

To,

Date: 29.12.2022

Dr. (Prof.) Kirit Premjibhai Solanki

The Hon'ble Chairperson

Parliamentary committee for Schedule Caste and Scheduled Tribe

Sub: Memorandum on the behalf of tribes of Goa highlighting tribal issues and request an appointment during your Goa visit scheduled in January 2023.

Sir,

The Gawada-Kunbi-Velip & Dhangar Federation(GAKUVED) is an organization which was registered in 1981 under the Societies registration Act, 1860. Since then the Gakuvud has been actively involved to address the tribal issues before the authorities. The effort of the Gakuvud federation led to inclusion of Gawada, Kunbi and Velip tribes in the list of Scheduled Tribe's and the notification of the same was issued in the year 2003.

We have been informed that you along with other 29 members of the Parliamentary committee for Schedule Caste and Scheduled Tribe will be visiting Goa to study the issues faced by SC's and ST's of Goa. Gakuvud federation welcomes you in Goa and is happy that the committee will get to understand the issues and long pending demands of the Scheduled Tribes of the community of Goa. **The delegation of Gakuvud Federation would like to meet you during your visit in Goa** and hence hereby request for an appointment during your Goa Visit to discuss on the following issues in detail.

1. Notification to notify Scheduled Tribe areas.

Goa has sizable tribal population in Talukas such as Quepem, Sanguem, Canacona of South Goa; and Dharbandora, Ponda, Sattari and Tiswadi of North Goa. Goa has 12.5%

of the ST population. Though Scheduled Tribes constitute 12.5% population of Goa, no efforts are made till date to notify the Scheduled Areas under **Scheduled V** of the Constitution of India. The tribal lands of Goa are under threat as they are also not identified in the Goa Regional Plan, 2021. Goa being the tourist state, everyone who visits Goa wants to have a second home in Goa. Also, most of the mining leases fall in the tribal villages. The Tenancy and Mundakar Act which provides land to the tiller and house is also being implemented at the speed of a snail. The real state lobby along with mining companies and bureaucrats are trying their best to snatch away the land of the Scheduled Tribes in Goa.

Future threat : The mineral resources like Iron ore, Manganese ore etc. are commonly found in the tribal areas. Beside this Goa is also a tourist's place and therefore most of the tourists visiting Goa want to buy a second home in Goa. If the tribal areas are not demarcated in the Regional plan 2021; the mining lobby, real estate lobby and tourism projects will destroy the very existence of tribal communities in the state of Goa.

Solution : 1. *Notify the tribal areas in Goa state as per the Schedule V of the Constitution of India to save the tribal identity, tribal culture of Goa and for self-governance.*

2. *Demarcated Tribal areas in the Goa Regional plan, 2021.*

2. Tribes Advisory Council

Tribes Advisory Council constituted by Goa Government is only on paper & is not constituted as per the Vth Schedule. The Committee has not met on a single day from the day of its constitution. Most of the members on the committee are also inactive & political and there is no members from the NGO,s working for Tribals . This has affected the overall development of Scheduled tribes of Goa and has also compromised the stake of Scheduled Tribes in Government policy decisions.

Future threat : Since the Scheduled areas are also not notified and Tribes Advisory Council communities being inactive, there is no representation of Scheduled Tribes at policy decisions. This will also affect the implementation of Tribal Sub plan.

Solution : Tribes Advisory Council (TAC) should be reconstituted as per Schedule V of the Constitution of India and should meet regularly.

3. Diversion of funds under Tribal Sub plan.

The TSP funds are diverted in large scale in Goa State and hence have failed to meet its purpose to benefit the tribal population. The Directorate of Panchayat, Public Works Department and many other departments have diverted the TSP funds in Goa. The tribal population lacks awareness about TSP and therefore most of the TSP funds are diverted and also remain unutilized.

Future Threat : Further diversion of TSP funds may take place in future.

