

NATIONAL COMMISSION FOR SCHEDULED TRIBES

CITIZEN'S CHARTER

The National Commission for Scheduled Tribes (NCST) has been created w.e.f. 19.02.2004 by amending Article 338 of the Constitution of India and inserting a new Article 338A in the Constitution vide the Constitution (89th Amendment) Act, 2003.

VISION

National Commission for Scheduled Tribes with utmost Zeal and dedication shall uphold its mandates as entrusted by Constitution of India. In doing so, the Commission shall endeavour to protect the Constitutional, Socio-economic, Legal and Civil Rights of the Scheduled Tribes population of the Nation and shall facilitate easy access and effective delivery of justice to safeguard interest of the Scheduled Tribe of the country.

MISSION

1. To evaluate process of all round development of the Scheduled Tribes.
2. To monitor the implementation of the Constitutional and Legal safeguards given to the members of Scheduled Tribes
3. To look into complaints and conduct enquiries in cases of violation and deprivation of rights and socio-economic safeguards of the Scheduled Tribes
4. To give recommendations to the Central and State Governments regarding the protection of rights and furtherance of the safeguards of the Scheduled Tribes
5. To proactively make recommendations for further empowering the Scheduled Tribes
6. To work as an agent of justice and rights-without fear or favour, in the supreme interest of the Scheduled Tribes in consonance with constitutional provisions.

OUR CLIENTS

Scheduled Tribes with special focus on the Vulnerable Tribal Groups.

SERVICES

The functions, duties and power of the National Commission for Scheduled Tribes have been laid down in clauses (5), (8) and (9) of the Article 338A of the Constitution, as amended by Constitution [Eighty-ninth Amendment] Act, 2003. Clause (5) states that it shall be the duty of the Commission:

- to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards.
- to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes.
- to participate and advise on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State.
- to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards.
- to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes.
- to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule, specify.

Clause (8) states that the: Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely: -summoning and enforcing the attendance of any person from any part of India and examining him on oath.

- requiring the discovery and production of any documents; receiving evidence on affidavits.
- requisitioning any public record or copy thereof from any court or office.
- issuing commissions for the examination of witnesses and documents.
- any other matter which the President may by rule, determine.

Clause (9) provides that “the Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes”.

ADDITIONAL DUTIES

The Commission shall discharge the following other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes, namely: -

- (i) Measures that need to be taken over conferring ownership rights in respect of minor forest produce to STs living in forest areas.
- (ii) Measures to be taken to safeguard rights of the tribal communities over mineral resources, water resources etc. as laid down by law.
- (iii) Measures to be taken for the development of tribal to plug loopholes and to work more viable livelihood strategies.
- (iv) Measures to be taken to improve the efficacy of relief and rehabilitation measures for tribal groups displaced by development projects.
- (v) Measures to be taken to prevent alienation of tribal people from land and to effectively rehabilitate such people in whose case alienation has already been taken place.
- (vi) Measures to be taken to elicit maximum cooperation and involvement of tribal communities for protecting forests and undertaking social afforestation.
- (vii) Measures to be taken to ensure full implementation of the provision of Panchayat (Extension to Scheduled Areas) Act, 1996.
- (viii) Measures to be taken to reduce and ultimately eliminate the practice of shifting cultivation by tribal that lead to their continuous disempowerment and degradation of land and the environment.

GRIEVANCES REDRESSAL MECHANISM

In order to monitor and evaluate the impact of development schemes, the Commission has decided to interact with the State/UT Governments more actively by holding State level review meetings with the Chief Secretaries and other senior officers and conducting field level visits. The Commission feels that as a result of these visits and meetings, the State/UT Governments will become more conscious of the genuine problems of the Scheduled Tribes and would take the necessary initiative in working out remedial measures and adopting appropriate strategies.

The Commission, through its Headquarters and State Offices has also conducted field level inquiries and studies. This process has been given a renewed vigour with a view to ensure prompt relief, especially in matters, relating to crimes and atrocities on Scheduled Tribes and the grant of development benefits.

