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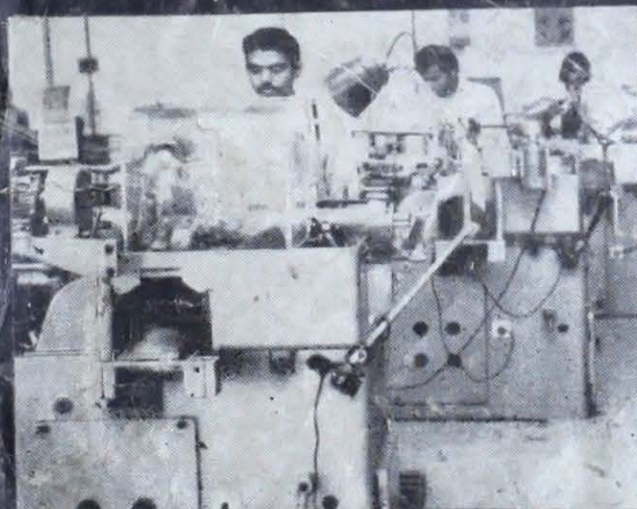
DEVELOPMENT OF TRIBAL AREAS



सत्यमेव जयते

NATIONAL COMMITTEE ON THE DEVELOPMENT OF BACKWARD AREAS

JUNE, 1961



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REPORT ON
DEVELOPMENT OF TRIBAL AREAS

**NATIONAL COMMITTEE
ON
THE DEVELOPMENT OF BACKWARD AREAS**

PLANNING COMMISSION
GOVERNMENT OF INDIA
NEW DELHI

June, 1981.

PPC-250
3000-1982 (DSK-II)

Price : Inland Rs. 15.00 or Foreign £ 1.75 or \$ 5.40

196242

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, COIMBATORE—641 019
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS DELHI—110 006

1982

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DEVELOPMENT OF TRIBAL AREAS
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SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

I. INTRODUCTION

In spite of differences in problems between different zones there are a few common features of tribal economic and social life which merit consideration in formulating any development programme in tribal areas.

(Para 1.7)

2. The tribal Sub-Plan approach aims at a comprehensive development of the area with focus on the individual family. It, therefore, follows that the approach must necessarily include not only development programmes but also programmes aimed at providing some of the basic needs of the local people.

(Para 1.13)

3. It is not desirable that non-tribals in the given area should be completely left out, particularly as some of the development programmes would be such as would have to be handled on an area approach with particular focus and emphasis on the tribals and other weaker sections in that particular pocket. Also, it has to be remembered that certain other weaker section in the tribal areas, particularly scheduled castes, have symbiotic relationship with the scheduled tribes.

(Para 1.14)

4. Alienation of land has continued and time bound programmes for identification and restoration of alienated lands have not yielded results.

(Para 1.15)

5. Major tribal communities have not taken the benefit of the institutional infrastructure established. In many areas, the level of literacy has remained very low.

(Para 1.17)

6. Effective and sensitive administration for tribal development was sought to be established as a part of the Sub-Plan strategy. Some frame has been created but there is a lack of effectiveness because a clear unity of command had not emerged.

(Para 1.19)

2. GENERAL CHARACTERISTICS OF SCHEDULED TRIBES

7. The tribal situation in the country presents a varied picture. Some States like those of the North-East have predominant tribal population, others like those of West-East Central belt have high tribal concentration and still other areas like those of Southern States, the tribal population form only a small percentage of the total population.

(Para 2.1)

8. The spread of literacy was not uniform in all the States. Literacy rate between Scheduled Tribes on the one hand and the general population on the other varied from State to State.

(Para 2.6)

9. The livelihood base for tribals is, by and large agriculture and allied activities. The cultivators form 57.56 per cent of the total workers among Scheduled Tribes and Agricultural Labourers 33.04 per cent.

(Para 2.10)

10. About 29 per cent Scheduled Tribe Cultivating households have holding of less than 2.5 acres as compared to 34.5 percent of the general population. The percentage of households land holding of 10 acres and above is about 20 per cent among Scheduled Tribes which in case of general population it is 22 per cent.

(Para 2.12)

11. The tribal areas can be broadly divided into seven regions which have different agro-climatic and demographic characteristics:—

- (i) Central Southern Tribal Region,
- (ii) Central Northern Tribal Region,
- (iii) Western Tribal Region,
- (iv) North-Eastern Tribal Region,
- (v) North Western Tribal Region,
- (vi) South Tribal Pocket and
- (vii) The Oceanic Groups

(Para 2.15)

3. STRATEGY OF DEVELOPMENT

12. The strategy for tribal development should underline measures for building the inner strength of the community so that they are able to face, as quickly as possible, the new system on term of equality. In this frame, education and health services have to be given a high priority in the developmental profile of the tribal areas. They have to be accepted not only as necessary investment for faster economic growth but also as an effective protective device during the transitional phase.

(Para 3.22)

13. The I.T.D.P. Plan envisaged identification of specific problems in the area and suggestion of specific measures for meeting these situation. The following are some of the aspects which are to be specially noted:

- (a) Primitive Communities;
- (b) Areas with distinctive economic activity like shifting cultivation.

- (c) Areas with predominantly forest based economy;
- (d) More backward sub-regions;
- (e) Growing urban centres;
- (f) Areas of influence of industrial and mining complexes, existing potential; and
- (g) Other problem areas, if any.

(Para 3.26)

14. The I.T.D.P. approach, could not be accommodated in a 'society' model which, by definition, was not capable of assuming the responsibility of the Government and must be satisfied with limited functions. Even the requirements of flexibility and adaption inherent in the Integrated Tribal Development Project approach could not be fully satisfied in a society. Similarly, a statutory authority was also unsuitable because of the need for clear delineation of powers even in their case as distinct from those of Government. The best and the only practical course was to establish the Integrated Tribal Development Projects by a resolution of Government, with clearly defined tasks in their respective areas covering all facets of social and economic life of the community. All issues coming in the way of achieving the goal had to be resolved as stipulated in the sub-plan strategy.

(Para 3.27)

15. It has been observed that barring some States neither inter-disciplinary structure nor leadership has been effective. The strategy outlined envisaged a comprehensive development approach to be implemented on the basis of a 'Project Approach', aiming at an integrated development of the area, with special emphasis on the least advantaged, and to improve the productive and earning capacity of the poor in their existing activities or through promotion of new activities. The beneficiary oriented approach had to be fitted in as part of the area development plan.

(Para 3.28)

16. The National Committee has gone in a great detail into the constitution, composition, functioning, delegation of power, both administrative and financial and suggested a set up for an integrated area development of administrative and Financial Structure for backward area development authority in the Report on 'Organisation of Administrative and Financial Structures for Backward Area'. This model is essentially based on the IIDP model envisaged in the Sub-Plan approach but not represents complexes. The Committee would recommend that the approach outlined in its report on 'Organisation of Administrative and Financial Structure for backward area development should be fully implemented in all sub-plan areas and all the IIDPs streamlined and restructured on the basis of suggestions therein.

(Para 3.29)

17. In the tribal areas there are other weaker sections, particularly Scheduled Castes which have symbiotic relationship with the Scheduled Tribes. The Committee would, therefore, recommend that the criteria for the determination of the tribal Sub-Plan area

should be revised to include Scheduled Caste population also. While delineating the Sub-Plan area, areas having 50% Scheduled Tribe plus Scheduled Castes population should be included under the Tribal Sub-Plan.

(Para 3.35 & 3.36)

18. The tribal areas are passing through a stage when the individual is facing the situation of basic conceptual change in relation to property, ownership of natural resources, etc. Economic infrastructure, in this context, should comprise stabilisation of their *de facto* rights in a form acceptable in the new system. Preparation of land records, recognition of traditional rights in forests, regulation of markets and money lending, etc. fall in this category. The institutional infrastructure paves the way for growth and development of the community and the area in the changing situation. This includes extension service, financing institutions, local bodies, etc. The tribal communities are handicapped by their unfamiliarity with these institutions. Benefits accruing from such developmental efforts do not therefore generally reach them in due proportion. In order to prepare tribals to avail of the infra-structural facilities, these should be introduced gradually and in a manner so that the tribals could make use of them for improving their quality of life. The normal structure should be modified and designed so that they are within the comprehension of the tribals and they become active participants. The physical infrastructure comprises road network, electricity, etc. This infrastructure by itself cannot be sufficient condition for tribal development and unless it is linked to specific economic programmes suitably adapted for the benefit of tribals, it may result in back-lash effect.

