



डा. रामेश्वर उराँव

अध्यक्ष

(भूतपूर्व सांसद-लोकसभा)

(पूर्व जनजातीय कार्य राज्यमन्त्री)

Dr. RAMESHWAR ORAON

Chairman

(Ex Member Parliament-LS)

(Former Minister of State for Tribal Affairs)

भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयाग

छठी मंजिल, लोकनायक भवन,

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Government of India

National Commission for Scheduled Tribes

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D.O. No.4/1/12-Coord

Dated : 20th June, 2012

Respected Sir,

Please refer to my D.O. letter No. 4/2/11-Coord. dated 20th July, 2011 forwarding a copy of the 5th Report of the National Commission for Scheduled Tribes for the year 2009-10 and highlighting the problems which were seriously affecting the functioning and performance of the Commission, and the inordinate delay in laying of the Reports of the Commission in both Houses of the Parliament. However, none of the 5 Reports submitted so far has been laid before Parliament as the First Report of the Commission for the period 2004-05 and 2005-06 submitted to the Hon'ble President on 8th August, 2006 is also yet to be laid in the Parliament despite a directive issued by PMO to the Ministry of Tribal Affairs vide U.O.Note No. 560/51/C/12/2010-ES.2 dated 24/05/2010. Also, no action has been taken by the Ministry of Tribal Affairs in filling large number of vacancies and for providing adequate staff to the Commission as per the above directive. This Commission, being severely handicapped due to acute shortage of staff, is not able to perform its function as per mandate and consequently, the Commission is loosing its effectiveness in dealing with protective matters..

2. In the meanwhile, the National Commission for Scheduled Tribes has presented a **Special Report** upon the working of safeguards for Scheduled Tribes to the Hon'ble President on 18/06/2012, a copy of which is enclosed for your information. The Special Report titled "**Good Governance for Tribal Development and Administration.**" covers the issues relating to role of Governors in Scheduled Areas and regulations relating to peace and protection tribal rights. A reference to this effect might have been received by the Ministry of Tribal Affairs from the President's Secretariat. However, I am enclosing a copy of the Report submitted to the Hon'ble President for the information and record of the Ministry of Tribal Affairs. A CD containing a soft copy of the Report is also being sent to the Secretary, Ministry of Tribal Affairs separately for taking necessary early action regarding laying of the Report in both houses of Parliament.

3. The recommendations contained in the Reports of the Commission, particularly the **Special Report** submitted to the Hon'ble President on 18/06/2012 have high relevance concerning development of Scheduled Tribes and Scheduled Areas. These recommendations which address socio-economic and political issues concerning Scheduled Tribes needing

immediate attention require priority consideration by the Government. However, due to abnormal delay in consideration and implementation of the recommendations made in the Reports, not only recommendations get diluted but the benefits which ought to accrue to the tribals and the tribal/ Scheduled Areas by virtue of the recommendations of the National Commission for Scheduled Tribes made in its Reports also stand denied.

4. I may take this opportunity to inform that the provision under original Article 338 of the Constitution, prior to the Constitution (65th) Amendment act 1990, facilitated promptly laying of the Reports of the erstwhile Commissioner for Scheduled Castes and Scheduled Tribes (first predecessor to the NCST) and the discussions on the Action Taken Memorandum on the recommendations made in the Report were held in the Parliament on later dates. The recommendations of NCST will be of great help and utility for the Scheduled Tribes of the country if the Reports of the National Commission for Scheduled Tribes are also promptly laid in both Houses of Parliament as well as State Legislatures, as required under Article 338A of the Constitution. The solution lies in reverting back to the provision relating to unconditional laying of the Report that existed in the original Article 338. The Ministry of Tribal Affairs may consider bringing this amendment promptly.

5. As mentioned in para 3 above, the enclosed Report is a Special Report having high relevance concerning development of Scheduled Tribes and Scheduled Areas in the present day scenario of discontentment, naxalism and extremism in these areas, action may kindly be taken to table this Report in Parliament on priority.

6. Members of the Commission would like to meet you and apprise you of their concerns in person on matters concerning Scheduled Tribes and effective functioning of the Commission. I shall, therefore, be thankful if you could indicate date and time at your earliest convenience for meeting with this Commission.

With high regards,

Yours sincerely,

Rameshwar Oraon
(Dr. Rameshwar Oraon)

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