आयोग की दिनांक 05.09.2018 को 3:00 बजे सम्पन्न 106वीं बैठक में हुई चर्चा का कार्यवृत्त।

महोदय/महोदया,

मुझे उपर्युक्त विषय का उल्लेख करते हुए यह कहने का निदेश हुआ है कि आयोग की 106वीं बैठक आयोग के सम्मेलन कक्ष, लोकनायक भवन, नई दिल्ली में दिनांक 05.09.2018 को 3:00 बजे सम्पन्न हुई थी। बैठक की अध्यक्षता श्री नन्द कुमार सांय अध्यक्ष, राष्ट्रीय अनुसूचित जनजाति आयोग द्वारा की गई। बैठक में हुई चर्चा का कार्यवृत्त की एक प्रति सूचना एवं अभिलेख हेतु संलग्न है।

भवदीय,

(एस.डी.सी.)

सहायक निदेशक

आवश्यक कार्यवाही हेतु 106वीं बैठक की एक प्रति संलग्न है। इस संबंध में कार्यवाही रिपोर्ट दिनांक 28/09/2018 तक समन्वय एकक को भेज दी जाये।

1. उप सचिव ( अनुसंधान एकक- I & II)
2. अवर सचिव (स्थापना)
3. सहायक निदेशक, ( अनुसंधान एकक- II एवं समन्वय एकक)
4. सहायक निदेशक, (राजभाषा एवं अनुसंधान एकक-I)
5. सहायक निदेशक (प्रशा. एवं अनुसंधान एकक- III)
6. अनुसंधान अधिकारी (आर.यू-IV)

प्रतिलिपि, 106 वीं बैठक के कार्यवृत्त की प्रति सूचनार्थ अग्रेषित:

1. सचिव के वरिष्ठ प्रधान निजी सचिव
2. संयुक्त सचिव के निजी सहायक
3. सचिव जनजातीय कार्य मंत्रालय नई दिल्ली
4. निदेशक/सहायक निदेशक/अनुसंधान अधिकारी, राष्ट्रीय अनुसूचित जनजाति आयोग के क्षेत्रीय कार्यालय, भोपाल/भुवनेश्वर/जयपुर/रायपुर/रांची/शिलांग।
5. आयोग की एनआईसी वेबसाइट पर डालने हेतु।



राष्ट्रीय अनुसूचित जनजाति आयोग (एन.सी.एस.टी) की 106वीं बैठक में हुई चर्चा का कार्यवृत्त

(फाईल सं. 1/7/2018-समन्वय)

दिनांक : 5.9.2018

समय : 3.00 बजे

स्थान : सम्मलेन कक्ष, राष्ट्रीय अनुसूचित जनजाति आयोग, छठा तल, लोकनायक भवन,  
नई दिल्ली-110003

अध्यक्षता : श्री नन्द कुमार साय, माननीय अध्यक्ष।

प्रतिभागियों की सूची :

1. सुश्री अनुसुईया उइके, उपाध्यक्ष
2. श्री हरिकृष्ण डामोर, सदस्य
3. श्री हर्षदभाई चुनीलाल वसावा, सदस्य
4. श्रीमती माया चिंतामण ईवनाते, माननीय सदस्य
5. श्री राघव चंद्रा, सचिव
6. श्री एस.के. रथ, संयुक्त सचिव
7. श्री पी.टी. जेम्सकुट्टी, उप सचिव
8. श्री डी.एस. कुंभारे, अवर सचिव
9. श्री एस.पी. मीना, सहायक निदेशक
10. श्री आर.के दुबे, सहायक निदेशक

बैठक के लिए निर्धारित कार्य सूची मदों पर चर्चा की गई और निम्नलिखित निर्णय लिए गए :


कार्यसूची मद सं० 1  <b>Agenda Item No.1</b>	Proposal for Amendment in the list of Scheduled Tribes in Arunachal Pradesh.
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(Policy/5/2018/MTA(AP)/ RU-II)

Ministry of Tribal Affairs has forwarded a copy of their letter No.12026/24/2012-C&LM dated 25.07.2018 along with a copy of ethnographic report of State Government of Arunachal Pradesh with regard to following amendments in the list of ST of the State as under: -

- i) Deletion of Abor in S.No.1 of Gazette Notification, as it is the same as Adi in S.No.16.
- ii) Tai Khamti instead Khampti S.No.6 of the Gazetted Notification.
- iii) Mishmi-Kaman (Miju Mishmi), Idu (Mishmi) and Taraon (Digaru Mishmi) in S.No.8.
- iv) Monpa, Memba, Sartang, Sajolong(Miji) in S.No.9 of Gazette Notification in lieu of Momba,
- v) Nocte, Tangsa, Tutsa, Wancho in S.No.10 of the Gazette Notification In lieu of Any Naga Tribe.

