

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7987 of 2020**

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Bihar Adiwasi Adhikar Forum

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Vikash Kumar Pankaj, Advocate  
Mr.Sidharth Prasad, *Amicus Curiae*  
For the Respondent/s : Mr.Ashutosh Ranjan Pandey, AAG-15  
Mr.Priyadarshi Matri Saran, AC to AAG-15  
Mr.Dr.K.N.Singh, ASG  
Mr.Kumar Priyaranjan, CGC

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

5      05-11-2020                      Dr. K.N. Singh, learned Additional Solicitor General and Shri Ashutosh Ranjan Pandey, learned Additional Advocate General No. 15 state that an affidavit in response to the information furnished by the learned *Amicus Curiae* vide his report dated 05.11.2020 as also the affidavit dated 01.11.2020 filed by the petitioner, shall be positively filed within a period of next ten days.

If the information furnished by the learned *Amicus Curiae* as also the petitioner is correct, then undoubtedly it is reflective of a shocking state of affairs in dealing with the issues pertaining to the people of tribal community within the State of Bihar.



We only remind ourselves of the Constitutional mandate provided under Part-IV (Article 46) of the Constitution of India which reads as under:

**“46. Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.-** The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.”

At this stage, we need not say anything further on the issues highlighted by the learned *Amicus Curiae*, for they are self speaking and refrain ourselves from making any observations, only hoping for the authorities to wake up from slumber and come out with a structured plan for ensuring implementation of the Constitutional mandate including that under Article 338-A.

Learned Additional Solicitor General shall also ascertain information from the Commission established under the said provision.

Affidavit be filed by the Chief Secretary, Bihar as



also Secretary dealing with Ministry of Tribal Affairs,  
Government of India.

List on 23<sup>rd</sup> of November, 2020.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

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