



No.13/1/NCST/2009-Admn.  
Government of India  
National Commission for Scheduled Tribes

6th Floor, 'B' Wing,  
Loknayak Bhawan,  
Khan Market,  
New Delhi-110003

Dated: 23-03-2009

To

Dr. N.K. Ghatak,  
Joint Director,  
Ministry of Tribal Affairs,  
Shastri Bhawan,  
New Delhi-110001

Subject: **Financial autonomy to the National Commission for Scheduled Tribes.**

Sir,

I am directed to refer to the Ministry of Tribal Affairs O.M. No.18012/01/2007C&LM-I dated 18-02-2009 on the subject mentioned above informing this Commission, inter-alia, that Powers and functions entrusted to the National Commission for Scheduled Tribes in Article 338A are the same as were given to the erstwhile National Commission for Scheduled Castes & Scheduled Tribes and also to the existing National Commission for Scheduled Castes. It may be mentioned in this connection that as per Ministry of Welfare's Order No.30011/1/94-WS, dated 05-07-1996 (copy enclosed), the Chairpersons of the erstwhile NCSCST, National Commission for Backward Classes (NCBC) and National Commission for Minorities (NCM) were conferred the powers of the Ministry/Department of the Central Government relating to the Delegation of Financial Powers Rules, 1978; the General Financial Rules, 1963; the Fundamental and Supplementary Rules; the Central Civil Services (Leave) Rules, 1972; the Central Civil Services (Joining Time) Rules, 1979 and the General Provident Fund (Central Services) Rules, 1960; Contributory Provident Fund Rules and similar other Rules, except in the following matters:-

- i) Creation of posts.
- ii) Re-appropriation of funds from one head to another.
- iii) Purchase of vehicles.
- iv) Permitting any officer of the Commission to participate in seminars, conferences or training programmes abroad.

It is gathered from the Administration Section of NCSC that consequent upon the bifurcation of the erstwhile NCSCST, no fresh order delegating the abovesaid powers to NCSC has been issued by the Ministry of Social Justice and Empowerment. As is the case of NCST, the proposals having financial implications not falling within the competence of Head of Department are referred to IFD of the Ministry of Social Justice and Empowerment by NCSC through the concerned administrative division in that Ministry. It was, therefore, inadvertently mentioned in this Commission's letter No.9/1/2007-C-Unit, dated 05-07-2007 that NCST has been conferred the powers of a Ministry/Department of the Central Government (except for a few specific purposes).

Contd...2/-

2. The need for the grant of financial autonomy to the NCST for its smooth and effective functioning has been explained in detail in this Commission's UO Note of even number dated 21-01-2009. The financial difficulties being faced by this Commission in the absence of adequate powers have been amply highlighted therein. As mentioned in para 4 of the U.O. Note, the Committee on the Welfare of SCs and STs has also strongly recommended for granting full administrative and financial powers to the Commission so that it is not dependent on the administrative Ministry for every proposal having financial implications.

3. It is, therefore, requested that the NCST may be notified as a Department of the Central Government so that it is empowered to exercise the powers of a Ministry/ Department under the Delegation of Financial Powers Rules, 1978; General Financial Rules, 2005; the Fundamental and Supplementary Rules; Central Civil Services (Leave) Rules, 1972; the Central Civil Services (Joining Time) Rules, 1979; the General Provident Fund (Central Services) Rules, 1960; Contributory Provident Fund Rules and similar other rules.

4. This issues with the approval of the Secretary, NCST.

Yours faithfully,

  
(R.P. Vasishtha)  
Deputy Secretary

*o/c*

.....  
New Delhi, the 5th February, 1996.

ORDER

Sanction of the President is hereby accorded to confer on the Chairpersons of the (a) National Commission for Backward Classes, (b) National Commission for Scheduled Castes & Scheduled Tribes and (c) National Commission for Minorities, the powers of the Ministry/Department of the Central Government relating to the Delegation of Financial Powers Rules, 1978; the General Financial Rules, 1963; the Fundamental and Supplementary Rules; the Central Civil Services (Leave) Rules, 1972; the Central Civil Services (Joining Time) Rules, 1979 and the General Provident Fund (Central Services) Rules, 1960, Contributory Provident Fund Rules and similar other Rules, except in the following matters:-

- i) Creation of posts;
- ii) Re-appropriation of funds from one head to another.
- iii) Purchase of vehicles;
- iv) Permitting any officer of the Commission to participate in seminars, conferences or training programmes abroad.

2. The exercise and the re-delegation of powers will be subject to the general restrictions and conditions contained in the Delegation of Financial Power Rules, 1978 and other general rules, orders/instructions issued by the Government of India from time to time.

3. The enhanced powers will be exercised in consultation with the Integrated Finance Division of the Ministry of Welfare.

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This issues with the approval of the Deptt. of Expenditure vide U.O. No. 1(6)-E.II(A)/96, dated 1-2-1996.

*(Signature)*  
(N.C. Aggarwal)

Financial Adviser (Welfare)

Copy to :-

1. The Chairperson, National Commission for Backward Classes, Trikoot-I Building, Bhikaji Cama Place, R.K. Puram, New Delhi.
2. The Chairperson, National Commission for Scheduled Castes and Scheduled Tribes, Lok Nayak Bhavan, New Delhi.
3. The Chairperson, National Commission for Minorities, Lok Nayak Bhavan, New Delhi.
4. Ministry of Finance, Deptt. of Expenditure with reference to their U.O. No. 1(6)-E.II(A)/96, dated 1-2-1996.

5. IF Division, Ministry of Welfare.

Copy also for information to :-

PS to WM/PS to MCS(T) / PS to MOS (PMO&W) / PS to Secy (W)  
PS to AS(W), all Joint Secretaries in the Ministry/Estt. Division/Controller of Accounts/Genl. Section/P&AO/B&C Section.

*(Signature)*  
(N.C. Aggarwal)  
Financial Adviser (Welfare)