



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

File No.: NCST-12012/1/2025-RO-Bhopal

New Delhi, the 03rd March 2025

To,

Smt. Sujata Saunik, IAS
Chief Secretary, Maharashtra
Government of Maharashtra, Mantralaya,
Mumbai-400032,
Maharashtra
Email- cs@maharashtra.gov.in

Subject: Minutes of the State-Level Review on Constitutional Safeguards for Scheduled Tribes in Maharashtra, chaired by Shri Antar Singh Arya, Hon'ble Chairperson, NCST held on 09-01-2025 -reg.

Madam,

I am directed to refer to the subject mentioned above and to inform that Shri Antar Singh Arya, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST), chaired a review meeting on 09-01-2025 to review the implementation of constitutional safeguards, development initiatives, and welfare programs for Scheduled Tribes in Maharashtra State. The meeting was attended by the Chief Secretary, Principal Secretaries of various departments, the Director General of Police (DGP), and other senior officers of the Government of Maharashtra.

2. A copy of the minutes of the meeting, along with the recommendations, is enclosed herewith. It is requested that an Action Taken/to be taken on the recommendations be submitted to the National Commission for Scheduled Tribes within 30 days of receipt of this communication.

Enclosure- As Above.

Yours faithfully,

(P. Kalyan Reddy)

Director (RU- II & III)

Email- kalyanreddy.p@ncst.nic.in

Ph. No.- 011-20819841

Copy to:

1. Shri. Vijay Waghmare (IAS), Secretary, Tribal Development Department, Hutatma Rajguru Chowk, Madam Cama Road, Ministry of Development, Mumbai- 400032
2. Smt. Nayana Arjun Gunde (IAS), Commissioner, Tribal Development, Tribal Development Department, Government of Maharashtra, Commissionerate Nashik, Tribal Development Bhavan, Old Agra Road, Nashik- 422002

(P. Kalyan Reddy)
Director (RU- II & III)

Copy for information to:

1. PS to Hon'ble Chairperson, NCST
2. PS to Hon'ble Member (NC), NCST
3. PS to Hon'ble Member (AL), NCST
4. PS to Hon'ble Member (JH), NCST
5. Sr. PPS to Secretary, NCST
6. PA to Jt. Secretary, NCST



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Minutes of the meeting held under the chairmanship of Shri Antar Singh Arya, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST), New Delhi with the Chief Secretary, Principal Secretaries of various departments, DGP and other Senior Officers of Government of Maharashtra on 09-01-2025 to review and monitor the implementation of various safeguards, development and welfare programmes being run by the State Government for Scheduled Tribes.

A meeting was chaired by Shri Antar Singh Arya, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST), New Delhi with the Chief Secretary and other senior officers of Government of Maharashtra on 09-01-2025 at Hotel Trident, Nariman Point, Mumbai to review and monitor the implementation of various safeguards, development and welfare programmes being run by the State Government for the Scheduled Tribes. Shri Nirupam Chakma, Hon'ble Member, Ms. Asha Lakra, Hon'ble Member and Dr. Puneet Kumar Goel, Secretary, NCST, New Delhi were also present in the meeting. **(List of Participants is annexed).**

2. Prior to the review meeting, a discussion was held with representatives of various ST associations working in Maharashtra in which various issues pertaining to various constitutional safeguards, rights and interests of ST community were discussed in detail. Some of the issues discussed are as under:

- Reservation policy for STs in promotion in the various posts of State Government of Maharashtra is not being implemented.
- Fake caste certificates are being issued in the State on large scale due to which genuine ST people are getting deprived of their constitutional rights.
- Lack of basic facilities to PVTGs particularly the 'Katkari' tribe in the State.
- Whole process of applying 'Patta' under FRA, 2006 may be simplified and timeline regarding this may be reviewed.
- Lack of facilities in residential schools/ 'Ashramshala'.
- Issue of lack of proper documents in bordering states due to which ST people are not getting benefits of various schemes.
- Migration is one of the key issues prevailing in the Tribal areas and need to resolve it, proper training programmes relating to various skills and livelihood sources may be organized by the State Government.
- There should be a national level sport event of various ST Ashram Schools .
- The number of Central Kitchens in the State should be increased.
- There is a need of imposing some restriction and some sort of limits on the use of 'conditional validity' issued by Tribal Research & Training Institute (TRTI), Pune to prevent misuse of fake caste certificates.