(Para 3.38 & 3.39)

19. Inability to adapt programmes to the local needs is a serious problem. The extension agency is not familiar with the tribal situation and the well tried local practices may be ignored in favour of prescription evolved for more advanced areas. There is real paucity of adequate information base about these areas and their economy and suitable programmes in many important sectors still remain to be evolved.

(Para 3.40)

20. The new programmes demand new skills, which could be different but not necessarily higher, than what the average tribal already possesses. Unless, therefore, there is deliberate and adequate effort and preparation, which is generally at present lacking, to train the tribals in the new skills, the new programmes may be beyond the capacity of the individual tribal to adopt.

(Para 3.41)

21. Under all the developmental programmes involving subsidy and loans, the tribal has to undergo a variety of formalities wherein he has to sign legal documents concerning agreements etc. These formalities are beyond his comprehension. We have therefore recommended restructuring of the existing set up in our report on Organisation of Administrative and

Financial Structure for Backward Area Development. These recommendations apply to all backward areas, including tribal areas

(Para 3.42)

22. There are some aspects of tribal life and culture which are not wholly compatible with the requirements of modern economy. One important fact of their life is the 'pleasure Principle' he wishes to enjoy life in its full. He may be unwilling to accept the discipline of the new economic system. The tyranny of disciplined labour could be avoided by reworking the schedule of operations which may be more suitable to them rather than being dictated by the needs of the organisations.

(Para 3.44)

23. It is necessary that the sociological dimension of the tribal situation are not only clearly understood but their implications in relation to economic programmes are also spelt out and programmes are suitably adapted and phased.

(Para 3.45)

24. The traditional social customs have been exploited by the vested interests at a heavy cost of the tribal community. Effective measures in these areas through social education and voluntary effort are a pre-condition for a meaningful economic programme.

(Para 3.46)

25. The sociological aspects of the tribal situation are not only relevant but also crucial in many respects. Suitable reorientation of planners and administrators may be necessary so that a problem solving approach is adopted and action plans become realistic.

(Para 3.47)

26. In the absence of a clear profile of the tribal economy in the country, the problem of tribal development is often viewed in terms of the socio-economic situation of various tribals who had attracted the attention of anthropologists and administrators because of their primitiveness. With the quickening of pace of economic development and introduction of new elements in these areas, a number of problems of adjustments for these tribals have arisen. These are the groups, generally small in size, which require most careful consideration in the national economy and the service of devoted people as also a flexible human approach for solving their problems.

(Para 3.48)

27. The exploiting elements, who do not contribute to the local economy, have to be put down with a heavy hand. Elimination of exploitation has to be a priority item on the agenda.

(Para 3.53)

28. In the case of the small land holders and landless labourers, a policy of 'restraint and support' is to be evolved. The illegal and improper alienation of land has to be undone and lands should be restored

to their rightful owners. In any case, future alienation of land is to be put to a complete halt at any cost.

(Para 3.54)

29. The working classes amongst the migrant communities have to be accepted as a partner in the area development programme subject to the condition that they should not be allowed to corner the major share in the new opportunity.

(Para 3.55)

30. The symbiotic relationship between certain groups and tribal communities has to be appreciated in realistic terms. While the element of exploitation has to be removed as a part of general strategy, the members of the scheduled caste and other communities at the same poor level need to be identified and helped to establish in alternative occupations and contribute to the growth of the local economy.

(Para 3.56)

31. Programmes under the tribal sub-plans must have a definite shift towards family oriented programme with a clear target for each beneficiary group. In these programmes, the proportion of different needy communities other than the exploitative in the tribal area may be the guiding factor for fixing the number of beneficiaries in each group.

(Para 3.57)

32. The members of the Scheduled Tribes may be assigned a share in proportion to their numbers with some weightage, say 10 per cent, the members of Scheduled Castes in proportion of their numbers and the balance being assigned to other people belonging to the weaker sections of the population.

(Para 3.57)

33. Any distinction in the matter of grant of subsidies, etc. to the Scheduled Castes in the tribal Sub-Plan areas and in other backward areas would create an embarrassing situation. The Committee would leave it to the States to decide what concessions should be available to the Scheduled Castes in the backward areas. All that the Committee would recommend that the concessions available to the Scheduled Castes in the Tribal Sub-Plan areas should not be at a lesser level than are being extended to Scheduled Castes in other areas, particularly backward.

(Para 3.58)

34. In any open ended scheme approach, there is the great danger that the other groups may take away the lion's share leaving the tribal Community where they are. This has happened in many schemes and even under the tribal development blocks. In this stipulation, the flow is that the extension agency can afford to be passive with no built in obligation to approach the members of the tribal communities. Therefore, it is essential that the balance is maintained at all levels. The physical extension of and allocation of resources for any scheme must be subjected to strict criterion of the stipulated number of tribal families being benefitted.

(Para 3.59)

4. REVIEW OF PAST AND ONGOING PROGRAMMES

35. The Tribal Sub-Plan approach aims at a comprehensive development of the areas with a focus on the individual families. In such an approach, there are programmes like agriculture, horticulture, forestry, soil conservation, minor irrigation, etc. social welfare services, drinking water supply, appropriate infrastructural programmes, etc. which have got to be taken on an area basis. In other words, the approach has to be an 'Integrated area Development Approach'. The Committee has already made its recommendations in this regard in its Report on 'Organisation of administrative and Financial Structure of backward area Development'.

(Para 4.20)

36. Administrative unpreparedness has appeared to be an important constraint in purposive utilisation of resources. There have been savings even in the limited resources allocation for the Sub-Plan areas and funds have not been fully utilised. Suitable arrangements for effective implementation are urgently required lest unregulated expenditure becomes counter-productive.

(Para 4.21)

37. The establishment of a single line of command, organic integration of the programmes in the field and an effective delegation of powers both financial and administrative to the project authorities, although agreed to in principle, remain to be fully implemented. In some States, even the first steps have not been taken. Again, the implementation of the programmes depends largely on quality of personnel. The Committee has found that a large number of posts in the key sectors are vacant in most tribal sub-plan areas. The Committee has dealt with this aspect in the Chapter dealing with organisation of Administrative and Financial Structure.

(Para 4.21)

38. Inability to adapt programmes to the local needs would appear to be another major problem. The extension agencies are not familiar with the tribals situation and the well tried local practices are often ignored in favour of prescriptions evolved for universal application. In the absence of adequate data base about the Tribal Sub-Plan area, suitable programmes in many important sectors still remain to be evolved.

(Para 4.22)

39. There has been no conscious approach to train the tribals in the new skills which would be needed for new programmes.

(Para 4.23)

40. It was expected that each Department would adapt its programmes with reference to the specific needs of the Sub-Plan area. This process has, however been initiated, but its pace is very slow. The distinction between the sectoral programmes and the tribal development programmes addressed to specific groups is not always appreciated. The result is that

achievements are not commensurate with the money spent. Preference for bigger programmes even though some of them may not be of direct relevance to the tribals, persists in most of the States.

(Para 4.24)

41. Agriculture and allied programmes in these areas have so far followed the pattern adopted for the developed areas. Therefore, it has not touched even the fringe of the problem in these areas. Agriculture development programme, shifting cultivation, irrigation, animal husbandry and horticulture development would require special attention. Problems relating to agriculture and allied sectors, both in the hills and in drought affected areas, have been dealt with by the Committee in its Report on 'Development of Backward Hill Areas' and on 'Drought Prone Areas'. The Committee would urge that the various approaches suggested in the reports should be adopted for tribal development by the concerned Departments both in the States and Centre, and necessary steps taken to reorient existing programmes.

(Para 4.27)

42. A comprehensive concept of qualitative improvement in the socio-economic status of the family with focus on women and children, is necessary. So far, there have been no appreciable efforts of the Welfare needs of the tribal communities. This is an important task which should be taken up urgently if the economic development efforts have to become meaningful in these areas so as to bring about a total improvement in the quality of the life of the individual.

(Para 4.30)

43. Apart from Education, health services, nutrition, social services, drinking water supply etc. would also require adequate attention. Once the concept of a total development of area, as recommended by the Committee, is translated into action, this would have to be taken care of. The recommendations made by the Committee in its Report on Development of Backward Hill areas with regard to infrastructural development and in its report relating to the Development of Village and Cottage Industries, should also be suitably implemented in tribal sub-plan areas, on the lines recommended therein.

