



By Hand

**Government of India**  
**National Commission for Scheduled Tribes**

6<sup>th</sup> floor, 'B' Wing, Loknayak Bhawan  
Khan market, New Delhi-110 003.

File No. NP/Service/Inclusion(Darlong)/Tripura/2013/RU-II

Date: 16/05/2014

To

- 1) Dr. Rameshwar Oraon, Chairperson
- 2) Shri. Ravi Thakur, Vice Chairperson
- 3) Shri. Bheru Lal Meena, Member
- 4) Smt. K. Kamala Kumari, Member

Sub: Inclusion of 'Darlong' community in the list of Scheduled Tribes in the State of Tripura.

Sir,

I am to circulate a copy of the letter No. 12016/15/2001-C&LM-I dated 30/04/2014 received from the Director (C&LM), Govt. of India, Ministry of Tribal Affairs (C&LM Division), Shastri Bhawan, New Delhi seeking comments of this Commission on the subject mentioned above.

It is requested that comments/suggestions on the proposal may kindly be sent for discussion in the forthcoming Meeting of the Commission.

Yours faithfully,

(M.S.Chopra)  
Director

Copy for information to :-

- 1) PPS to Secretary
- 2) Dir. (RU-I & RU-II)
- 3) Dir. (RU-III & IV)
- 4) SSA (NIC)
- 5) AD (Coord)

(M.S.Chopra)  
Director

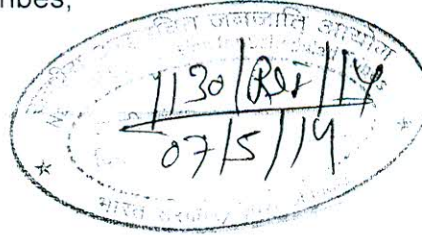
Government of India  
Ministry of Tribal Affairs  
(C&LM Division)

Shastri Bhawan, New Delhi -110001

Dated: 30<sup>th</sup> April, 2014

To

✓  
The Secretary  
National Commission for Scheduled Tribes,  
6<sup>th</sup> floor, Lok Nayak Bhawan,  
Khan Market  
New Delhi-110003



**Subject: Inclusion of 'Darlong' community in the list of Scheduled Tribes of Tripura State.**

Sir,

Please refer to your letter No. NP/Service/Inclusion(Darlong)/Tripura/ 2013/RU-II dated 16.12.2013 on the subject cited above. The clarification/ details sought vide agenda item VII in the 51<sup>st</sup> Meeting of the NCST held on 22.11.2013 were conveyed to the State Govt. of Tripura by this Ministry.

II  
3f  
The State Govt. has now furnished an ethnographic study report of 'Darlong' community and informed that the Tripura Tribal Areas Autonomous District Council has no objection for inclusion of the 'Darlong' community as a sub-tribe of Kuki community in the ST list of the State (copy enclosed).

The matter on inclusion has been taken up by the State Govt. with the Principal Secretary to Governor of Tripura for his views. However, in this regard it is submitted that Sixth Schedule of the Constitution does not pertain to scheduling. Rather, Article 342 of the Constitution deals with the process of scheduling of communities as STs. Article 342 (2) of the Constitution provides that:-

"Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued the said clause shall not be varied by any subsequent notification."


52

Thus, while Article 342 (1) provides for consultation with the Governor, Article 342 (2) provides that Parliament may by law include or exclude communities from ST list. This does not require any consultation with the Governor.

As per the extant modalities for scheduling, only those proposals which have been justified and recommended by the concerned State Government/ UT Administration and the Registrar General of India (RGI) as well as the National Commission for Scheduled Tribes (NCST) are to be considered and legislation amended. (Thus consultation with the Governor or the TAC is not a pre-requisite).

Enclosed: as above

Yours faithfully,

  
(Rajeev Prakash)  
Director (C&LM)  
Tel. 23073706



By Speed Post

**GOVERNMENT OF TRIPURA  
TRIBAL WELFARE DEPARTMENT**

No.F4(700/TW/R.Cell/98/441

Dated, Agartala, the 16<sup>th</sup> April, 2014.

To  
Shri Rajeev Prakash,  
Director, Govt.of India,  
Ministry of Tribal Affairs,  
Shastri Bhawan,  
New Delhi – 110001

Sub:-Inclusion of 'Darlong' community in the list of Scheduled Tribes in the State of Tripura- reg.

Sir,

I am directed to refer to your letter No.12016/5/2001-C&LM-I dated 2-01-2014 on the subject mentioned above and to submit herewith an ethnographic study report. In the report, size of population of 'Darlong' community, area / location of the community reside and socio - economic and educational status of the community are included.

2. The Chief Executive Officer, TTAADC vide letter No.F.43(4) / P -VI /TW /ADC / 2011-12 / 364 dated, 10<sup>th</sup> April, 2014 ( copy enclosed) had intimated that the Tripura Tribal Areas Autonomous District Council has no objection for inclusion of the 'Darlong' tribe as Sub-Tribe of Kuki community.

3. As regards to views of the Governor, the matter was taken up with the Principal Secretary to Governor of Tripura, but views of the Governor has not yet been received till date. On receipt of the same, it shall be communicated to the Ministry.

Enco:- As stated above.

Yours faithfully,

( R. K. Debbarma )  
Under Secretary, TW

Registered  
2/4/14

US(CUM) on leave

9/40/Bm(CUM)  
21/4/14

16-04-14