



No.20/1/NCST/2009-Admn.  
Government of India  
National Commission for Scheduled Tribes

6th Floor, 'B' Wing,  
Loknaya Bhawan,  
Khan Market,  
New Delhi-110003

Dated: 15-09-2009

To

**The Secretary,**  
Ministry of Social Justice and Empowerment,  
Shastri Bhawan,  
New Delhi-110001

[Attention: Shri P.P. Mitra, Joint Secretary (SCD & CVO) ]

**Subject: Forming of separate cadre for the posts of Sr. Investigator and Investigator under NCST and keeping the post of Research Officer in the joint cadre.**

Sir,

I am directed to refer to this Commission's letter No.20/2/NCST/2009-Admn. dated, 09-04-2009, on the subject mentioned above informing about the proposals of this Commission for having a separate cadre of its own for the posts of Sr. Investigator and Investigator (Group-B, Non-Gazetted) under its control and keeping the posts of Research Officer in the joint cadre of Ministry of Social Justice and Empowerment, National Commission for Scheduled Castes (NCSC), and National Commission for Scheduled Tribes (NCST). Vide its I D Note, dated 16-04-2009 (copy enclosed), NCSC informed this Commission that it did not agree to the bifurcation of the joint cadre in respect of Group 'B' non-Gazetted posts. The views of NCSC were examined in this Commission. The matter was discussed in NCST's meeting held on 30-06-2009 and the Commission decided to have its own cadre for the posts of Sr. Investigator and Investigator. This decision of NCST has been brought to the notice of Ministry of Tribal Affairs vide letter of even number, dated 09-07-2009, a copy each of which was endorsed to the Ministry of Social Justice and Empowerment and NCSC also. This Commission has also requested the Ministry of Tribal Affairs to process the draft recruitment rules for the posts of Sr. Investigator and Investigator under this Commission for notifying the same after obtaining the approval of the competent authority.

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2. In so far as the post of Research Officer is concerned, it may be pointed out that this post is the promotion post for the post of Sr. Investigator and feeder post for the post of Assistant Director in the joint cadre. This Commission is, therefore, in favour of keeping the post of Research Officer in the joint cadre so as to provide adequate promotion avenues for Sr. Investigators and to provide for more opportunities to the officers of the joint cadre to seek posting at the stations of their choice. It may be further mentioned in this context that the methods of recruitment, percentage for each method and the educational qualification for the posts of Investigator and Sr. Investigator and length of service in the grade of Investigator for promotion to the grade of Sr. Investigator proposed by this Commission in the draft RRs are the same as in the existing RRs of these posts in the joint cadre. As such, there should not be any difficulty in cadre management of the posts of Research Officer in the joint cadre as a combined seniority list of the grade of Sr. Investigator may be prepared by the cadre authority.

3. In view of the position explained in the preceding para, the Ministry of Social Justice and Empowerment is requested to agree to the proposal of this Commission for keeping the posts of Research Officer in the joint cadre. As per the existing arrangement, NCSC may continue to function as the cadre controlling authority for the post of Research Officer. However, a Committee of Officers of Joint Secretary level from all the cadre units may be formed for monitoring the process of filling up of the posts in the grade of Research Officer and above to ensure timely action in this regard. The Committee may also decide the posting and transfer of the officers in these grades so as to avoid unnecessary disputes in deployment of officers.

Yours faithfully,



(Aditya Mishra)  
Joint Secretary  
Tel: 24603669

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BY HAND

File No.20/2/NCST/09-Admn.  
Government of India  
National Commission for Scheduled Tribes

6th Floor, 'B' Wing,  
Loknayak Bhawan,  
Khan Market,  
New Delhi-110003

Dated: 9 -04-2009

To

The Secretary,  
Ministry of Social Justice and Empowerment,  
(SCD-Vf Section),  
Shastri Bhawan,  
New Delhi-110001

**Subject: Framing of new recruitment rules for the posts of Sr. Investigator and Investigator in National Commission for Scheduled Tribes.**

Sir,

As the Ministry of Social Justice and Empowerment are aware, the erstwhile NCSCST was bifurcated into two separate Commissions, viz., National Commission for Scheduled Castes and National Commission for Scheduled Tribes under the Constitution (89th Amendment) Act, 2003 which came into effect from 19-02-2004. The posts of Director, Deputy Director, Assistant Director, Research Officer, Sr. Investigator and Investigator under the Ministry of Social Justice and Empowerment and the erstwhile NCSCST were part of a Joint Cadre of the Ministry of Social Justice and Empowerment and erstwhile NCSCST. Prior to the bifurcation of NCSCST, the Ministry of Social Justice and Empowerment was the cadre controlling authority for Group 'A' posts of Director, Deputy Director and Assistant Director whereas NCSCST was managing the cadre upto Research Officer level i.e. for the posts of Research Officer, Sr. Investigator and Investigator.

2. After bifurcation of the erstwhile NCSCST, the Ministry of Social Justice and Empowerment, inter-alia, clarified vide their letter, dated 6-10-2005 (copy enclosed) that joint cadre management would continue to be dealt with by the Ministry of Social Justice and Empowerment upon its bifurcation till alternate cadre management schemes were formulated. No further correspondence/order in the matter is available with NCST and the arrangement of cadre management of Group 'A' posts in the joint cadre is with Ministry of Social Justice and Empowerment and NCSC is managing the cadre of the posts of Research Officer, Sr. Investigator and Investigator which was managed by the NCSCST prior to its bifurcation.

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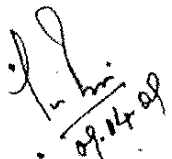
3. As a large number of posts belonging to the joint cadre were lying vacant for a considerably long period, the issue of filling up of the joint cadre posts and other posts under the Commission was discussed in the Commission's meeting held on 07-11-2008 in the context of discussion on the Report of Study on the performance of NCST by Centre for Policy Research entrusted by Department of AR & PG. It was, inter-alia, observed by the Commission that NCST should function as cadre controlling authority for various posts under its control. The matter again came up for discussion in the Commission's meeting held on 22-01-2009 during the course of discussion on the Thirty-third Report (14th Lok Sabha) of the Committee on the Welfare of SCs & STs. The Commission desired that immediate action for framing the new recruitment rules for the posts of Sr. Investigator and Investigator should be taken so that NCST should have its own cadre for these posts. It was further decided that the posts of Research Officer may continue in the combined cadre which may include MTA also and that the new recruitment rules for the post of Research Officer should also be prepared at the earliest.

4. In view of the above, this Commission has framed the draft recruitment rules (copy enclosed) for the posts of Sr. Investigator and Investigator so as to have a separate cadre for these posts under its control. The draft recruitment rules are being processed for obtaining the approval of competent authority through the Ministry of Tribal Affairs. New recruitment rules for the post of Research Officer (which is to be kept in joint cadre) have also been drafted and the relevant file referred to NCSC for their comments before sending the same to Ministry of Social Justice and Empowerment. It has been proposed in the new recruitment rules (copy enclosed) for the post of Research Officer that the Sr. Investigators working under NCST should also be eligible for promotion to the post of Research Officer in the joint cadre.

5. In the circumstances, the Ministry of Social Justice and Empowerment may take into account the fact that the NCST will have its own cadre and recruitment rules for the posts of Sr. Investigator and Investigator and accordingly suitably amend the recruitment rules for these posts in the joint cadre which would not include the posts of these grades under the NCST.

Yours faithfully,

  
(R.P. Vasishta)  
Deputy Secretary

  
09.14.09

Encls. As above