Solution : 1. *Constitute a Planning and Administration Authority which will keep checks and measures on TSP fund utilization.*

2. *Awareness about the Tribal sub-plan at the village level.*

3. *Social audit of TSP funds under Tribal Sub Plan of the last three years.*

4. Reservation and filling backlog vacancies in Government recruitment.

The Goa Government has always overlooked the reservation provisions for Government recruitment. If you see the advertisements to fill the Accountants posts in Accounts department, Government Primary School Teachers Posts in Directorate of Education and filling of posts in Directorate of Art & Culture Department, the Government has refused

to fill the backlog posts. In addition, the Goa Government has also reduced the backlog vacancies without actually doing any recruitment. The roster points are also not followed as per Post Based Reservation Roster (PBR) thereby violating the Supreme Court judgment of *R. K. Sabharwal and Ors vs State Of Punjab*.

Future threat: The educated tribal youths will remain unemployed. This will defeat the purpose of reservation provision as the Constitution of India Guarantees the representation of Scheduled Tribes in Govt recruitment through reservations.

Solution : 1. *Setup a committee a) to investigate whether ST backlog has been reduced and whether reserved ST posts have been diverted and b) To look into the implementation of reservation policy and filling of backlog vacancies in Government recruitment in the State of Goa.*

2. *Make the reservation roster public by publishing the same on the website of Directorate of Tribal Welfare.*

5. To identify and declare the Community Forest Resource Rights (CFR Rights) under Forest Rights Act, 2006 & give land SANAD to 10,000 individual FRC Claims pending before Authorities .

The Tribals of Goa are kept in total darkness about the provisions of CFR rights which are enshrined under Forest Rights Act, 2006. It appears that the Goa Government wants to only implement the individual rights and have no interest to declare the CFR rights thereby defeating the very purpose of enacting the Forest Rights Act, 2006. There is also no awareness among the tribal forest dwellers with regard to CFR rights. Total 10,000 Individual Forest right claims are not settled by government & not got Land Rights.

Future threat : Non implementation of CFR rights will defeat the purpose of FRA, 2006. Forest department will have total control over the forests and the traditional tribal forest dwellers may lose their livelihood. More Conflicts between tribal forest dwellers and the Forest Department will arise which will lead to filing fake and frivolous complaints against Scheduled Tribes as happened earlier in the talukas like Quepem, Sanguem and Canacona.

Solution :1. *Directions to the Nodal agency i.e. Directorate of Tribal Welfare to declare the CFR rights of each tribal village in Goa.*

2. *Create awareness about the CFR provision as enshrined under Section 3(1) (b) to (m) of the Forest Rights Act, 2006.*

6. Atrocities on tribal and safeguarding the tribes of Goa

The tribals of Goa are under threat due to various developmental projects, industrial projects and mining activities. There has always been state repression whenever the tribal communities protested to recognize their constitutional rights. We have an example of how Dilip Velip and Manguesh Gaonkar, two tribal youths were killed on 25th May 2011 during the peaceful agitation which was held in Balli village of South Goa. There was also an attempt to murder Nilesh Gaonkar and Ravindra Velip who were protesting against the illegal mining but luckily both of them sustained only fractures. A tribal youth Mr. Sameer Velip who is presently pursuing his MBBS in Goa Medical College was badly beaten up by a few senior students under the influence of Alcohol and drugs. When Sameer approached the authorities for justice, a fake case was registered against Sameer as the culprits had influence on the authorities. He is still fighting the case in court.

Whenever tribal people demanded for their constitutional rights, either they were killed, bitten or framed under false charges.

Future threat: The tribal leadership is under threat. The tribal youths, activists and social workers are suffering due to discrimination, repression and violence.