1

  
नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

2. The proposal was referred to Registrar General of India (RGI). The Office of the RGI vide their letter dated 13.12.2017 (at page 172/c.) conveyed that as the notified list of the ST of the State of Arunachal Pradesh is an open list, all tribes of the State are automatically the ST. The individual tribe names mentioned in the list are only for an illustration. They further conveyed that this being the case (a) There is no issue of examination on the basis of any ethnographic report to establish the "tribal status" of any such community, and that (b) Any addition/deletion of any name to/from the illustration given in the list of ST of the State of Arunachal Pradesh would not affect the ground reality any way. ORGI also conveyed that RGI has no objection to the above proposal and Ministry of Tribal Affairs may take appropriate action in the matter.

3. In this context, State Government of Arunachal Pradesh has intimated to Ministry of Tribal Affairs that the State Cabinet in the Cabinet Meeting held on 13<sup>th</sup> July, 2017 have recommended for amendment of Scheduled Tribe List of the above said communities vide their letter dated 8<sup>th</sup> August, 2017.

आयोग ने अरुणाचल प्रदेश राज्य के लिए अनुसूचित जनजातियों की सूची में संशोधन करने के लिए जनजातीय कार्य मंत्रालय से प्राप्त प्रस्ताव पर पूर्वव्यापी अनुमोदन दिया।

The Commission gave ex-post-facto approval to the proposal received from Ministry of Tribal Affairs for making amendment in the list of Scheduled Tribes in respect of the State of Arunachal Pradesh.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



कार्यसूची मद सं० 2 Agenda Item No. 2	Amendment to Recruitment Rules of NCST Cadre. (Group A & B Posts)
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(F.No.20/2/NCST/2018-Estt.)

1. In the 103<sup>rd</sup> Meeting held on 22.3.2018. It was decided that National Commission for Scheduled Tribes (NCST) may frame new Recruitment Rules for Group 'A' & 'B' separately of its own Cadre and earlier Recruitment Rules 2018 notified by the Ministry of Social Justice and Empowerment.

2. Accordingly, amendments incorporated in draft Recruitment Rules were placed below before the Commission for consideration. The salient feature of the changes proposed are given below: -

Group-'A' Posts in National Commission for Scheduled Tribes:-

S.No.	Item	Existing Rule	Proposed Rule
1.	Short title and commencement (wherever it appears)	Ministry of Social Justice and Empowerment	Ministry of Tribal Affairs
2.	-do-	National Commission for Scheduled Castes	National Commission for Scheduled Tribes
3.	Method of Recruitment: (in Col.10 of the Schedule of each post)		
	Director (4)	Seven percent by promotion failing which by deputation (including short-term contract);  Ninety-three percent by deputation (including short-term contract).	Hundred percent by promotion failing which by deputation (including short term contract)



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
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Deputy Director(2)	Thirty percent by promotion failing which by deputation (including short-term contract);  Seventy percent by deputation (including short-term contract).	Hundred percent by promotion failing which by deputation including short term contract
Assistant Director (5)	Twenty-five percent by promotion failing which by deputation including short-term contract;  Fifty percent by deputation including short-term contract; and  Twenty-five percent by direct recruitment.	Sixty percent by promotion failing which by deputation including short-term contract; and  Forty percent by direct recruitment

Group – 'B' posts in NCST: -

1.	Short title and commencement (wherever it appears)	Ministry of Social Justice and Empowerment	Ministry of Tribal Affairs
2.	-do-	National Commission for Scheduled Castes	National Commission for Scheduled Tribes
3.	Method of Recruitment: (in Col.10 of the Schedule of each post)		
	Research Officer (6)	(i) Fifty-five percent by promotion failing which by deputation failing which by short-term contract; and  (ii) Forty-five percent by deputation failing which by short-term contract	Hundred percent by promotion failing which by deputation.
	Senior Investigator(8)	(i) Fifty percent by promotion failing which by deputation including short-term contract;	Hundred percent by promotion failing which by deputation or short-term contract.



		(ii) Twenty-five percent by deputation including short-term contract;	
		(iii) Twenty-five percent by direct recruitment.	
	Investigator (10)	By direct recruitment	By direct recruitment

आयोग ने राष्ट्रीय अनुसूचित जनजाति आयोग में राष्ट्रीय अनुसूचित जनजाति आयोग के समूह 'क' और समूह 'ख' के लिए भर्ती नियम में संशोधन करने के प्रस्ताव का अनुमोदन किया।

The Commission approved the proposal to make amendments in the Recruitment Rules in respect of Group 'A' and 'B' posts in NCST.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

कार्यसूची मद सं० 3 Agenda Item No. 3	Proposal for inclusion /rectification in the entries in the STs List of State of Chhattisgarh.
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(Inclusion/2017/MTA/RU-III)

छत्तीसगढ़, उड़ीसा तथा उत्तर प्रदेश राज्यों की अनुसूचित जनजातियों की सूची में समुदायों का समावेशन/संशोधन करने हेतु जनजातीय कार्य मंत्रालय से अ.शा.पत्र संख्या 12026/11/2016-सी एण्ड एल एम दिनांक 12.5.2017 को प्राप्त प्रस्ताव पर आयोग की टिप्पणी के लिए भेजा गया।