(Para 4.30)

5. CONSTITUTIONAL PROVISIONS

44. The review of the Constitutional Provisions, clearly brings out that adequate powers have been given to the executive for making regulations having the effect of law so that the special responsibilities for tribal development can adequately be discharged. There are three alternatives for making a law for scheduled areas depending on the situation in each case:—

- (i) Legislation by Notification;
- (ii) Legislation through Regulation; and
- (iii) Normal legislation.

(Para 5.42)

45. Even though the Constitution has made specific provision for the special needs of the tribal communities and tribal areas, it gives further discretion to the

executive to meet any contingency which may rise in relation to protection and advancement of the tribal communities. This discretion, however, is limited to Scheduled areas and Tribal areas only. In respect of tribal communities living outside these areas, it will be necessary to rely on the general laws.

(Para 5.43)

46. It was visualised that certain laws of the State or Centre may need to be changed sometimes drastically. The Governor, therefore, has been given the power to make any changes in a law of State Legislature or the Parliament 'not withstanding anything in the Constitution'. In certain cases, it may be that the interests of the tribal communities may have already been adversely affected for reasons of omission or commission at some level. Fifth Schedule, therefore, specifically makes a provision for giving retrospective effect to the Governors without any reference either to the Tribal Advisory Council or to the Union Government. Thus, the Constitution gives almost unlimited discretion to the executive for making any change in the law, should such a contingency arise.

(Para 5.43)

47. A distinction has been made in the case of regulation making powers of the Governor compared to his powers to amend a law by notification. A regulation is required to be assented to by the President before it becomes applicable. The Governor is also obliged to consult the Tribes Advisory Council before making any Regulation. Thus, the distinction between the Governors power to amend the laws and the power to make regulation is clear.

(Para 5.44)

48. The Governor has wide powers to rectify the ill effects of any law whatsoever, but when certain positive measures are to be taken, which may or may not affect an existing law, the Governor is to be guided by the Tribes Advisory Council and must seek approval of the President. It is significant that all these legal measures do not require the approval of the State Legislature or the Parliament.

(Para 5.44)

49. The legislative powers of the Parliament and State Legislatures are defined under Article 245, 246 and 248 and the three lists given in the seventh Schedule indicate the manner and nature of their distribution. There is no entry in the three lists pertaining to either to the Scheduled Areas or the Scheduled Tribes. Therefore, any legislation in relation to these subjects fall within the purview of the Parliament in exercise of its residual powers under Article 248 (1) read with entry 57 in List I of Seventh Schedule.

(Para 5.45)

50. The responsibility of the Union Government has been made clear by extending the executive power to giving of directions for preparation and execution of programme for tribal development and for good administration of the Scheduled Areas. These provisions are reinforced by making necessary financial provision for this purpose a charge on the Consolidated Fund of India. The Constitution provides for effective

protection of tribal communities even by limiting, wherever necessary, the fundamental rights in important ways. Reservation in the services as also in the political system has been provided for. The Governor is given the special responsibility for peace and good governments of the Scheduled Areas and he is required to report to the President annually. A Special Officer is appointed under the Constitution to oversee the functioning of the safeguards under the Constitution and report to the President thereon. The Parliament is kept informed about the state of tribal development through his report.

(Para 5.50)

51. Our review shows that the constitutional safeguards in relation to reservations of seats in the Parliament and State Legislatures have been effective and continue to be fully provided for. The representation in services has been claiming due attention and the situation in this respect has been improving. There is a system of review of reservations at the highest level in the Central and State Governments. The Parliament and state Legislatures are also conscious about reservations. The Commissioner for scheduled castes and scheduled tribes makes a detailed and critical review of reservations in his report. The members of the service belonging to the Scheduled Castes and Scheduled Tribes can themselves approach the Commissioner wherever necessary for enforcing their rights.

(Para 5.51)

52. The Constitutional provisions in relation to the protection and development of tribal communities and administration of scheduled areas, however, have not been operationalised. Law provides the basis and the frame for all administrative action. But the regulation-making power under the Fifth Schedule has been used by the States to a very limited extent.

(Para 5.52)

53. It has been held that it is the Parliament which can enact a law on tribal affairs. But no law has been passed so far by Parliament either for protection or for development of the Scheduled Tribes. Similarly, no regulation has been made for peace and good administration of the scheduled area, although there is a specific provision for this purpose under the Fifth Schedule and administration has continued to remain the weakest spot in tribal affairs.

(Para 5.52)

54. The position in relation to economic programmes has also remained vague and was somewhat unsatisfactory before the Fifth Plan. The tribal sub-plans have, however, provided a frame for meaningful discussion and continuous review about the level of investments and the quality of programmes in various sectors. But the administrative apparatus which was envisaged as a part of the sub-plan strategy remains to be established. We consider that rising level of investment without effective protection and administration may be counter-productive in relation to the welfare and interests of tribal communities.

(Para 5.53)

55. The Central Government have issued guidelines from time to time about the need for effective protection, purposive implementation and good administration for the tribal areas. But the basic structure has remained unchanged. Even a realistic assessment of the emerging situation is not available to the Union Government in the absence of a purposive and reliable feed back although the Governor is expected to send an annual report on the administration of the Scheduled Areas. The Governor himself is handicapped by the fact that no one reports to him directly about the problems of the scheduled areas and the progress of development of tribal communities. His reports tend to present a mere narrative of the activities of the Tribal Welfare Department in the State.

(Para 5.54)

56. The Constitution also envisages that the Special Officer (Commissioner for Scheduled Castes and Scheduled Tribes) shall investigate and report to the President on the working of Constitutional Safeguards. But the Commissioner is an external authority. He gives an array of suggestions, year after year, only some of which may be picked up for special attention.

(Para 5.54)

57. There is no mechanism within the system for internal appraisal and corrective measures on a continuing basis. Therefore, the President has not issued even a single direction to any State in the last thirty years exercising his powers to give directions for development of tribal communities under Article 339 (2) or for good administration of the Scheduled Areas under the Fifth Schedule. The basic reason is the lack of a systematic and continuous appraisal of the situation with reference to the clear policy frame and administrative goals which may be set in this regard. Thus, there is a critical gap in the Constitutional scheme which makes it virtually inoperative. This gap can be filled only if the executive keeps the Governor and the President informed about the situation in the tribal areas and the development of tribal communities.

(Para 5.54)

58. The various Constitutional provisions relating to the administration of the Scheduled Areas are complementary to one another and provide a broad frame for action. A satisfactory plan of action has to be drawn up to operationalise all these elements in such a way that they function in unison. The basic elements which go to determine the quality of administration have to be clearly defined.

(Para 5.55)

59. It is necessary that a clear programme should be worked out for regular appraisal of the administrative situation in the tribal areas, corrective measures taken by the States and the supporting financial provisions made for that purpose by the States and the Central Government under the first proviso to Article 275(i).

(Para 5.55)

60. The overall responsibility for good administration of scheduled areas and protection and development of Scheduled areas and protection and development of tribal communities rests with the Union Government. A system of regular dialogue at the national

level similar to that of the Ministry of Agriculture, (under the aegis of the Ministry of Home Affairs), therefore, should be immediately worked out.

(Para 5.56)

61. So far as preparation of tribal sub-plans is concerned, it has now become a part of the normal planning process and the Planning Commission review programmes and priorities, sectoral allocations, actual programmes etc. for the tribal areas as a part of annual State Plan and Five Year Plan exercises. But a parallel system is necessary for review of the administrative system and its performance in the Scheduled Areas and implementation of tribal development programmes keeping in view the special responsibility of the Union Government. The Ministry of Home Affairs may constitute a Standing Committee for the review of administration of the scheduled areas and tribal development. The Committee may be known as 'Tribal Administration and Review Committee'. It may be headed by the Home Secretary and have representatives of the Planning Commission, and Department of Personnel.

(Para 5.56)

62. Early action should be taken to firmly establish the integrated tribal developmental administration for the tribal areas. The review of administration of the Scheduled areas and tribal development should be the responsibility of the Tribal Development Administration in the State. The review should not be a sporadic activity but should be conducted in the form of periodical appraisal of the administrative situation in the scheduled areas. This review should also form the basis for the preparation for the Governor's Reports on the Administration of the Scheduled Areas.

(Para 5.57)

63. The scope of Governor's Report should be enlarged so as to cover the administration of the Scheduled Areas as well as tribal development. This Report should be submitted by the Governors of all States having tribal population. Suitable amendments in the relevant provisions of the constitution may be made.

