

# Twelfth Five Year Plan (2012–2017) Social Sectors

Volume III



सत्यमेव जयते

Planning Commission  
Government of India

**24.32.** Both the Central and State Governments implement various Schemes for the social and economic well-being of SCs. However, there is also a need for creating a National Fund to finance various innovative activities for their development which do not fall under any of the existing Schemes, for example development and training of talented SC artisans and artists. It would be desirable to have a National Fund for Innovative Development Activities for SCs—for supporting SC talent and potential in diverse areas, otherwise not covered under the existing Schemes. The Scheme may be implemented through National Scheduled Castes Finance and Development Corporation (NSFDC).

**24.33.** SC artisans and entrepreneurs face a serious problem in marketing their products. In the past, certain initiatives have been taken by the Ministry of Social Justice and Empowerment and the National Scheduled Castes Finance and Development Corporation to enable them to showcase and market their products by facilitating their participation in various fairs, exhibitions and so on. However, the ambit of such initiatives has been rather limited. There is, thus, a need to create a strong institutional mechanism to facilitate the SC entrepreneurs/artisans in marketing their products in an institutionalised manner. A National level organisation may be set up in the Twelfth Plan as a permanent marketing institution, on the lines of TRIFED, for marketing of products manufactured by Scheduled Caste entrepreneurs/artisans.

### **SCHEDULED TRIBES**

**24.34.** The Scheduled Tribes (STs), with a population of 84.33 million as per 2001 Census constituted 8.2 per cent of the country's population. Unlike the SCs who are dispersed throughout the country, STs have traditionally been concentrated in about 15 per cent of the country's geographical areas, mainly forests, hills, undulating inaccessible areas. The fact that most of them live in isolated groups in relatively remote areas has made it more difficult to deliver essential services to them and has also made it much more difficult for them to benefit from the acceleration of overall growth than is the case with SCs. Out of the total ST population, 2.59 million (3.07 per cent)

belong to Particularly Vulnerable Tribal Groups (PVTGs) earlier referred to as Primitive Tribal Groups (PTGs). There are 75 identified PVTGs spread across 17 States/UTs.

### **Scheduled Tribe Development: An Overview**

**24.35.** Because of the remoteness of location of most of the ST population, the extent to which they can benefit from general development programmes is more limited and the need for special programmes is greater than for SCs. The need for special efforts to ensure an adequate flow of benefits to the Scheduled Tribes has been recognised in all Plans beginning with the First Plan. Over time this strategy has evolved to a multi pronged strategy culminating in the objective enunciated in the Eleventh Plan that the benefits of inclusive growth must extend fully to the STs.

**24.36.** The Human Development Report 2011 of the Planning Commission candidly admits that though the consumption expenditure of Scheduled Tribes has been rising overtime, the rate of increase was lower than the all India average. Further, while there has been a divergence in Monthly Per Capita Consumption Expenditure (MPCE) from the national average for STs and Muslims during 1999–2000 and 2007–08, they are also diverging from the national average in terms of female malnutrition during 1998 from the national average in terms of female malnutrition during 1998–99 and 2005–06. Only one-third STs and around half of SCs reside in pucca houses compared to 66 per cent for all India. Over time, ST households, due to a slower pace in improvement have experienced a growing divergence from the national average of households residing in pucca houses.

**24.37.** Poor implementation of existing schemes in the tribal regions has meant that not only poverty continues at an exceptionally high levels in these regions, but the decline in poverty has been much slower here than in the entire country, as shown in Table 24.3.

**24.38.** Thus the gap has been steadily rising, with the result that between 1993–94 and 2004–05 the share of the tribals amongst the poor in the country increased

**TABLE 24.3**  
**Rural Population Living Below Poverty Line (1993–94, 1999–2000 and 2004–05) (in %)**

Category	1993–94	1999–2000	2004–05
Total	50.19	27.09	41.79
STs	66.02	45.86	62.28
GAP	15.83	18.77	20.49

Source: PP Division, Planning Commission.

from 15.83 to 20.49 per cent. Lagging of scheduled tribes reflects the fact that geographical seclusion has limited their access to new self-employment opportunities and as labour supply has remained abundant in the remote villages with negligible out-migration, agricultural wages for this group did not grow to the same extent as they did for the scheduled castes.

24.39. Similar gaps continue between literacy levels and health indicators of STs and the general population and have widened over the years. The continuing gap between literacy levels of STs and the general population is shown in Table 24.4 and Table 24.5.

**TABLE 24.4**  
**Literacy Rates of STs and Total Population (in %)**

Category	1971	1981	1991	2001
Total Population	29.45	36.23	52.21	65.38
Scheduled Tribes	11.30	16.35	29.60	47.10
GAP	18.15	19.88	22.61	18.28

Source: Ministry of Human Resource Development.

**TABLE 24.5**  
**Female Literacy Rates of STs and Total Population (in %)**

Category	1971	1981	1991	2001
All	18.69	29.85	39.29	54.16
STs	4.85	8.04	18.19	34.76
GAP	13.84	21.81	21.10	19.40

Source: Ministry of Human Resource Development.

24.40. Thus the gap in literacy levels, both for tribal men and women, has not declined significantly despite the fact that the largest proportion of

centrally sponsored programmes for tribal development are related to the single sector of education. The gap would be wider if the north-eastern states are excluded from the above table, as education and health standards of tribals in that region are much above the national average. There are districts in India where the female literacy among adivasis is less than 10 per cent.

24.41. The dropout rate is a critical indicator reflecting lack of educational development and inability of a given social group to complete a specific level of education. In the case of tribals, dropout rates are still very high—31.33 per cent in Classes I to V; 58.3 per cent in Classes I to VIII; and 76.9 per cent in Classes I to X in 2008–09 (Source: Selected Educational Statistics 2008–09 of India, Ministry of Human Resource Development).

24.42. The 16th Joint Review Mission of the SSA done in 2012 notes with some concern that enrolment of SC and ST and Muslim children in the 6–14 population has reduced. Among the social categories, the enrolment rate is lowest among the scheduled tribes. As per DISE data, the enrolment of SC children has reduced from 19.81 per cent in 2009 to 19.06 per cent in 2010–11. Similarly enrolment for ST children for the same period has reduced from 10.93 per cent to 10.70 per cent. Reports of Monitoring Institutes also observed that there were noticeable gaps in learning achievement levels of SC, ST and Muslim children in almost all the states.

24.43. The health status of both SCs and STs are far worse than that of other sections of society. Since access to health care is limited for STs and SCs, barely 42 per cent of pregnant SCs could access a doctor for ante natal care and only 28 per cent could access an Auxiliary Midwife Nurse (AMN). But 64 per cent of others obtained ante natal care from a doctor. Again, since most STs live in remote rural areas, barely 18 per cent of all STs had deliveries in a health facility, compared to 51 per cent among other communities. There is, however, a failure of governance, which has multiple dimensions and is not confined to the inefficiency of the health delivery system only. See Table 24.6.

**TABLE 24.6**  
**Mortality and Undernutrition**

Mortality and Undernutrition	SC	ST	Others
1 Child Mortality (per 1,000 live births)	83	84	62
2 Infant Mortality	39	46	22
3 Proportion (per cent) of Children with Anaemia	78	79	72
4 Proportion (per cent) of Underweight Children	21	26	14

Source: Planning Commission: NFHS 2005–06 Report.

24.44. Since most of the tribal habitations are located in isolated villages and hamlets in undulating plateau lands coinciding with forest areas, they have limited access to critical infrastructure facilities such as roads, communication, health, education, electricity, drinking water and so on. This widens the gap between the quality of their life and the people in the country.

#### Education Development

24.45. Education continued to receive high priority in the Eleventh Plan to facilitate educational development among STs by providing educational facilities, incentives and support especially focusing the ST girls. The expenditure in the Eleventh Plan, compared with the allocation is given in Table 24.7.

**TABLE 24.7**  
**Eleventh Plan Allocation and Expenditure for Special Schemes for STs**

	₹ in Crores)	
	Allocation	Expenditure
1. Post Matric Scholarship	1,496.30	2,118.36
2. Hostels for ST girls/boys	272.96	322.00
3. Upgradation of Merit	*	5.28
4. Free Coaching for STs	300.00	229.76
5. Scholarship for Top Class Education	73.80	15.96
6. Ashram Schools	147.60	231.00
7. Strengthening Education among ST girls	298.75	162.05
<b>Total</b>	<b>2,589.41</b>	<b>3,084.41</b>

\* Allocation included in Post matric Scholarship scheme

Source: Ministry of Tribal Affairs.

#### Post Matric Scholarship

24.46. The Post Matric Scholarship Scheme for ST Children is a centrally sponsored scheme providing financial assistance to the Scheduled Tribe students pursuing higher education beyond matriculation levels. The scholarships are awarded through the Government of the State/Union Territory where he/she is domiciled and 100 per cent Central assistance is provided to States/UTs over and above their committed liability. For North-East States committed liability is not applicable. The Scheme was revised in December, 2010. The income ceiling of parents for their children availing the scholarship has been raised from ₹1.00 lakh per annum to ₹2.00 Lakh. The Commercial Pilot License Course (CPL) is also included in the scheme and 10 Scholarships are to be given to the eligible ST students per year.

