

मौरीस कुजुर

उपाध्यक्ष

MAURICE KUJUR

VICE-CHAIRMAN

(Rank: Union Minister of State)



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR
SCHEDULED TRIBES

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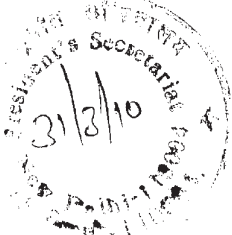
Dated: 31st March, 2010

Respected Rashtrapati Ji,

Please recall the discussions held on 29/03/2010 in the context of presentation of 3rd Report of National Commission for Scheduled Tribes on the working of safeguards for Scheduled Tribes during 2007-08. As desired by you, I take this opportunity to highlight the issues and problems relating to effective functioning of the National Commission for Scheduled Tribes (NCST) which have also been mentioned in the 3rd Report.

2. The Commission's efforts to fulfill its mandate are handicapped by inordinate vacancies of Members and staff. The post of Vice-Chairperson of NCST, which was initially filled along with other Members of the Commission in March 2004, was vacated due to resignation on 31/3/2004. The post remained vacant till 25 May, 2006, and again for about a year thereafter after resignation by the then VC in May, 2007. The post of Chairperson also remained vacant for about five months till it was filled on 18 June, 2007. Similarly, one post of Member vacated in March, 2007 after completion of tenure of the Members, still continues to be vacant. For a long time Commission could not function effectively during 2007-08 as the quorum for the meeting of the Commission (3 out of 5) was not available. The post of the Chairperson is presently vacant since 25/01/2010 due to resignation of Smt. Urmila Singh after her appointment as Governor of the Himachal Pradesh. Another post of the Member will become vacant on 14th June, 2010, after the completion of the tenure of the current incumbent. The Commission will not be able to function due to in-adequate quorum after 14th June, 2010. Since the term of each Member is three years from the date of assuming the charge, and the Government is fully aware about the date when the vacancy would be caused, it should initiate timely action for appointment of new Members.

3. The Commission also needs substantial augmentation of staff. Beside some personal staff for the Chairperson, Vice-Chairperson and Members, no functional/ operational posts have been sanctioned for the Commission when it was created in 2004. A few posts were transferred to this Commission from the erstwhile National Commission for Scheduled Castes and Scheduled Tribes but 40% of those posts have not been filled by the Government so far. The multiplicity of authorities controlling various cadres in the Commission is a big hurdle in



providing requisite manpower to the Commission. A detailed proposal for sanction of additional posts and setting up 4 additional Regional Offices has been submitted to the Ministry of Tribal Affairs. This constitutional Commission is still struggling for grant of administrative and financial powers as Department of the Central Government, proposals for which are still pending with the Ministry.

4. There is also considerable delay in the consideration of the reports submitted by the Commission. None of the previous two Reports have been laid in the Parliament so far. Consequently, the recommendations made by the Commission on various issues and violation of rights and safeguards provided to the Scheduled Tribes under the Constitution are in danger of losing contextual importance. The Commission has suggested that the tabling of the Commission's report may precede submission of action taken Memorandum, which may be placed before Parliament subsequently.

5. I request your august intervention for resolving these problems so that the National Commission for Scheduled Tribes can adequately discharge its constitutional responsibility for safeguarding the rights of Scheduled Tribes in the country.

With kind regards,

Yours sincerely,

Maurice Kujur
(Maurice Kujur)

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