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National Commission for Scheduled Tribes

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Why in News

The National Commission for Scheduled Tribes (NCST) organised its 16th foundation day.

On this occasion, the NCST has also decided to institute a national award named as **“NCST Leadership Award”** which will be conferred for significant and exemplary services towards Scheduled Tribes (STs) in the country.

Schedule Tribes

- As per Census-1931, Schedule tribes are termed as "backward tribes" living in the "Excluded" and "Partially Excluded" areas. The Government of India Act of 1935 called for the first time for representatives of "backward tribes" in provincial assemblies.
- The Constitution does **not define** the criteria for recognition of Scheduled Tribes and hence the definition contained in 1931 Census was used in initial years after independence.
- However, **Article 366(25)** of the Constitution only provides process to define Scheduled Tribes: "Scheduled Tribes means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Article 342 to be Scheduled Tribes for the purposes of this Constitution."
 - 342(1):** The President may with respect to any State or Union Territory, and where it is a State, after consultation with the Governor, by a public notification, specify the tribes or tribal communities or part of or groups within tribes or tribal communities as Scheduled Tribe in relation to that State or Union Territory.
- There are over **700 tribes** which have been notified.
- The **largest number** of tribal communities (62) are found in **Odisha**.
- **No Tribe** was identified in **Haryana, Punjab, Chandigarh, Delhi, and Pondicherry**.

Few Related Committees

- The **Lokur Committee (1965)** was set up to look into criteria for defining Schedule Tribes. The Committee recommended 5 criteria for identification, namely, **primitive traits, distinct culture, geographical isolation, shyness of contact with the community at large, and backwardness.**
- **Bhuria Commission (2002-2004)** focused on a wide range of issues from the **5th Schedule** to tribal land and forests, health and education, the working of Panchayats and the status of tribal women.
- A High-Level Committee (HLC) in 2013, under chairmanship of Prof. Virginius Xaxa was constituted to study the 5 critical issues related to tribal communities : (1) livelihood and employment, (2) education, (3) health, (4) involuntary displacement and migration, (5) and legal and constitutional matters.

Key Points

- **Formation:** NCST was set up with effect from 19th February, 2004 by amending Article 338 and by inserting a new article **338A** in the Constitution through the 89th Constitution Amendment Act, 2003. Hence, it is a **constitutional body.**
- **Objective:** Article 338A inter-alia gives powers to the to NCST **oversee the implementation of various safeguards provided to STs under the Constitution or under any other law for time being in force or under any other order to the Government and to evaluate the working of such safeguards.**
- **Composition :** It consists of a Chairperson, a Vice-Chairperson and 3 other Members who are appointed by the President by warrant under his hand and seal.
 - At least one member should be a woman.
 - The Chairperson, the Vice-Chairperson and the other Members hold office for a term of **3 years.**
 - The members are **not eligible for appointment for more than two terms.**
- The Chairperson has been given the rank of Union Cabinet Ministers, the Vice Chairperson has the rank of a Minister of State and other Members have the rank of a Secretary to the Government of India.

Duties and Functions

- To **investigate and monitor all matters relating to the safeguards provided for the STs** under the Constitution or under any other law for the time being in force or under any order of the Government.
- To **inquire into specific complaints** with respect to the deprivation of rights and safeguards of the STs.
- To **participate and advise** in the planning process of socio-economic development of the STs and to evaluate the progress of their development.

- 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 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.

Source: PIB