Solution : 1. *Amendment to the Goa Commission for SC/ST Act, 2010 to make it further strong.*

2. *Frames Rules under 'The Goa Commission for SC/ST Act, 2010'*

3. *Directions to the State Government to safeguard the Scheduled Tribes of Goa.*

4. *Withdrawal of false and fabricated cases registered against the protesting tribals of Goa especially in the mining region.*

7. Non-utilization of DMF funds-

Most of the iron ore mining companies were operational in the tribal areas of Goa. The amendment of MMDR, Act 1957 has a provision of District Mineral Foundation wherein the mining companies were asked to contribute in a District mineral fund which will help to address the issues faced by the mining affected communities. The Total DMF fund collection in Goa is about Rs.200 crores of which negligible amounts have been spent so far. The amount spent so far also failed to benefit the *mining affected community* living in and around the mining area. The administrative setup is not equipped with the rules and procedures for disbursement of funds. There is no provision for 'social audit' in the DMF rules. Some of these DMF funds were utilized during Covid-19 pandemic to purchase the equipment for hospitals. There is a monopoly of the line departments. The needs of tribal communities which are the most affected due to mining are ignored.

Solution : 1. *Conduct awareness and training for DMF officials on the rules and procedures.*

2. *Dialogue with the community to gauge their needs.*

3. *Create social audit mechanisms.*

4. *Utilize the funds as per PMKKY to benefit the mining affected Tribal population of Goa.*

8. Political Reservation for Scheduled Tribes in Goa

Gawada, Kunbi and Velip were notified in Goa in 2003 taking the tally of Scheduled Tribes population in Goa from 2% to 12.5 %. At the times when the said notification was issued, the delimitation commission was constituted and was preparing its report for readjustment of seats and reservation of seats for SC and ST. The said report was tabled in the parliament in 2008 and was approved. However, Scheduled Tribes of Goa were kept deprived of their constitutional right of political reservation even after 19 years of being notified as Scheduled tribes..

Solution : Issue necessary direction to election commission of India to give political reservation for Scheduled Tribes of Goa.

Looking forward to an appointment to discuss the issues raised in detail during your Goa visit in January 2023.

Yours faithfully,


Rupesh S. Velip

(General Secretary)



Copy To:

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8. Smt. Pratima Mondal –
9. Shri. Ashok Mahadeorao Nete
10. Shri. Vincent H. Pala
11. Shri. Chhedi Paswan
12. Shri. Prince Raj
13. Shri. A. Raja
14. Shri. Upendra Singh Rawat
15. Smt. Sandhya Ray
16. Shri. Jagannath Sarkar
17. –Shri-Ratan Lal Kataria
18. Shri Ajay Tamta
19. Shri Rebati Tripura
20. Shri Krupal Balaji Tumane

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25. Shri Anthiyur P. Selvarasu
26. Shri Ram Shakal
27. Dr.V.Sivadasan
28. Dr.Sumer Singh Solanki
29. Shri Kamakhya Prasad Tasa
30. Shri Nabam Rebia

Directorate of Tribal Welfare
Inward 3750
Date 21/8/2023

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MISSION POLITICAL RESERVATION FOR SCHEDULED TRIBES OF GOA



H.No.73/2, Baga, Davorlim Salcete Goa

Registered under the Societies Registration Act, 1860

(Central Act 21 of 1860) under Reg. No.22/GOA/2022

Email: Missionpoliticalreservation@gmail.com

Contact No. 9765255601

File No REF. Mission Political Reservation/F-03/2023

Date: 20/08/2023

To,
Directorate of Tribal Welfare,
Shrama Shakti Bhavan, 5th Floor, Patto, Panaji, Goa

Sub: Regarding reply received on Reservation of seats for ST Community in the Goa Legislative Assembly, from legislative department, Law & Justice New Delhi

Respected Sir,

This is with reference to reply received by your office in connection with the proposal submitted on 24/05/2023 regarding reservation of seats for Scheduled Tribes of Goa in Goa Assembly. Tribal Community across Goa are surprised and disappointed with the reply received from Assistant Legislative Counsel Shri Giridhar Verma, legislative department, section II Law & Justice Shastri Bhavan New Delhi, to the proposal submitted by your office