#### Hostels for ST Girls/Boys

24.47. The objective of the scheme is to facilitate ST students to continue their studies at distant places by extending hostel facilities to those who were otherwise unable to continue their studies due to remote location of their villages. The Eleventh Plan allocation for the hostels scheme was ₹272.96 crore. The scheme was revised on 1 April 2005 to provide 100 per cent funding for construction of hostels for both boys and girls in left wing extremism affected areas. Evaluation studies have pointed out that infrastructure facilities in most of the hostels are poor; maintenance of the buildings is also not up to the mark; and construction of hostel buildings is often hampered due to non-receipt of proper/complete proposals of the States. These problems need to be resolved in the Twelfth Plan.

#### Upgradation of Merit of ST Students

24.48. The objective of the scheme, which functions under the umbrella of the Post Matric Scholarship Studies, is to upgrade the merit of Scheduled Tribe students including PVTG students in classes IX to XII by providing them with facilities for all round development through education in residential schools so that they can compete with other students for admission to higher education courses and for senior administrative and technical occupations.

The Scheme was revised with effect from the financial year 2008–09. Under the Scheme, 100 per cent financial assistance is provided to the States and UTs for implementation of the scheme. A revised package grant of ₹19,500/- per student per year is provided from 2008–09 which includes the honorarium to be paid to the Principal or Experts imparting coaching and also to meet incidental charges. Coverage under the scheme reached to 1,053 ST students in the last year of the Eleventh Plan (2011–12).

#### **Free Coaching for STs**

**24.49.** The Scheme of Free Coaching for STs has been in operation since the Sixth Five Year Plan and provides free coaching to ST students to enhance their competitive capabilities to face various competitive examinations. Coaching is provided through State Governments/Universities/NGOs/private Coaching Institutes for competitive examinations of Group A and Group B categories in the Central/State Governments, Officers grade examinations for PSUs, Banks, and so on and soft skill development programmes for employment in private sector covering areas like call centres, BPO, retail management, information technology, and so on. Apart from coaching fee, stipend is also provided to the students @ ₹1,500/- per month for outstation students and ₹750/- per month for local students. The income ceiling under the scheme is ₹2.00 lakhs per annum.

#### **Scholarships Scheme of Top Class Education**

**24.50.** The Central Sector Scholarship scheme of Top Class Education for ST Students was launched in 2007–08. The scheme aims at promoting quality education amongst ST students, by providing full financial support for pursuing studies beyond XII class in premier institutions of the country. Maximum number of slots for new scholarships each year is 1,250. There are 125 institutes approved under the scheme in both the Government and private sectors covering the subjects of management, medicine, engineering, law and commercial courses. Physical coverage achieved under the scheme, is very poor as only 1,085 ST students are expected to have benefited through the scheme in the Eleventh Plan against the target of covering 10,105 beneficiaries.

#### **Ashram Schools**

**24.51.** The scheme of Ashram Schools in Tribal Sub Plan areas spread over in 22 States and 2 Union Territories has been operational since 1990–91 and was revised in 2008–09. The objective is to promote and extend educational facilities to Scheduled Tribe students including PVTGs in tune with their social and cultural milieu. Ashram Schools provide education with residential facilities in an environment conducive to learning. The State Governments are eligible for 100 per cent Central Share for construction of Girls' Ashram Schools and also for construction of Boys' Ashram Schools in left wing extremism affected areas. For the other Boys' Ashram Schools, the funding to State Government is on 50:50 basis. In case of UTs, the Central Government bears the entire cost of construction of both Boys' and Girls' Ashram Schools. Ashram Schools are regular schools having the same curriculum as prescribed by the State Board of Secondary Education. The expenditure incurred on construction of hostels was ₹231.00 crore exceeding the Eleventh Plan outlay of ₹147.60 crore. The physical achievement in terms of number of seats in the Ashram School indicates nearly 5 fold increase (49,334 seats) over the Eleventh Plan Target of 10,000 seats only.

**24.52.** A review of the implementation of the scheme reveals that delays in construction of school buildings affects the programme and prospects of aspiring ST students adversely. Several schools are reported to be poorly maintained with little or no infrastructural facilities. Unless basic facilities are provided in Ashram Schools, children will be discouraged from continuing in these schools and their focus on education and training will be adversely affected. It is also noticed that textbooks are either not provided or are provided quite late after the session has started which defeats the purpose for which the textbooks are supplied free of cost to these students. Ideally, books and teaching medium up to the primary level should be in tribal dialects to the extent possible and the teachers should also be drawn from local tribal communities.

**Strengthening Education among ST Girls**

**24.53.** The Scheme of Educational Complexes in the Low Literacy Pockets was revised in 2008–09 and renamed as Strengthening Education among ST Girls in Low Literacy Districts. The revised scheme is being implemented in 54 identified low literacy districts where the ST population is 25 per cent or more and ST female literacy rate is below 35 per cent. The revised scheme envisages convergence with Sarva Shiksha Abhiyan (SSA) and Kasturba Gandhi Balika Vidyalaya (KGBV) schemes of the Ministry of Human Resource Development (MHRD). It meets the requirement of primary-level students as well as middle/secondary-level students and provides residential facilities to ST girl students facilitating their retention in schools. Besides formal education, the scheme also takes care of skill upgradation of ST girls in various vocations. Establishment of the District Education Support Agency (DESA) is also taken up in each low literacy district, which is required to make efforts to ensure 100 per cent enrolment and also play the role of a monitor and facilitator and support linkages with various institutions.

**Rajiv Gandhi National Fellowships**

**24.54.** The scheme of Rajiv Gandhi National Fellowships (RGNF) was launched in 2005–06 as a special incentive to extend scholarships to ST students to pursue higher studies and research degrees such as M.Phil and Ph.D. The scheme is implemented through UGC and the benefits are comparable to JRF and SRF of UGC. The scheme was revised in 2010–11 and number of fellowships has been increased from 1,333 to 2,000 to benefit more ST students.

**National Overseas Scholarship**

**24.55.** The scheme of National Overseas Scholarship launched in 1954–55 was earlier implemented as a non-Plan scheme. In the year 2007–08 the scheme was converted to a Central Sector Plan scheme whereby financial assistance is provided to meritorious ST students for pursuing higher education abroad at the level of Masters and Ph.D. The scheme envisages awarding 30 overseas scholarships every year, of these, 30 per cent are earmarked for ST finalists. Grants are given to the selected candidates on

100 per cent basis directly by the Ministry through the Indian Missions. The Eleventh Plan target was to award 50 overseas scholarships to ST students. In the first four years of the Eleventh Plan, only 8 scholarships could be awarded (2 per year). 15 scholarships were envisaged in the year 2011–12. Specified field of study under the scheme have been revised for the selected year 2010–11 in order to broaden the scope and benefit more students, the disciplines like Medicine, Pure Sciences, Engineering, agricultural science and Management have been covered under the scheme.

**Tribal Research Institutes**

**24.56.** There are 17 Tribal Research Institutes (TRIs) located in various states and UTs conducting relevant research, student surveys and training and providing necessary inputs for formulating suitable policies and programmes. The potentialities of these institutions are not being harnessed fully. TRIs with their technical and professional manpower can be directed to take up action research participatory approach, especially with respect to PVTG development and livelihood programmes. In order to ensure coordinated efforts of these TRIs, it is necessary to designate a TRI as a nodal agency representing the respective region—East, West, South, North-East and Central. There are eight sub-schemes under the umbrella scheme of TRIs (Information Technology, Monetary Evaluation and so on).

**Economic Empowerment**

**24.57.** Economic development among the tribals largely depends upon agriculture and its allied activities. Besides, forest resources and minor forest produce contribute substantially to the tribal economy. Since more than one-fifth of the ST population depends on agriculture and forests, their ability to cope with the changing economic scenario, especially in taking advantage of the new economic avenues is minimal. This calls for capacity building in diversifying their livelihood sources. Economic empowerment of the STs is being promoted through implementation of various income and employment generating programmes focusing PVTGs. The details of the economic development programmes are given below:

### **National Scheduled Tribes Finance and Development Corporation**

**24.58.** National Scheduled Tribes Finance and Development Corporation (NSTFDC) is a Government of India owned undertaking under the ministry of Tribal Affairs. It provides financial assistance for income generating schemes for the economic development of scheduled tribes. The broad objectives of NSTFDC are identification of economic activities of importance to the scheduled tribes so as to generate self-employment and raise their level of income, upgradation of skills and processes used by the scheduled tribes by providing both institutional and on the job training. The eleventh plan outlay under the scheme is ₹260 crore but no expenditure was made during annual plans of 2007–08 and 2009–10 and outlay of ₹70.00 crore has also been allocated for 2011–12. Although a target of about 7.56 lakh STs were envisaged to be benefitted through NSTFDC during eleventh plan, only 3.88 lakh could be covered.