(Para 5.58)

64. The Governor's reports should be based on the reports from the project administrators and the Heads of the Department. The report should be finalised and submitted to the Ministry of Home Affairs by the end of June. The Ministry of Home Affairs should then organise teams for visit to the States during July-September each year. These teams may comprise representatives of the Ministry of Home Affairs, Planning Commission, Department of Personnel, Ministry of Agriculture, and other concerned Ministries.

(Para 5.58)

65. The Governor's report along with a memorandum of proposed action by the State Government should be submitted to the President by the end of October each year. The Union Government may issue a direction under Act 339 (ii) and the Fifth Schedule of the Constitution specifying the Contents and

manner of preparation of the Governor's report on the administration of the Scheduled Areas and tribal development and on follow up action thereon.

(Para 5.58)

66. The 'Tribal Administration and Development Review Committee' should finalise a plan of action based on the report of the Tribal Development Commissioners and Observations of the visiting teams in consultation with different ministries. The gaps which may be noted in the developmental programmes in the respective sectors, should be filled in by the concerned Ministries. The Ministry of Home Affairs should work out the supplementary financial assistance required by each State for improvement in the administration of the tribal areas. The concerned Ministries should incorporate the appropriate programmes in the annual plan or non-plan programmes for the next year.

(Para 5.59)

67. The Ministry of Home Affairs should give additional assistance to the concerned State for improving the administration under the first proviso to Article 275 (i) of the Constitution. There may be some urgent measures which may have to be taken immediately for which assistance may have to be provided in the same year. Financial provision for other matters should be made in the budget proposals of the subsequent year.

(Para 5.59)

68. The review of action taken on the Governors Report should be incorporated in the Report of the Governor for the following year.

(Para 5.59)

69. The State Cabinet should pay attention on a continuing basis to the problems of tribal areas. A cabinet Sub-Committee should be constituted where it has not already been done.

(Para 5.60)

70. The States, must gear up the process of decision making at the political level and the administrative arrangement so that the basic issues are not missed and the State effort is constantly directed to solve them. The continuing guidance and help from the Union Government will help the States in taking an All India view of the problem of tribal development which has been accepted as a national task in the Constitution.

(Para 5.60)

71. A special Tribal Development Administration Department may be set up in the Ministry of Home Affairs instead of a Division for Tribal Development as at present. The administration should have a strong officer oriented structure with greater contact with the field.

(Para 5.62)

72. The Tribal Development Administration should be a strong organisation with senior officers having experience of working in the tribal areas. It should have the support of a competent research unit.

(Para 5.64)

73. The tribal development administration in the States should also be provided a firm base by a comprehensive regulation for administration of the scheduled areas and Tribal Sub-Plan areas. The regulations should place specific responsibility on the Project Administrator, Collector and Tribal Development Commissioner. They should also be given adequate powers for enabling them to effectively guide the course of change and development in these areas. The working of the regulations for good administration of the Scheduled Areas should be specially reviewed in the Governor's 'Report'.

(Para 5.64)

6. FOREST AND TRIBAL ECONOMY

74. In the past few years, a comprehensive frame to which all aspects of forestry and tribal economy are fully reconciled has not yet emerged. There is a search for such an approach both amongst foresters and planners for tribal development. It is clear that the overall national interests, particularly ensuring ecological balance, must be paramount. Yet, within the parameters, as defined by national consideration, there are many alternative action plans possible which may have varying implications for the local tribal economy.

(Para 6.10)

75. The rights in forests can be sustained only if there is a comprehensive frame for the protection, use and development of forests in which the community and the individual must assume the responsibility for creation of new forestry wealth and its protection. We do not agree with the approach of Dhebar Commission since they ignored these aspects and emphasised only the rights. The broad approach outlined by the National Commission on Agriculture will have to be followed.

(Para 6.11)

76. The local tribal community, which has symbiotic relationship with the forests, should be accepted as partners in the local forestry development efforts in each area. Unless this promise is accepted and built into the system, it may not be possible to avoid conflicting situations at the local level. The best protective device for the existing forests and the new additions is to create an interests of the local community in the forest wealth.

(Para 6.12)

77. It is necessary to distinguish between the tribal communities who have a long tradition of symbiotic relationship and other agricultural groups for whom the forest is just a source for satisfying some of their needs. The relationship of the two is qualitatively different which should get reflected in the policy frame and developmental programmes for these areas.

(Para 6.13)

78. The symbiosis between the tribal community and the forests should be re-established through suitable plans of development of these regions.

(Para 6.14)

79. We are on the threshold of technological revolution in agriculture and land use whose significance is not quite appreciated as yet. The new agricultural technology is inevitably leading towards higher specialisation in land use. Now comparatively smaller areas can support bigger populations so far as food grains are concerned. The sub-marginal lands, which are being used for raising poorer grains or where cultivator has to remain satisfied with poor yields can be put to many better alternative uses which incidentally also help in restoring the ecological balance.

(Para 6.15)

80. Today it is possible by choice of a suitable technology and production pattern that any piece of land, about a hectare or so, can make a family economically viable. The choice can be as wide ranging as the capital intensive coffee plantation on one hand, through plantation of fruit-bearing trees, host plants for tusar to plantation of fodder-trees linked to animal husbandry and fuel-wood plantation on the other, Tusar cultivation with plantation of host trees is important area of good potential for some regions.

(Para 6.15)

81. The weaker sections of the community can provide necessary manpower to create tree wealth on marginal lands which, in quite a few cases, are still under State control. The experience of horticulture programme in Orissa shows that the cost of programme with individual ownership is likely to be moderate. The problem with an average person may be of sustenance for the period of his engagement in this activity. Methods can be found to provide financial support to the landless labourer or marginal cultivator for a limited period till he acquires the new resource-base and becomes viable.

(Para 6.16)

82. A large programme of coffee plantation has been taken up in Andhra Pradesh with financial support from A.R.D.C. Each individual tribal is assigned a piece of land for plantation and he is provided technical and financial assistance. He has a right on the trees and their usufruct but he does not have the right of alienation. It is such groups of individuals interested in creation of new tree wealth as a part of their individual development plans that will get vitally interested in the development and protection of the forest. The planning for creation of this new tree wealth may also keep in view the requirements of the community of the region and of the national economy. It will thus be possible to have a frame in which the local needs, national priorities and economic well-being of individual tribal living in these areas are fully harmonised.

(Para 6.16)

83. We are at a point where full implication of new technology have not yet been appreciated and there is time when the landless and the weaker sections of the community particularly the tribals can be given a resource-base. It may be necessary that a strong organisation is created for this programme which may provide necessary technical support as also the financial resource for this programme which has a comparatively longer gestation period. The organisation may

also organise in due course marketing with a view that the primary producer gets the maximum benefit. It will be necessary that the personal and social needs of the tribal producer are also fully provided for by this organisation so that the individual is not required to go to a money lender which may mean syphoning off the benefit of new development through indebtedness.

(Para 6.17)

84. The Plans of Integrated Tribal Development Projects and the Working Plans of forests, should be reviewed and suitably reformulated for achieving the balance in the development of the people and the forest.

(Para 6.18)

85. The collection of minor forest produce has to be organised as an economic operation taking into account the market forces. It is only when the collection prices and the market prices are almost equal that the temptation for bye-passing the normal system can be curbed. There may be a notional reduction in the royalty of the State but it will be more than fully compensated by many other to the State by the fact that the total collection will be duly accounted for.

(Para 6.23)

86. The trader and the contractor are primarily interested in maximising their profits from the operations during the period of their lease. This generally leads to over-exploitation of minor forest produce which may even be detrimental to the forests itself. Introduction of a system of rotation, closing each area for one year in four years has restored the normal production.

(Para 6.24)

87. One of the important basic premises in any forest programme is to strengthen the resource-base and establish linkages with the long term interests of the local economy. This applies equally in the case of minor forest produce. It is, therefore, necessary that a systematic plan of action is worked out for minor forest produce. The middle-man in all forms, whether contractor, trader or agent, must be removed from the scene.

(Para 6.25)

88. Minor forest produce should not be treated as a source of revenue to the State. It should provide maximum return to the tribal so that economic interest is created in the maintenance of forests with the possibility of substantial incomes accruing to the individual regularly from its collection.