The reply states that "That until the relevant figures for the first census taken after the year 2026 have been published, it shall not be necessary to readjust the seats in the legislative assembly of each state. Therefore, it is clear that the next delimitation exercise and readjustment of seats, including the number of seats to be reserved for the SCs and STs would only take place by Delimitation Commission to be constituted for the purpose after the relevant figures of the census taken after the year 2026 is published. The letter is issued with your kind approval"

We are not asking for readjustment which has been misinterpreted by legislative department of ministry of Law and Justice. We are asking for reservation from existing 40 Assembly constituencies which has not been implemented till date since from 1987 where in Goa was declared as state, which is our constitutional right.

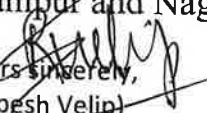
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Further we would like to bring on your record that the Ministry of law and justice vide notification dated 06-03-2020 has given political reservation to Union territory of Jammu and Kashmir and the State of Assam, Arunachal Pradesh, Manipur and Nagaland by constituting the Delimitation Commission for purpose of delimitation of Assembly & parliamentary constituencies. For these states they did not wait for 1st census figure after year 2026 for constituting Delimitation Commission for purpose of delimitation, then why there should be injustice on state of Goa.

We further would like to reiterate that even the Hon'ble Supreme Court of India in Writ Petition No. 540 of 2011 and Hon'ble High Court of Bombay at Goa in Writ Petition No.230 of 2007 mandates that having regard to the constitutional obligations, as contained in Article 332, 332 and 243D of the Constitution of India, the Scheduled Tribes have a right to be represented in proportion to their numbers in the different constituencies in the State. In this context it is pertinent to note that the Scheduled Tribes of Goa are demanding reservation out of existing 40 Assembly seats and they are not asking for readjustment of seats as provided under Article 82 of Constitution. It is needless to say that as per 84th amendment to constitution readjustment of seats to be done based on 1st census after year 2026. This constitutional amendment shall not come on the way of reserving seats out of existing 40 constituencies in Assembly for state of Goa and that is what Hon'ble Courts mentioned above has said to do.

Further We as you aware that Goa Legislative Assembly in its current session on 21st July 2023 has unanimously passed private members bill moved by Shri. Ganesh Gaonkar, Scheduled Tribe MLA to recommend and urge Central Government to reserve seats for Scheduled Tribes of Goa in Legislative Assembly. It is pertinent to note that all 4 ST MLAS, all Ruling party MLA, s and all opposition party MLA, s has supported the bill Unanimously. And Hon'ble Chief Minister of Goa has given assurance on floor of the house that he will take all party Delegation, to meet Minister for Law and Justice and Home Minister of India.

Hence, we urge you to send request to the legislative department of ministry of law and justice to re-examine the matter considering new fact of private members bill passed in Goa Assembly & based on recommendation of Goa Government and facts given above. So that long pending demand of Tribal Community can be resolved by Constituting the Delimitation Commission for the purpose of delimitation of Assembly and Parliamentary Constituencies in the State of Goa as per Section 3 of the Delimitation Act, 2002 in same lines of notification dated 06-03-2020 which constituted the Delimitation Commission in the Union territory of Jammu and Kashmir and the State of Assam, Arunachal Pradesh, Manipur and Nagaland earlier. Thanking you.


Yours sincerely,
(Rupesh Velip)
Secretary

MISSION POLITICAL RESERVATION FOR SCHEDULED TRIBES OF GOA



H.No.73/2, Baga, Davorlim Salcete -Goa.

Registered under the Societies Registration Act,1860

(Central Act 21 of 1860) under Reg. No.22/GOA/2022

Email: Missionpoliticalreservation@gmail.com

Contact No. 9765255601

File No. Mission Political Reservation/01/2022

Date: 12 / 01 /2023

Dr.(Prof.) Kirit Premjibhai Solanki Ji,
Chairperson, Committee on the Welfare of Scheduled Caste &
Scheduled Tribes and Parliamentary Standing Committee
for Scheduled Caste & Scheduled Tribes,

018, Parliament House Annexe, New Delhi, 110001.

