



No. Tour Report/01/Manipur/VC & Member(HKD)/2018/RU-II
Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Date:- 25.09.2018

To

The Chief Secretary,
Government of Manipur,
South Block, Old Secretariat,
Imphal-795001

Sub:-Tour Report and recommendations of Ms. Anusuiya Uikey, Hon'ble Vice Chairperson and Shri Hari Krishna Damor, Hon'ble Member, NCST from 06.07.2018 to 08.07.2018 under Article 338A(5)(e) of the constitution on the measures to be taken by the Government of Manipur for the effective implementation of constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes in Manipur.

Sir,

I am directed to enclose herewith a copy of Tour Report and recommendation of Ms. Anusuiya Uikey, Hon'ble Vice Chairperson and Shri Hari Krishna Damor, Hon'ble Member, National Commission for Scheduled Tribes from 06.07.2018 to 08.07.2018 visited to Manipur State on the above mentioned subject.

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

Encl: As above

Yours faithfully,

(S.P. Meena)
Assistant Director
Tel: 24657271

Copy to:-

1. Shri T. Romeo Hmar, Convenor (MTFD), A-2 UGF, Abhishek Appartment, Gali No.1, Kishangarh, Vasantkunj, New Delhi 110070.

2. SAS, NIC, for uploading on the website of the Commission.

Government of India
National Commission for Scheduled Tribes

Report and recommendations under Article 338A(5)(e) of the Constitution on the measures to be taken by the Government of Manipur for the effective implementation of constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes in Manipur.

No. TP/VC/NCST/2018/54

Dated: 6th - 8th July, 2018

The National Commission for Scheduled Tribes (NCST) is a Constitutional body set up under Article 338A of the Constitution of India to investigate and monitor all matters relating to protection, welfare and socio-economic development of the Scheduled Tribes in the country. As per Constitutional Provision, the Union and every State Government shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission is required to present to the President reports upon working of those safeguards and all such reports are to be laid before each House of the Parliament along with 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, of any of such recommendations.

2. In pursuance of the Constitutional mandate, a team from the National Commission for Scheduled Tribes comprising of Miss Anusuiya Uikey, Hon'ble Vice Chairperson, Shri H.K. Damor, Hon'ble Member and Shri P.T. Jameskutty, Deputy Secretary visited Manipur on 6-8 July, 2018 to attended Awareness Orientation programme of Constitutional Rights of Scheduled Tribes in India, at TRAI Conference Hall, held in Imphal, YPA Hall at Churanchandpur on 6th and 7th July, respectively organised by the Manipur Tribal Forum. On 8th July, 2018, the Commission interacted with tribal students' leaders and had meetings with the Scheduled Tribes Commission Manipur state and Secretary Tribal Department, Government of Manipur in Imphal. During the course of the awareness orientation programme, a number of representations were received by the Commission from various tribal organisations. The details of demands/suggestions made by various

tribal organisations raised during the programme and mentioned in the representation are given below.



Representations received during the visit to Manipur – details of representation

1. United Tribal Civil Organisations' Manipur (UTCOM)

**Dr. Gairiangmei M, President, UTCOM, Manipur,
Shri H. Lunkhothan Mate, GS, UTCOM**

i) Tribal Common People's Guest House in Imphal

ii) Setting up a Separate All India Radio (AIR) for Manipur Tribal in Manipur

iii) Reservation for tribal women and tribal persons with disabilities at Autonomous District Councils (ADCs)

2. Kuki Students' Organisation Sadar Hills,

Kangpokpi Dist. HQ, Manipur, Mr. Thangminlen Kipgen, President

Unlawful and forcible allotment of Tribal land in Manipur for the National Sports University.

3. All Tribal Women Union, Manipur. Ms. Nianglian, President, All Tribal Women Union

i) The Special Provisions Article 371C – failed mechanism

ii) Article 243M(2)(b): The exclusion from the purview of Part IX without any provision for an alternative and no indication about their future, creates a vacuum.

4. Economic & Political Weekly

Meiteis's demand for ST status. Given the level of socio-economic development of the majority Meitei community and their political domination of the state of Manipur, their demand to be classified as ST is absurd.



**5. All Tribal Students' Union Manipur (ATSUM)
Mr. Joseph R. Hmar, President, ATSUM, Mr. Vareiyu Shatsang,
General Secretary, ATSUM etc.**

Request for implementation of 34% reservation for ST as per Central Govt. O.M. in the ongoing recruitment process.