उपरोक्त प्रस्ताव को देखने पर यह पाया गया कि छत्तीसगढ़ एवं उड़ीसा राज्यों के सम्बन्धित प्रस्ताव आयोग को प्राप्त नहीं हुए हैं। अतः आयोग ने पत्र दिनांक 22.5.2017 द्वारा जनजातीय कार्यमंत्रालय को प्रस्ताव भेजने को कहा। जनजातीय कार्यमंत्रालय ने पत्र दिनांक 25.5.2017 द्वारा छत्तीसगढ़ राज्य की अनुसूचित जनजातियों की सूची में समुदायों का समावेशन/संशोधन हेतु सम्बन्धित कागजात एवं दस्तावेज आयोग के प्रतिनिधि को उपलब्ध कराए।

उत्तर प्रदेश राज्य के नवसृजित जनपदों संतकबीरनगर, कुशीनगर, चंदौली और संतरविदास नगर में गोंड, धुरिया, नायक, ओझा, पठारी, राजगोंडको अनुसूचित जनजाति की सूची में सम्मिलित किए जाने के संबंध में, दिनांक 26.5.2017 को जनजातीय कार्यमंत्रालय ने आयोग के प्रतिनिधि को सम्बन्धित कागजात एवं दस्तावेज उपलब्ध कराए।

जनजातीय कार्यमंत्रालय के प्रस्ताव पर आयोग ने विचार किया तथा यह पाया कि प्रस्तावों में छत्तीसगढ़ तथा उत्तर प्रदेश राज्यों की अनुसूचित जनजातियों की सूची में समावेशन/निष्काशन तथा संशोधन का मामला है। इसलिए आयोग प्रत्येक समावेशन तथा संशोधन किए जाने वाले समुदाय का परीक्षण करेगा। तदुपरांत आयोग उस क्षेत्र में जाकर वस्तुस्थिति पर रिपोर्ट आयोग के समक्ष टिप्पण (comment) के लिए रखेगा। आयोग द्वारा लिए गए निर्णय के अनुसार वस्तुस्थिति से अवगत होने के लिए अध्यक्ष महोदय के अध्यक्षता में जांच दल का गठन करने के लिए फाईल को अध्यक्ष महोदय के पास भेजा गया। जिन्होंने माननीया उपाध्यक्ष महोदय एवं सदस्य (एच.सी.वी) की टीम का गठित की। तदुपरांत दौरे पर निर्णय हेतु फाईल उपाध्यक्ष महोदय के पास भेजी गई। अपरिहार्य कारणों की वजह से दौरा नहीं हो सका।

उपरोक्त पर आयोग की माननीया उपाध्यक्ष महोदय ने निर्देश दिया है कि इन प्रस्तावों को पुनः आयोग की बैठक में रखा जाए। अतः उपाध्यक्ष महोदय के निर्देशानुसार उपरोक्त को एजेंडा में रखा जा रहा है।

छत्तीसगढ़ राज्य की अनुसूचित जनजातियों की सूची में प्रविष्टियों में समावेशन/संशोधन करने के प्रस्ताव पर, आयोग अनुसूचित जनजातियों की सूची में नगवासी, नागबसि तथा नगबसी के समावेशन पर सहमत नहीं हुआ। अन्य 6 समुदायों के संबंध में मंत्रालय से प्राप्त प्रस्ताव दिनांक 09.11.2016 पर आयोग में सहमति व्यक्त की।

On the proposal for inclusion/rectification in the entries in the Scheduled Tribes list of State of Chhattisgarh, the Commission did not agree for inclusion of नगवासी, नागबसि तथा नगबसी in the list of Scheduled tribes. In relation to other six communities, the proposal dated 09.11.2016, received from the Ministry of Tribal Affairs has been approved by the Commission.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



कार्यसूची मद सं० 4 Agenda Item No. 4	Creation of 4 Additional Regional Offices of NCST at Hyderabad(Telangana), Nagpur (Maharashtra), Shimla (Himachal Pradesh) and Ahmedabad(Gujarat).
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(F.No.1/2/NCST/2017-Admn.)

The National Commission for Scheduled Tribes, in its 97<sup>th</sup> meeting held on 5<sup>th</sup> July, 2017, had recommended for establishment of 4 additional Regional Offices of the Commission so that NCST have presence in all Schedule V States in the country. The Commission further directed that a proposal in this regard may be forwarded to the Ministry of Tribal Affairs for necessary action in the matter. Accordingly, a proposal was submitted vide NCST's letter dated 2<sup>nd</sup> August, 2017 to the Ministry of Tribal Affairs for creation of 4 additional Regional Offices at Hyderabad (Andhra Pradesh and Telangana), Nagpur (Maharashtra), Shimla (Himachal Pradesh) and Ahmedabad (Gujarat) with adequate staff in each office.

The Ministry of Tribal Affairs has, vide its letter dated 10<sup>th</sup> August, 2018, intimated that in the meeting held on 16<sup>th</sup> August, 2017 at Shastri Bhawan, New Delhi with Chairperson, Vice Chairperson and Members of the Commission under the Chairmanship of Hon'ble Minister of Tribal Affairs in connection with pending issues of NCST, the issue of creation of additional Regional Offices of NCST was listed for discussion. In the said discussion, Minister of Tribal Affairs mentioned that in place of 4 Regional Offices only two would be enough and he further emphasized that reallocation and realignment of jurisdiction of regional offices might help NCST in covering entire Scheduled V States of the country.

