



No.1/3/14-Coord.
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

6th Floor, 'B' Wing, Lok Nayak Bhawan,
Khan Market, New Delhi 110003

Dated: 16/06/2014

To,

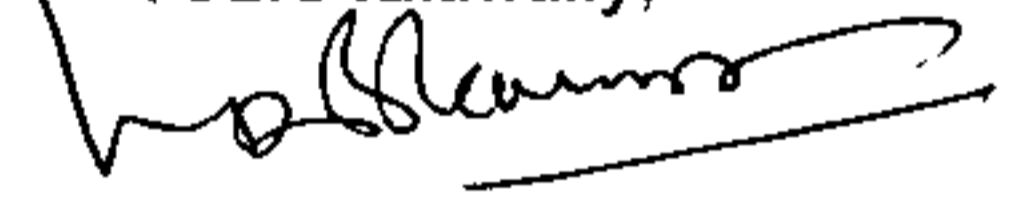
1. Dr. Rameshwar Oraon, Chairperson,
2. Shri Ravi Thakur, Vice Chairperson,
3. Smt. K. Kamala Kumari, Member,
4. Shri Bheru Lal Meena, Member,

Sub:- Summary record of the 53rd Meeting of the Commission held at 15:00 hours on 22/05/2014.

Sir,

I am directed to refer to the above subject and to say that 53rd Meeting of the National Commission for Scheduled Tribes was held at 15:00 Hrs. on 22/05/2014 in the Conference Room at Lok Nayak Bhawan, New Delhi. The meeting was presided over by Dr. Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes. A copy of the Summary Record of the meeting is enclosed for information and record.

Yours faithfully,


(K.D. Bhansor) Mrs.
Director

Copy with a copy of the Summary Record of the meeting forwarded to the following officers with the request that information about action taken on the decision taken in the meeting concerning each Unit / Office may be furnished to Coordination Unit by 23/06/2014 positively.

- (i) Director (RU-I & RU-II)
- (ii) Director (Admn. RU-III & RU-IV)
- (iii) Dy. Secretary,
- (iv) Under Secretary (Admn. & RU-I)
- (v) AD/RO In-charge – RU-I/RU-II/RU-III/RU-IV/Coord./ AD/OL

Copy with a copy of the Summary Record of the meeting forwarded for information to:

1. PS to Chairperson,
2. PS to Vice Chairperson,
3. Office of the Secretary,
4. PPS to Joint Secretary,
5. Director/ Assistant Director/ Research Officer in Regional offices of National Commission for Scheduled Tribes at Bhopal/ Bhubaneswar/ Jaipur/ Raipur/ Ranchi and Shillong.
6. Sr. System Analyst (NIC Cell, NCST) for uploading on the website.


(K.D. Bhansor) Mrs.
Director



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

(अनुसूचित जनजातियों को दिए गए अधिकारों और सुरक्षाओं के उल्लंघन से संबंधित सभी मामलों का अन्वेषण और अनुवीक्षण करने के लिए संविधान के अनुच्छेद 338क के अधीन स्थापित एक संवैधानिक आयोग)

संख्या/No.-1/3/14-समन्वय

दिनांक/Date: 16/06/2014

प्रति,

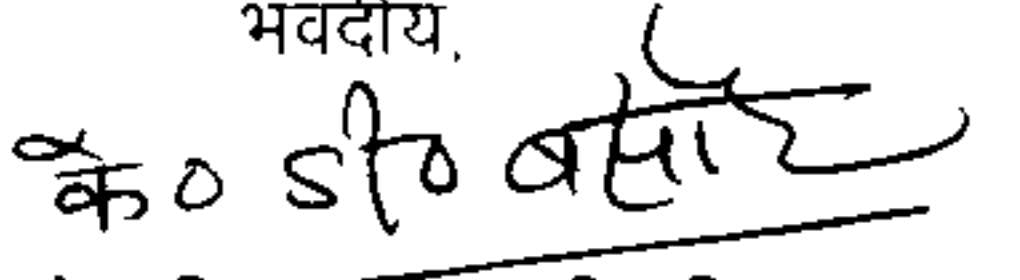
- 1) डा० रामेश्वर उराँव, अध्यक्ष
- 2) श्री रवि ठाकुर, उपाध्यक्ष
- 3) श्रीमती के. कमला कुमारी, सदस्य
- 4) श्री भैरू लाल मीणा, सदस्य

