

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION No. 2023
TO BE ANSWERED ON 31.07.2025

OBJECTIVES BEHIND CONSTITUTION OF MINISTRY FOR TRIBAL AFFAIRS

† 2023. DR. MANNA LAL RAWAT:

Will the Minister of TRIBAL AFFAIRS be pleased to state?

- (a) the objective of constituting the Ministry of Tribal Affairs;
- (b) the Ministry, Department or Authority which was responsible for supervising and implementing tribal development-related activities prior to the formation of the Ministry of Tribal Affairs in 1999;
- (c) the copy of the order regarding the constitution of the Ministry of Tribal Affairs in 1999;
- (d) whether the National Commission for Scheduled Tribes is functioning independently or is under administrative control of the Ministry of Tribal Affairs and if so, the details thereof; and
- (e) the copy of the orders regarding the constitution of the said Commission?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI DURGADAS UIKEY)

(a), (b) & (c): As per Government of India (Allocation of Business) Rules, 1961 (as amended upto Amendment Series no. 382, dated 3rd July, 2025), the mandate assigned to Ministry of Tribal Affairs is given in **Annexure-A**. Prior to formation of Ministry of Tribal Affairs in 1999, the responsibility of supervising and implementing tribal development-related activities was lying with Ministry of Social Justice & Empowerment. The relevant extracts of 243rd amendment of Government of India (Allocation of Business) Rules, 1961 relating to formation of Ministry of Tribal Affairs is given as **Annexure-B**.

(d) & (e): The National Commission for Scheduled Tribes (NCST) is a constitutional body constituted under Article 338A of the Constitution of India. As per Article 338 A(4) the Commission shall have the power to regulate its own procedure. Copy of the Constitution (Eighty-ninth Amendment) Act, 2003 is given as **Annexure-C**.

Annexure-A

Mandate of Ministry of Tribal Affairs

1. Social security and social insurance with respect to the Scheduled Tribes.
2. Tribal Welfare : Tribal welfare planning, project formulation, research, evaluation, statistics and training.
3. Promotion and development of voluntary efforts on tribal welfare.
4. Scheduled Tribes, including scholarship to students belonging to such tribes.
5. Development of Scheduled Tribes.

5A. All matters including legislation relating to the rights of forest dwelling Scheduled Tribes on forest lands.

NOTE:-The Ministry of Tribal Affairs shall be the nodal Ministry for overall policy, planning and coordination of programmes of development for the Scheduled Tribes. In regard to sectoral programmes and schemes of development of these communities policy, planning, monitoring, evaluation etc. as also their coordination will be the responsibility of the concerned Central Ministries/ Departments, State Governments and Union Territory Administrations. Each Central Ministry/Department will be the nodal Ministry or Department concerning its sector.

6. (a) Scheduled Areas;
- (b) regulations framed by the Governors of States for Scheduled Areas.
7. (a) Commission to report on the administration of Scheduled Areas and the welfare of the Scheduled Tribes; and
- (b) issue of directions regarding the drawing up and execution of schemes essential for the welfare of the Scheduled Tribes in any State.
8. The National Commission for Scheduled Tribes.
9. Implementation of the Protection of Civil Rights Act, 1955 (22 of 1955) and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989), excluding administration of criminal justice in regard to offences in so far as they relate to Scheduled Tribes.
10. Monitoring of Tribal Sub-Plan, based on the framework and mechanism designed by NITI Aayog.

(II) प्रविष्टि 27 और 28 का लोप किया जाएगा । ।

(क क) 'इलेक्ट्रॉनिकी विभाग' शीर्ष और तद्धीन प्रविष्टियों का लोप किया जाएगा;

(ख ख) 'योजना आयोग' शीर्ष के अधीन, प्रविष्टि '10. राष्ट्रीय सूचना विज्ञान केन्द्र' का लोप किया जाएगा । ।

के० आर० नारायणन
राष्ट्रपति ।

[फा. सं. 1/22/1/99—मंत्रि.]
वी० के० गाबा, उप सचिव

CABINET SECRETARIAT

NOTIFICATION

New Delhi, the 15th October, 1999

S.O. 1036(E).— In exercise of the powers conferred by clause (3) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Government of India (Allocation of Business) Rules, 1961, namely:—

1. (1) These rules may be called the Government of India (Allocation of Business) (Two hundred and Forty - third Amendment) Rules, 1999.

(2) They shall come into force at once.

