

डा. रामेश्वर उराँव

अध्यक्ष

(भूतपूर्व सासद-लोकसभा)

(पूर्व जनजातीय कार्य राज्यमन्त्री)

Dr. RAMESHWAR ORAON

Chairman

(Ex Member Parliament-LS)

(Former Minister of State for Tribal Affairs)



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

छठी मंजिल, लोकनायक भवन,

खान मार्किट, नई दिल्ली-110003

Government of India

National Commission for Scheduled Tribes

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Tel. : 011-24635721

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D.O. No.4/1/12-Coord

Dated : 20th June, 2012

Respected Pradhan Mantri ji,

Please refer to my D.O. letter No. 4/2/11-Coord. dated 20th July, 2011 forwarding a copy of the 5th Report of the National Commission for Scheduled Tribes for the year 2009-10 and highlighting the problems which were seriously affecting the functioning and performance of the Commission, and the inordinate delay in laying of the Reports of the Commission in both Houses of the Parliament. However, none of the 5 Reports submitted so far has been laid before Parliament as the First Report of the Commission for the period 2004-05 and 2005-06 submitted to the Hon'ble President on 8th August, 2006 is also yet to be laid in the Parliament despite a directive issued by PMO to the Ministry of Tribal Affairs vide U.O.Note No. 560/51/C/12/2010-ES.2 dated 24/05/2010. Also, no action has been taken by the Ministry of Tribal Affairs in filling large number of vacancies and for providing adequate staff to the Commission as per the above directive. This Commission, being severely handicapped due to acute shortage of staff, is not able to perform its function as per mandate and consequently, the Commission is losing its effectiveness in dealing with protective matters..

2. In the meanwhile, the National Commission for Scheduled Tribes has presented a **Special Report** upon the working of safeguards for Scheduled Tribes to the Hon'ble President on 18/06/2012, a copy of which is enclosed for your information. The Special Report titled "**Good Governance for Tribal Development and Administration.**" covers the issues relating to role of Governors in Scheduled Areas and regulations relating to peace and protection tribal rights.

3. The recommendations contained in the Reports of the Commission, particularly the **Special Report** submitted to the Hon'ble President on 18/06/2012 have high relevance concerning development of Scheduled Tribes and Scheduled Areas. These recommendations which address socio-economic and political issues concerning Scheduled Tribes needing immediate attention require priority consideration by the Government. However, due to abnormal delay in consideration and implementation of the recommendations made in the Reports, not only recommendations get diluted but the benefits which ought to accrue to the tribals and the tribal/Scheduled Areas by virtue of the recommendations of the National Commission for Scheduled Tribes made in its Reports also stand denied.

4. I may take this opportunity to inform that the provision under original Article 338 of the Constitution, prior to the Constitution (65th) Amendment act 1990, facilitated promptly laying of the Reports of the erstwhile Commissioner for Scheduled Castes and Scheduled Tribes and the discussions on the Action Taken Memorandum on the recommendations made in the Report were held in the Parliament on later dates. The recommendations of NCST will not get diluted if the Reports of the National Commission for Scheduled Tribes are also promptly laid in both Houses of Parliament as well as State Legislatures, as required under Article 338A of the Constitution.

5. I, therefore consider it necessary (i) to apprise you of the grave situation arising due to denial of safeguards, and rights, enshrined under the Constitution for the Scheduled Tribes by not promptly considering the recommendations of this Constitutional Commission set up to monitor the implementation of those safeguards (ii) discuss the observations and recommendations made in the Report relating to the regulatory measures required for improving peace and Good Governance in Scheduled Areas/ ST development, which is an area of prime concern of the Nation and (iii) seek your kind intervention for effective functioning of the National Commission for Scheduled Tribes as per Constitutional mandate assigned to the Commission.

6. I had, accordingly, requested in my letter dated 18/07/2011 that Members of the Commission would like to meet you and apprise you of their concerns in person on matters concerning Scheduled Tribes and effective functioning of the Commission. I shall, therefore, be extremely grateful and obliged if you would spare some of your valuable time at your earliest convenience for meeting with this Commission.

With highest regards -

Yours sincerely,

Rameshwar Oraon .
(Dr. Rameshwar Oraon)

Dr Manmohan Singh,
Hon'ble Prime Minister of India,
South Block, New Delhi-110011.

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20/6/12
ISSUED