विषय: राष्ट्रीय अनुसूचित जनजाति आयोग की दिनांक 22-05-2014 को अपराह्न 15:00 बजे सम्पन्न 53वीं बैठक का संक्षिप्त अभिलेख।

महोदय,

मुझे उपर्युक्त विषय का उल्लेख करते हुए यह कहना है कि आयोग की 53वीं बैठक आयोग के सम्मेलन कक्ष, लोकनायक भवन, नई दिल्ली में दिनांक 22-05-2014 को अपराह्न 15:00 बजे हुई थी। बैठक की अध्यक्षता डा० रामेश्वर उराँव, अध्यक्ष, अनुसूचित जनजाति आयोग द्वारा की गई। बैठक के संक्षिप्त अभिलेख की एक प्रति सूचना एवं अभिलेख हेतु संलग्न है।

भवदीय,

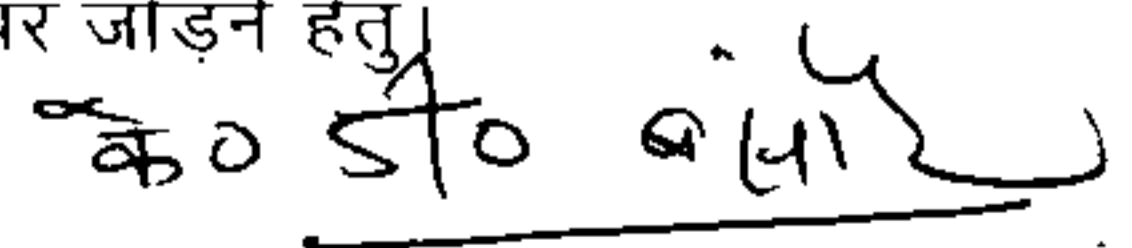

(के०डी० बन्सौर) श्रीमती
निदेशक

प्रतिलिपि : बैठक के संक्षिप्त अभिलेख की एक प्रति सहित, निम्नलिखित अधिकारियों को इस अनुरोध के साथ अग्रेषित है कि बैठक में लिए गए निर्णयों पर की गई कार्रवाई के संबंध में जानकारी प्रत्येक संबंधित एकक कार्यालय द्वारा 23-06-2014 तक अवश्य ही समन्वय एकक को भेज दी जाए।

- (i) निदेशक (आर०यू०-I एवं आर०यू०-II)
- (ii) निदेशक (प्रशासन, आर०यू०-III एवं आर०यू०-IV)
- (iii) उप सचिव
- (iv) अवर सचिव (प्रशासन एवं आर०यू०-I)
- (iv) सहायक निदेशक/ अनुसंधान अधिकारी प्रभारी-आर०यू०-I, आर०यू०-II, आर०यू०-III, आर०यू०-IV समन्वय सहायक निदेशक (राजभाषा)।

प्रतिलिपि: बैठक के संक्षिप्त अभिलेख की एक प्रति सहित, सूचनार्थ अग्रेषित:

1. अध्यक्ष के निजी सचिव।
2. उपाध्यक्ष के निजी सचिव।
3. सचिव का कार्यालय।
4. संयुक्त सचिव के प्रधान निजी सचिव।
5. निदेशक/ सहायक निदेशक/ अनुसंधान अधिकारी, राष्ट्रीय अनुसूचित जनजाति आयोग के भोपाल/ भुवनेश्वर/ जयपुर/ रायपुर/ रांची/ शिलांग स्थित क्षेत्रीय कार्यालय।
6. वरिष्ठ सिस्टम विश्लेषक (NIC Cell, NCST) - आयोग की वेबसाईट पर जोड़ने हेतु।


(के०डी० बन्सौर) श्रीमती
निदेशक

53RD MEETING
OF THE
NATIONAL COMMISSION FOR SCHEDULED TRIBES
SUMMARY RECORD OF DISCUSSIONS

Date: 22nd May, 2014 **Time:** 15:00 hours

Venue: Conference Room, NCST, 6th Floor, Lok Nayak Bhawan, New Delhi.