2. In the Government of India (Allocation of Business) Rules, 1961, —

(1) in the First Schedule, —

(a) under the heading "1. Ministry of Agriculture (Krishi Mantralaya)", after sub-heading "(iii) Department of Animal Husbandry and Dairying (Pashupalan aur Dairy Vibhag), the following sub-heading shall be added, namely:—

"(iv) Department of Food Processing Industries (Khadya Prasanskaran Udyog Vibhag)";

VI. PUBLIC SECTOR UNDERTAKINGS:

17. Indian Road Construction Corporation.

VII. ACTS:

18. The Road Transport Corporations Act, 1950 (64 of 1950).

19. The National Highway Act, 1956 (48 of 1956).

20. The Motor Vehicles Act, 1988 (59 of 1988).

21. The National Highways Authority of India Act, 1988 (68 of 1988).

22. The Multimodal Transportation of Goods Act, 1993 (28 of 1993).";

(w) after the heading "MINISTRY OF TOURISM (PARYATAN MANTRALAYA)", and the entries thereunder, the following heading and the entries relating thereto shall be inserted, namely :-

"MINISTRY OF TRIBAL AFFAIRS (JANJATIYA KARYA VIBHAG)

1. Social security and social insurance with respect to the Scheduled Tribes.
2. Tribal Welfare : Tribal welfare planning, project formulation, research, evaluation, statistics and training.
3. Promotion and development of voluntary efforts on tribal welfare.
4. Scheduled Tribes, including scholarship to students belonging to such tribes.
5. Development of Scheduled Tribes.
6. Attached or Subordinate offices or other organisations concerned with any of the subjects specified in this list.

NOTE: The Ministry of Tribal Affairs shall be the nodal Ministry for overall policy, planning and coordination of programmes of development for the Scheduled Tribes. In regard to sectoral programmes and schemes of development of these communities policy, planning, monitoring, evaluation etc. as also their coordination will be

the responsibility of the concerned Central Ministries/Departments, State Governments and Union Territory Administrations. Each Central Ministry/Department will be the nodal Ministry or Department concerning its sector.

7. (i) Scheduled Areas;

(ii) Matters relating to autonomous districts of Assam excluding roads and bridge works and ferries thereon; and

(iii) Regulations framed by the Governors of States for Scheduled Areas and for Tribal Areas specified in Part 'A' of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution.

8. (i) Commission to report on the administration of Scheduled Areas and the welfare of the Scheduled Tribes; and

(ii) Issue of directions regarding the drawing up and execution of schemes essential for the welfare of the Scheduled Tribes in any State.

9. Reports of the National Commission for Scheduled Castes and Scheduled Tribes in so far as they relate to Scheduled Tribes.

(x) under the heading "MINISTRY OF URBAN DEVELOPMENT)", for the entries 1 to 38, the following entries shall be substituted, namely:-

1. Properties of the Union, whether lands or buildings, with the following exceptions :-

(i) Those belonging to the Ministry of Defence (Raksha Mantralaya) the Ministry of Railways (Rail Mantralaya) and the Department of Atomic Energy (Parmanu Oorja Vibhag) and the Department of Space (Antariksh Vibhag).

(ii) Buildings or lands, the construction or acquisition of which has been financed otherwise than from the Civil Works Budget; and

(iii) Buildings or lands, the control of which has at the time of construction or acquisition or subsequently been permanently made over to other Ministries and Departments.

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 30th September, 2003/Asvina 8, 1925 (Saka)

The following Act of Parliament received the assent of the President on the 28th September, 2003, and is hereby published for general information:-

THE CONSTITUTION (EIGHTY-NINTH AMENDMENT) ACT, 2003

[28th September, 2003]

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:-

1.(1) This Act may be called the Constitution (Eighty-ninth Amendment) Act, 2003. Short title and Commencement

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. In article 338 of the Constitution-- Amendment of article 338

(a) for the marginal heading, the following marginal heading shall be substituted namely:-

“National Commission for Scheduled Castes”,

(b) for clause (1) and (2), the following clauses shall be substituted, namely:-

(1) There shall be a Commission for the Scheduled castes to be known as the National Commission for Scheduled Castes.

(2) Subject to the provisions of any law made in this behalf by Parliament the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.:

(c) in-clauses (5) and (10), the words “and Scheduled Tribes” where they occur shall be omitted.

Insertion of New Article 338A. (3). After Article 338 of the Constitution, the following article shall be inserted namely:-

National Commission for Scheduled Tribes “338 A (1) There shall be a Commission for the Scheduled tribes to be known as the National Commission for the Scheduled Tribes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other members so appointed shall be such as the President may by rule determine.

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure

(5) It shall be the duty of the Commission----

(a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under this Constitution 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 advise on 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 the 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.

(6) The President shall cause all such reports to be laid before each House of Parliament alongwith a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5) have all the powers of a civil court trying a suit and in particular in respect of the following manners 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 document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses and documents;
- (f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes.”

SUBHASH C. JAIN
Secy to the Govt. of India