



NO.YT/1/2017/STGAR/DEOTH/RU-II
Government of India
National Commission for Scheduled Tribes

6th floor, LokNayakBhawan,
Khan Market, New Delhi
Dated:- 30 .05.2018.

To

The Chief Secretary,
Government of Arunachal Pradesh,
Civil Secretariat,
Itanagar-791111 (Arunachal Pradesh).

Sub:-Minutes of the meeting held on 01.05.2018 at 3.00 P.M. in the Commission under the Chairmanship of Hon'ble Chairperson (Shri Nand Kumar Sai), regarding Yobin Tribe deprived of Caste Certificate and ST benefits in the State of Arunachal Pradesh.

Sir,

I am to refer to representation dated 25.05.2017 of Shri Avia Ngwazah, General Secretary, Yobin Tribe Fundamental Rights Forum, Lisu Camp Miao, P.O. Miao-792122, Distt.-Changlang, Arunachal Pradesh and to forward herewith a copy of minutes of the meeting held on 01.05.2018 at 3.00 P.M. under the Chairmanship of Hon'ble Chairperson (Shri Nand Kumar Sai), on the above mentioned subject for appropriate action.

2. You are, therefore, requested to furnish the action taken report in the matter to this Commission at the earliest.

Encl:- As above

(Rajeshwar Kumar)
Assistant Director
Tel: 24657271

Copy to:-

1. Smt. Vishu Maini, DDG, Ministry of Tribal Affairs, Room No.281, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066.
2. The Secretary, Social Justice & Empowerment & Tribal Affairs, Government of Arunachal Pradesh, Itanagar-791111.
3. Shri Avia Ngwazah, General Secretary, Yobin Tribe Fundamental Rights Forum, Lisu Camp Miao, P.O. Miao-792122, Distt.-Changlang, Arunachal Pradesh.
4. NIC With the request to upload on NCST website.

Sub:-Minutes of the meeting held on 01.05.2018 at 3.00 P.M. in the Commission under the Chairmanship of Hon'ble Chairperson (Shri Nand Kumar Sai), regarding Yobin Tribe deprived of Caste Certificate and ST benefits in the State of Arunachal Pradesh.

List of participants attached.

A representation dated 25.05.2017 received in this Commission on 06.06.2015 from Sri Avia Ngwazah, General Secretary, Yobin Tribe Fundamental Rights Forum, Lisu Camp Miao, P.O. Miao-792122, Distt.-Changlang, Arunachal Pradesh regarding Yobin Tribe deprived of Caste Certificate and ST benefits in the State of Arunachal Pradesh.

2. The matter was taken up with the Chief Secretary, Govt. of Arunachal Pradesh and District Magistrate, District-Changlang, Arunachal Pradesh vide this Commission's letter dated 07.07.2017. No reply/comments has been received in the Commission from the State Govt. of Arunachal Pradesh in the matter.

3. The Commission considered the request of Yobin tribe in its 60th Meeting held on 25.08.2014 for inclusion of 'Yobin' Community in the list of ST State of Arunachal Pradesh. The Commission in its concluding comments has stated as under: -

"The Commission is of the view that the original intension in the Presidential Order needs to be understood and followed scrupulously. If there is any doubt whether a particular community is as indigenous tribe of the State, then a proposal needs to be formulated along with an ethnographic study. In all other cases, local enquiries with ethnographic study, where necessary, should suffice for the State to issue community certificates. If the State Government continues to have doubts in respect of these indigenous communities, they may obtain clarification from the Ministry of Tribal Affairs. No amendment of the Presidential Order is accordingly required given its provisions, which are also not in conflict with the judgment of the Supreme Court".

4. As per Ministry of Tribal Affairs vide letter No.15025/2/2013-C&LM-I dated 30.12.2014, the ST list in Arunachal Pradesh is an open ended list which means all indigenous tribes inhabiting on the territory of the State have the status of Scheduled Tribes in addition to those listed in the Notification. Also, the M/o Tribal affairs had intimated the above mentioned comments of the Commission to the Govt. of Arunachal Pradesh.


नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

5. Subsequently, Government of Arunachal Pradesh issued notification dated 06.02.2015, vide which "Yobin Tribes" residing in Vijaynagar Circle under Changlang District of Arunachal Pradesh was declared as Scheduled Tribes of Arunachal Pradesh under Article 342 of Constitution of India.
6. However, the notification was withdrawn as per advise of Ministry of Tribal Affairs as the State Government cannot issue notification under Article 342.
7. Further, Ministry of Tribal Affairs sent a letter to the Secretary, Social Justice & Empowerment and Tribal Affairs, Government of Arunachal Pradesh vide letter dated February, 2018 for inclusion of Yobin Tribe in the list of Scheduled Tribes of the State of Arunachal Pradesh and also advised to extend the benefits/issue caste certificates to Yobin tribe or any other indigenous tribe.
8. During the Sitting the petitioner informed the Commission as under:-
- ST certificate are not issued to Yobin Community and they do not get the ST benefits to Yobin Tribe community.
 - Yobin Community lives at Chine and Myanmar international border their house are built on wooden Still with thatched roofs and Kutcha walls and entire family lives in one or two common rooms & houses. They do not have chimnies and farming is done by them by hand or animals. The Division Headquarter distance is 157 kms. from their residence.
 - They are facing various type of problems like road and transport facility, electric, education, health and employment facility in the three districts of the Arunachal Pradesh i.e. Tirap, Changlang and Longding etc.
 - Petitioner has also requested to the Commission to visit their areas where they are living.
9. When Secretary, NCST asked the Secretary, Govt. of Arunachal Pradesh, why did not issue the caste certificate to the Yobin Tribe in the State Arunachal Pradesh, while the Govt. of India has already issued notification to issue caste certificate and also provide the ST facility to Yobin Tribe in the State of Arunachal Pradesh, the Secretary Govt. of Arunachal Pradesh has stated that the matter will be placed before Welfare Department, Cabinet of the State Govt.
10. After hearing both petitioner and the officials from the Govt. of Arunachal Pradesh the Commission advised as under:-

The notification in respect of Arunachal Pradesh states that all tribes in the State including 16 tribes specified there in are scheduled tribes. Since all tribes in Arunachal Pradesh are Scheduled Tribes in Arunachal Pradesh and also as per advisory issued by the Ministry of Tribal Affairs in February, 2018, the State Govt. of Arunachal Pradesh is advised to extend the benefits of ST to Yobin tribe and also issue ST caste Certificate to Yobin tribe immediately. Apart from this, the State Government should take immediate action to provide infrastructures like Road, electricity, water supply, medical facilities, education etc in the tribal area.

75/18.5.18

नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
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