In the Chair: Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST

List of Participants: Annexed.

All the twenty two listed Agenda Items and one tabled Agenda were discussed and decided as below:

Agenda Item I	EFC proposal for revision of National Service Scheme
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2. NSS is a continuing Centrally Sponsored Scheme of the Ministry of Youth Affairs and Sports which aims at personality and character development of the students through Voluntary community service. The Scheme has been in operation since 1969. The proposal is to continue NSS, with the following two modifications:

Revision in Funding Pattern: Increase in central share of expenditure under the Scheme

Increase in NSS strength from existing level of 32.58 lakhs in 2013-14 to 57.58 lakhs in 2018-19 @ 5 lakhs per year.

3. The NSS volunteers work on issues of social relevance, which keep evolving in response to the needs of the community, through regular and special camping activities. Such issues include (i) literacy and education, (ii) health, family welfare and nutrition, (iii) environment conservation, (iv) social service programmes, (v) programmes for empowerment of women, (vi) programmes connected with economic development activities, (vii) rescue and relief during calamities, etc. The NSS activities benefit both the student volunteers as well as the community for which they work.

4. The commission agreed to the proposal for continuing and revision of the Scheme as proposed, with the observation that the activities under the Scheme may preferably be located

in tribal areas so as to benefit the tribal communities and the tribal areas from the works/ activities taken up by the volunteers of NSS.

Agenda Item II.	Draft Note for the Cabinet for approval of "National Agro-Forestry Policy, 2014
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5. Ministry of Agriculture, Department of Agriculture and cooperation has sought comments on the draft Note for the Cabinet for approval of "National Agro-forestry Policy, 2004. The sponsoring Department has highlighted the following reasons for preparing the National Agro-Forestry Policy:

- (i) Absence of a dedicated and focused national policy and a suitable institutional mechanism.
- (ii) Lack of an integrated farming systems approach.
- (iii) Restrictive regulatory regime.
- (iv) Inadequate attempts at liberalization of restrictive regulations.
- (v) Insufficient research, extension and capacity building.
- (vi) Dearth of quality planting material.
- (vii) Institutional finance and insurance coverage.
- (viii) Weak market access for agroforestry produce.
- (ix) Industry operations at a sub-optimal level.
- (x) Although farmers are interested to expand agroforestry, as the evidence on adoption shows, there are many missed opportunities for agroforestry to benefit farmer income and the environment due to neglect/oversight of the agencies that are supposed and expected to adequately promote and support it.

6. The Commission felt that the National Agroforestry Policy will have vital impact on the economy of Scheduled Tribes and the Scheduled Areas and therefore, it needed detailed examination. It was decided that the proposal may be examined in detail and the file may be submitted to the Chairperson for perusal.

Agenda Item III.	Inclusion of 'Saura', 'Sahara', 'Soura', 'Saunra' / 'Saonra', 'Saora', as synonyms of 'Sawar' and 'Sawara' appearing as ST at SI No. 41 in the list of STs of Chhattisgarh.
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7. It was decided that a team of the Commission may visit the tribal areas inhabiting the main tribes and the communities which are proposed to be included as synonym/ sub-tribe of the existing main tribe(s). The team may also meet the officials from Tribal Research Institute and the Regional Office of the Anthropological Survey of India. The Team may also inquire into the scope of misuse of such inclusions by groups that are not entitled to be Scheduled Tribes.

Agenda Item IV.	EFC memorandum for modification of continuing plan scheme "Setting up of 4 Model Industrial Training Institutes" as Up-gradation of Model Industrial Training Institutes (MITIs) to Advanced Training Institutes (ATIs)" during XII Plan.
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8. The Ministry of Labour and Employment, DGE&T has proposed to modify the continuing Plan Scheme titled "Model Industrial Training Institutes" with a new title "Upgradation of Model Industrial Training Institutes (MITIs) to Advanced Training Institute (ATIs)" primarily for training of trainers. The Commission was informed that 4 MITIs, proposed to be upgraded as ATIs are presently functioning at (i) Haldwani (Uttarakhand), (ii) Calicut (Kerala), (iii) Jodhpur (Rajasthan) and (iv) Cuttack (Odisha) and the annual intake capacity to trainee candidates in these ATIs would be minimum 800 trainees per year. The Commission noted that the entire expenditure under the scheme including upgradation of the institutes and running of the courses will be met by Government of India. The Scheme provides for making reservation of seats as per Government of India Policy. The Commission, however, observed that separate reservation in admission to each of the national level institute does not ensure due rights to the Scheduled Tribes as all of these institutes are not located in tribal areas. The Commission, therefore, felt that admission to all these institutes may be controlled on all India basis so that reserved seats in each of the institutes get filled as per choice of the ST candidate and the availability of ST reserved seat in the institute. The Commission also recommended that policy of reservation in employment may also be followed in making appointments to various posts in the 4 ATIs.