The matter was placed before the Commission for further decision in the matter.

आयोग ने दोहराया कि हैदराबाद, नागपुर, शिमला और अहमदाबाद में राष्ट्रीय अनुसूचित जनजाति आयोग के 4 अतिरिक्त क्षेत्रीय कार्यालयों के सृजन के प्रस्ताव को फिर से जनजातीय कार्य मंत्रालय को भेजा जाए, जिसे यथा आवश्यकतानुसार सभी आवश्यक अनुमोदन लेने की सिफारिश की जाती है।

The Commission reiterated that the proposal for creation of 4 Additional Regional Offices of NCST at Hyderabad, Nagpur, Shimla and Ahmedabad be resubmitted to the Ministry of Tribal Affairs, who are recommended to take all necessary approvals as may be necessary.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



कार्यसूची मद सं० 5 Agenda Item No. 5	Filling up of vacant posts in NCST through outsourcing and enhancement in the limit of 50% to 80% of the vacant posts.
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(5/3/NCST/2017-Admn)

In the 97<sup>th</sup> meeting of National Commission for Scheduled Tribes held on 05.07.2017 the difficulties in discharge of work due to shortage of manpower in the Commission was discussed in detail. It was noted that Ministry of Tribal Affairs vide letter No. 48011/2/2016-Estt dated 27.05.2016 has allowed NCST to fill up to 50% of vacant posts through outsourcing. Accordingly, NCST has engaged consultants, DEOs and Attendants through outsourcing. The sanctioned strength of NCST is 128 and 56 posts are lying vacant. The Commission, in the above meeting had decided to enhance this limit from 50% to 80% for enabling the Commission to work effectively. Accordingly, a proposal was sent to Ministry of Tribal Affairs vide Commission's letter No. 5/3/NCST/2017-Admn dated 02.08.2017 and it was followed up with Ministry through reminder and meetings.

Now, Ministry of Tribal Affairs, vide its letter dated 14.08.2018 has replied to the Commission as given below:

"The matter has been examined and it has been observed by the competent authority in the Ministry that Rule 178 of chapter 6 of GFR clearly provides for hiring consultant only for a specific job, which is well defined in terms of content and time frame for its completion and Rule 179 of the said chapter also provides that the Ministries or Department shall ensure that they do not contravene the basis rules.

It has further been observed by the Competent Authority that out of 128 posts in NCST, 72 are already filled and against the remaining 56 posts, 34 persons have been outsourced which amounts 60% against the ceiling of 50% as per letter dated 27.05.2016 issued for temporary filling of posts.

NCST is, therefore, requested to make effort to fill up the posts on regular basis through normal channel/ through prescribed agencies as per delegated power for Group B and Group C, subject to ceiling if any imposed by the Department of Expenditure".

राष्ट्रीय अनुसूचित जनजाति आयोग में रिक्त पदों को बाह्यस्रोतों के माध्यम से भरने तथा रिक्त पदों के 50 प्रतिशत की सीमा को 80 प्रतिशत तक बढ़ाने के प्रस्ताव पर आयोग ने अपनी बैठक में अवलोकन किया कि नियमित प्रक्रिया/नॉर्मल चैनल अर्थात् कर्मचारी चयन आयोग /संघ लोक सेवा आयोग के माध्यम से रिक्त पदों को भरने में समय लगेगा। राष्ट्रीय अनुसूचित जनजाति आयोग में कार्यभार काफी बढ़ गया है जिससे की नॉर्मल चैनल के माध्यम से कर्मचारियों की नियुक्ति का इंतजार करना संभव नहीं है। इसलिए आयोग के कार्य को सुचारू रूप से चलाने के लिए आयोग का निर्णय है कि बाह्यस्रोतों के माध्यम से वर्तमान में नियुक्त किए जाने वाले सीमा को वही रखा जाए जब तक कि कर्मचारी चयन आयोग /संघ लोक सेवा आयोग की नियमित प्रक्रिया के माध्यम से पदों को नहीं भरा जाता।





On the proposal of filling up of vacant posts in NCST through out-sourcing and enhancement in the limit of 50% -80% of vacant posts, the Commission in its meeting observed that the process of filling up the vacant post through regular process/normal channel i.e. through SSC/UPSC would take a long time. As the work load has increased considerably in NCST, it is not possible to wait for staff to be appointed through normal channel. Therefore, to carry on with the work of the Commission, the Commission resolved that the existing level of persons engaged through outsourcing be continued until the posts are filled up through regular process of SSC/UPSC.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

कार्यसूची मद सं० 6 Agenda Item No. 6	Purchase of Furniture & Electronic Items for the residence of Hon'ble Chairperson, Hon'ble Vice-Chairperson and Hon'ble Members of NCST.
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(14/2/NCST/2017-Admn)

### Hon'ble Chairperson

Vide sanction order No. 14/2/NCST/2017-Admn. dated 08.05.2018 the Competent Authority has sanctioned the expenditure of Rs.77,400/- towards purchase of AC's Refrigerator and Aqua Guard for the residence office of Hon'ble Chairperson.