### **Market Development of Tribal Products**

**24.59.** Market Development of Tribal Products/Produce is a Central Sector Scheme under which the Ministry of Tribal Affairs extends Grant-in-Aid to Tribal Cooperative Marketing Development Federation of India Limited (TRIFED) for four main activities: (i) Retail Marketing Development Activity; (ii) Minor Forest Produce (MFP) Marketing Development Activity; (iii) Vocational Training, Skill Up-gradation; and (iv) Capacity Building of ST Artisans and MFP; and Research and Development/Intellectual Property Rights (IPR) Activity.

**24.60.** TRIFED is now functioning both as a service provider and market developer for tribal products. Further, in its role as a capacity builder, it imparts training to ST Artisans and Minor Forest Produce (MFP) gatherers. TRIFED is marketing its products through 39 outlets (26 outlets are its own and 13 outlets are on a consignment basis in association with state-level organisations). During 2007–12, the turnover only through retail marketing activities was ₹36.96 crore.

### **Grants-in-aid to State Tribal Development Cooperative Corporations**

**24.61.** The Central Sector Scheme Grants-in-Aid to State Tribal Development Cooperative Corporations (STDCCs) for Minor Forest Produce and so on for MFP Operations was launched in 1992–93 to help these State-level organisations. Grants-in-Aid are extended to these organisations under this Scheme for increasing the quantum of MFP handled by setting off operational losses; if need be; strengthening the share capital base of the Corporation for undertaking MFP operations thereby increasing the quantum of MFP presently handled; setting up of scientific warehousing facilities, wherever necessary; establishing processing industries for value addition with the objective of ensuring maximum returns on the MFPs for the tribals; giving consumption loans to the tribals; and supplementing Research and Development (R&D) activities.

### **Vocational Training Centre in Tribal Areas**

**24.62.** The Scheme of Vocational Training Centre in Tribal Areas was launched in 1992–93 to develop skills among the ST youth to enable them to gain employment and self-employment opportunities and improving their socio-economic conditions by enhancing their incomes. Under the scheme, the training for trades including modern trades are being provided through ITIs Polytechnics, Computer Training Centres. Besides, training on vocational trades are being provided through institutions/organisation who are running projects affiliated under 'Modular Employable Skills' and 'Craftsmen Training Scheme'. The scheme was revised in April 2009 and provides enhanced financial norms and a time schedule for submission of proposals. The scheme makes the organisations responsible for establishing linkages with placement services and arranging easy micro-finance/loans for trained youth through financial institutions, the NSTFDC and banks.

**24.63.** Special Central Assistance to Tribal Sub-Plan (SCA to TSP) is a special area programme, provided by the Ministry of Tribal Development to the State Governments as an additive to the State Plan to bring

about a more rapid economic development of tribals in the States (Details on SCA to TSP are furnished in the sub-chapter on SCSP and TSP).

### ***Social Justice and Protection***

**24.64.** Owing to their isolated existence, the tribals are not equipped to deal with the ever changing and complex socio-economic developments engulfing them. They are also susceptible to exploitation, atrocities and crimes, alienation from their land, denial of their forest rights and overall exclusion either directly or indirectly from their rightful entitlements. The PVTGs are the worst affected lot among the tribals.

**24.65.** The Protection of Civil Rights Act, 1955, (PCR Act) and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (POA Act) are two important legal instruments to prevent all types of social discriminations like untouchability, exploitation and atrocities. The National Crime Records Bureau Report 2007 states that highly endemic crimes/atrocities are being reported in the states like Madhya Pradesh (27.01 per cent), Rajasthan (20.01 per cent), Andhra Pradesh (13.06 per cent), Chhattisgarh (11.01 per cent), Orissa (7.01 per cent) and Jharkhand (4.08 per cent).

**24.66.** In order to ensure early prosecution of cases under the SC/ST Prevention of Atrocity (Act), 1989, 151 exclusive special courts have been set up in Andhra Pradesh (12), Bihar (11), Chhattisgarh (7), Gujarat (10), Karnataka (7), Madhya Pradesh (43), Rajasthan (17), Tamil Nadu (4) and Uttar Pradesh (40). State governments, such as Bihar, Jharkhand, Madhya Pradesh and Chhattisgarh have also set up special police stations for registration of complaints of offences committed against SCs/STs; 77 such special police stations have been set up so far incidents of crime against STs registered a decline of 4.5 per cent during 2006–07.

**24.67.** A scheme for development of Particularly Vulnerable Tribal Groups (PVTGs) was launched in 1998–99 towards survival, protection and development of the PVTGs in view of their fragile living conditions and declining trend of their population.

There are 75 identified PVTGs living in varied conditions and require PVTG specific attention to their distinct problems and needs. The scheme is, therefore, flexible in attending to diverse, living conditions of PVTGs having specific welfare and developmental needs as relevant to their socio-cultural environment. In the above lines, Conservation-cum-Development (CCD) Plan is prepared for each PVTGs. Activities undertaken include housing, land distribution, land development, agricultural development, cattle rearing, poultry, link roads, social security through insurance policy and so on. An amount of ₹670.00 crore was allocated for the Eleventh Plan for the scheme against which the likely expenditure to be incurred would be ₹614.00 crore which accounts for nearly 92 per cent utilisation. Besides supporting CCD based activities 22,400 PVTG families were covered under Janashree Bima Yojana.

**24.68.** Grants-in-Aid under Article 275(1) as 100 per cent financial assistance is being provided to the states through the nodal Ministry of Tribal Affairs. The objective of the scheme is promotion of welfare of the STs and upgradation of the level of administration in tribal areas. The funds are released based on specific projects, such as raising critical infrastructure and enhancing Human Development Indices of STs for bridging the gaps between STs and the general population. The Eklavya Model Residential School scheme has been in operation since 1997–98; it is run out of the funds under Article 275(1) for providing quality education to ST students in the tribal areas. To improve educational infrastructure and standard of education in tribal areas, these schools are modelled on the lines of Navodaya Vidyalayas. The likely expenditure during the Eleventh Plan would be ₹3,326.04 crore which is 82 per cent of the allocation of ₹4,059.00 crore for the same period.

### ***PESA: Panchayat Extension to Scheduled Areas Act (1996)***

**24.69.** Article 243M of the Constitution of India states that nothing in Part IX of the Constitution relating to Panchayat shall apply to Scheduled Areas referred to in Clause (1) of Article 244, that is, areas included in the Fifth Schedule that today lie in the 9 States of Andhra Pradesh, Chhattisgarh, Gujarat, Himachal

Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Orissa and Rajasthan. However, Article 243M(4)(b) goes on to say that ‘Parliament may, by law extend the provisions of this Part to the Scheduled Areas’ and this was done in 1996 when Parliament enacted ‘The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996’ (PESA). However, the extension of Part IX was—subject to certain exceptions and modifications. The most significant of these relate to definition of a Village and Gram Sabha, rules, responsibilities and powers of the Gram Sabha, Principle of Subsidiarity and Consistency of other Laws with PESA.

### *PESA Implementation*

**24.70.** PESA has been very poorly implemented across the nine States. One major impediment in operationalisation of PESA is the absence of a proper administrative definition of the village that is in consonance with the Act. All States, without exception, have continued with their earlier revenue definitions of the village. Thereby, not only does a village at times consist of 10–12 scattered hamlets, but several revenue villages are clubbed together to form a Gram Panchayat. This effectively precludes the functioning of a ‘face to face’ community as envisaged in PESA and eliminates the likelihood of a functioning Gram Sabha, which could shoulder the responsibilities of a unit of self governance. This calls for some remedial steps.

**24.71.** The success of PESA hinges crucially on the effective functioning of the Gram Sabha. Today, even in tribal areas, there is no automaticity to the functioning of the Gram Sabha and there is a large measure of exclusion of women. With growing socio-economic differentiation within and across Adivasi communities, there is also exclusion of those who are poorer or whose voice is weaker. To ensure that Gram Sabhas actually meet and become a vibrant fora of participatory democracy, as visualised under PESA, there is a need to facilitate this process by giving energy to it. This requires a *dedicated cadre of social mobilisers* at each GP level, specifically assigned with the task of mobilising the Gram Sabha and ensuring the effective participation of the marginalised, as also spreading greater awareness of laws such as PESA

and Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act and key flagship programmes of the government.

**24.72. *Land Alienation and Land Acquisition:*** A clear and categorical provision should be made in the Panchayati Raj Act or the Revenue Law through a notification under Para 5(1) of the Fifth Schedule to empower the Gram Sabha to restore the unlawfully alienated land to its lawful owner.

**24.73. *Community Resources:*** The term ‘community resources’ which is used in section 4(d) of PESA has not generally been defined. Section 129c (iii) of Madhya Pradesh Panchayat Raj Act does, however, provide a definition that could be commended to other States: ‘natural resources including land, water and forest within the area of the village’.