Agenda Item V.	Clarification sought by ECI about 'Mina' and 'Meena' community in Rajasthan
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9. The Commission was informed that on the basis of the petitions received in the Election Commission of India (ECI), the ECI had sought the advice of the Commission as to whether "Mina" and "Meena" are the same communities or two different communities and, if so, what would be the status of those producing the certificates on which "Meena" is mentioned as Scheduled Tribes in the State of Rajasthan. The ECI has sought the advice in order to ensure that only genuine persons belonging to a community declare as Scheduled Tribes in a particular State got the benefits of contesting from the seats reserved from Scheduled Tribes. The Commission was informed that vide letter dated 03/03/2014, the ECI has been informed that the Nodal Ministry concerned with the subject matter is the Ministry of Tribal Affairs who should invariably be consulted in such matters. State-wise lists of Scheduled Tribes specified so far have been given in the Annual Reports of the Ministry of Tribal Affairs. These lists are also available on the website of the Ministry of Tribal Affairs. The Commission was also informed that attention of the ECI had also been invited to the direction of the Supreme Court delivered in the famous Madhuri Patil case mandating production of

Validation Certificate along with Caste Certificate by the SC/ST candidates while claiming benefits admissible to SCs/ STs and the same had been recommended to the ECI vide this Commission's D.O. letter dated 14/02/2014 on the basis of the decision taken by the Commission in its 51st Meeting held on 22/11/2013. The Commission noted the action taken by the Commission and advised that issuing of any clarification as sought by ECI was within the jurisdiction of Ministry of Tribal Affairs and not the National Commission for Scheduled Tribes.

Agenda Item VI.	Fulfillment of mandatory consultation by State Governments and Departments of the Government of India with National Commission for Scheduled Tribes
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10. The Commission was informed that at the instance of the National Commission for Scheduled Tribes, the Cabinet Secretariat had issued instructions to all Ministries for making mandatory consultations with the National Commission for Scheduled Tribes on major policy matters, including Legal matters, affecting the Scheduled Tribes and the procedure to be followed in preparing Note for the Cabinet in such matters. The Commission noted that the instructions did not make any mention of the result of deliberations by the Group of Ministers (GoMs) set up by the cabinet to review the policy note. As the deliberations by the Group of Ministers often change the policy note significantly, the consultation with the Commission at this stage is considered necessary in the larger interests of Scheduled Tribes in the country. This matter was discussed in the 51st meeting of the Commission and as per decision of the Commission and accordingly, the Cabinet Secretariat was requested to issue revised instructions to all the Secretaries of the Departments of Government of India and to the Chief Secretaries of States to ensure that the Constitutional mandate of consultation with the National Commission for Scheduled Tribes is observed in letter and spirit and the main purpose of ensuring safeguards to tribals is fulfilled. In response the Cabinet Secretariat has stated as:

Even though the issues considered by the GoMs and their recommendation are brought before the Cabinet by the Ministry/Department concerned through an appropriate Cabinet Note, no further consultations are carried out with other Ministries/Departments after the GoMs have considered the matter. The preparation of formal notes for the Cabinet in such cases ensures that the context/background of the proposal(s) is clearly brought out in such notes;

The Commission may, in specific cases, consider taking up the matter with the State Governments concerned with regard to the observation that it is not being consulted by them as per the Constitutional mandate.