(Para 6.25)

89. The price of minor forest produce should be remunerative and linked to the market price.

(Para 6.25)

90. All leases for collection of minor forest produce should be given exclusively to Cooperative of tribals.

(Para 6.25)

91. The Ministries of Agriculture and Home Affairs together should ensure that the entire trade in minor forest produce is organised through the Co-operatives on monopoly basis and this new system is introduced with effect from the next working season. The necessary regulations or other legal support should be provided to make it effective.

(Para 6.25)

92. A system of announcing support price for minor forest produce should be introduced so that the tribal may not be suddenly faced with the possibility of erosion of his income in some areas. The purchase of minor forest produce should be taken up by a State level or regional organisation through LAMPS.

(Para 6.26)

93. A risk fund should be built up for meeting the contingency of a sudden slump in the market in one or more commodities. Since the size of operations in each State will be large, this should not create a serious problem. A contribution could also be made from tribal welfare fund for this purpose. If the trend in relation to some minor forest produce is a long term one, it should be possible to plan a gradual shift. The concerned ministries in the Central Government may support these operations through the network of LAMPS wherever necessary. The Ministry of Home Affairs should assume the nodal role in guiding the policies and monitoring the progress.

(Para 6.29)

94. The tribal should not merely remain a collector of forest produce without any role in the maintenance or augmentation of resources. The extension programme for training of tribal collectors of minor forest produce particularly those engaged in tapping the trees should be taken up.

(Para 6.27)

95. The LAMPS should assume a central role even in the maintenance of forest base. The training programmes for maintenance and scientific working of minor forest produce should be organised through the LAMPS.

(Para 6.27)

96. In case of some forest produce the individual tribals may be given the right to collect from specified areas or trees so that their proper upkeep is ensured and the individual gets interested in their continued maintenance. This practice has been started in Andhra Pradesh for collection of gums from the reserved forests. Similarly the host plants are assigned to individuals under tusar programme in some States. This approach should be adopted whenever feasible.

(Para 6.27)

97. A Comprehensive programme of identifying the various forest produce, assessing their potential and also feasibility of marketing and their alternative use, etc., should be formulated. The Forest Research Institute should take a lead in this matter and direct

suitably its research programme. It should provide guidance to the States in this matter on a continuing basis.

(Para 6.28)

98. It is necessary that the first processing of minor forest produce is organised within the tribal area and through the Co-operative system. The main objective should be to retain maximum benefit from this activity within the local economy which should accrue to the primary collector.

(Para 6.29)

99. Co-operativisation of minor forest produce should be accorded a very high priority since this will give immediate additional income to the average tribal and will also be in the interest of development of the forests themselves. A time bound programme of 2 to 3 years should be prepared for establishing processing units for minor forest produce in the Co-operative sector within the tribal area.

(Para 6.30)

100. A substantial programme of social forestry has been taken up recently which aims at providing for the needs of local community from the proposed tree-lands outside the reserve forests. (These new 'Social forests' may be managed by the community after they have got established.) They are expected to cater the various needs of the community like fuel-wood, timber for housing, agricultural implements, etc.

(Para 6.32)

101. The social forestry programme and the tree culture programme will help substantially in restoring the balance. Nevertheless the social forestry programme is still in the early stages and its cost is comparatively high. The social forestry by itself may not fully meet the needs of the tribal economy since the relationship of the tribal economy with the forest is very intimate and far reaching. It will be necessary to review the plantation policy in the forest area as well in a larger frame.

(Para 6.32)

102. The programme of forestry should make adequate provision for mixed plantations with the objective of providing the tribal community with their basic requirements and increasing production of minor forest produce which may help them to supplement their cash incomes. A minimum percentage of useful species in all plantations should be fixed for each area taking into account their potential and the needs of the local economy.

(Para 6.33)

103. It is necessary that Forestry Corporations concentrate on the poorer areas and ensure investment of substantial additional funds from financial institutions in these areas.

(Para 6.26)

104. The forestry operations are not covered in many States by the provisions of minimum wages for agricultural workers. In remote areas, the labourer is at the mercy of the forest contractors, his agents

or the petty officials of the department. Even when a better wage employment may be available in some area, the local tribal may still be obliged to work on forestry programmes at the lower wages because he has to live in the area and maintain good relations with the forestry officials. The relationship of the forest labour and the employment agencies, therefore, are to a large extent exploitative, the advantage of which is taken by the middleman or it may get reflected in lower working expenses of the forest department. It is necessary that the forestry labourer in these regions should be ensured a reasonable wage taking into account the factors like arduous nature of the job and its casual and seasonal character.

(Para 6.38)

105. No serious effort has been made so far even though in principle it has been accepted that the entire working of forest should be planned through the Co-operatives. Neglect of this aspect besides affecting the average tribal adversely, is against the long term interests of the forests. So long as the individual tribal remains a casual wage earner, he is bound to seek a firm base in agriculture or other activities which may lead ultimately to the denudation of the forest.

(Para 6.39)

106. In view of the fact that forestry operations have widely fluctuating labour requirements during different seasons, it may be possible to provide regular employment only to a small proportion of total labour force even under intensive forestry management scheme. This inherent problem can be resolved by organising the forestry work through the Co-operatives.

(Para 6.40)

107. The working of forests could be so organised that each member of the Cooperative be provided wage employment for a minimum number of days.

(Para 6.40)

108. The Cooperative could organise labour teams for working even in the distant regions which may be outside the reach of an individual. Thus, regularity and predictability of wage employment will help in stabilising the local economy. The Cooperative should be in a position to ensure a reasonable wage for their labour.

(Para 6.41)

109. In Gujarat and Maharashtra the forest labour cooperative societies are entitled to 20 per cent of the net profit from forestry operations which is arrived at after deducting the actual expenses according to the prescribed scales from the net sale proceeds. The same principle should be extended to all forestry operations in the country.

(Para 6.41)

110. Each member of a Forest Workers Co-operative, who may put in qualifying number of mandays during a year, should be entitled to a share in the net profit.

(Para 6.41)

111. Even in those areas where working is being done through the department or where Forestry Corporations have been established, forestry works should be executed entirely through the Forest Labour Co-operative Societies. The change-over to the working through the Cooperatives should be completed within a period of 2 to 3 years.

(Para 6.41)

112. The forest department should assume the responsibility of organising the Forest Labour Co-operatives.

(Para 6.41)

113. The organisation of forest labour in Cooperatives will enable the Department to associate them in the management and working of the forest which will also help in moving towards a more balanced development in these regions. It will, thus, be possible to re-establish a symbiotic relationship between the forest and the tribal economy.

(Para 6.42)

114. In most of the States the tribals cultivating lands in the areas of Forest Village have full tenancy rights. However, in some States they still continue to hold lease for a limited period. It will be necessary that all these anomalies are removed without any further loss of time and a programme of development of these villages is taken up systematically. The forest department will, however, continue to have in many cases a special role in the development of these villages in view of their physical location.

(Para 6.43)

115. Suitable programmes for development of erst-while forest villages, therefore, should be prepared urgently and implemented, if necessary under the aegis of the forest department. They should particularly concentrate on tree-based economic activity.

(Para 6.43)

116. The industrial units should be set up in the Cooperative sector so that there is sharing of net benefit between the forest labour and the persons employed in the processing unit.

(Para 6.44)

117. In the highly capital intensive industries like paper, while interest of the State, the entrepreneur and labourer in the organised sector are adequately taken care of, the forest labourer has to be satisfied with casual employment which is generally seasonal in character. Even in this case a fair deal can be given to the forest labourer if a programme for training them for higher skill jobs is taken up.

(Para 6.45)

118. The leases for supply of raw materials from the forests should be given to the labour cooperatives.

(Para 6.45)

119. There are signs of change even amongst the shifting cultivators, who are facing the problem of growing pressure of population and dwindling resources. In these areas if a viable alternative can be

given to the tribal it may be acceptable. The areas where the cycle of shifting cultivation has got reduced below the critical period of 10 year or so should be taken up for tackling this problem on a priority basis. Special comprehensive plans for the concerned regions with problem of shifting cultivators as their focus, should be prepared.

(Para 6.47)

120. The development of shifting cultivators should primarily be within the area of their traditional habitat.

(Para 6.48)

121. There should be a mixed programme of developing valley lands for permanent cultivation with provision of irrigation wherever possible, horticultural programmes on moderate slopes and forestry plantations on top lands. Animal husbandry, poultry and piggery should be provided as subsidiary occupations.