Sub: Request for Political Reservation for Scheduled Tribes of Goa.

Sir,

Our association 'MISSION POLITICAL RESERVATION FOR SCHEDULED TRIBES OF GOA' is duly registered under the Societies Registration Act,1860 (Central Act 21 of 1860) under Reg. No.22/GOA/2022. Its main objective is to achieve political reservation for Scheduled Tribes of Goa in the House of the People and Legislative Assembly of the Goa.

Article 330 and 332 of Constitution of India provides reservation of seats for Scheduled Tribes in the House of the People and Legislative Assembly of the State respectively.

In the year 2003, three more communities namely Gawda, Kunbi and Velip were added in the list of Scheduled Tribes of Goa. By this the tally of scheduled tribe communities in Goa reached to 8 and population of Scheduled tribes in Goa was increased considerably. As per 2011 census, the population of Scheduled Tribes people in Goa is 10.23 %. However even after 19 years they are kept deprived from political reservation in the house of the people and legislative assembly of the State.

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The Supreme court of India way back in the year 2012 in its land mark judgment in the case of **VIRENDRA PRATAP & ANOTHER V/S. UNION OF INDIA & OTHERS**, directed Election commission to consider the case of the Scheduled Tribes, as indicated in the writ petition and to take appropriate steps for their representation in the lower houses, both in the parliament, as well as in the state assemblies in accordance with the provision of the constitution. The petitioners were given liberty to supply necessary details of the figures indicated to the election commission of India and the election Commission was also asked to obtain figures from the registrar general, as suggested by the learned Attorney General and, thereafter, proceed to take steps in accordance with the provisions of the Constitution for due representation of the Scheduled Tribes population. Despite of said directions of the Hon. Supreme Court, till date nothing has been done to give political reservation for scheduled tribes of Goa. (copy of said judgment of Hon. Supreme Court of India is enclosed herewith and marked as Annexure "A").

Further the Hon. High Court of Bombay at Goa in **Writ Petition No.230 of 2007 filed by the Goa State Scheduled Tribes Action Committee through its Convener, Mr. Antonio Gauncar**, had given direction to the election commission to consider and decide the representation dated 1.8.2006 made by the petitioner within 8 months time. But till date nothing has been done.(copy of said judgment of Hon. High Court of Bombay at Goa is enclosed herewith and marked as Annexure "B").

The office of the Chief Electoral Officer, Goa State in pursuance of direction given by the Hon. Courts and Government, has compiled the relevant information of Scheduled Tribes Population in Goa state for granting political reservation for the Scheduled Tribes of Goa and proposal has been already submitted to Election Commission of India and the said proposal is pending for issue of notification by the office of Election Commission of India.

In an effort from members of Rajya Sabha , the Rajya Sabha introduced the readjustment of representation of Scheduled Castes and Scheduled Tribes in parliamentary and Assembly constituencies Bill, 2013, the readjustment of representation of Scheduled Castes and Scheduled Tribes in parliamentary and Assembly constituencies (second) Bill, 2013 and the readjustment of representation of Scheduled Castes and Scheduled Tribes in parliamentary and Assembly constituencies (third) Bill, 2013. However said Bills could not be passed by Parliament. (Copy of third Bill, 2013 enclosed herewith).