6. Indira Gandhi National Tribal University Students' Union, Manipur (GNTUSU-RCM)

Mr. Haokhomang Chongloi, President, Mr. E. Wanglar, General Secretary

Reservation of seats in admission, recruitment policy and infrastructural amenities in the IGNTU-RCM

i)Reservation on new admission (new session)

ii)Recruitment of permanent faculties

iii)Administrative staff engaged on contractual basis and they should be regularised without delay

iv)Staff Quarter, Hostel for boys and girls, Post Office, Bank and ATM, Rooms and computer facilities, e-Library, Internet facilities, Printers and Xerox machine.

v)Introduction of UGC-NET/JRF coaching centre

vi)Immediate function of IGNOU study centre

vii) NSS

viii)Separate Budget/fund for Regional Campus Manipur

ix)Scholarship for Ph.D scholars

x)Recruitment of Professor

xi)Appointment of full time Tribal Director from North East preferably from Manipur

7. Thangkhal Tribe Council (TTC), Manipur

**Mr. T. Khaikhanhau,President,
Mr. T. Ginlunthang, Gen. Secretary**

Inclusion of Thangkhal Tribe in Scheduled Tribe list.

8. Pantilong Village Authority, Manipur

**Mr. Athoi Kamei(Khullakpa), Pantilong (Lambashok) village,
Mr. Gaibi Riamei, Chairman, Pantilong village Authority**

- i)Complaint petition for enquiry and for intervention with respect to the deprivation of legitimate right and safeguard of the ST of Pantilong (Lambanshok) village.
ii)Stop eviction from the Pantilong (lambanshok) village



9. The Zomi Council HQ, Lamka & its Constituent Tribe Councils, Manipur Mr. John K. Ngaihte, Chairman, Zomi Council, Lamka

- i)The tribals in Maipur remain subjugated and marginalised in all aspects.
ii)The Manipur Reservation of Vacancies in Post and Services for SC/ST Acts, 1976 has been kept inoperative.
iii)The state government never implemented the “100” Point Roster in reservation.
iv)Large scale encroachment of Forest Land by State Government.

- v)The Meiteis are demanding to be classified as ST community which is objectionable.
- vi)In the 60 members Manipur Assembly, only 20 MLAs are tribals.
- vii)Autonomous District Councils in tribal areas of Manipur are neither under the Sixth Schedule nor Fifth Schedule of the Indian Constitution.
- viii)Give adequate Constitutional protection to the tribals in Manipur.
- ix)Speed up the on-going political dialogue with tribal SoO groups (UPF and KNO) and
- x)Establish a workable political autonomy, with Bodo Territorial Council as the model, in order to fulfil the age-old political aspirations of the tribals in the State.

10. Forest Dwellers' Association (FDA), Manipur. Mr. Athon Gangmei, Chairman Tharon Village Authority

- i)Declaration of Langol Reserved Forest which falls within the Hill Areas should be declared Null and Void as it was not referred to HAC at the time of Declaration.
- ii)To protect the life and property of the 9 villages in the light of the provision guaranteed under the ST and other traditional forest dwellers.
- iii)To stay the proceeding of eviction process in order to fulfil/uphold the Special Provision of the Constitution of India and to fulfil the desire and spirit of the Preamble of the Constitution for the ends of Justice.
- iv)Full fledged Hill University.
- v)Separate Tribal Hostels in Manipur University.
- vi)Special Cell for ST.

11. Manipur University, Tribal Students' Union. Mr. Seitinmang Guite, President, MUTSU, Mr. Karang Paul H, General Secretary, MUTSU

- i)Non-implementation of Central Reservation Policy in Admission Process.

Anusuiya
 सुश्री अनुसुईया उईके Miss Anusuiya Uikey
 उपाध्यक्ष/Vice Chairperson
 राष्ट्रीय अनुसूचित जनजाति आयोग
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ii)Implementation of UGC guidelines in the appointment of Teaching staff.

iii)Filling up of Backlog vacancies in the appointment of non-teaching staff.



12.All Zomi Students' Federation, General HQ, Lamka, Manipur

i)The tribal students of Manipur University feel neglected, marginalised and insecure

ii)The scholarship give to ST students are meagre. It is requested to increased and extended to all tribals in Manipur.

iii)The 32% reservation norms for ST are not fully implemented. Requested to identify all post vacancies in all departments and make special recruitment drive accordingly. All backlog posts for ST may also be filled up.

iv)The Meitei's claim for ST status is untenable, unrealistic and illogical because of their rich background and social status. Granting them the status of STs will endanger the social equilibrium and they will perpetually subjugate the tribesmen in the hills.

v) Under the guise of Manipur Land Revenue and Land Reforms Act, they are encroaching large chunk of tribal land and land records transferred to the valley without knowledge and consent of tribal people.

13. The Autonomous District Council, Manipur

Mr. Langkhan Pau Guite, Chairman, ADC, Churachandpur

Extension of the Sixth Schedule Provision of the Constitution in the Hill Areas of Manipur.