3. After the discussion with the representatives of various ST associations, the State level review meeting was held. At the outset, Chief Secretary to the Government of Maharashtra welcomed the Hon'ble Chairperson, Member, Secretary and other officers of NCST and informed about the organisational set-up of Tribal Welfare Department and functioning of ITDAs in the State. Shri R K Dubey, Deputy Director, NCST introduced the team of NCST and Shri Nirupam Chakma, Hon'ble Member, gave brief introduction about the Constitutional provisions and the mandate of the NCST. Deputy Director, NCST then initiated the point wise discussion on the basis of the observations made during various District Level Review meetings, field visits, meetings with tribal leaders, various ST associations and NGOs held by the Commission and information submitted in reply to the District and State Level Questionnaires. Point-wise issues raised by the Commission and recommendation made are as under:

1. Education and Literacy

A. **Observations-**

- The Commission observed that total literacy among Scheduled Tribes is 65.73%. Male literacy among STs is 74.27% and female literacy among STs is 57.02%. There is substantial gap between male and female literacy among STs.
- Teacher- pupil ratio in the State is 1:50, which is less than the country's average. The Commission also observed that 41.48% posts of teachers are vacant at primary level, 31.15% posts are vacant at Middle level and 27.95% are vacant at Secondary level, which is matter of serious concern.
- Commission also observed that dropout rates of girls at secondary level are at higher side which needs to be look into.
- The Commission asked whether any survey was conducted by the State Government to collect any information relating to the reduction in this aforesaid indicators in all those years and also what initiatives were taken by State government to reduce this gap further.

Concerned officer from State Government apprised the Commission that the Literacy figures are according to census 2011 which are 14 years old. There must be some improvement in the given figure which will come out after next census. Apart from this, many initiatives are being taken by the State Government to increase the enrollment to lower the number of dropout students. Some people are also designated to do timely survey in this regard. As for vacancies, last year 28,000 vacancies were filled and another 20,000 vacancies will be filled in due course.

B. **Recommendations-**

- More attention and focus is needed for promoting the education among tribal girls by way of opening schools and hostels as per requirement and demand, providing facilities and assistance to them etc.
- Timely payment of all scholarships should be ensured and any issues and discrepancy if any in PFMS to be resolved immediately.

- Permanent recruitment of Principals, Vice-Principals, Teachers and Other supporting staff to be done on urgent basis.
- Results of Namankit Schools may be reviewed annually and the registration of schools with dis-satisfactory results of ST students should not be extended in next academic year.

2. Economic Status (BPL families) and Employment

A. Observations-

- The Commission observed that in the State of Maharashtra, ST population is 9.35% but STs' share among BPL families is around 24%, which is quite significant and a matter of concern. Additional efforts are required to eradicate poverty among STs in the state..
- The Commission observed that only 5.11% ST people register themselves in employment exchange, among which registration in up to matric category is 4.99% and up to graduate category is 4.07%.
- The Commission observed that there is lack of awareness in tribal community regarding registration of names in employment exchanges in tribal areas of the state..

The concerned officer apprised in this regard that the department through 'Shabri Mahamandal' has emphasized on skill development among ST people. Apart from this, Skill Development Corporations, FPO organizations are also working in this area and distributing loans to support employment. Besides, social security is also being provided through food distribution covered in food security Act and DBT to BPL families by the state.

B. Recommendations -

- The State Government should use various channels and media to make people, particularly STs aware and to encourage them to register in employment exchange.
- The people who have registered themselves in Employment exchange and are unskilled, they can be trained with different skills through skill development programmes.
- The Commission recommends that ST BPL families should be categorized separately district-wise and block level and this data is to be shared with NCST.
- A detailed report in this regard should be sent in due course.

3. Fake caste certificate issue

A. Observations-

- The Commission through its extensive visits in various districts of Maharashtra and through discussions with various ST organizations/NGOs, came to know about the issue of fake caste certificates in the State of Maharashtra.
- The Commission expressed its grave concern in this issue as many of people after obtaining fake ST certificate have obtained jobs in departments, admissions in

professional courses in various educational institutions and thus depriving genuine ST persons from their constitutional right.

- The Commission inquired about the status of posts which had been declared supernumerary post Hon'ble Supreme court's judgment in the matter of protection of the employees who have come in service on the basis of caste certificates of Halba Koshti.
- Commission observed and questioned the authorities that why there are so many cases of fake caste certificate in Maharashtra State. There must be some discrepancies/ gap at some level of the system.
- It was observed that the State Government had earlier made validity certificate mandatory for admissions in medical courses but later this condition has been removed, due to which many of persons with fake caste certificates, got benefited.

The concerned officer in this regard apprised the Commission that a total number of 6807 posts have been declared supernumerary in the light of the aforesaid judgment, out of which 1343 post have been filled by appointing ST category persons as of now and the process of filling up the vacancies in other departments is in progress. The information from other departments is being collected in this regard. The Commission observed that almost 5000 post are vacant to which it was informed that some of the posts have been abolished and some of the posts are to be filled by promotion which have been removed. It was also informed that in the light of this burning issue, Government of Maharashtra has decided to make validity certificate mandatory while taking admission in educational institutes and entering in various jobs of State Government.