Bill No. CP00000579 dated 15.01.2018 generated on PFMS and submitted to PAO. PAO returned the bill on 22.01.2018 with following reason: -

- (i) Admissibility of purchase of home appliance for Hon'ble Chairperson, order may please be attached and payment should have preferred in favour of vendor name.

DDO has re-submitted the bill with the copy of the approval of the Secretary, NCST on 23.01.2018.

PAO again returned the bill on 06.02.2018 with the following comments: -

- (i) Copy of order for entitlement to provide the electronic items for the residence of Hon'ble Chairperson.

DDO with the following reply and document resubmitted to PAO for payment: -

- (i) MoTA vide letter No. 48011/6/2014-Estt. dated 07.04.2014 delegated all financial powers to NCST. (Copy enclosed)
- (ii) Necessary clarification on the above matter received from Secretary, Expenditure vide D.O. No. 23(1)/E. Coord. /2017 dated 04.12.2017 is enclosed for kind consideration.
- (iii) It is requested that bill may be passed for payment.

PAO again returned the bill on 17.05.2018 with following comments: -

- (i) From the note attached with the bill it is evident that as per communication received from Ministry of Tribal Affairs that the Chairperson and Vice-Chairperson are not entitled to the items for which expenditure is incurred. In case, if there are any specific order regarding admissibility of these items for residential office of Hon'ble Chairperson and Vice-Chairperson, the copy of may be provided to this office.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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### Hon'ble Vice-Chairperson

Vide sanction order No. 14/2/NCST/2017-Admn. dated 07.05.2018 the Competent Authority has sanctioned the expenditure of Rs. 1,50,000/- towards purchase of Ac's, LED, Sofa Set, Water Dispenser etc. for the residence office of Hon'ble Vice-Chairperson. Bill No. CP00000111 dated 08.05.2018 generated on PFMS and submitted to PAO. PAO returned the bill on 17.05.2018 with following reasons: -

- (i) From the note attached with the bill it is evident that as per communication received from Ministry of Tribal Affairs that the Chairperson and Vice-Chairperson are not entitled to the items for which expenditure is incurred. In case, if there are any specific order regarding admissibility of these items for residential office of Hon'ble Chairperson and Vice-Chairperson, the copy of may be provided to this office.

As per instructions, the matter is placed before the Commission for further decision in the matter.

राष्ट्रीय अनुसूचित जनजाति आयोग के अध्यक्ष, उपाध्यक्ष तथा सदस्यों के आवास के लिए फर्नीचर तथा इलेक्ट्रॉनिक उपकरणों के क्रय के मुद्दे पर, आयोग ने एक संकल्प पारित किया कि ये सभी उपकरण आयोग की कार्यात्मक एवं संचालन की प्रभावकारिता के लिए आवश्यक है, तदनुसार इन सभी उपकरणों के क्रय के लिए शीघ्र भुगतान करने हेतु मामले को सचिव, जनजातीय कार्य मंत्रालय और वित्तीय सलाहकार के समक्ष उठाया जाना चाहिए। यदि ऐसा नहीं हो सका तो इसका समाधान करने के लिए सचिव, व्यय से अनुरोध किया जाए।

On the issue of purchase of furniture and electronic items for the residence of Chairperson, Vice-Chairperson and members of NCST, the Commission passed a resolution that these items are indeed required for the functional and operational efficacy of the Commission, accordingly the matter should be taken up with the Secretary and Financial Adviser of Ministry of Tribal Affairs for releasing payments immediately for the purchase of these items, failing which the Secretary Expenditure be requested to resolve.



नन्द कुमार साय/Nand Kumar Sai  
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कार्यसूची मद सं0 7	Payment of Smt. K.D. Bhansor Ex-Director, NCST.
Agenda Item No. 7	

(81/1/NCST/2013-Admn)

Mrs. K.D. Bhansor, Ex-Director was engaged as consultant in the Commission after her retirement for a period of 06 months as per approval of Hon'ble Chairperson, NCST. She joined her assignment on 26-12-2017. This engagement was done under para 02 of Office Order No. 48011/2/2016-Estt. Dated 27-05-2016 issued by Ministry of Tribal Affairs regarding delegation of powers to NCST for filling up 50% of vacant posts in NCST and pending proposal in MoTA for increasing the ceiling of 50% to 80%. However, concurrence of MoTA was also sought for engaging her as Consultant vide ID Note dated 16-02-2018 as in case of 06 other Consultants, concurrence was received from MoTA. A reminder was also sent on 03-04-2018. Ministry of Tribal Affairs had made objection to her engagement stating that major penalty procedure is under process in the Ministry and NCST is required to obtain prior approval of Ministry to engage any person as Consultant.

The bill for payment of consultancy fee was sent to Pay and Account Office, MoTA which was returned on 10-07-2018 with following observations: -

1. Convey of concurrence of the IFD in the sanction order.
2. Head of Account is not correct.

DDO resubmitted the bill on 12-07-2017 with a copy of letter of Secretary, Expenditure dated 04-12-2017 and informed that concurrence of IFD is not required, Chairperson, NCST is the competent authority and Head of Account is correct but PAO again returned the bill with observation that concurrence of IFD is required under rule 25 (3) of DFPR.