J. Manoj

In an another effort the president of India was pleased to promulgate the readjustment of representation of Scheduled Castes and Scheduled Tribes in parliamentary and Assembly constituencies (third), Ordinance, 2013. Accordingly in exercise of powers conferred upon Election Commission of India by virtue of said third ordinance, the Election Commission vide Notification No. 282/UP/SC-ST/2014 dated 13/01/2014 reserved two assembly Constituencies for the Scheduled Tribes in the legislative assembly of the State of Uttar Pradesh. The said notification was challenged in the Hon. High Court of Judicature of Allahabad in the case **Chandra Mani Prasad and 3 others V/s Union of India and another in Writ Petition No. 3078 of 2017**. However the Hon. High Court of Judicature of Allahabad in its landmark judgment, uphold the validity of the notification issued by the Election Commission of India- respondent no. 2 dated 13/01/2014 and the press note dated 04/01/2017 with regards to the reservation of 2 assembly constituencies for scheduled tribes in Sonbhadra district of Uttar Pradesh. It is pertinent to note that the Hon. High Court of Allahabad in the said landmark judgment held that reservation and allotment seats can be done by the Election Commission of India in exercise of its powers under Article 324 read with 327 of the constitution and for exercise of its powers for reservation and allotment of seats for assembly constituencies, the figures published by the Registrar General of India and Census Commissioner of India on 22nd March 2013/01st April 2013 alone needed to be taken into account. For better appreciation of facts and your convenience we hereby reproduce the operative part of said judgment here in below:

“After carefully going through the Constitutional and Statutory provisions, we have come to the conclusion that delimitation of territorial Constituencies and readjustment of seats on the basis of proportion of the population of reserved categories to the total population of the State is to be done under a different provision of the Constitution which requires a Presidential Order to be issued for bringing such delimitation or readjustment into effect and which readjustment cannot be done till the census after 2026.

However, reservation and allotment of seats can be done by the Election Commission of India in exercise of its powers under Article 324 read with 327 of the Constitution and for exercise of its powers for reservation and allotment of seats for Assembly Constituencies, the figures published by the Registrar General of India and Census Commissioner of India on 22 March 2013/ 1 April 2013 alone needed to be taken into account. The Data on total Scheduled Caste and Scheduled Tribes population has always been published and released by the Registrar General and Census Commissioner of India for rural and urban areas in all census operations conducted including census of 2001 and 2011. It is only with regard to enumeration of unreserved category i.e. castes and sub castes, thereafter a Socio-Economic Castes Census was conducted by the Government of

demanded

India in 2011 wherein names of all castes and tribes (including Scheduled Caste and Scheduled Tribes) for every person living in India were collected. Data on each of the castes and tribes based on Socio-Economic Caste Census 2011 are yet to be released.

The Registrar General and Census Commissioner of India has been impleaded as respondent no.3 in Writ Petition No. 22848 of 2015, and in the counter affidavit filed on behalf of the respondent no.3 to the said writ petition, the Registrar General and Census Commissioner of India have stated that number of persons belonging to Scheduled Castes and Scheduled Tribes population is collected in each census for rural areas and urban areas separately. Such population figures are made available to the Election Commission of India for its use in reservation and allotment of seats in rural and urban areas. The persons enumerated during the census are categorized as SC & ST, if and only if the names of their castes and tribes appear in the list of SC & ST notified for the concerned State / Union Territory.

The notification issued by the Registrar General and Census Commissioner of India on 22 March 2013 clearly says that population figure of 2001 census has been revised as per the SC & ST Orders Amendment Act, 2002 (Act No. 10 of 2003) hence, the argument raised by counsel for the petitioners that there was no ascertainment of SC & ST population till the Census of 2011 also falls to the ground. The argument that reservation cannot be made on the basis of change in population as depicted in 2011 census figures also falls to the ground as it is revised population figure of Census of 2001 with respect to SC & ST population in the State of U.P. after the Amendment Act No. 10 of 2003 which was used to make the reservation and allotment of seats for Scheduled Tribes order Dated 4 January 2017.

In view of the facts as mentioned herein above and the analysis of statutory provisions and law on the subject, made by us these writ petitions are dismissed and the notification dated 13 January 2014 and 14 January 2017 issued by the respondent no.2 are upheld. No order as to costs."(copy of said judgment of Hon. High Court of Allahabad is enclosed herewith and marked as Annexure "C")

The Ministry of Law and Justice vide notification dated 06-03-2020 constituted the Delimitation Commission for the purpose of delimitation of Assembly and Parliamentary constituencies in the Union territory of Jammu and Kashmir and the State of Assam, Arunachal Pradesh, Manipur and Nagaland. However state of Goa was not considered in said notification.