**24.74. *Mines and Minerals:*** The mineral rules should be amended on the pattern of Madhya Pradesh transferring all quarries with annual lease value up to ₹10 lakhs to the Gram Sabha and panchayats at different levels. This dispensation should cover all minor minerals. The consent of concerned Gram Sabha before awarding a lease should be made mandatory as per the directions of the Ministry of Mines and Minerals dated 26th December 1997. The practice of outright purchase of mineral bearing land by the mining companies should be stopped as the Mining Act envisages only a lease in these cases.

**24.75. *Intoxicants:*** A clear and categorical provision should be made in the Panchayati Raj Act or the excise law through a notification under para 5(1) of the Fifth Schedule to empower the Gram Sabha, on the same lines as in the Madhya Pradesh Excise Act fully empowering the Gram Sabha in all aspects mentioned in section 4(m)(i) of PESA. In all matters concerning intoxicants such as establishment of liquor shops, manufacturing units and so on, the views of women members in the Gram Sabha should be decisive, irrespective of the strength of their presence in the relevant meeting. In addition some broader changes may also be required for meaningful and effective implementation of PESA and protection of Adivasi rights.

**24.76. Non-Timber Forest Produce (NTFP):** There is great scope to set up an NDDDB-type institution (with deep pockets) to become a major player in the market for NTFPs that can support collectors of minor forest produce. Currently, in both nationalised and de/pre-nationalised regimes, these collectors are (i) disorganised (ii) very poor (iii) retain very little of the final value of their produce (iv) are at the bottom of value chains linked to fairly stable consumption patterns (for example tamarind, sal seed, mahua) but (v) can climb up the value chain and retain more value with appropriate interventions.

**24.77. Traditional Non-Timber Forest Produce (TNTFP) policies** have often been aimed at maximising state revenues and not the welfare of gatherers. The issue of bargaining power is crucial. Even where Adivasi collectors of NTFPs were organised into Self Help Groups (SHGs), they were unable to influence terms of trade for long. Local traders deployed a variety of tactics (commercial and otherwise) to ensure that SHGs were unviable as traders and gave little additional value to collectors through aggregation and collective bargaining. In some cases, where SHGs were persistent, traders, through unscrupulous tactics, ensured that these SHGs lost credibility with their own members. There is a need to visualise a new and powerful institution in the 'social entrepreneurship' mode to help primary collectors climb up the value chain and retain more value through professional sorting, grading, processing, packaging, branding and positioning. Such an institution would need to be committed to protecting Adivasi interests and must operate with great autonomy on strict business principles. Like the National Dairy Development Board (NDDB), it must have the requisite capacity to absorb inevitable losses in initial years when it will have to take risks and counter entrenched trading interests with competitive action. It is eminently possible to come up with a road map (work in this direction is already ongoing) to make NTFPs commercially profitable for the primary gatherers while also ensuring PESA compliance.

**24.78. Effective Administrative Mechanism:** It is abundantly clear that the existing administrative structures have been found inadequate in the process of implementation of PESA. It may be time now to consider the setting up of a permanent empowered

body in each Fifth Schedule Area to oversee and monitor compliance with PESA and Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. The details of such a body, including its powers, its constituents and its precise relationship with and accountability towards existing constitutional bodies, would each need to be carefully worked out.

**24.79. Institutionalised Mechanism of Conflict Resolution:** There is also need to facilitate creation of institutional mechanisms of conflict resolution in India of the kind that exist across the world in countries which have faced conflicts over use of natural resources, especially in the context of indigenous people. A conflict resolution framework designed to suit our specific circumstances, would help mitigate conflicts before they reach a point of no return. By creating win-win scenarios for all stakeholders concerned, many conflicts that become the breeding ground for Maoism can thereby be taken care of. This would also help in moving forward the momentum of industrialisation in the hinterlands.

#### ***Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act***

**24.80.** The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, popularly known as the Forests Rights Act (FRA), was enacted in 2007 through the Ministry of Tribal Affairs (MoTA) to correct the 'historic injustice done to forest-dwelling communities'. These communities were cultivating/occupying forest land and using forest produce since ages but had no tenurial security, as their rights of occupation and usage were not recorded during the settlement process. The Act recognises and vests individual forest-dwellers with forest rights to live in and cultivate forest land that was occupied before 13 Dec 2005 and grants community forest rights to manage, protect, regenerate the forest and to own and dispose minor forest products from forests where they had traditional access.

**24.81.** According to the findings of a government Committee<sup>1</sup> set up to study implementation of the Act, most States have concentrated almost entirely on implementing the provisions for individual forest rights (IFRs) and some States have achieved significant progress in granting individual rights. However,

implementation of the Community Forest Rights (CFR) aspect of the FRA has been very poor in all states and therefore its potential to achieve livelihood security for collection of minor forest products and changes in forest governance along with strengthening of forest conservation, has hardly been achieved as indicated below.

#### *Individual Titles*

**24.82.** More than 31.3 lakh claims have been filed till 30th June, 2011, out of which 26.8 lakh (86 per cent) claims have been disposed of. A total of 11.9 lakh titles (34 per cent of those disposed of) have been distributed and the rest have been rejected. In eleven States the implementation process has not yet started. This includes the north-eastern states (except Tripura), Bihar, Uttarakhand, Himachal Pradesh and Goa. In Tamil Nadu because of restrictive orders by the High Court on a petition filed, the progress has been slow. Some states (such as Jharkhand) have lagged behind in terms of both getting a plausible number of claims and in processing the received claims.

#### *Community Rights*

**24.83.** The progress of implementation of the Community Forest Rights (CFR) under FRA is abysmally low. In all states, the CFR process has not even got off the ground, due to lack of awareness, amongst communities, civil society organisations, or relevant officials. The main reason is that State Governments have not adequately publicised the CFR provisions or even internalised their importance themselves. Most communities are not even aware of the groundbreaking CFR provisions in the FRA. In addition, the forms are flawed, as they do not mention the relevant sub-sections of the Act. Given the serious inadequacies in implementation of CFR at all levels, there is a need for a second phase implementation of FRA in all states with primary focus on CFR. Both MoTA and MoEF need to take the lack of implementation of CFR with the seriousness it deserves.

#### *Checking Displacement of Tribals*

**24.84.** Land and forest are the most important concerns of tribals. Therefore, the guiding principle should be that tribals should not be dislocated from

wherever they inhabit. Should it become absolutely necessary to dislocate them, it must be by way of exception rather than rule and they; must be settled with their informed consent. Treating compensation as a panacea of all the ills associated with tribal land alienation should be discouraged completely.

**24.85.** The compulsory acquisition of land for public purposes and for public sector or private sector companies displaces tribals, forcing them to give up their home, assets, means of livelihood and vocation and to reside elsewhere and start their life all over again. The disproportionately large impact of displacement of tribals is evident from the fact that least 55 per cent of all displaced people are tribals and in States like Gujarat the proportion is 76 per cent. It has been an important reason for their pauperisation, often leading them to a state of shelterless and assetless destitution. The presumption that displacement is an inevitable consequence of all developmental efforts needs to be reassessed in the light of the enormous cost of human suffering in such projects. The need to avoid such large-scale displacement, particularly of tribals and in cases of unavoidable displacement, their comprehensive resettlement and rehabilitation (R&R) has become one of the central issues of the developmental process itself.

**24.86.** Today, project affected people are no longer in a mood to suffer passively. Consequently, there has been growing protest and militancy leading to tensions, conflict and violence. Unsatisfactory arrangements for their rehabilitation and resettlement creates opposition to acquisition of land and ultimately the costs involved in delayed acquisition of land is much more than the cost that would be incurred in case of a satisfactory compensation and rehabilitation. A well intended, liberal and comprehensive resettlement and rehabilitation policy is therefore required not only to protect the interests of the displaced or adversely affected people but also in the public interest to ensure quick acquisition and faster access to such acquired land.

**24.87.** Experiences of displacement and rehabilitation in India have revealed a long history of lack of rehabilitation or ill-planned, badly executed,

inadequate and inappropriate rehabilitation. Even according to Government estimates only 29 per cent of the affected have been rehabilitated leaving almost 13.2 million people uprooted from their homes (Roy 1994). All that the displaced persons are left with is their labour—most often unskilled and are therefore desperate for whatever work comes their way for survival. In addition, displacement of tribals from their land amounts to violation of the Fifth Schedule of the Constitution as it deprives them of the control and ownership of natural resources and land essential for their way of life.

#### *Condition of Tribal Women*

**24.88.** Tribal women are among the most vulnerable people in India. They are faced with a double discrimination of being tribal and being women within the tribal households. In LWE areas women are battered and raped by both the government and the rebels and there is no system of security or redressal for the same. As tribal women move out of their households to find work as domestic workers, they are exploited in their work-space too.

