

Who can file a complaint before or approach the Commission?

Any member belonging to the ST community of Manipur whose right as guaranteed under the Constitution of India or any Statute or Rules, welfare schemes, etc of the State/Central government has been violated may file a complaint.

How to file a complaint?

A written complaint may be filed to the MSCST by addressing it to Chairman, Manipur State Commission for the Scheduled Tribes, ADC Bhavan, Chingmeirong, Imphal East, Manipur. Such complaint must clearly mention the specific grievance or alleged act under the relevant law; an account of the facts related to the complaint mentioning the time, date and place of occurrence; name, address, contact details of the complainant and the party against whom the complaint is made. (N.B. No payment of fees is required for filing a complaint to the Commission).



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MANIPUR STATE COMMISSION FOR THE SCHEDULED TRIBES

MSCST

ADC Bhavan, Chingmeirong, Imphal East-795010

INTRODUCTION:

In order to effectively facilitate safeguard measures enshrined in the Constitution for the STs in Manipur. The Manipur State Commission for the Scheduled Tribes (MSCST) was set up by the State Government through the The Manipur State Commission for the Scheduled Tribes Act, 2014 after receiving assent from the Governor of Manipur on 25-03-2014 and, subsequently the Act was published in the official Gazette on 27th March, 2014 & came into effect on March 31, 2016.

Social injustice and all forms of exploitation against the weaker sections of society defined the Indian society in the pre-constitutional era and are still prevalent today in various parts of the country. The weaker communities were suffering from extreme social, political economical & educational

backwardness on account of varied factors including geographical isolation, primitive agricultural practices, traditional beliefs & practice, lack of infrastructure, other facilities, and aged old practice of untouchability. A legal mechanism in the form of the supreme law of the land i.e. the Constitution of India was inexorable to contain such evil practices. Hence, the preamble to the Indian Constitution sets out *inter alia* the golden goals: of Justice - Social, Economic and Political; Equality of status and of opportunity to all its citizens. It reflects the high purpose and noble objective of the Constitution framers to bring at par the weaker sections of the society with the national mainstream so that an egalitarian society is crafted for our nation. In pursuit of these ideals, the Constitution of India adopts various provisions for safeguarding and promoting the interests of the Scheduled Tribes, Scheduled Castes and Other Backward Classes. In order to monitor the implementation of the various constitutional safeguards as well as to advise the Indian government on policy matters concerned with the socio-economic development of the Scheduled Castes and Scheduled Tribes, the Government of India set up the first Commission for SCs and STs in 1978, which was later renamed as National Commission for the SC and ST (NCSCST) in 1987. The same body was given a constitutional status by way of the 65th Constitution Amendment Act, 1990. In 2003, NCSCST was bifurcated into NCSC and NCST since the Government realized that both the category is culturally and geographically

distinctive with their own unique social practices & problems. Thus, Article 338A was inserted to set up a NCST through the 89th Constitution Amendment Act, 2003 to monitor all constitutional as well as other statutory safeguards for the protection of STs and to participate and advise on the socio-economic development planning process of the STs.

Functions of MSCST:

- To investigate and examine the working of various constitutional and statutory safeguards provided for the protection of STs of Manipur
- To inquire into specific complaints with respect to the deprivation of rights and safeguards of STs of Manipur
- To participate, advise on and evaluate the planning process of socio-economic development of the STs in the State
- To recommend measures that should be taken up by the State for the effective implementation of safeguards and other measures for the protection, welfare and socio-economic development of the STs in Manipur
- To discharge such other functions in relation to the STs in Manipur provided under any Central or State laws
- To recommend to the State government measures that need to be taken in the following areas:
 - Conferring of ownership rights in respect of minor forest produce to the STs living in forests areas
 - Safeguarding rights of Tribal communities over mineral resources, water resources, etc
 - Development of Tribal and to work for more viable livelihood strategies
 - Improvement of efficacy of relief and

rehabilitation measures for tribal groups displaced by developmental projects

- Prevention of alienation of Tribal people from land and to effectively rehabilitate such people in whose case alienation has already taken place
- Elicit maximum cooperation and involvement of Tribal communities for protecting forests and undertaking social afforestation
- Any other matter that the Commission feels is of utmost importance for the Tribal community of the State in matters of protecting and preserving their tribal identity and values

However, the Commission shall have no jurisdiction on any matter dealt with by the NCST established under Article 338A of the Constitution.

Powers of a Civil Court conferred on MSCST:

The commission enjoys similar power to that of a Civil Court trying a suit while exercising the above mentioned functions, viz.

- Summoning and enforcing the attendance of any person from any part of the State and examining him on oath;
- Requiring the discovery and production of any document;
- Receiving evidence on affidavits;
- Requisitioning any public record or copy thereof from any court or office;
- Issuing commissions for the examination of witnesses and documents; and
- Any other matter which may be prescribed by law