11. The Commission felt that consultation with the NCST after consideration by GoMs (other than Empowered GoMs) was necessary in the larger interest of the Scheduled Tribes

SR NCST 53rd meeting on 22/05/2014

and therefore, the Cabinet Secretariat may consider changing the existing practice, in conformity with the Constitution of not consulting the NCST after the recommendations of the GoMs so that the NCST may be able to play its mandated and useful role in major policy/ legal matters affecting Scheduled Tribes. The Commission decided that the matter may be pursued with the Cabinet Secretariat for issuing of revised instructions regarding consultation with the NCST after GoMs meeting and for issue of similar instructions to the State Governments.

Agenda Item VII.	Decisions taken in the weekly review meeting by the Secretary, NCST regarding pendency of receipts and files held on 31.03.2014--consideration by the NCST :
	(i) Representations received from the ST residents of NCT of Delhi and employees of NCT of Govt. of Delhi may be dealt by the NCST Regional Office Jaipur
	(ii) Time bound Comments on Proposals for Inclusion/ Exclusion of Castes/ Tribes received from MTA may also be called from the NCST ROs of respective States since they are expected to be aware of local complexities and demands. Their reports may be placed for consideration of the Commission for formulating views/ comments.
	(iii) Opening of the separate unit which can be headed by a Director with a separate office in New Delhi preferably accessible by Metrorail and other means for dealing with the representations /cases received from PSU's.
	(iv) To shift NCST Regional Office from Shillong to Guwahati.

12. Proposal at (ii) above was agreed as this would help the Commission arrive at a policy decision on the matters relating to Inclusion/ Exclusion of Communities Regarding proposals at (i), (iii) and (iv) above were deferred as the Commission decided that the matter will be considered after posting of personnel against vacant posts in the Commission and against additional requirement sought by the Commission in respect of Hq. as well as Regional Offices of the Commission.

Agenda Item VIII.	Commission may issue Advisory to the Central and State Election Commissions, State Governments and Central Ministries/ Department and Recruitment Agencies like UPSC, SSC State Recruitment Agencies and CPSE Boards for directing the candidates applying against the reserved posts to produce validation of Caste Certificate along with the Caste Certificate – To fulfill the directions of the Supreme Court in the Madhuri Patil case-on the lines of suggestion made to Law Commission and CEC as per decision taken in the 52 nd Meeting of NCST.
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13. The Commission was informed that all States/ UTs, in relation to which ST communities have been specified, are required set up the Scrutiny Committee for verification/ validation of ST caste certificates as per the directives of Hon'ble Supreme Court of India. Not many States have set up such Committees and consequently fraudulent claims by non-ST persons were going unchecked. The Ministry of Tribal Affairs should also take up the matter

with all the States/UTs to impress upon them the need for putting in place an effective mechanism for the purpose of validation of the caste certificates and verification of the community status of such persons claiming to belong to Scheduled Tribes or scrutiny of complaints relating to availing benefits on the basis of ST certificates obtained fraudulently by non-Scheduled Tribes and the matters connected therewith. The State and District level Scrutiny Committees should be made functionally effective by providing adequate infrastructure and manpower to them so that validation exercise in each case may be completed within specified time, say three months. As DoPT is the Nodal Department for issuing instructions and directives to various authorities in respect of implementation of reservation policy for Scheduled Tribes etc. it is necessary that a suitable advisory may be issued to the DoPT also which may issue the necessary instructions to all concerned for ensuring that each applicant is carefully checked on the basis of the caste certificate and the validation of that caste certificate issued by the appropriate Scrutiny Committee of the State to which the candidate belongs. In view of the importance of the issue it was decided that the Chairperson may write to the (i) Union Minister for Tribal Affairs, (ii) Chief Ministers of the States having tribal population and (iii) Chairperson, UPSC etc. while Secretary, NCST may write to the (i) Secretary, DoPT, and (ii) Chief Secretaries of the States/UTs having tribal population with copies to the Secretaries in-charge of GAD and Tribal Development Departments respectively in those States/UTs.