**24.89.** The figures for literacy among tribal women are extremely low. The levels of awareness about government services, health issues like AIDS, avenues for employment and so on are also extremely low among tribal women and as a result of this, they neither are able to access the services available nor are they able to explore their potentials to the fullest.

**24.90.** Basic amenities are completely absent from tribal settlements. Absence of electricity and basic sanitation facilities impacts the women the most. Only 15.2 per cent of ST households have drinking water which further spells out the burden on the women.

#### *Excise and Alcoholism*

**24.91.** Tribal communities traditionally brew liquor from rice or other food grains for their consumption which is also related to certain rituals or social occasions and festivities. The initiation of commercial vending of liquor in tribal areas has started impoverishing the tribal population leading them to suffer from indebtedness and exploitation of various types.

In 1975, the then Ministry of Social Welfare issued guidelines to the States and UTs regarding Excise Policy in Tribal Areas which included discontinuing commercial vending of liquor in tribal areas; permitting the tribal communities to brew traditional rice beer for their consumption; and weaning them away from the habit of alcohol consumption. Although the States and UTs have broadly accepted the guidelines, effective follow-up action is not taken for their implementation. More important, States with a view to augmenting their revenue tend to persist with and even extend commercial vending of liquor in the tribal areas ignoring the harmful effect on the tribal population.

#### *Intellectual Property Rights*

**24.92.** The tribal communities are mostly dependent on biological resources related to plants and animals/birds. Their livelihood and life style often depends upon and is shaped by these resources. Therefore, their survival and sustenance is intricately linked to conservation and utilisation of these resources. Corporate protectionism in terms of patents and intellectual property rights (IPR) arising out of various international treaties/instruments on trade and common property resources such as TRIPS under WTO represents a real threat to economic livelihood of these communities as well as a source of potential exploitation of their resource base as bio-diversity expressed in life forms and knowledge is sought to be converted into private property and treated as an open access system for free exploitation by those who want to privatise and patent it. There is an urgent need to provide appropriate legal and institutional arrangements for recognising and acknowledging the rights of tribal communities to such resources and knowledge.

#### *Unrest in Tribal Areas: Left Wing Extremism*

**24.93.** The majority of tribal districts are facing problems of violence during the last couple of decades. Chhattisgarh, Jharkhand, Bihar, Maharashtra, Andhra Pradesh, West Bengal, Uttar Pradesh and Madhya Pradesh are the worst-affected States. Of the 76 left-wing extremist-affected districts in the country today, 32 are PESA districts. The LWE districts extend across significant parts of

Bihar, Jharkhand, Orissa, Chhattisgarh and Andhra Pradesh, leading to the term, 'The Red Corridor'. However, some analysts pertinently argue that the analogy of 'The Speckled Band' more aptly describes the Maoists' area of influence, given they have control over some selected forested pockets in the districts stretching across the heart of central India. This includes the epicentre of the banned party's base in the Dandakaranya region, a vast forested area on the borders of Andhra Pradesh, Chhattisgarh and Orissa. While the senior leadership of the party is mostly drawn from non-tribal communities, much of the rank and file comes from local villages and has built on their grievances emanating from the non implementation of PESA.

### Scheduled Tribes: Strategy for the Twelfth Plan

24.94. The perpetuation of socio-economic backwardness among the STs, inspite of the efforts made so far, presents a formidable challenge demanding effective and result-oriented steps in every developmental sector in the Twelfth Plan. The approach of the Twelfth Five Year Plan must be to achieve overall improvement in the socio-economic conditions of the Scheduled Tribes. To this end the following must be key elements:

- Relaxing the normative prescriptions about taking up a programme or a scheme in the Tribal majority areas.
- Administrative strengthening of the implementing agency so as to enable taking up implementation of these programmes in the scheduled/tribal areas. This may also require a clear cut personnel policy with regard to posting of officials in those positions, fixity of their tenure and incentivising these officials for having rendered their services in those areas for a prescribed period.
- Preferring engaging people from the tribal community itself in the areas predominantly inhabited by tribals for government efforts at spreading education, health and extension services, nutrition, public distribution, and so on. If necessary, the basic minimum qualification for such engagements could be relaxed for a specified period (say

during the Twelfth Five Year Plan period). For example, engaging a +2 student from the nearby locality for teaching tribal students in primary classes.

- Sensitising officials detailed for serving in the tribal areas so that they become empathetic to the sensitivities of tribal lives and their traditions.
- Reorganising basic services such as nutritional interventions, education, health services, public distribution system, employment generating activities under MGNREGA with posting adequate staff with surety of tenure and assurance of funds to implement these programmes.
- Emphasis on education, health and livelihood support. For education, schools must be opened wherever necessary and for matriculation and above, facilities at designated places should be created. For health, necessary extension work and facilities for preventive medical-care should be ensured. For livelihood support, apart from the land and forest based activities under MGNREGA imparting of skills and creating employment opportunities near their habitations should be encouraged. For this skills relevant to the tribals should be identified on the basis of a socio-economic survey and then necessary skills training should be provided to them.
- No post in the implementing agencies in scheduled areas/areas with tribal majority should be left vacant; every post must be filled up and wherever necessary, additional posts should be created for effective implementation.
- Implementation of the schemes must be monitored closely at prescribed periodicity. Implementation should not be made to suffer on account of problems associated with transfer of funds.
- Better coverage in roads for tribal areas (population of 500–1,000), with population up to 100 being covered in LWE to be connected.
- Better connectivity through railways in LWE and tribal areas.
- Land acquisition of tribal land to be addressed as required under PESA and displaced tribal population to be resettled and rehabilitated.
- Tribal communities to have full right to minor forest produce.

- Converge MGNREGA with artisanal work to provide livelihood to tribals, many of whom are engaged in artisanal work.
- Land and Tenancy Reform: Deal with outstanding matters of tribal ownership.
- Increase coverage of the most vulnerable within the STs in the health sector. Increase cadre of health workers to better serve tribals.
- Plan within a plan of the Twelfth Plan: Suitable programmes for Central Indian Tribal Belt, border and backward areas and those who suffered discrimination like DNTs.
- Better and speedy implementation of PESA and FRA Institutional Mechanism of Conflict Resolutions.

#### **Educational Development**

**24.95.** A number of development projects viz. industrial, power or irrigation facilities are setup in the tribal areas. Though these projects offer tremendous opportunities for the economic advancement for the tribal people living in these areas, very little of the benefits actually accrue to tribals due to lack of adequate and eligible candidates for the jobs created. Tribal youth must be equipped with necessary education and skill abilities to take advantage of job opportunities in their areas and elsewhere. Otherwise, the opportunities will go in favour of outsiders, leaving a feeling of deprivation and discontent among the tribal youth.

**24.96.** Although school coverage has increased, STs continue to lag far behind the rest of the population. A special problem is that the STs use a language which is typically different from that of the State and this hampers their ability to do well in the educational system.

**24.97.** To deal with the low levels of literacy among tribals and to bridge the gap between dropout rates between tribals and non-tribals, there is a need to focus on elementary education. Therefore, there is a need to start a scheme of Pre-Matric Scholarship for all ST children across the country. The objectives of the proposed scheme are to support parents of ST children for education of their wards studying in classes' I-X so that the incidence of drop-out,

especially in transition from the elementary to the secondary stage, is minimised.

**24.98.** The scheme of Vocational Training Centres in Tribal Areas is to upgrade the skills of the tribal youth in various traditional/modern vocations depending upon their educational qualification, present economic trends and the market potential, which would enable them to gain suitable employment or enable them to become self-employed. The scheme is exclusively for benefit of the Scheduled Tribes as well as PVTGs. Vocational training, including women's training, should be an important complementary part of the elementary and secondary stages. At least one ITI/Polytechnic should be established in each development block of TSP areas. Other training centres should include women's community polytechnics undertaking rural and community development activities through application of science and technology.

**24.99.** The Centrally Sponsored Scheme of Post-Matric Scholarship (PMS) to ST Students is the single intervention by the Government of India for educational empowerment of STs—involving 100 per cent central assistance to States over and above their earlier committed liability are awarded to all eligible ST students to pursue studies beyond matriculation and in all courses. The recommendations for the scheme's continuance in the Twelfth Five Year Plan include:

- The rates of scholarship and income ceiling should be revised at regular intervals in line with the price index each year. The income ceiling of parents should also be enhanced as would be appropriate from time to time.
- Possibility of paying College fees directly should be explored and students should not be asked to pay for any fees under the scheme. The fee should be paid promptly during the academic year so as to avoid any harassment to ST students.
- Scholarships to students either as day scholars or hostellers should be paid on a monthly basis to defray their expenses through an online system or remitted into the bank accounts of students.

- The number of awards allotted to each State Government per annum should be increased under the scheme of Upgradation of Merit for ST students for improving the capability of the students belonging to STs to enable them to compete more effectively for admission to professional colleges/institutions or to overcome educational deficiencies.