Commissioner, TRTI informed in this regard that in the State of Maharashtra, total 45 main tribes are there and 183 are sub tribes. Out of these 183 sub tribes, 55 tribes are such that they have not filed any claim till today. The persons with malafide intention are using the name of these 55 sub tribe groups and obtaining fake caste certificate. The TRTI Commissioner requested that the Presidential order in this regard should be modified as these 55 sub tribes are not even present in Maharashtra.

B. Recommendations-

- The Commission recommended that strict penal action should be taken against the officers who issued the fake ST certificates. The Commission also asked that in how many cases, authorities have taken action against the officials who have issued fake ST certificates?
- The State Act through which issuance and verification of the caste certificate is being regulated, should be strengthened.
- A proposal regarding exclusion of 55 sub-tribes may be sent to MOTA by the State Government as per the modalities for deciding such claims of inclusion and exclusion.
- The Commission also inquired about the issue of illegal validity certificates issued by Thane Scrutiny Committee and action being taken by the State government against the

authorities who issued such fake ST certificates. The Commission also recommended that such certificates issued by Thane Scrutiny Committee should be cancelled.

4. Discussion about Tribal Advisory Council (TAC):

A. Observations-

- The Commission observed that TAC meeting has not been convened in year 2024. The last meeting was held on 11th October, 2023.

The department in this regard informed that due to election, the meeting was not held and a proposal for appointment of new TAC has been sent to the newly formed government.

B. Recommendations-

- The Commission recommended the process may be expedited and meeting of the TAC may be held as per the provisions, as early as possible.

5. Allocation of STC fund

A. Observations-

- The Commission observed that allocation of STC fund is not in proportion to the ST population in the state in the year 2021-22 and 2022-23.

6. Stipend to tribal students

A. Observations-

- The Commission observed that stipend to tribal students has not been revised since 2011. On the contrary, higher rate of stipend is being provided to other weaker sections of the society.

B. Recommendations-

- The Commission recommended that stipend to tribal students should be revised urgently to cope up with the inflation in last 14 years.
- The Commission directed that information regarding district wise number of hostels(Boys/girls) and occupancy/category-wise number of students, may be sent to the Commission separately.

7. Health and nutrition

A. Observations-

- The Commission observed that there is a significant number of vacancies of Medical Officers, Specialists and other posts, especially in tribal areas.

B. Recommendations-

- The issue of vacancies and shortage of Doctors, Specialists and other medical staff should be resolved on priority basis.

- Vacancies of Medical personnel may be immediately filled through special recruitment drive.
- Information about proposal of establishing new hospitals in tribal districts may be sent to the Commission.

8. Land Alienation

A. Observations-

- The Commission observed that in the State of Maharashtra, land transfer from tribals to non-tribals is happening at large scale.

B. Recommendations-

- State Government should take stringent measures to prevent the illegal and improper transfer of land from tribals to non-tribals.

9. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

A. Observations-

- It was observed that out of total no. of applications under FRA, 21.16 % applications were rejected and around 5.47% applications were pending.
- The Commission through its extensive visits in Scheduled Districts of Maharashtra observed that a large no. of applications are pending.
- The Commission also observed that in approved claims, rights given to the tribal persons are less than the original land on which the persons are in occupation/settled land.
- Many CFR claims are also pending in ST dominant districts.

10. THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989

A. Observations-

- The Commission inquired about the status of pendency in cases registered under SC/ST PoA Act i.e. how long the cases are pending as the timeline for filing charge-sheet is 60 days and also the reasons of such pendency.
- The Commission observed that the disposal rate from the Court is very less, and acquittal rate is high, which is also a matter of concern.
- The Commission also sought the status regarding setting up of State level vigilance and monitoring committee and also District and Sub-division level committees in the State.

B. Recommendations-

- The Commission recommended setting up of State, District and Sub-division level vigilance and monitoring committee in the State and seeks report from the state government in this regard..
- Ensure active participation of various public representatives of local area in these committees as per the mandate of SC/ST (PoA) Act.
- The Commission also recommended that workshops for creating awareness and sensitization about various provisions of the SC/ST (PoA) Act may also be organized.
- Detailed information regarding special courts or designated courts may also be sent separately to the Commission.
- Performance of the Government Public Prosecutors also needs to be reviewed.

11. Services safeguards

A. Observations-

- The Commission raised the issue of non-implementation of reservation in promotion (for STs) in the state of Maharashtra. The concerned Government officer informed that the reservation in promotion has been stopped following the judgment of Bombay High court in 2017. The state government has approached the Apex Court in this matter which is being heard.