14. Paite Literature Society, Lamka, Manipur

Appeal to include Paite as an Indian Language in the Central Board of Secondary Education syllabus.

15. All Tribal Rights' Protection Forum, Manipur, Mr. Joseph Rongmei, President, ATRPFM

i) Exclusive Budget for Tribes on Tribal Sub-Plan

ii) Adequate fund in respect of Manipur State Commission for Scheduled Tribes.

iii) Implementation of the SC and ST (Prevention of Atrocities) Ac, 1989.

iv) Implementation of Service Pension for Employees of Autonomous District Council, Manipur.

v) Backlog of reservation quota for Tribals in the Manipur State Employment Policy; and

vi) Enforcement of Articles 14, 16(4), 16(4A), 16(4B), 21 & 46 read with Article 335 of the Constitution of India and application of P.S. Aulat v. State of Haryana & Others (1995), in the State of Manipur

16. Tarao Student's Union, Shri Akbar, President

Inclusion of Tarao tribe in the particularly vulnerable tribal groups (PVTGs).



17. Autonomous District Council, Sadar Hills, Manipur.

Dr. M. Dominic Kansouwa, Chairman, Finance Committee

Request for submission of Memorandum related on tribal villages lands encroachment by the Manipur State Forest Department (Cantal) Forest Division), Valley Meitei Societies and individuals at Nongmaiching Hill Range and request for intervention and do the befitting measures to safeguard the Rights of the tribals of Manipur.

3. Meeting with Manipur State Government Scheduled Tribes Commission and Secretary, Tribal Affairs

The Commission met Chairman and other members of the Manipur State Government Scheduled Tribes Commission and discussed the activities being undertaken by the State Commission. The Chairman, State Scheduled Tribes Commission informed that the Commission was set up recently and the Commission is yet to function in full swing. It was also informed that the creation of State Government Commission is widely published in the state of Manipur so that aggrieved ST people can approach the State Commission for redressal of their grievances.

Anusuiya

सुश्री अनुसुईया उइके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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नई दिल्ली/New Delhi

4. Recommendations of the Commission

On perusal of the various representations from various tribal groups, the Commission felt that there are various issues that are affecting the ST people and require immediate attention of state government as well as other authorities. Accordingly, the Commission made following recommendations for immediate action by the authorities concerned.

- i) The Commission observed that in the state of Manipur, there is a 34 percent reservation for the ST people of the Manipur state. It has been brought to the notice of the Commission that there is a huge backlog vacancies to be filled up in various departments in Government of Manipur. The Commission, therefore, recommends that all the backlog vacancies should be filled up through special recruitment drive by the Government of Manipur, immediately.
- ii) Under the guise of Manipur Land Revenue and Land Reforms (MLR & LR) Act, 1960, it has been reported that there are large scale encroachment of tribal land without the consent of tribal people. The tribal lands belonging to tribal people and 'land is life' for the tribal people. The tribal land should not be taken away from tribal people and should be protected. The Commission, therefore, recommends that no land of tribal people should be alienated to non-tribal people.
- iii) It has been reported to the Commission that tribal students of Manipur University felt neglected and marginalised. They are also reportedly feeling insecure. Therefore, a demand has been made by the various tribal organisations, that there should be a separate University for the entire tribal population of Manipur. The Commission, therefore, advises the Government of Manipur to examine their request for setting up a Hill University for the welfare of tribals of Manipur.

- iv) There are a number of Autonomous District Councils. It has been reported that these Council are functioning without much power and finance. The tribal areas of Manipur are neither in the Fifth Schedule nor in the Sixth Schedule. The Commission, therefore, recommends to the state government of Manipur that they should examine the demands of tribal people of Manipur to declare tribal area of Manipur as Sixth Schedule of the Constitution.
- v) Various students organisations of tribals of Manipur have represented to the Commission that there is an urgent need for separate tribal hostels in Manipur University. The Commission, accordingly recommends that the State Government should set up a separate Tribal Hostel for tribal students in the Manipur University.
- vi) The Commission, while interacting with various tribal organisations of Manipur, received requests from various organisation that the Meites of Manipur are requesting to be included in the list of tribals in the state of Manipur. It was informed that the Meites never have any connection with tribals and they cannot be given the status of tribals. The tribal community requested the Commission to take up the matter with the State Government of Manipur not to proceed with the demand of the Meites to be included in the ST category. Accordingly, the Commission recommends that necessary precaution may be taken in considering any demand or request of Meites for inclusion in the ST category.
- vii) During the course of interaction with various tribal organisation/students organisations, a number of representations were received wherein various demands were raised by the ST organisation. These representations will be forwarded to the state government separately. The Commission

recommends that each of the demands made by the tribal organisations, should be examined and take necessary action to implement those demands for the benefit of the ST people of Manipur state.

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