**24.100.** In order to promote education among ST girls and boys facilitating them to continue studies without dropping out of school, there is a need to expand the Scheme for Hostels for ST Girls and Boys, especially focusing the deficit areas across the States especially girls hostels. Evaluation studies have pointed out that infrastructure facilities are poor in most of the hostels; maintenance of the buildings is not up to the mark; and construction of hostel buildings is often hampered due to non-receipt of proper/complete proposals from the States. Infrastructure facilities and maintenance of the hostels needs constant improvement. There is a need to reduce the time taken for the construction of hostels from five to two years.

**24.101.** Under the Scheme of Ashram Schools in TSP areas, as of now, State Governments are eligible for 100 per cent central share for constructions of all Girls' Ashrams Schools and also for constructions of Boys' Ashram Schools in naxal affected areas. It is recommended that:

- It would be desirable that 100 per cent grant-in-aid is given for Establishment of Ashram Schools and Hostels for ST Boys also even in the non-Naxal areas.
- Qualified teachers belonging to the local tribal communities should be trained and placed in position as teachers in Ashram Schools.

**24.102.** The Rajiv Gandhi National Fellowship (RGNF) scheme for ST students was launched in 2006 with the objective of providing financial assistance to ST students pursuing M. Phil and Ph.D. Under this scheme, 667 fellowships are provided annually to ST beneficiaries. There is a justified need

to increase the number of fellowship from 667 to 1,000 made available under the scheme.

**24.103.** The Scheme of scholarship for Institutes of Excellence/Top Class Institutes is to provide liberal financial support to a maximum 625 ST Students per year admitted in premier professional educational institutes. Larger coverage of ST candidates with special coaching would help enhance the effectiveness under the scheme as more candidates would be qualified to avail admission into the designated premier institutions.

**24.104.** National Overseas Scholarship (NOS) scheme for ST students awarded to 15 students for pursuing higher studies abroad leading to Master-level courses and Ph.D. programme in specific field of Engineering, Technology and Science. The number of awards under the scheme should be increased to give a fair share to ST students. Income ceiling for eligibility under the scheme should be enhanced to ₹5 lakhs per annum. The scheme should be extended so as to cover all disciplines of higher education. Orientation procedure should be facilitated at Centre, State and district level.

### *Health*

**24.105.** The Tribal Affairs Ministry operates the scheme of Grant-in-aid to Voluntary Organisations (VOs) working for the Welfare of STs, to NGOs for running 10 or more bedded hospitals and Mobile dispensaries in Tribal Areas. There is also a need for taking up health programmes/projects in a big way through Public-Private Partnership especially for running Primary Health Centres in remote tribal areas.

**24.106.** Tribals have traditionally depended on their traditional methods of healing/treatment for minor day to day ailments and the major ones too. There is a need for evolving a new strategy of combining the indigenous tribal medicine with other medical systems. A systematic effort need to be made to document this traditional tribal knowledge of medicinal/herbal plants, standardising it and recognising it as an independent system of medicine. The local tribals especially the traditional healers can be trained and

be entrusted with the responsibility of treating the people on remuneration and so on.

**24.107.** To prevent the problem of malnutrition, local cereals, along with pulses and oils in adequate quantity should be ensured to the tribal families. In this context, the system of public distribution should be modified appropriately in tribal areas. The management of PDS and Anganwadi Centres should involve local tribals, especially women and ensure that acceptable local food is provided to the children. The vulnerable PVTGs should be assured of food security by gradually initiating them into agriculture and other income generating activities.

**24.108.** Tribal areas suffer from the problems of non-availability or scarcity of safe drinking water. All tribal habitations should be provided with safe drinking water supply sources and sanitation facilities by the end of the Twelfth Plan period. Efforts also need to be made to ensure sanitation facilities to prevent health hazards envisaging from the unhygienic living conditions. To this effect, panchayat members and the community may be provided training to handle situations at the time of epidemics, to maintain sanitation and hygiene in the village and also to clean the water to make it safe for drinking.

**24.109.** Frequent immunisation campaigns may be taken up at regular intervals in tribal areas publicising them widely through public address system and mobile health units. Regular IEC programmes on health related behaviours, gender bias and wrong customary practices like adverse impact of early child-bearing, smoking, drug-addiction, alcohol, malnutrition factors, unsafe sex and so on.

#### ***Mahatma Gandhi National Rural Employment Guarantee***

**24.110.** Extensive implementation of MGNREGA in tribal blocks should be ensured for extension of the benefits envisaged under it and particularly to prevent distress migration and trafficking. Effective monitoring, social audits and their reviews should be conducted specially to ensure if ST women are getting the cards and employment.

**24.111.** MGNREGA works should be decided by the Gram Sabha according to PESA. But, in practice, they are being decided top down by government officials and line-departments mostly targeting promotion of plantations on adivasi lands, using MGNREGS money to force down programmes of planting rubber, palm oil, biofuel, cashew nut, coffee and so on. Such actions are contrary to the policy and law and should attract punitive action.

**24.112.** The higher participation of the STs among the beneficiaries of the MGNREGA scheme is an indication of the fact that this section of the society needs more attention in this regard. There is need to incorporate a TSP component in the implementation of the Scheme in order to meet the objective of inclusive growth. The TSP component should not be based merely on the population share, but rather on the extent of deprivation and need arising there from.

**24.113.** Limit of providing maximum 100 days employment to a household in a given financial year under NREGA should be removed, as in tribal areas work of agriculture labour is available only for a period of 2-3 months during the year.

#### ***Entrepreneurship***

**24.114.** Entrepreneurship among tribal youngsters should be developed. One of the reasons as to why tribal communities are not economically advanced in spite of their land holdings is that they have no skill in business. Efforts need to be made to encourage tribal entrepreneurship in small and large-scale businesses. Funds should be made available for them to set up enterprises in rural and urban areas. Export of tribal handicrafts should be encouraged by the government which will give more jobs to people thereby improving their economic condition.

#### ***Land***

**24.115.** Land is the primary livelihood asset of tribals, but over decades it has been going out of their possession because of their ignorance of laws and because of deceit, coercion and other methods followed by mis-appropriators of tribal land, all in violation of laws, often in collusion with elements in the

official machinery and elements in the political leadership of State Governments. The nodal Ministry needs to take necessary steps to ensure proper implementation of land alienation laws. Uncultivable land of tribals should be made cultivable under the affirmative action of MGNREGA. Irrigation is a critical input for higher productivity and higher production. Small and not-so-small irrigation projects (avoiding large projects) are required in tribal areas. Five Year Plans should be drawn up (some may exist already) for comprehensive irrigation and implementation in a staggered fashion. The irrigation schemes will not only increase agricultural productivity but also provide employment to tribal men and women. Efforts should be directed towards the hitherto neglected large tracts of agriculturally unexploited tribal areas keeping in view the advantages and merits of the indigenous seeds, practices and traditional techniques and methods.

**24.116.** A crash programme for providing land to the landless tribals should be undertaken. Convergence among various subsidy and loan schemes of central and state governments for STs should be ensured, so that both subsidy and low interest loans are available to STs especially their women.

**24.117.** Acquisition of tribal land should only be allowed with full statutory protection already existing under land alienation laws and the provisions of the Fifth Schedule. No tribal land should be acquired without explicit and informed consent of the affected tribals, keeping in mind the provisions of the PESA Act.

#### ***Atrocities on STs***

**24.118.** Effective implementation of all legal provisions such as the Juvenile Justice Act (JJ) Act, Bonded Labour Abolition Act and Protection of Women against Domestic Violence Act, SC/ST Prevention of Atrocities Act (POA), Immoral Trafficking Prevention Act (ITPA), and so on to provide protection to tribal women and children should be ensured. For this adequate grievance redressal mechanisms should be put in place especially to deal with non-registration of FIRs and for providing time bound

relief and guidance to tribals. A District Level Committee comprising of credible NGOs/Advocates and other stakeholders should be constituted to monitor and support these initiatives. NCST needs strengthening through improvements in the functioning of the Commission and placement of requisite manpower at its Headquarter and Regional offices.

#### ***Geographical Exclusion and Human Resource Management***

**24.119.** Tribal Areas suffer from geographical exclusion which impacts upon the availability of physical and social infrastructure and quality of services rendered to the people. Social facilities do not function because service providers are unwilling to work in the area. Measures taken from time to time to incentivise these services have failed to change the situation. The main reason for persistence of this problem is centralised recruitment to various posts and eligibility conditions for competing for the posts which enable non-tribals from urban/developed areas to compete and get recruited. However, as they have no inclination to work in remote tribal areas and a centralised cadre management of these service providers. The solution lies in identifying suitable individuals from tribal areas where services are deficient and sponsor them for courses in specialities required and recruiting them on successful completion of these courses. Also, a change in the recruitment rules and eligibility criteria for this purpose is required so that local persons can acquire necessary qualifications and can get recruited.