B. Recommendations-

- The Commission recommended that an Appeal of early hearing may be filed by the state government since reservation in promotion had been implemented in the Central Government only after the judgment of Supreme Court.
- The Commission also recommends that the cases of promotion of SC/ST employees may be dealt separately in the line of judgment of Supreme Court and constitutional provisions
- The State Government may consider preparing two separate Acts, one for SC/STs and another for other social groups to avoid any further litigation in this regard.

The meeting ended with the vote of thanks to the Chair by Principal Secretary, Tribal Development Department, Govt. of Maharashtra.



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Government Of India

National Commission for Scheduled Tribes

State level Review Meeting in the Chairmanship of Shri Antarsingh Arya,
Hon'ble Chairperson, National Commission for Scheduled Tribes

Date: 09 January, 2025, Venue: Mumbai (Maharashtra)

Meeting Attendance Sheet

S.N.	Name of Officers	Name of Department	Contact No	Signature
1	Shri Antarsingh Arya	Hon'ble Chairperson		
2	Shri Nirupam Chakma	Hon'ble Member		
3	Dr. Asha Lakra	Hon'ble Member		
4	Shri Jatothu Hussain	Hon'ble Member		
5	Shri Puneet Kumar Goel	Secretary		
6	Shri Amit Niranjan	Joint Secretary		
7	Shri Konthang Touthang	Hony-Advisor to CP		
8	Shri R.K. Dubey	Deputy Director		
9	Shri Rajeev Saxena	PS to Hon'ble CP		
10	Shri Prakash Kumar Uikey	APS to Hon'ble CP		
11	Shri Ankit Kumar Sen	Research Officer		
12	Shri Kusheswar Sahu	PS to Hon'ble Member		
13	Shri Govardhan Munde	Senior Investigator	9122171029	
14	Keena Bansod	MD, TDC	9823110836	
15	Prayansh Bhowd	Commissioner TRTI	9023918002	
16	A S Ranga Nile	Commissioner, Health services	0719897101	
17	Vijendra Singh	Secretary Public Health (2)	9423860022	
18	Nipun Vinayak	SECRETARY PUBLIC HEALTH (2)	9650307575	

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19	Jayashree Bhoj	Secretary Food + Civil Supplies	7607023333	
20	Dr Anup Yadav	Secy WCB		
21	Uday B. Shukla	P.S. SLA Ld Jd.	9987383441	
22	Sujata Sawj	CE Maharashtra	—	
23	Rajesh Kumar	ACS, Revenue		
24	SANJAY SAXENA	ADG L90	9011701122	
25	Subas Wurke	IG PCR	9890702139	
26	Radhika Rastogi	Pr. Secretary (AES) Home Dept	-	
27	Eknath Dawale	Pr. Secretary (RDD)		
28	Ranjit Singh Deol	Pr. Secretary School Edu.		
29	Ganesh Patil	Secretary Skill Dev.		
30	F. Ravendiran	MP. J.M.		
31	Ravikiran Govekar	CCF Maharashtra	8275044520	
32	Kailash Pagare	Commissioner, ICDD	9867069142	
33	Ravindra H. Thakur	ATC Nagpur	7709741106	
34	Deepak Kumar Meena	ATC Thane	—	
35	Umesh Hirlikar	Do	8369491237	
36	Shashikala Amrao	Sy. Com Nashik	7507257511	
37	Sandip D. Golait	ATC, Nashik	7769837924	
38	Jitendra N. Choudhary	A.T.C. Amravati	9970163069	
39	Sachin S. Pawar	PCR HQ (APD)	8356865019	
40	Shekhar S. Sawant	Director, State PGR Cell	9823944875	
41	Shantje Patil	DGZPR	9881109022	
42	Neelima Dhayagude	Secretary Mhada	7038174466	

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43	Deepak Shelar	Housing Dept.	U.S.	Dshelar
44	Amol Raut	— 11 —	D.O.	Amol
45	Vilas Thakur	WCD	J.S.	4/23
46	D. K. Sathav	WCD	D.O.	8/24
47	N.M. Pusnake	Law & Judiciary	D.S.	Amol
48	S. D. Shuge.	Home	Q.S.P.	8/24
49	A.P. Nagargok	CB	TDD	8/24
50	Ashish Ayachit	Jt. Sec. LSI.	Jt. Sec.	Amol
51	Kiran Patil	L.S.D.	Jt. Secy.	8/24
52	Tatoba Kolekar	PCSB/CPQ	Jt. Secy	Amol
53	Dhabe A.V.	P.O., I.T.D. Pen	P.O.	Dhabe
54	P.M. RAUT	section officer	TDD -	Amol
55	V.A. Inawane	Dy commissioner	TDD	Amol
56		TDD	TDD	Amol
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