



GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

(A Constitutional Commission set up under Art. 338A of the Constitution to investigate and monitor all matters relating to violation of rights and safeguards provided for STs.)

File No. Policy-2/Atrocity/MTA/2012/RU-II

Dated 26/12/2012

To

Ms. Namita Priyadarshee,
Director,
Ministry of Tribal Affairs,
Shastri Bhawan,
New Delhi- 110001

Sub: Draft recommendations for amendment in the SC & ST (Prevention of Atrocities) Act, 1989.

Sir,

I am directed to refer to your letter Dy. No. 5642/JS.(Admn.)/2012 dated 11/12/2012 forwarding a copy of the SC & ST (Prevention of Atrocities) Act, 1989 seeking comments of NCST and to say that the subject matter was discussed as Agenda Item No-XII in the 40th Meeting of the Commission held on 17/12/2012.

2. Relevant Extracts from the Summary Record of the meeting of the Commission are enclosed for information and further necessary action. It is requested that information about action taken on the views and observations of National Commission for Scheduled Tribes on the subject matter, and the nature and the manner in which those views have been incorporated, may be forwarded to this Commission urgently for including the same in the Annual Report of the Commission.

Yours faithfully,


(M.S. Chopra)
Director

Copy with enclosure forwarded for information to:-

1. The Secretary Ministry of Social Justice & Empowerment , Department of Social justice & Empowerment, Shastri Bhawan, New Delhi-110001.
2. SSA (NIC) for uploading on the Website of NCST
3. Assistant Director (Coordination)


(M.S. Chopra)
Director

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Subject: Summary record of the 40th meeting of the Commission held at 11:30 AM on 17-12-2012

The 40th meeting of the Commission was held at 11:30 AM on 17-12-2012 in the Conference Room of the Commission in Loknayak Bhawan, New Delhi. The meeting was presided over by Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST. List of participants is enclosed at Annexure. There were fourteen Agenda Items for discussion in the meeting. In addition, as desired by the Chairperson, NCST important administrative issues of immediate concern relating to functioning of the Commission were also taken up for discussion as additional Agenda item No. XV.

2. The decisions taken and the action points that emerged out of the discussions held in the meeting are given below:

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Agenda Item XII	Draft recommendations of the NCoPoA for amendment to the SC & ST (Prevention of Atrocities) Act, 1989
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36. Ministry of Tribal Affairs vide letter No. 16/4/2012 CP&R dated 07/12/2012 has requested the Commission for comments/views on the draft proposal of the National Coalition for Strengthening PoA Act & implementation for amendment in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 particularly with reference to the land alienation, money lending and economic and social alienation concerning tribals vis-à-vis SCs and STs (PoA) Act. The views/comments of the Commission has been sought to enable the Ministry to finalize their views in the matter.

37. Joint Secretary, NCST mentioned that the Cabinet Secretariat, vide D. O. letter No.703/1/1/2011-CA.V dated 16/02/2012 from the Secretary (Coord. & PG), while reiterated the instructions contained in the D.O. letter dated 4th Jan., 2012 regarding mandatory consultation by the sponsoring Ministries/ Departments with the Commission on major policy matters concerning STs, had advised all

Ministries/Depts. to ensure that the National Commission for the Scheduled Castes, and the National Commission for the Scheduled Tribes, as the case may be, shall mandatorily be consulted by them through the Ministry/Department administratively concerned with the Commission before finalization of notes for consideration of the Cabinet/Cabinet Committees. The Commission noted that in the instance case, the views of the Commission have been sought at an intermediate stage when the concerned sponsoring Ministry viz. MSJ&E has not finalised their views on the proposed amendment to the Act. The Commission, therefore, desired that MTA may be informed that the views/comments of the Commission would be formulated after finalization of the Note for consideration of the Cabinet Committee by the MSJ&E on the subject.

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