(Para 6.48)

122. The broad approach of family based programmes should be followed in these areas in which the aim should be to make each individual economically viable with a suitable mix of economic activities and choice of tree crops. Each shifting cultivator group may be accepted as a unit under this approach so that suitable leadership can emerge from within and the programme can become self-sustaining.

(Para 6.48)

123. It will have to be ensured that the lands set free from shifting cultivation are put under alternative use without any time lag so that the individuals in the group are not attracted to resume shifting cultivation at the slightest pretext.

(Para 6.48)

124. Comprehensive micro plan for each group of cultivators should be prepared by inter-disciplinary teams which may be constituted exclusively for this purpose.

(Para 6.48)

125. Necessary funds for implementation of this programme should be the first charge on the resources earmarked for these areas from the relevant sectors under the tribal sub-plans.

(Para 6.49)

126. An average tribal has a wealth of knowledge about the forests and their produce, wild life etc. The forestry programme should be so organised that full advantage can be taken of these skills. In certain cases it may be necessary to upgrade these skills and give them an understanding of the broader frame so that they can appreciate their role in the new perspective. The base, however, in all these cases should be the native skill of the individual in each areas.

(Para 6.49)

127. The programme should be to upgrade their skill rather than superimpose unfamiliar methods which may be difficult for them to master in a short period.

(Para 6.49)

128. A new climate of participation can be better engendered by voluntary organisations who can make a choice of persons for each area or task taking into account the precise requirements particularly on the human relation side. They are likely to adopt a problem solving approach rather than being bound by rules and procedures. There is, however, considerable reluctance to associate voluntary organisations in many States though commendable work has been done in some pockets where the State and the voluntary organisations have joined as partner in certain programmes. The work done by Bharat Agro-Industries Foundation is particularly note-worthy which has become a pace-setter in fodder-tree cultivation and improvement of cattle. Special effort should be made to encourage voluntary organisations in specific programmes in the remote forest regions.

(Para 6.50)

129. The new approach in the forestry programme will require considerable reorientation of the officers and men of the forest department. These officers do acquire a good knowledge of the area through long association which officers of other departments including even tribal welfare may not have.

(Para 6.51)

130. A relationship of authority and subservience is underlined and even considered necessary for smooth and efficient functioning of the system. The interests of the tribal community tend to be disregarded. This is one of the important contributing factors for the climate of distrust between the administration and the people in the tribal areas. The re-orientation of the forestry personnel is crucial and should be taken up urgently.

(Para 6.51)

131. All officers and men at all levels must appreciate the symbiotic relationship between the forests and the tribal community. One cannot develop at the cost of the other.

(Para 6.51)

132. All officers and men in the forest department should be given a good idea about the tribal life and their economy and inter-dependence between the development of the tribals and the forest.

(Para 6.51)

133. All programmes of training to the officers, both at the point of entry and in-service, should have Forests and Tribal Development as important item. In courses leading to formal examination, full papers be introduced on this subject, in other cases capsule programmes, depending on the level and duration of each course may be prepared.

(Para 6.51)

134. A tribal development unit should be established in the Forest Research Institute which should have a full faculty of tribal development comprising disciplines of tribal sociology, tribal economy and tribal administration.

(Para 6.51)

7. LAND AND THE TRIBALS

135. Various state governments have taken a number of measures from time to time for protecting tribal lands, particularly in the scheduled areas, some states even altogether prohibiting all transfers of tribal lands. But the total impact of all these measures has not been very significant.

(Para 7.21)

136. Sometimes even progressive measures, like those of land reforms, have adversely affected the tribal communities because those laws did not take into account the special situation in the tribal areas.

(Para 7.21)

137. Many a legal provision have had adverse effect because of their faulty application or incongruous interpretation.

(Para 7.21)

138. All transfers of land from tribals to non-tribals should be prohibited and prohibited effectively.

(Para 7.21)

139. Where no law to prohibit land transfer exists, suitable law should be enacted immediately. Consequently, it will be necessary to critically examine the law and suitably chisel it with reference to the clear objectives set up in this regard and keeping in view the inherent limitations arising from the socio-economic situation.

(Para 7.21)

140. The tribal generally has a high regard for the 'word' and believes that all others also have the same value. Therefore he is prepared to put his thumb impression or sign any paper without any reservation. The articulate people are generally very careful in their dealings and they ensure that the property acquired by them is in accordance with the letter of the law which however may be circumvented in subtle ways. It is, therefore, necessary that oral evidence is placed on a higher pedestal and the law of evidence is amended so far it is applicable to the evidence of members of the scheduled tribes so as to follow oral evidence to be adduced against all forms of documentary evidence including the registered documents.

(Para 7.22)

141. In the scheduled areas in case of a dispute about the ownership of land, it should be presumed that the land belongs to the tribal unless proved otherwise. Therefore, the onus of proof that the land has been acquired by the individual in accordance with the provisions of law, should be on the non-tribal holder of the law.

(Para 7.22)

142. The procedure for advancing of loans, execution of agreements, etc. should be prescribed as to require the payment and formalities being completed in the 'open' where members of the village community should be present and attestation by one or more members of the community depending on the nature of agreement, should be made obligatory. Any violation of this rule should have the effect of making the transaction or agreement *ab-initio* null and void.

(Para 7.23)

143. The special procedure so adopted for the tribal areas should be widely publicised. Once the broad outlines of a procedure are known to the people and its parameters clear, it will be difficult for any one to take undue advantage of the ignorance of the tribals.

(Para 7.23)

144. Much of the trouble in relation to land titles also arises from the fact that the owner of the land has no document with him and the records prepared by the revenue officials is final. In the institution of tribal areas this puts the tribal to great disadvantage and he is at the mercy of the patwari. This situation needs to be corrected. Pass Book should be prescribed for keeping record of all lands including standing trees owned by a tribal, which should be kept by the tribal himself.

(Para 7.24)

145. It should be made obligatory for the substance of any agreement or other legal formalities creating a charge on his land, directly or indirectly, to be recorded and duly authenticated in this Pass Book. No liability of any description whatsoever on tribal land should accrue if it is not recorded in the Pass Book.

(Para 7.24)

146. The registration of all land transfers should be subject to prior verification by the registration authorities that the conditions of transfers contained in the law have been strictly complied with.

(Para 7.24)

147. Many a time the spirit of the law is not fully appreciated by those responsible for their implementation. The rules made under these laws tend to emphasise the formal and procedural aspects only which results in their mechanical operation. Therefore, the rules in these important matters should be elaborate which should give a clear idea of the basic objectives of the law and also indicate possible alternatives along with their implications for guidance of the executive officers. Detailed guidelines should also be given besides bare legal provisions and rules made thereunder.

(Para 7.25)

148. It is necessary that rules should be framed, which should be exhaustive but in simple language, as soon as law relating to transfer or partition of land is enacted. Where rules remain to be framed

immediate action should be taken. Detailed guidelines should also be issued to ensure that the basic objective of the concerned law is communicated to the officers responsible for their implementation.

(Para 7.25)

149. The progress of cases relating to tribal lands is not satisfactory. The proceedings in Civil Courts is far too tardy and formal—technical. The law relating to all aspects of tribal lands should be simplified with a view that it is possible to dispense justice to the tribal rather than being satisfied with completing the technical requirements.

(Para 7.26)

150. The jurisdiction of Civil Courts should be barred. In those States where Revenue Courts do not exist, special machinery should be created for this purpose.

(Para 7.26)

151. The possibility of prolonging the proceedings by the interested parties should be removed by limiting the number of appeals and also the points in which intervention of higher authorities can be sought.

(Para 7.26)

152. The officers should not be content with technical disposal of cases, the real facts being treated as inadmissible pieces of evidence.

(Para 7.26)

153. The administration should forcefully appear on the side of the weak because the equations are heavily loaded against him in our present system. There should be a visual demonstration of the capability of law to undo injustice against the tribals.

(Para 7.26)

154. The order of the revenue courts for restoration must be implemented within a time limit, the responsibility for all necessary action in this regard being placed on the Project Administrator.

(Para 7.26)

155. Continuous vigilance is needed all through, right from the points where the land changes hands to the final disposal of the dispute in the highest court. In case force is used against the tribal disturbing his possession or preventing him from taking back the rightful possession, administration must intervene, *sue-moto* if necessary, and the other party suitably chastised.