Agenda Item IX.	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Bill, 2014- reserved for the consideration of the President.
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14. The commission was informed that the Tamil Nadu State Legislature has passed a Bill viz; the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Bill, 2014 and the same has been reserved for consideration of the President. Ministry of Home Affairs has forwarded the Bill for comments/ views of the Commission. The State Governments in their forwarding letter has mentioned:

The law made by the Parliament on the subject "Acquisition and requisitioning of property", namely the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) contains procedure for acquisition of land for the purposes specified therein. Besides, the said Act contains provisions relating to compensation, rehabilitation, resettlement, etc. The law made by the State Legislature on the same subject, namely, the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 (Tamil Nadu Act 31 of 1978), the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) and the Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002) contain different procedure for acquisition of land and the said Tamil Nadu Acts do not contain any provision relating to rehabilitation and resettlement. The Bill which seeks to amend the said Central Act 30 of 2013 so as to continue acquisition of land under the said Tamil Nadu Acts after the date of commencement of the said Central

Act 30 of 2013 and to authorise the State Governments to issue a notification to apply the provisions of Central Act 30 of 2013 relating to determination of compensation alone to the cases of land acquisition under the Tamil Nadu Acts may be said to be repugnant to the provisions of the said Central Act 30 of 2013. Therefore, the Bill has been reserved for the consideration of the President under Article 254(2) of the Constitution.

15. The Commission noted that the Central Act, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which has come into force w.e.f. 1/01/2014 has the following provision in Section 105(3) of the Act.

(3) The Central Government shall, by notification, within one year from the date of commencement of this Act, direct that any of the provisions of this Act relating to the determination of compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules, being beneficial to the affected families, shall apply to the cases of land acquisition under the enactments specified in the Fourth Schedule or shall apply with such exceptions or modifications that do not reduce the compensation or dilute the provisions of this Act relating to compensation or rehabilitation and resettlement as may be specified in the notification, as the case may be.

16. Although the Tamil Nadu Acts referred to in the Bill were not received along with the proposal but the statement of the State Government in the forwarding letter, "the said Tamil Nadu Acts do not contain any provision relating to rehabilitation and resettlement", itself goes against the spirit of the Section 105(3) of the Central Act. Further, it is evident that these Acts cover most of the grounds for which acquisition takes place and, therefore, effectively undermines the Central Act itself. The Commission therefore, did not approve for giving assent by the President to the above mentioned State Bill for amendment of the Central Act.

Agenda Item X.	Proposal for inclusion of BINJHIYA community in the list of Scheduled Tribes of Chhattisgarh State- Discussion on the Report of the Member.
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17. The Commission was informed that in pursuance of the decision taken in the 51st meeting of the Commission a team of the Commission led by Shri B.L.Meena, Member, National Commission for Scheduled Tribes, had visited the State of Chhattisgarh and conducted the field study on the above proposal of the State Government in February, 2014 and the Report of the Member, NCST was placed for discussion. The Commission noted that, as per Rule 36 of the Rules of Procedure of the Commission, in the context of Investigation or inquiry by an Investigation Team constituted at the Headquarters of the Commission, the report has be placed before the Chairperson of the Commission who will take appropriate action in the matter. It was decided that the Report of the Member on the above subject may be placed before the Chairperson for further directions in the matter.

Agenda Item XI	Paper/ Suggestions for the Task Force on inclusion into/ exclusion from the list of Scheduled Tribes constituted by the Ministry of Tribal Affairs.
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18. The Commission was informed that the Ministry of Tribal Affairs, on 3/02/2014, has constituted a Task Force to examine various observations of National Commission for Scheduled Tribes, Registrar General of India and claims of State Governments in respect of proposals for inclusion of communities in the list of Scheduled Tribes and suggest measures, if needed, for improving and streamlining the system and procedure and the Ministry of Tribal Affairs has kept a representative of the NCST also a Member of the Task Force. First Meeting of the Task Force was held in the MTA on 7/03/2014. Second Meeting of the Task Force was held at TRI Bhubaneswar on 24th and 25th April, 2014. The Ministry of Tribal Affairs had sought suggestions on the subject matter from the members of the Task Force. On the basis of the feedback received from various State Governments for inclusion of certain communities in the list of Scheduled Tribes in respect of those States, the Ministry of Tribal Affairs had prepared a draft Report of the Task Force for discussion in the meeting of the Task Force at a very short notice. The Commission was informed that the draft Report was not as per Terms of Reference of the Task Force and therefore a detailed letter was sent to the MTA stating that the Report of the Task Force may not go beyond the scope of the objective for which the Task Force was setup and that a copy of the Report may be sent to the National Commission for Scheduled Tribes for views/ comments as per the provision under Article 338A(9) of the Constitution. The Commission also advised that the Ministry of Tribal Affairs may be informed not to include a representative of the National Commission for Scheduled Tribes on such types of Task Force/ Committees which are constituted for preparing Policy framework on matters affecting Scheduled Tribes as these were indirect forms of consultation which did not confirm to the Constitutional mandate of the Commission.