**24.120.** There is a need to decentralise cadre management of these services from state level to district level and where necessary even lower. This would enable transfer and postings to take place within the district and prevent outsiders from grabbing jobs. Another suggestion is to decentralise delivery of basic services to the community. This would inter alia involve capacity building for the Gram Sabha. The Gram Sabhas should be legally and operationally empowered to conduct social audit of tribal development programmes to enforce people's participation, transparency and accountability of the implementing agencies and officials.

***Protection of tribal Women***

**24.121.** Tribal women suffer double disadvantage and intra-household disparities as well. There needs to be a concentrated effort to empower tribal women. Some suggestions are as follows. Vocational training, including women's training, should be an important complementary part of the elementary and secondary stages. At least two ITIs/Polytechnics should be established in each development block of TSP areas. Other training centres should include women's community polytechnics undertaking rural and community development activities through application of science and technology. To prevent the problem of malnutrition, local cereals, along with pulses and oils in adequate quantity should be ensured to the tribal families. In this context, the system of public distribution should be modified appropriately. The management of PDS may be handed over to the tribal community through its own institutions. In Anganwadi centres also, acceptable local food should be provided to the children. The Anganwadi Centre should be managed by local tribal women. Convergence among various subsidy and loan schemes of central and state governments for STs should be ensured, so that both subsidy and low interest loans are available to particularly ST women. Special programmes for extension and provision of agri-implements, capital and technology, particularly irrigation technology, to ST women should be commissioned. Krishi Vigyan Kendra (KVKs) under State Agriculture Universities should be deployed to promote dissemination of such practices to ST women. Mapping of the jobs in the public sector companies reserved for STs (for example drivers in Road Transport Corporation) should be undertaken and ITIs should take up special programmes for ST youth and women to provide skill trainings for those jobs.

***Research, Information and Mass Education, Tribal Festivals and others***

**24.122.** The objective of the ongoing scheme of 'Research, Information and Mass Education, Tribal Festivals and Others' is preservation and promotion of tribal culture; capacity building and awareness generation; and monitoring and evaluation of various welfare and development programmes

implemented by the Ministry. During the Twelfth Plan period, the proposal is to continue focusing on the core areas and shall include preservation, protection and promotion of tribal culture; capacity building of various stake holders and advocacy; improved delivery system through effective monitoring and evaluation—forge partnership with the Traditional Tribal Institutions (TTIs)/Community Based Organisations (CBOs) where ever feasible. The scheme would cater to the needs of information and knowledge for the policy makers and implementers as well as to the beneficiaries and citizens at large.

**SCHEDULED CASTE SUB PLAN (SCSP) AND TRIBAL SUB PLAN (TSP)****Background**

**24.123.** Despite Constitutional directives and a number of legislative and executive measures taken by the Government since independence, there are large gaps between the living conditions of the general population and those of SCs and STs. Successive Five Year Plans have attempted to reduce these gaps and while there is some evidence of convergence, the gaps still remain at a level that is unacceptably high.

**24.124.** The persistence of socio-economic backwardness of the SCs and the STs in spite of the development efforts had warranted a special and focused strategy, inter alia, to enable them to share the benefits of overall economic growth in a more equitable manner. This has been sought to be achieved through the Special Component Plan (SCP) for Scheduled Castes, now known as Scheduled Caste Sub Plan (SCSP) and the Tribal Sub-Plan for Scheduled Tribes.

***Schedule Caste Sub Plan (SCSP)***

**24.125.** The prime objective of Scheduled Caste Sub Plan (SCSP) is to channelise funds and benefits through identified schemes, for which the States/UTs and Union Ministries have to earmark funds in proportion to the SC population in the State/UTs and the country respectively. The Special Component Plan which contains details of financial and physical targets is expected to form an integral part of Plan documents of States/UTs and Centre. Some of these schemes are envisaged to help the poor SC families

through composite income generating programmes. Such family oriented programmes are expected to cover all major occupational groups amongst Scheduled Castes such as agricultural labourers, small and marginal farmers, share croppers, fishermen, sweepers and scavengers, urban unorganised labourers below the poverty line, and so on. In addition, the Special Component Plan seeks to improve the living conditions of Scheduled Castes through provision of drinking water supply, link roads, house-sites and housing improvements, establishment of such services as primary schools, health centres, veterinary centres, panchayat ghars, community halls, nutrition centres, extension of electricity, common work places, common facility centres, and so on.

#### *Tribal Sub-Plan (TSP)*

**24.126.** The prime object of the Tribal Sub Plan is development of tribal areas. The TSP concept, thus, aims on one hand, at the quantification of investment in the Sub-Plan areas commensurate with its size and on the other, at an all-round development of the tribal communities, in accordance with their needs. Keeping in view the distinct tribal situation, the TSP has set the twin objectives: (i) socio-economic development of STs; and (ii) protection of tribals against exploitation. Through realisation of these objectives, the ultimate aim of the TSP strategy is to narrow the development gap of the tribals with the rest of the country.

**24.127.** The development of tribal economy under TSP is envisaged through sectoral efforts including (i) Agriculture and allied activities, through provision of minor and medium irrigation facilities supplemented by programmes for animal husbandry, dairying, poultry, and so on; (ii) improvised credit and marketing facilities so as to ensure adequate return of the produce of the tribals in respect of agriculture and minor forest products; (iii) special training programmes for tribal farmers for agricultural extension supported by the provision of agricultural infrastructure; (iv) preparing suitable forestry programmes ensuring tribals' participation as equal partners; (v) promoting agricultural production through improved method of cultivation and rural electrification to promote small scale industry.

**24.128.** Provision of basic infrastructure for speeding up the socio-economic development of the tribal areas under TSP is another priority. Growth centres, communication network, schools, health centres, rural electrification, drinking water and other facilities and so on are being provided to the tribals. Protection of tribals against exploitation is sought to be done through land laws prohibiting transfer of tribal lands to non-tribals, law regulating money lending in tribal areas and laws for acquiring monopoly rights of collection and marketing of forest produce. The TSP pays special attention to the welfare and development of Particularly Vulnerable Tribal Groups (PVTGs) and tribals with special problems.

#### *Special Central Assistance (SCA) to SCSP and TSP*

**24.129.** The scheme of Special Central Assistance (SCA) to SCSP and TSP, launched in 1979, extends financial assistance to States/UTs as an additive to their SCSP and TSP programmes. It is meant to support the efforts of States/UTs for the overall development of SCs and STs. The funds provided under SCA to the States/UTs are intended to augment their efforts for economic development. SCA is a lump-sum amount received from the Planning Commission and is allocated to States/UTs by the nodal Ministries that is, Ministry of Tribal Affairs and the Ministry of Social Justice and Empowerment.

**24.130.** Under the Special Central Assistance (SCA) to SCSP, 100 per cent grant was initially given to fill the critical gaps by providing the missing inputs in family oriented income generating schemes. To enlarge the scope of the utilisation of SCA to SCP, new guidelines were issued in 1993. As per the new guidelines, SCA could also be used for infrastructural development in the blocks having 50 per cent or more of SC population subject to the condition that SCA allocation is made use of in such a way that it encourages larger efforts for development of SCs. SCA is released to the States/UTs on the basis of following criteria:

- |        |  |             |
|--------|--|-------------|
| i) (a) | On the basis of SC population of States/UTs:             | 40 per cent |
| (b)    | On the basis of relative backwardness of the States/UTs: | 10 per cent |

- ii) (a) On the basis of percentage of SC families in the States/UTs: coverage by composite economic development programmes in the Plan to enable them to cross the poverty line. 25 per cent
- (b) On the basis of the percentage of SCP to the Annual Plan as: Compared to the SC population percentage in the States/UTs. 25 per cent

**24.131.** SCA to SCSP which made a modest beginning with a token provision of ₹5.00 crores in 1979–80 has been expanded to enhance its allocation to ₹2,805.00 crore in the Eleventh Plan. As per the available information, nearly 64 lakh SC families were provided with assistance to pursue viable economic activities and cross the poverty line during the first four years of the Eleventh Plan (2007–08 to 2011–12). At present, SCA is released to 27 States/UTs.

**24.132.** The Special Central Assistance (SCA) to TSP is extended to States/UTs as an additive to supplement and fill the gaps in their Plan outlay. It is also meant for the family-oriented income generating schemes in the sectors of agriculture, horticulture, minor irrigation, soil conservation, animal husbandry, forestry, education, cooperation, fisheries, village and small scale industries as well as the Minimum Needs Programme and so on.

**24.133.** The criteria for allocation of SCA to TSP have been fixed on the basis of certain norms and Integrated Tribal Development Projects (ITDPs), Modified Area Development Agency (MADA) Pockets, Particularly Vulnerable Tribal Groups and dispersed Tribal Groups. After setting apart 10 per cent of SCA for dispersed tribals, the balance amount is allocated broadly on the basis of ST population, geographical areas and inverse proportion of per-capita Net State Domestic Product. The total SCA released to States/UTs under TSP in the Eleventh Plan was in the order of ₹2,872.10 crore. About 15 lakh STs were assisted to cross the poverty line during the Eleventh Plan.

