

STATEMENT OF OBJECTS AND REASONS

The National Commission for the Scheduled Castes and Scheduled Tribes came into being consequent upon passing of the Constitution (Sixty-fifth Amendment) Act, 1990. The said Commission was constituted on 12.3.1992 replacing the Commission for the Scheduled Castes and Scheduled Tribes set up under the Resolution of 1987. Under article 338 of the Constitution, the National Commission for the Scheduled Castes and Scheduled Tribes was established with the objective of monitoring all the safeguards provided for the Scheduled Castes and the Scheduled Tribes under the Constitution or other laws.

2. Geographically and culturally, the Scheduled Tribes are different from the Scheduled Castes and their problems are also different from the Scheduled Castes. In October 1999, a new Ministry of Tribal Affairs was created to provide a sharp focus to the welfare and development of the Scheduled Tribes. It was felt necessary that the Ministry of Tribal Affairs should co-ordinate all activities relating to the Scheduled Tribes as it would not be administratively feasible for the Ministry of Social Justice and Empowerment to perform this role. Now, in order to safeguard the interests of the Scheduled Tribes more effectively, it is proposed to also set up a separate National Commission for the Scheduled Tribes by bifurcating the existing National Commission for the Scheduled Castes and Scheduled Tribes. The new Commission for the Scheduled Tribes shall consist of a Chairperson and two other Members and the National Commission for the Scheduled Castes shall consist of a Chairperson, Vice-Chairperson and three other Members. Accordingly, article 338 of the Constitution is required to be modified by amending articles 338 and inserting new article 338A.

3. The Bill seeks to achieve the aforesaid object.

NEW DELHI;
The 19th December, 2002

JUAL ORAM.