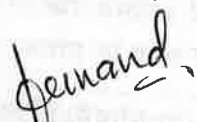
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On 10th June 2022 we have given representation to the Secretary, Ministry of Law and Justice, Government of India and Election Commission of India. However till date nothing has been communicated to us.

Therefore we humbly request you as under:

- A. To submit your report on this issue in the Houses of Parliament so that either Lok Sabha or Rajya Sabha passes the long pending Bill i.e the readjustment of representation of Scheduled Castes and Scheduled Tribes in parliamentary and Assembly constituencies (third) Bill, 2013.
- B. To submit your report to Central Government, Ministry of Law and Justice (Legislative Department) to Constitute the Delimitation Commission for the purpose of delimitation of Assembly and Parliamentary Constituencies in the State of Goa.
- C. To submit your report to Hon'ble President of India for promulgation of Ordinance in the lines of the readjustment of representation of Scheduled Castes and Scheduled Tribes in parliamentary and Assembly constituencies (third), Ordinance, 2013.
- D. To submit your report to the Election Commission of India to issue Notification in lines of Notification No. 282/UP/SC-ST/2014 dated 13/01/2014 in pursuance of landmark judgment in the case of **Chandra Mani Prasad and 3 others V/s Union of India and another in Writ Petition No. 3078 of 2017** passed by the Hon. High Court of Allahabad.
- E. Take all such steps to ensure that the Government of India and Election Commission give political reservation for Scheduled Tribes of Goa, in the House of the People and Legislative Assembly of the Goa.

Yours sincerely,


(Joao Fernandes)

President



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UNITED TRIBALS ASSOCIATIONS ALLIANCE
(UTAA)

Reg. No. 203/GOA/2004

c/o. Prakash S. Velip

Saraswati Niwas, Bharatkar Marg, Quepem, Goa 403 705

Mob. 9822121740

Mail id: pvelip9@gmail.com

To,
Droupadi Murmuji
President of India
Rashtrapati Bhavan
Delhi

Send to State Govt. of
Goa

Murumujee
25/8/23

Date: 21/08/2023

Sub: Political Reservation in Goa Legislative Assembly.

Her Excellency,

This is to bring to your kind attention that our Tribal Organization "United Tribal Association alliance" UTAA is working for upliftment of Gaon tribals. We are very thankful then Prime Minister late Shri. Atal Bihari Vajpayeeji and late Shri. Manohar Parrikar then chief Minister of Goa, were very kind enough to give Schedule Tribe status to Gawda, Kunabi and Velip of Goan community in 2003. As per 2011 censuses this tribal population of Goa is consist of 10.26% of total population of Goa.

Since 2003 there were total four assembly elections, conducted in 2007, 2012, 2017 and 2022, where these communities were deprived of political reservations.

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In Goa there is reservation in Zilla Panchayat, Panchayat, Municipalities, Job recruitments, Job promotions and Education. Only no political reservation in Goa assembly. In fact this is a constitutional right of these communities. Now

our next assembly elections is due in 2027. Therefore we request your Highness to try to give justice by giving political right to this suppressed class. Being your Highness, you protect the constitutional rights of our people. Whoever may be denied their rights.

We hope you will do the needful by giving political reservation in Goa assembly as per their percentage of populations.

Thanking You,

Yours Faithfully,



Prakash S. Velip
President UTAA,
Ex. Minister Goa
Mn. 9822121740

ALL GOA SCHEDULED TRIBES UNION

Regd. No. 83/GOA/2000
Shri Namdev R. Fatarpenkar
F-5, Shriji Appt, Opposite Kamat Estate,
Tonca Caranzalem,
Tiswadi Goa 403002

12412

Directorate of Tribal Welfare
Inward 4450
Date 14/9/2023

MCE


14/09

No. AGSTU/ST/Political Reservation/2023/3

Dated - 14/09/2023

To,
Dr. Pramod Sawant,
The Hon'ble Chief Minister of Goa,
Secretariat, Porvorim, Bardez Goa.

