



22nd Foundation Day of NCST

For Prelims: [National Commission for Scheduled Tribes](#), [Scheduled Tribes](#), [Scheduled Castes](#), [Provisions Related to STs](#)

For Mains: Significance of NCST in tribal welfare, Safeguarding Scheduled Tribes' rights

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Why in News?

The [National Commission for Scheduled Tribes \(NCST\)](#) celebrated its **22nd Foundation Day** on **19th February 2025**, highlighting the Commission's role in protecting [Scheduled Tribes\(ST\)](#) rights.

What are the Key Facts About the National Commission for Scheduled Tribes?

- **Origin and Evolution:** In 1992, a statutory National Commission for Scheduled Castes (SCs) and STs was established. Later, to address the **distinct needs of STs**, the NCST was **established** on 19th February 2004, through the **89th Constitutional Amendment Act, amending Article 338 and adding Article 338A** to the Constitution.
- **Composition and Tenure:**
 - **Structure:** NCST comprises a **Chairperson** (Cabinet Minister rank), a **Vice-Chairperson** (Minister of State rank), and **three Members** (Secretary rank), all appointed by the **President**.
 - At least one other Member shall be appointed from amongst **women**.
 - **Tenure & Reappointments:** The **term of office** for all members is **three years**. A member can be reappointed for a **maximum of two terms**.
- **Key Functions:** Under **Article 338A(5)**, the NCST monitors **constitutional safeguards for STs**, addresses tribal rights issues, advises on socio-economic development.
 - Reports to the **President on tribal welfare**, suggests policy measures, and oversees ST welfare programs.
 - Additionally, under the **NCST (Specification of Other Functions) Rules, 2005**, the commission recommends land ownership rights for tribals ([Forest Rights Act, 2006](#)), and suggests alternative livelihood strategies.
 - Advocates for full implementation of the [Panchayat \(Extension to Scheduled Areas\) Act, 1996 \(PESA\)](#), and seeks solutions to reduce and eliminate shifting cultivation.

Who are the Provisions Related to Scheduled Tribes in India?

Click here to Read: [Provisions Related to STs in India](#)

What are the Challenges Regarding the NCST?

- **Administrative and Financial Constraints:** The NCST functions under the **Ministry of Tribal Affairs**, lacking **financial and operational autonomy**, affecting its independence in budgeting, and operations.
 - **Article 338A(9)** of the Constitution mandates that the **Union and State Governments consult the NCST on all major policy matters** affecting STs.
 - However, many states and departments **fail to seek its advice**, leading to **tribal welfare policies being designed without the Commission's input**.
- **Manpower Shortages:** The NCST reviews tribal welfare schemes, but its effectiveness is hindered by **limited staff and poor coordination**.
 - Historically, the NCST has faced **prolonged vacancies** in key positions like Chairperson and Members.
 - Manpower shortages and bureaucratic delays result in prolonged resolution times, leaving many cases pending for years and weakening public trust.
- **Weak Enforcement Powers:** The **recommendations of NCST are not binding**, limiting its ability to enforce protective measures for STs.
 - Despite receiving numerous petitions on **atrocities against tribals, land alienation, and denial of reservation benefits**, the NCST **lacks the power to enforce its directives**.
 - This weakens its authority and **reduces accountability among government agencies**.
- **Lack of Awareness and Outreach:** Many **tribals are unaware** of their rights and the existence of NCST, the **Commission lacks a strong grassroots presence**.

Way Forward

- **Strengthening Legal Mandate:** The NCST should be empowered to award penalties on the lines of the powers given to the [Central Information Commission](#) in the context of the implementation of the various provisions of the [Rights to Information Act, 2005](#).
- **Capacity Building:** A separate cadre for **NCST personnel** should be created to ensure staffing shortages do not affect its operations.
- **Mandatory Consultation on Policies:** The government should **ensure compliance** with Article 338A(9), making it compulsory for ministries and states to consult NCST on all tribal welfare policies.
- **Grievances:** NCST should have a **dedicated grievance redressal cell** to follow up on cases of violence, displacement, and human rights violations.

Drishti Mains Question:

What is the mandate of the National Commission for Scheduled Tribes? Analyze its effectiveness in protecting tribal rights.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. If a particular area is brought under the Fifth Schedule of the Constitution of India, which one of the following statements best reflects the consequence of it? (2022)

- (a) This would prevent the transfer of land of tribal people to non-tribal people.
- (b) This would create a local self-governing body in that area.
- (c) This would convert that area into a Union Territory.
- (d) The State having such areas would be declared a Special Category State.

Ans: (a)

Mains

What are the two major legal initiatives by the State since Independence addressing discrimination

against Scheduled Tribes (STs)? **(2017)**

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