(Para 7.27)

156. Occupation of tribal lands through deceit or use of force should be made a penal offence.

(Para 7.27)

157. The trial of cases relating to reoccupation of tribal lands or reoccupation of lands restored should be tried by Executive Magistrates. Such cases should be made penal offence under the law.

(Para 7.27)

158. Special legal assistance should be provided to the tribals in all cases relating to their land disputes.

(Para 7.28)

159. The Project Administrator should come in the picture and ensure that all cases are brought to the court of law.

(Para 7.28)

160. In all tribal areas, Standing Counsels should be appointed who should take up, *inter alia*, all cases of land disputes in which tribal is a party.

(Para 7.28)

161. A convention should also develop that service of lawyers as Standing Counsels for protection of tribal interests will be taken into account while making selection for Government Pleaders and other assignment in the Judiciary.

(Para 7.28)

162. The Special Counsel should be responsible for bringing to the notice of the Deputy Commissioner and the Project Administrator all cases of judgements in which the spirit of the law might not have been honoured so that immediate corrective measures can be taken.

(Para 7.28)

163. There should be a constant review of the judicial pronouncement to ensure that no technical flaw is taken advantage of by the interested groups in these proceedings and the corrective measures are immediately taken.

(Para 7.28)

164. While general measures for identification and restoration of alienated land may be taken throughout the tribal region, areas with possible high incidence of land alienation should be organised. Special teams comprising revenue officers and representatives of development administration should be constituted who may take up the task of identification and disposal of cases simultaneously.

(Para 7.29)

165. There should be a time-bound programme for identification of critical areas, assessment of the problem of land alienation and the final disposal of cases. A period of two years should be the outer limit for this programme in view of its crucial importance.

(Para 7.29)

166. It would be necessary as also practical that all illegal and irregular transfer in the last forty years or less, i.e. after the year 1940, should be identified and necessary steps taken to restore them to their rightful owners. The law of limitation should be suitably amended for this purpose.

(Para 7.30)

167. The individual tribal is under continuous pressure of a variety of forces which ultimately result in the loss of his only capital base, the agricultural land.

Therefore, it is necessary that all those forces which individual tribals are facing incessantly are identified, understood and countered suitably, otherwise the legal measures taken by the States will continue to be inadequate and ineffective.

(Para 7.31)

168. In view of the new situation where alienation is now in favour of stronger sections amongst the tribal community, it will be necessary that the transfer of land as between members of the tribal community themselves is also regulated. Suitable law or regulation should be enacted for this purpose.

(Para 7.32)

169. A strategy has to be worked out so that he is not forced to borrow at usurious rates of interest from the moneylender who readily comes to his help since he can finally lay his hand on his land. We would discuss at length the urgent need for making the cooperative credit system through the LAMPS effective without any further delay.

(Para 7.33)

170. The consumption credit linked to marketing of minor forest produce and other economic programme should get the highest priority.

(Para 7.33)

171. It will also be necessary that all existing debts are assessed and scaled down following the principles of *den dupat*.

(Para 7.33)

172. If the tribal has a liability, it should be taken over by the LAMPS so that the link between the moneylender and the tribal is broken and a new relationship gets established with the Cooperative System. This should be the primary task of Tribal Development Project Authority and all manpower resources of the State should be mustered to complete this within a period of a year or so. This operation should be organised on a campaign basis so that this issue is solved once for all.

(Para 7.33)

173. Those who want to move to an alternative occupation may be suitably assisted as a part of the general tribal development programme. However it should also be appreciated that the schemes for occupational mobility do not result in unregulated transfer of property guided merely by personal consideration adversely affecting the economy of the community particularly of the weaker sections amongst them.

(Para 7.34)

174. It is necessary that the reduction of the size of holdings below viability level is prevented to stabilise the economy of the tribal at the margin both by positive measures of assistance and regulation of fragmentation.

(Para 7.35)

175. The benefits of new technology should be made available to the vulnerable groups and they should be enabled to put their land to optimum use according to its potential.

(Para 7.35)

176. A law prohibiting fragmentation of land below viability level should be enacted. Viability levels should be determined keeping in view the quality of land, level of technology and the socio-economic situation in each area. Village Committees may be constituted under this law which should be made responsible for working out mutual adjustments of lands in cases of likely partition for any reason whatsoever.

(Para 7.35)

177. The transfers of lands as between members of the tribal communities themselves should also be regulated with a view to prevent holdings from becoming non-viable.

(Para 7.35)

178. In case a member of the scheduled tribes proposes to dispose of his land, because he may wish to migrate from the village or move to an alternative occupation, the co-partners and other eligible tribal landless labourers and marginal farmers should be given the right of pre-emption. In many a tribal community such a practice is already prevalent and has the sanction of tradition.

(Para 7.36)

179. It will also be necessary to work out a scheme for the temporary management of land on behalf of those persons who may be in distress. This needs to be reinforced in the wake of growing individualism and new opportunities which are becoming available to section of the people as a part of tribal development programmes.

(Para 7.36)

180. There may be some tribals who may not be able to cultivate their lands for the time being on account of some problems, personal, social or economic. They should be suitably assisted to regain command of their lands after the obligation is discharged or when they are again in a position to manage their lands.

(Para 7.36)

181. There should be a scheme for financing purchase of land by landless and marginal tribal land holders, should they have an opportunity in pursuance of the above policy frame. The loan should be soft and returnable in 10 to 15 years depending on the quality of land and the general economic situation in each area.

(Para 7.37)

182. In case a tribal is required to sell his land for unavoidable reasons and no eligible tribal comes forward to purchase it, the State should purchase the land and assign it to other tribals on easy terms.

(Para 7.37)

183. In many states, substantial areas have been allotted for cultivation from deforested lands. In many cases, illegally occupied lands have also been settled in favour of encroachers. A cautious and pragmatic policy in this important matter will go a long way to help the tribal economy. All available land should be allotted exclusively to tribal landless labourers and marginal landholders. Only if no eligible tribal is available it should be allotted to other landless agricultural labourers.

(Para 7.38)

184. On no account should bigger land owners be allowed to acquire more lands from de-forested lands since it would ultimately lead to transfer of land in some form at some other point.

(Para 7.38)

185. Much of the de-forested land may not be capable of being developed as good agricultural land. Nevertheless, now that appropriate technology is available which can enable an individual becoming viable almost on any piece of land of an acre or so, suitable programmes should be prepared based on specific economic activity like horticulture, tussar rearing or animal husbandry. In case the land is fit for agriculture, suitable assistance should be given for land development, improved agricultural practices, etc. soon after its allotment.

(Para 7.39)

186. An integrated programme, aimed at establishing the economy of tribals located at the margin, should be prepared in each area. It should include debt redemption, taking over of liabilities already incurred, provision of credit for consumption and social purposes, wherever necessary. The credit should be a part of a specific production programme for each family so designed as to enable him to discharge the old and the current liability on time and make him economically viable in the long run.

(Para 7.39)

187. A cautious approach, should be adopted in the planning of programmes for the vulnerable group. In the first instance, all schemes should be within an integrated planning frame which should be prepared at the block and project level. Secondly, high cost technology should be avoided in the initial stage. Thirdly, in all these programmes the forward and backward linkages as also coordination between the different departments should be worked out very carefully.

(Para 7.40)

188. A comprehensive land use plan should be prepared immediately in all villages where land has been allotted in the recent past or is likely to be allotted in future. A programme of development of and for agriculture or utilisation for other purpose like the Horticulture, tussar, animal husbandry, etc. should be given to the individual as soon as the land is allotted so that he can become economically viable within a reasonable period.

(Para 7.41)

189. Identification of alienated land, its restoration and establishment of a new economic frame should be taken up almost simultaneously. The legal framework should also be strengthened to provide a firm base for this action programme.

(Para 7.41)

190. The new economy has to be built on the basis of family-wise programmes. These families have to be organised in viable groups as has been envisaged in the growth centre and cluster approach suggested by us for general adoption for development of backward areas. There should be a continuous review of progress made in the execution of this programme at the Project and the State levels.

(Para 7.41)

8. EDUCATION

191. The problem of educational development in tribal areas is quite complex. The educational authorities and others sometimes tend to over simplify the issue by partial analysis of the problem and generally conclude the discussion with solutions which may be either too idealistic or too expensive. There are no short cuts to effective administration and a situation of organisational failure cannot be corrected merely by providing higher capital investments. Therefore, it is necessary that comprehensive review of the reasons for the present state of education in the tribal areas is made and a package of schemes for educational development is prepared.