Agenda Item XII.	WP (Civil) No. 590 of 2008 of Shri Surmukh Singh V/S Union of India and Ors. in the Supreme Court of India regarding rotation of reserved assembly and Parliamentary Constituency in the State of Haryana and also in whole of India after each General Assembly/ parliamentary Election respectively. (Earlier discussed in the 13 th meeting of NCST held on 03/07/2009)
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19. The Commission directed that Court cases received in the Commission may be processed as per the Rules of Procedure of the Commission.

Agenda Item XIII.	For holding a Sitting/ hearing in any matter, being examined in the Commission, Notice, Summons or Warrants in the format prescribed in the Rules of Procedure of the NCST may be used instead of issuing general letters as of now.
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20. The Commission directed that in all matters involving action in the Commission relevant Rules under Rules of Procedure of the National Commission for Scheduled Tribes may be followed.

Agenda Item XIV.	Streamlining the procedure for dealing with the representations/ Petitions received in NCST Hq. and Regional Offices.
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21. The Commission directed that in all matters involving action in the Commission relevant Rules under Rules of Procedure of the National Commission for Scheduled Tribes may be followed.

Agenda Item XV.	Proceedings of the Sitting, including decisions arrived in the case to be recorded on the file before closure of the Sitting, to be duly signed by the petitioner and the respondents present and the Member(s) holding the Sitting.
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22. The Commission directed that in all matters involving action in the Commission relevant Rules under Rules of Procedure of the National Commission for Scheduled Tribes may be followed.

Agenda Item XVI.	Inclusion of 'Darlong' community in the list of Scheduled Tribes in the State of Tripura.
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23. It was decided that a team of the Commission may visit the tribal areas inhabiting the main tribes and the communities which are proposed to be included as synonym/ sub-tribe of the existing main tribes. The team may also meet the officials from Tribal Research Institute and the Regional Office of the Anthropological Survey of India.

Agenda Item XVII	SB Civil WP No. 2453/2014 filed in the High Court of Rajasthan at Jodhpur by Shri Dulichand Bheel & Ors V/s State of Rajasthan & Ors.
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24. The Commission directed that Court cases received in the Commission may be processed as per the Rules of Procedure of the Commission.

Agenda Item XVIII	Order dated 10/03/2014 passed by Hon'ble High Court of Rajasthan, Jodhpur Bench in SB Civil Writ Petition No. 8620/2010 in the matter of Inder Mohan singh Dhanka V/s Union of India & Ors. And three other similar petitions
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25. The Commission directed that Court cases received in the Commission may be processed as per the Rules of Procedure of the Commission.

Agenda Item XIX.	Draft Note for the Cabinet for Inclusion of Kisan community as synonym of 'Nagesia, Nagasia' listed at Sl No. 32 in the list STs of Chhattisgarh, inclusion of 'Bhuinya, Bhuiyan, Bhuyan communities as synonyms of Bharia Bhumia listed at Sl No. 5 in the list of STs in Chhattisgarh, inclusion of Malai Vellalar, Karlar, Karalar Gounder, Malayali Gounder as replacement of Malayali at Sl. No. 25 in the list of STs in Tamil Nadu.
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26. The Commission was informed that National Commission for Scheduled Tribes has earlier communicated its consent for inclusion of "Kisan" community as synonym of 'Nagesia, Nagasia' and inclusion of "Bhuinya, Bhuiyan, Bhuyan communities as synonyms of Bharia Bhumia" in the list of Scheduled Tribes of Chhattisgarh State. Regarding inclusion of "Malai Vellalar", "Karlar", "Karalar Gounder", "Malayali Gounder" as replacement of Malayali at Sl. No. 25 in the list of STs in Tamil Nadu the Commission was informed that the proposal already agreed by the Commission related to "inclusion of Malayali Gounder without area restriction in place of 'Malayali' community in the list of Scheduled Tribes only and not about other communities in respect of Tamil Nadu State mentioned in the Note. The Commission decided that the Ministry of Tribal Affairs may be advised to send the detailed proposal along with relevant documents and study reports in respect of proposal for "inclusion of Malai Vellalar, Karlar, Karalar Gounder, Malayali Gounder as replacement of Malayali" at Sl. No. 25 in the list of STs in Tamil Nadu, if considered necessary from the aspect of real problems encountered by these groups in the field.