Sub: Regarding Political Reservation and to Declared Scheduled Areas to Scheduled Tribes in Goa.

Respected Sir,

We place before you the grievances and facts for your kind information and reference and for necessary action in the matter.

1. We the Scheduled Tribes notified on 08th January' 2003 under the Scheduled Caste and Scheduled Tribes Orders (Amendment) Act 2002 no. 10 of 2003.
2. The Chief Minister of Goa late Shri Manohar Parrikar acknowledged the letter dated 06th February' 2003, that the Constitutional Reservations /facilities of Scheduled Tribes that the necessary steps are being taken to implement the same. Copy enclosed as ANNEXURE - "A".
3. The Government of Goa conducted Survey of Scheduled Tribes and found 12.07 percent on 24th December' 2004 as per Census 2001. Copy enclosed as ANNEXURE - "B".
4. Based on Survey Report the State Government has provided 12 percent reservation for Scheduled Tribes in Education, Employment, Village Panchayats, and Municipalities (But there is no Reservation in politics/ Reservation of Seat in Goa Assembly).
5. The Government of Goa has taken Cabinet Decision on 18th January' 2007 and passed a Resolution and submitted the proposal to recommend Government of India for Reservation of Seats in Goa Assembly under the provisions of the Representations of Peoples Act, 1951 (Central Act No. 43 of 1950) on 06th February' 2007 onwards follow up with the Reminders Letters till 29/11/2010 Under Articles 330 and 332(3) (244, 81, 82, 170). Copy enclosed as ANNEXURE - "C".
6. The Government of Goa formed Department of Tribal Welfare on 29th January' 2010 and Minister for Tribals on 19th January' 2011. So far Department of Tribals hold by 4 Ministers from 19th January' 2011 till today for the last 12 years. Regarding and follow up of 2007 Resolution. So what process/action is taken by the Goa Government as well as the Central Government to the Constitutional Rights and Demands of Scheduled Tribes which are continue till today in Goa.

As per Goa, Daman and Diu Reorganisation Act 1987 (Act No.18 of 1987).

Our Demands are earlier than 8th January' 2003.

The Delimitation Commission has Notified on 23rd May' 2008 and Delimitation Commission ceased to exist from 01st June' 2008.

As per Supreme Court Order dated 10th January' 2013, directed to ELECTION COMMISSION OF INDIA to make provision for Reservation of Seats in State Assemblies for Scheduled Tribes and Scheduled Castes.

On 27th May' 2014, the ELECTION COMMISSION OF INDIA directed THE CHIEF ELECTION OFFICER to verify the figures of SCHEDULED TRIBES IN GOA and LIST OF CONSTITUENCIES.

Now as per Gazette of India Extraordinary Notification dated 06th March' 2020 form a 3 Members Committee under Chairman Retired Judge Ranjan P. Desai for Delimitation of new Constituencies to five States.

Recently on 26th July' 2023 introduced the Bill IN LOK SABHA to provide Representation of Kashmir Scheduled Tribes in Legislative Assembly of Jammu and Kashmir.

So why injustice to GOA SCHEDULED TRIBES for the last 20 years after the Scheduled Tribes status 2003 to 2023.

Hope for the justice.

Thanking you.

Yours faithfully,


(NAMDEV R. FATARPENKAR)
PRESIDENT

ALL GOA SCHEDULED TRIBES UNION
& WORKINGPRESIDENT, UTAA

Encl: As above.

Copy to:

The Directorate of Tribal Welfare Dept.
Shram Shakti Bhawan
Patto Panaji Goa

For kind Information and necessary action in the
matter.