The matter is placed for decision of the Commission.

आयोग ने अवलोकन किया कि राष्ट्रीय अनुसूचित जनजाति आयोग की पूर्व निदेशक श्रीमती के.डी. बंसौर की परामर्शक के रूप में नियुक्ति का निर्णय माननीय अध्यक्ष महोदय, राष्ट्रीय अनुसूचित जनजाति आयोग के स्तर पर किया गया था। जनजातीय कार्य मंत्रालय के वेतन एवं लेखा कार्यालय उनके परामर्शक-शुल्क का भुगतान क्यों नहीं कर रहा है, इस बात को आयोग ने अपनी बैठक में गंभीरता से लिया है। तदनुसार, आयोग ने यह निर्णय लिया कि उनके परामर्शक के शुल्क का भुगतान करने के लिए मामले को सचिव, जनजातीय कार्य मंत्रालय के साथ उठाया जाना चाहिए।

The Commission observed that the appointment as a Consultant of Smt. K.D. Bansor, former Director in NCST was decided at the level of Hon'ble Chairperson, NCST. The Commission in its meeting took a serious view as to why the Pay & Accounts Office of MoTA is not releasing her consultation fee. Accordingly, the Commission decided that the matter should be taken up with Secretary, MoTA for releasing her consultation fee.



कार्यसूची मद सं० 8 Agenda Item No. 8	News Article published in Indian Express, Delhi on 29.05.2018 titled "Bihar New Sorrow" on prohibition policy which is visiting pain on those it was supposed to help the poorest and most disempowered.
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(33/Press Clippings/13/2018-RU-III)

A news article was published in in Indian Express, Delhi on 29-05-2018 titled "Bihar New Sorrow" on prohibition policy which is visiting pain on those it was supposed to held-the poorest and most disempowered. The news article revealed that STs constitute only 1.3 percent of the state's population, but more than five times that figure have been arrested on the charges related to liquor.

As per instruction of Secretary, NCST on the receipt, the matter was taken up by the Commission with Director General of Police, Bihar vide notice dated 30-05-2018 who sent a detailed report to the Commission on 27-07-2018 wherein it was informed that from the date of prohibition of liquor in the state (01-04-2016) to 12-07-2018, a total of 1,53,048 prisoners were arrested in different Jails of the state out of which the number of ST prisoners was 11,079.

Thus, the total number of prisoners of ST category was 7.23 percent out of total prisoners. This reveals that the published article is based on facts.

The matter is placed before the Commission for decision in the matter.

वह मद्य निषेध नीति, जो निर्धनतम् एवं सबसे ज्यादा अशक्त लोगों के लिए लाभकारी होना सम्भावित थी, अब दर्दकारी हो रही है, पर दिनांक 29.05.2018 को इण्डियन एक्सप्रेस, दिल्ली में "बिहार नया दुःख" शीर्षक से प्रकाशित समाचार पर, आयोग ने यह निर्णय लिया कि बिहार सरकार को अनुसूचित जनजातियों के लोगों के पारंपरिक अधिकारों पर एक संदर्भ बनाया जाना चाहिए। तदनुसार मुख्य सचिव, पुलिस महानिदेशक प्रधान सचिव राजस्व तथा राज्य के समाज कल्याण विभाग के प्रधान सचिव के साथ भी एक बैठक बुलाने का भी निर्णय लिया।

On the news article published on 29<sup>th</sup> May, 2018 titled 'Bihar New Sorrow' on prohibition policy which is visiting pain on those it was supposed to help the poorest of the people. The Commission decided that a reference should be made to the Government of Bihar in this regard. It was also decided to call for a meeting with the Chief Secretary, Director General of Police, Principal Secretary, Revenue and Principal Secretary Social Welfare Department, Govt. of Bihar.



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कार्यसूची मद सं0 9 Agenda Item No. 9	View/Comments of Stakeholders on the recommendations of NCDNT.
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(MoSJ&E/1/NCDNT/2018/RU-II)

Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment has forwarded a copy of O.M. No. 16014/04/2018-BC-III dated June, 2018 along with GIST of recommendations of National Commission for DENOTIFIED, NOMADIC and SEMI-NOMADIC Tribes and a copy of Report for December, 2017 of National Commission for DE notified Nomadic and Semi-Nomadic Tribes.

2. Ministry of Social Justice and Empowerment has requested to this Commission to furnish the Commission views/ Comments on the recommendation of the NCDNT.