Agenda Item XX.	Scrutiny of Representations received in the Commission by a Committee for deciding about action to be taken and non actionable receipts.
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27. The Commission directed that in all matters involving action in the Commission relevant Rules under Rules of Procedure of the National Commission for Scheduled Tribes may be followed.

Agenda Item XXI.	Closure of files by Regional Office of NCST. Streamlining the procedure to be followed by Regional Offices.
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28. The Commission directed that in all matters involving action in the Commission relevant Rules under Rules of Procedure of the National Commission for Scheduled Tribes may be followed.

Agenda Item XXII	Preparations of Annual Reports for the period of 2011-12, 2012-13 & 2013-14
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29. The Commission was informed that submission of a Special Report by the Commission to the President has caused delay in preparation and submission of regular

Annual Reports. It was therefore proposed to combine the Reports for three years. Inviting the attention towards the provision under Article 338A(5) of the Constitution which mandates the Commission to submit a Report Annually, the Commission decided that separate Annual Report for each year may be prepared for submission to the President of India.

Additional agenda

Agenda Item XXIII	Amendment to Act 9 of 2003 vide the Andhra Pradesh State Commission for Scheduled Castes and Scheduled Tribes (Amendment) Bill 2013 for constitution of Andhra Pradesh State Commission for Scheduled Castes – remarks/ views of NCST
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30. The Commission was informed that the Government of Andhra Pradesh had setup Andhra Pradesh State Commission for Scheduled Castes and Scheduled Tribes in pursuance of the Andhra Pradesh State Commission for Scheduled Castes and Scheduled Tribes Act, 2003. The State Government had proposed to replace the combined Commission for Scheduled Castes and Scheduled Tribes by two separate Commission for Scheduled Castes and Scheduled Tribes respectively on the lines of replacement of National Commission for Scheduled Castes and Scheduled Tribes by two separate Commissions namely National Commission for Scheduled Castes and National Commission for Scheduled Tribes. The A.P. State Legislature has passed two Bills with this objective and sent to the Ministry of Home Affairs for assent by the President. The Bill relating to setting up of Andhra Pradesh State Commission for Scheduled Tribes was discussed and approved in the 52nd Meeting of the Commission. The above mentioned amendment is for setting up Andhra Pradesh State Commission for Scheduled Castes. Recalling the discussion already held in the 52nd Meeting, the Commission agreed to the proposed amendment for setting up Andhra Pradesh State Commission for Scheduled Castes.

31. The meeting ended with a vote of thanks to the Chair.


Chairperson

National Commission for Scheduled Tribes
New Delhi

Dr. RAMESHWAR ORAON
Chairman
National Commission for Scheduled Tribes
Govt. of India
New Delhi

ANNEXURE-I

National Commission for Scheduled Tribes

53rd meeting of NCST,
held on 22/05/2014 at New Delhi

LIST OF PARTICIPANTS

1. Dr. Rameshwar Oraon, Chairperson (In Chair)
2. Shri Ravi Thakur, Vice-Chairperson
3. Smt. K. Kamala Kumari, Member
4. Shri Bheru Lal Meena, Member
5. Sh. R. Vijaykumar, PhD, Secretary
6. Sh. Santosh Kumar, Joint Secretary
7. Shri M. S. Chopra, Director
8. Smt. K. D. Bhansor, Director
9. Shri T.D. Kukreja (PS to Chairperson)
10. Shri R.C. Durga, Consultant
11. Shri S. P. Meena, Assistant Director