



सत्यमेव जयते

**NATIONAL COMMISSION
FOR
SCHEDULED TRIBES**

April, 2017

National Commission for Scheduled Tribes

'B' WING, 6TH FLOOR, LOK, NAYAK BHAWAN,

NEW DELHI-110003

1.1 The National Commission for Scheduled Tribes has been set up with effect from 19th February, 2004 by amending Article 338 and by inserting a new Article 338A in the Constitution through the Constitution (89th Amendment) Act, 2003 which, inter-alia, enjoins upon the Commission to oversee the implementation of various safeguards provided to Scheduled Tribes under the Constitution or under any other law for time being in force or under any other order of the Govt. and to evaluate the working of such safeguards. The Commission comprises a Chairperson, a Vice-Chairperson and three full time Members (including one lady Member).

Composition of the present Commission

| Name | Designation | Date of Assumption Charge |
|---------------------------|------------------|---------------------------|
| Shri Nand Kumar Sai | Chairperson | 28.02.2017 |
| Miss Anusuiya Uikey | Vice-Chairperson | 16.01.2017 |
| Shri Hari Krishna Damor | Member | 16.01.2017 |
| Shri Harshadbhai Vasava | Member | 16.01.2017 |
| Smt. Maya Chintamn Ivnate | Member | 28.03.2017 |

1.2 The term of office of Chairperson, Vice-Chairperson and Members is three years from the date of assumption of charge. The Chairperson has been given the rank of Union Cabinet Minister, the Vice-Chairperson have the rank of a Minister of State and other Members have the rank of a Secretary to the Government of India.

Duties and Functions of the Commission:

2.1 Constitution of India under Clause (5) of Article 338A has assigned the following duties and functions to the Commission:-

- (a) To investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under the 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;
- (b) To inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes;
- (c) To participate and advice in 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;
- (d) To present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards.

- (e) To make in such reports, recommendations as to the measures that should be taken by the Union or any State for effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes, and
- (f) 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.

2.2 The National Commission for Scheduled Tribes has been assigned certain additional functions vide the Ministry of Tribal Affairs Notification dated 23.8.2005 in exercise of the powers conferred by sub-clause (f) of Clause (5) of Article 338A. These duties relate to measures to be taken:

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

Powers of the Commission:

3.1 While investigating the matters referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause 5, the Commission have all the powers of a Civil Court trying a suit and in particular in respect of the following matters, namely:-

- a) Summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- b) Requiring the discovery and production of any documents;
- c) Receiving evidence on affidavits
- d) Requisitioning any public record or copy thereof from any court or office;