आयोग ने आंशिक संशोधनों के साथ एनसीडीएनटी की सिफारिशों पर राष्ट्रीय अनुसूचित जनजाति आयोग के विचारों/टिप्पणियों का अनुमोदन किया।

The Commission is views /comments on the recommendations of NCDNT as under :-

Sl. No.	Recommendation Sl. No.	Gist of Recommendations (copy of Recommendation i.e. Part-III of Report is also attached herewith)	Proposed Views/Comments of NCST
1	1	Commission has recommended for setting up of a Permanent Statutory Commission for Denotified, Nomadic and Semi-Nomadic Communities at the Centre which shall have the power to hear representations/complaints/grievances of the members of DNT/NT communities for their effective redressal implementation.	Not agreed
2	3	Commission has recommended that DNT/NT communities not covered in any of the 3 categories viz. OBCs, SCs and STs be notified, at least as OBCs, subject to the report of ethnographic studies on them and after following the due procedure.  Commission has stated that there are DNT/NT communities which are classified as SCs/STs in some states and as OBCs in other States. The Commission has recommended for removal of such anomalies.	Not agreed  Not agreed





3	4	Commission has recommended for release of data of Cast-based Census done in 2011 selectively, at least in respect of the DNT/NT communities, or making available of the data of Cast- based Census done in 2011 to the Central/ State Governments. Commission has also recommended for proper and systematic Caste-based Census, especially in respect of DNT/NT Communities, in the 2021 Census.	NCST agrees
4	5	Commission has recommended for Nomination of at least one member from DNT/NT communities to the Rajya Sabha, State Legislative Assemblies/Councils, District Panchayts and Intermediate (Block/ Taluka/Mandal), Where there is a significant presence of DNT/NT communities.	Not agreed
5	6	Commission has recommended for providing strong legal protections and constitutional safeguards, including the extension of the Protection of Atrocities Act to the NT/DNT/SNT communities by creating a separate third schedule as Schedule De-Notified, Nomadic and Semi-Nomadic Tribes/Communities.	Not agreed
6	7	Commission has recommended for carving out a special 'sub-quota' for DNT/NT communities in the quotas for SCs, STs, and OBCs.	The NCST do not agree with this recommendation
7	8	Commission has stated that there is no clear definition in Government of India for nomadic Tribes or Semi-Nomadic Tribes for official purposes, as it is for the 'tribes'. Many NT/DNT communities are known by different names in different regions and states. There shall be some uniformity in the nomenclature of these communities for their easy identification state wise and nationwide. Commission has recommended for adopting a single standard nomenclature for those NT/DNT communities which have different names (synonyms) in various regions.  Commission has recommended that instead of issuing two separate certificates, e.g. one for SC/ST/OBC and	Not agreed  Not agreed

		another for DNT/NT, a single caste certificate viz. SC-DNT, ST-DNT, and OBC-DNT shall be issued.	
8	9	<p>Commission has recommend for repel of Habitual Offenders Act by the respective States. Commission has stated that regular laws are sufficient to deal with crimes and other transgressions.</p> <p>Commission has recommended that harassment, exclusion and humiliation of adult as well as children members of DNT/NT communities, especially women, in schools and workplaces may be made liable for disciplinary action both in schools and workplaces.</p>	<p>Not agreed</p> <p>Not agreed</p>
9	10	<p>Commission has recommended that Centre and State Governments shall raise the awareness of the Officials/General Public and Elected representatives, including elected representatives, administrators, the police and the media, about the issues and problems being faced by DNT/NT communities.</p> <p>Commission has recommended that The National Council does Education Research and Training (NCERT) and the State School Broads shall examine the possibility of having a section in the school syllabus dedicated to the history of these communities.</p>	<p>NCST agrees with the recommendations.</p> <p>Agrees with the recommendations</p>
10	11	<p>Commission has recommended for sensitization of National and State-level organizations dealing with Voter cards, Aadhaar cards, PDS cards, Old Age pension and related pensions, BPL certificate etc. vis-a-vis DNT/NT communities.</p> <p>Commission has recommended for creation of a DNTY/NT Communities' Cell in the National Human Rights Commission (NHRC) and the State Human Rights Commissions (SHRCs).</p>	<p>NCST agrees with the recommendations.</p> <p>No Comments</p>



		Commission has recommended for creation of a Working Group in NITI/Aayog to plan for sectorial development of DNT/NT communities with a vision for 2030 that is coterminous with the Sustainable Development Goals.	No Comments
11	12	Commission has recommended for earmarking grant of at least Rs.10, 000 crore by 15 <sup>th</sup> Finance Commission specifically for the DNT/NT communities, to be released to the States, as an additional in order to supplement the share of the DNT/NT communities under the mainstream policy measures.	Not agreed
12	13	Commission has recommended for opening of elementary school in areas which has large DNT/NT population. Relaxation in admission with respect to furnishing of requisite documents. Exemption from tuition fees etc. up to Class XII. Providing Skill Development Training. Evaluation of Dr. Ambedkar Pre-Matric and Post-Matric Scholarship scheme and Pandit Deendayal Upadhyaya scheme. Special Education Schemes for DNT/NT communities.  Commission has recommended for promotion of traditional skill DNT/NT. Launch a new Centrally Sponsored Scheme, with Centre and the States contributing in the ratio 50:50.  Commission had recommended for incentives for Higher Education and for preparation of competitive examination.	NCST do not agree  NCST agrees  NCST agrees
13	14	Commission has recommended for sensitization of intermediaries/Community Contact Persons, Doctors and other Public Health officials towards the special needs of DNT/NT communities. Engagement of ASHA workers from their communities so that these	NCST agrees.