### **Review of Implementation of SCSP and TSP**

**24.134.** Despite the fact that strategies of TSP and SCSP had been in operation for more than three decades, they could not be implemented as effectively as desired. The expenditure in many of the States/UTs was not even 50 per cent of the allocated funds. No proper budget heads/sub-heads were created to prevent diversion of funds. There was no controlling and monitoring mechanism and the planning and supervision was not as effective as it should be.

**24.135.** In order to examine the issues related to TSP and SCSP, to revitalise/re-activate these strategies, especially to ensure that population-proportionate funds flow for the development of STs and SCs, a Central Standing Tripartite Committee was constituted in May, 1999, inter alia, with the following mandate:

1. to look into the reasons for not implementing the Guidelines concerning SCSP and TSP and to suggest specific measures for their compliance;
2. to identify specific schemes which would benefit SCs and STs under various developmental sectors and their prioritisation along with earmarking of funds for them; and
3. to review the progress of implementation, impact assessment and monitoring of SCSP and TSP and utilisation of SCA to SCSP and TSP and the Grant-in-Aid under Article 275(1) and advise the Planning Commission on measures which would serve the interests of these communities more effectively.

**24.136.** The Committee, besides suggesting certain remedial measures, also advise the concerned Central Ministries to tie up effectively with the concerned State Governments. So far, six States, viz. Andhra Pradesh, Bihar, Madhya Pradesh, West Bengal, Punjab and Gujarat could have such Committees at their level. As the institutional set up of the CTC for monitoring the implementation of SCSP and TSP has not proved effective, it would be replaced with a new high level committee, which will be pro-active and meet at least once in a quarter to address the issues relating to SCSP/TSP.

***Task Force to Examine and Revise the extant of guidelines for Implementation of SCSP and TSP***

24.137. The Planning Commission constituted in 2010 a Task Force under the Chairmanship of Dr. Narendra Jadhav, Member, Planning Commission, to review the operational difficulties in implementing TSP/SCSP and suggesting necessary remedial measures by re-examining the existing guidelines and revising the same appropriately for effective and meaningful implementation in future.

24.138. The Task Force has recommended that Central Ministries/Departments should categorise Plan Expenditure under TSP and SCSP into two broad categories that is (i) Expenditure on poverty alleviation and individual beneficiary oriented programmes; and (ii) Expenditure on other schemes which are incurred in: (a) ST and SC concentration areas respectively, that is in the villages, blocks and districts having more than 40 per cent ST/SC population and (b) in other areas, in a way that demonstrably benefits the STs/SCs.

24.139. For earmarking funds under SCSP and TSP the Central Ministries/Departments have been divided into four categories that is (i) Ministries/Departments with no obligation for earmarking funds under TSP/SCSP; (ii) Ministries/Departments required to do partial earmarking; (iii) Ministries/Departments which will be required to earmark between 7.5 per cent to 8.2 per cent for TSP and 15 to 16.2 per cent for SCSP of their Plan Outlays; and (iv) Ministries/Departments which will be required to earmark more than 8.2 per cent for TSP and 16.2 per cent for SCSP of their Plan Outlays. The Task Force also recommended that administrative mechanisms in Central Ministries/Departments needs to be adequately strengthened so that they properly implement SCSP/TSP.

24.140. The Task Force recommendations are under consideration. Pending a final decision, the process of earmarking funds under SCSP and TSP has already been initiated during 2011–12. Budget Head(s) have been created as Code 789 for SCSP and Code 796 for TSP. Planning Commission and the Central Ministries/Departments have started indicating earmarked allocation under SCSP/TSP in the

Statement of Budget Estimates jointly signed by the Planning Commission and the concerned Central Ministries/Departments.

**SCSP and TSP: Strategy for the Twelfth Plan**

***Towards a Paradigm Shift: From 'Post-facto Accounting' to 'Pro-active Planning for SCSP/TSP'***

24.141. In keeping with the objective of more inclusive growth, steps will be taken to reform the Scheduled Caste Sub-Plan (SCSP) and the Scheduled Tribe Sub-Plan (TSP). These Plans have the potential to become effective mechanisms in closing the development gap between the Scheduled Castes, Scheduled Tribes and other sections of the society. Towards this goal, the Twelfth Plan proposes a set of key implementation measures to strengthen the SCSP/TSP planning process. These include earmarking of SCSP/TSP funds from the total plan outlays well in advance of the commencement of the financial year, preparation of pro-active planning documents as Sub-Plans, an appraisal and approval mechanism for the Sub-Plans so formulated, and a robust mechanism for monitoring and evaluation of outcomes. An Institutional framework to effectively implement these changes will be set up in the Planning Commission. At the State level, there will be an apex body headed by the Chief Minister and designated Nodal Department, which will appraise the SC/ST Sub-Plan for the State.

24.142. The efforts made in pursuance of the Task Force recommendations have finally brought about some visible changes in the formulation and implementation of SCSP and TSP. Evidently, for the first time in 2011–12, 25 and 28 Central Ministries and Departments have categorically earmarked funds under SCSP and TSP, respectively. Having made a beginning in the Annual Plan 2011–12, there is need to further consolidate and improve upon the implementation of SCSP and TSP across sectors, ensuring not only optimal earmarking of funds under SCSP/TSP as per the guidelines, but also utilising the same in achieving the outcomes in measurable terms. The Ministries of Social Justice and Empowerment and Tribal Affairs need to spearhead the task of formulation, implementation and monitoring of SCSP/TSP as nodal coordinating agencies.

**24.143.** Based on the experience of implementing the SCSP/TSP by the Central Ministries/Departments, the guidelines issued by the Planning Commission will be reviewed to remove any shortcomings, so as to ensure that at least 16.2 per cent of the Central Plan outlay is earmarked under the Schemes/Programmes that benefit the SC community demonstratively, and 8.2 per cent of the Central Plan outlay is earmarked under the Schemes/Programmes that benefit the ST community demonstratively.

#### **OTHER BACKWARD CLASSES (OBCs)**

**24.144.** Other backward Classes (OBCs) comprise the castes and communities which are found common in the lists of the Mandal Commission Report and the Lists of the individual State Governments. The NSSO survey conducted during 2004–05 (61st Round), estimated that the OBC population constituted 41 per cent of the total population.

#### **Constitutional Safeguards**

**24.145.** The Constitution does not make any specific provisions for OBCs, but Article 15 of the Constitution empowers the States to make any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes. Article 16(4) also empowers the State to make provisions for reservations in appointments in favour of any backward class of citizens which in the opinion of the States is not adequately representative in the services under the State. The Directive Principles of State Policy of the Constitution (Article 46) also state that ‘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 Scheduled Tribes and shall protect them from social injustice and all forms of exploitation.’ It also empowers the State to appoint a Commission to investigate into the conditions of socially and educationally backward classes (Article 340).

#### **Overview of OBCs: Review of the Eleventh Plan**

##### *Educational Development*

**24.146.** The aim of the scheme of Pre-Matric Scholarship launched in 1998 was to motivate children of

OBCs studying at pre-matric stage. As such, scholarships are awarded to students belonging to OBCs whose parents/guardian’s income from all sources does not exceed ₹44,500 per annum. Although the rates of Pre-Matric Scholarships for OBCs have been fixed by the Central Government, there is a variation in rates among the States.

**24.147.** The Scheme of Post-Matric Scholarship being implemented since 1998 is intended to promote higher education by providing financial support to OBC students studying at post-matric/post-secondary levels including Ph.D. degrees. The scheme was revised in August, 2011 w.e.f 01.07.2011. As per the revised scheme, the parental income ceiling was raised from ₹44,500 to ₹1 lakh. A total of 58 lakh OBC students are estimated to have received Post-Matric Scholarships during the first four years of the Eleventh Plan. The Scheme of Assistance for Construction of Hostels was instituted in 1998 for extending better educational opportunities to students belonging to Other Backward Classes (OBCs) by providing hostel facilities to boys and girls to continue their studies and thus ensure their retention and prevent dropouts. The scheme was revised in December, 2010. A total number of 22,375 hostel seats were sanctioned in the first 4 years of the Eleventh Plan. Under the revised Scheme, priority is given to uncovered regions and districts/towns having educational institutions. An outlay of ₹180.00 crore was provided for the ‘Scheme of Hostels for OBC Boys and Girls’ for the Eleventh Five Year Plan (2007–12). Against the outlay provided, the expenditure anticipated was to the order of ₹126.96 crore.

##### *Economic Development*

**24.148.** The National Backward Classes Finance and Development Corporation (NBCFDC) was set up in the year 1992. The Corporation provides additional channel of finance to Backward Classes for economically and financially viable schemes and projects for upgrading the technological and entrepreneurial skills of individuals or groups belonging to Backward Classes. NBCFDC assists a wide range of income generating activities, which include agricultural and allied activities, artisan and traditional occupations, technical trades, small scale and tiny industry, transport services and so on. Entrepreneurs with annual