		community members may utilize health services/schemes effectively. Mobile Dispensaries may be provided which shall periodically visit the camps of the DNT/NT communities and render them necessary medical assistance.	
14	15	Commission has recommended for providing due share to DNT/NT communities in mainstream schemes/ programmes for allotment of land, construction of house, development of slums and regeneration of urban areas. Encroachments by DNT/NT communities on government land by way of housing should be, as far as possible, regularized. Rehabilitation in case of eviction from encroached land. Up-gradation of the better infrastructure and sanitation facilities in the areas where they live. Easy housing credit to construct/upgrade housing on their own. Earmarking a certain quota in Prime Minister's Awas Yojana DNT/NT communities. Special Housing Projects with full-fledged infrastructure for members of DNT/NT communities by the State Governments, wherever possible.	Not agreed.
15	16	Commission has recommended or sensitizing Forest and other law enforcement official not to harass NT/DNT communities residing in forest areas as they are largely dependent on the forests. Give forest rights, grazing right and passage rights to Nomadic pastoralists, across State boundaries and within a the State for communities dependent on sheep, camels, goats, yaks, buffaloes, bees, birds and insects etc. extend benefits of Schedule Tribes (Recognition of Forest Rights) Act, 2006 to DNT/NT. Review the 'Indian Forest Act' and 'Wild Life protection Act' so that DNT/NTs are not harassed.	NCST agrees.
16	17	Commission has recommended for special policy initiatives to promote skill development and employment opportunities for DNT/NT communities. Bank credit for starting self-employment ventures. Job fairs targeting DNT/NT communities. Set up Special Training Institutes and rope in the Technical Centers	NCST agrees with the recommendations





		<p>run by the National small Industries Corporation (NSIC) for DNT/NT.</p> <p>Commission has stated that DNT/NT communities possess expertise in herbs and medicines. Their expertise shall be utilized in the collection and development of herbs and medicinal plants which are in great demand in the country and outside. 1200 per cent financial inclusion of DNT/NT communities is done under the Jan Dhan Scheme.</p> <p>Commission has recommended for review the beggary prevention laws, Prevention of Cruelty to Animals and other legislation that affect the dignity and livelihood.</p> <p>Commission has recommended for setting up a separate National Finance and Development Corporation for DNT/NTs, on the lines of the National Scheduled Castes Finance &amp; Development Corporation, to promote various welfare schemes for these communities. Micro Units Development and Refinance Agency Bank (MUDRA) can also be asked to proactively refinance loans meant for small and micro enterprises belonging to DNT/NT communities.</p>	<p>-do-</p> <p>-do-</p> <p>-do-</p>
17	18	Commission has recommended for setting up a specific cell in the National Commission for Women. To deal with the problems of women from DNT/NT communities.	No Comments.
18	19	Commission has recommended for Establishment of a separate Academy to protect and preserve their Art, Culture, Sports and indigenous knowledge.	No Comments.

*Handwritten signature*

नन्द कुमार साय/Nand Kumar Sai  
 अध्यक्ष/Chairperson  
 राष्ट्रीय अनुसूचित जनजाति आयोग  
 National Commission for Scheduled Tribes  
 भारत सरकार/Govt. of India  
 नई दिल्ली/New Delhi

कार्यसूची मद सं० 10 Agenda Item No. 10	Any other items with permission of the Chair.
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उपरोक्त के अलावा, कार्यसूची मदों पर विचार-विमर्श करने के बाद अन्य मुद्दों पर विचार-विमर्श किया गया। विधि अधिकारी की नियुक्ति, आयोग के सदस्यों की निजी सुरक्षा, आयोग के सदस्यों से संलग्न अटेंडेंट के पदों का सृजन के संबंध में यह निर्णय लिया गया कि सचिव, जनजातीय कार्य मंत्रालय के साथ मामले को उठाया जाना चाहिए।

यह भी निर्णय लिया गया कि छत्तीसगढ़ के राजनांद गांव जिले में आरक्षक, आरती कुंजम हत्या मामले में, आयोग के उपाध्यक्ष, सुश्री अनुसुईया उइके, श्रीमती माया चिंतामण ईवनाते, सदस्य तथा श्री हर्षदभाई चुनीलाल वसावा, सदस्य का एक दल शीघ्र ही छत्तीसगढ़ राज्य का दौरा करेगा।

Apart from the above, some other issues were discussed after the discussion on Agenda Item. There is appointment of Law Officer, private security to the Members of the Commission, creation of posts of attendants to be attached to the Members of the Commission. It was decided that these issue should be taken up with MoTA.

It was also decided there in the murder case of Ms. Aarti Kunjam, Police Constable, District- Rajnaad Gaon, Chhattisgarh, a team from the Commission comprising of Ms. Anusuiya Uikey, Vice-Chairperson, Smt. Maya Chintamn Ivnate, Member and Shri Harshadbhai Chunnilal Vasava, Member will visit the State of Chhattisgharh, shortly.



(नन्द कुमार साय)

अध्यक्ष, राष्ट्रीय अनुसूचित जनजाति आयोग,  
नई दिल्ली

नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
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