(Para 8.6)

192. There is increasing uniformity even in the reading material at elementary level with the central production of text books and guidance from higher levels in the form of model curricula, guide books, etc. The text books, therefore, may contain material which may be largely unfamiliar to the child. Learning in this situation becomes a burden with no relevance to his environment. The problem of language makes the situation still worse. Eventhough it has been accepted that teaching in the early classes should be through the mother tongue of the child, no satisfactory arrangements have been made in most cases. The child learns by rote without much understanding. The child misses the opportunity of developing the faculty of conceptualisation which is essential for higher learning particularly in mathematics and science.

(Para 8.8)

193. A large majority of children in the elementary schools are not able to proceed beyond the lower primary classes. The defects in the educational system become contributing factors to the differential growth of education amongst different tribes and areas.

(Para 8.9)

194. When educated youth are not able to move out, they find it difficult to adjust. Even though the number of such persons is very small, they create a bad example. Young boys get alienated from their families and traditional occupations. Thus they become maladjusted in their society. This is a national

problem but the tribal communities are being required to face it even before a real beginning has been made in education. This has made some of them indifferent even to elementary education and the enrolment continues to be low in class three onwards notwithstanding the spread of educational institutions.

(Para 8.10)

195. Education must assume a key role during the present phase of tribal development and must be conceived in comprehensive terms to cover all aspects of community life where they come in touch with the new system.

(Para 8.11)

196. The most important aspect of education in tribal areas has to be that the community should be enabled to have a clear perspective of their relationship with the modern system.

(Para 8.11)

197. Education must be meaningful to the people. This was the central theme of basic education in which the children learnt by doing and drew upon the experience in their ordinary life.

(Para 8.12)

198. Education in the elementary schools should be location specific. A child who may spend eight years in a school should come out better equipped for life in the village. The curriculum should be suitably restructured so as to have elements of agriculture, forestry, animal husbandry, cottage industry, and so on. The teaching of subjects should be relatable to specific problems. They come to the student naturally in his studies of life sciences. The student should get an idea of the various institutions which are relevant to the rural economy. This should be a part of his social study course.

(Para 8.12)

199. The choice of subjects at the Middle and High School levels should be provided keeping in view the local needs.

(Para 8.13)

200. The tribal children show a greater promise in agriculture. It will be useful if agriculture and such other subjects are introduced as independent subjects at the High and Higher Secondary levels. Specialisation, however, should not be so narrow as may deter the student from pursuing higher studies in general institutions.

(Para 8.13)

201. A programme of "citizen education" with a comprehensive frame covering the needs of all sections of the tribal population is necessary which should basically aim at protecting the community from a sudden cultural shock and enable to it to graduate through the transitional phase without any erosion of their economic base.

(Para 8.15)

202. Broadly speaking "citizen education" should comprise, *inter alia* following elements:

- (i) a basic understanding about the heritage of our country;
- (ii) the institutional infra-structure, particularly those institutions, which come in contact with the individual;
- (iii) the rights and duties of a citizen;
- (iv) the important channels for redressal of grievances;
- (v) the expected code of conduct of citizen in different situation contrasting it with the traditional spontaneous responses of an individual or the community;
- (vi) a better understanding of the economic process, the regulations about exchange economy and handling of money;
- (vii) the basic difference between the traditional economic frame and the modern frame, particularly the value of the written tradition in contrast to the oral tradition;
- (viii) the role and functioning of cooperative and other financing agencies;
- (ix) an understanding of the agricultural extension services emphasising the approach rather than the content, and
- (x) a greater awareness about the achievement of science and technology with special reference to his own surroundings.

(Para 8.16)

203. The precise content of the citizen education programme should be decided taking into account the present stage of each community. The programme should be built around the local tradition and should emerge as an organic whole drawing upon the tribals' own world view and should gradually help him to have a better understanding of the new system. Highest emphasis should be laid on the areas which are of day-to-day concern to him like the points of contact with the authority and methods of getting relief on various counts.

(Para 8.17)

204. Planning of education infrastructure should be adapted to the existing distribution of population with the clear objectives of providing universal coverage to children by the school system and also provide an effective citizen education to the community.

(Para 8.20)

205. There should be a local school in all hamlets which may admit children in class one and at the most upto class two. This local school should be a part of the formal education system. It should have a local person i.e. a person belonging to the hamlet preferably a woman as the teacher. The first problem in the more backward areas will be to find a suitable person for this job. Since the condition that the individual must belong to the hamlet is crucial, it is the

qualification which should be kept flexible. Any person willing to work as a teacher and who may have necessary aptitude irrespective of his own educational qualifications should be selected for this assignment. He would be given necessary training if he may not have formal education so that he can run the school for the children in the age group 5—7. At the next stage, there should be a lower primary school upto class 3 or 4 with two to three local school as feeder institutions. This L.P. school may be linked to a Sevashram. The children in these classes will be grown up and may not find it difficult to live as resident scholars. The Sevashram should also cater to the day scholars for those villages in the areas from where children may be able to walk to the institution. The day scholars should also be provided mid-day meals, a pair of school uniform, books, etc. so that there is no pressure for admission to the Sevashram.

(Para 8.21)

206. A group elementary schools including local schools are treated as a unit for elementary education in the tribal areas. A group of 5 to 6 schools may constitute an Elementary School Complex. One of the schools, preferably a middle school, may be designated as the focal school of the complex. A Senior teacher may be responsible for the management of all institutions in the complex. He may be given one extra hand to make day-to-day arrangements in case of absence of a teacher from his duty. The teachers in the complex may be selected in such a way that the group may have persons with aptitude in mathematics, science, language, fine arts and physical education. While each teacher may continue to work in his school, he should be in constant touch with other teachers in the complex and help them maintain good standard in his special subject. The focal school in the complex may be specially developed. It may have a small library and a science laboratory. Children and teachers from all constituent institutions in the complex may meet once a week in each school by rotation. This day may be used for common academic programme, exchange of notes amongst the teachers, citizen education and sports. This get together will give an opportunity to the local community for active participation in the education of their children as also self-education. The elementary School complex, thus, can develop as an institution for complete education of the entire community by the family of teachers under a common leadership.

(Para 8.22 & 8.23)

207. In the more advanced areas with larger villages, it may be possible to follow the general pattern of primary schools and middle schools. The proportion of middle to primary school should be gradually increased so that the educational facilities to all children upto the age of 14 becomes universal. In the first stage, each group of five primary schools should have one middle school. The schools should also cater to the educational needs of the non-student youth who may have missed the opportunity of attending school.

(Para 8.24)

208. The structural imbalance at the higher secondary level should also be corrected gradually.

(Para 8.25)

209. It will be necessary that in all educational programmes, particularly in the award of stipends and provision of hostel facilities, preference is given to students belonging to educationally backward tribal communities. The criteria for award of scholarships, stipends and admission to the hostel should be suitably changed subject to other eligibility conditions like distance of educational institutions from student's residence. Once fixed quota of seats are assigned to different communities on the basis of their respective numbers, the students from comparatively advanced communities will get in on the basis of merit while those belonging to the backward communities will get admitted if they satisfy the eligibility conditions. It is, therefore, necessary that the assistance programme in education are now addressed to those groups and areas which have been left far behind.

(Para 8.28)

210. Even though, general assistance may continue for all communities, special schemes on a more liberal scale should be prepared for the more backward areas and more backward communities. Unless a suitable differential is built into the educational assistance scheme the gap will continue to grow and the process of educational spread may not pick up.

(Para 8.28)

211. The level of literacy of a community and of an area, therefore, should be accepted as an important criterion for special assistance programme. The low literacy blocks, and low literacy regions within each block, should be identified. Similarly, the communities at low literacy level should also be identified in each state for special assistance. Those blocks which are at less than half the general literacy level of the state may be treated as backward. Similarly, communities at less than half the level of literacy of tribal communities in that state may be considered backward.

(Para 8.29)

212. The literacy among the women is particularly very low. Therefore, a special programme should be prepared for girls of those communities where the level of literacy amongst women is very low. The assistance in the case of the most backward communities should be substantial, right from the primary classes. This should continue at the middle school and higher secondary levels.

(Para 8.29)

213. The residential institutions also need a second look. In the more sparsely populated areas, the residential institutions like Ashram Schools and hostels should be treated as an integral part of the institutional infrastructure for universal coverage.

(Para 8.30)

214. The admission to hostels should be provided on universal basis to students living beyond a specified distance from primary/middle/higher secondary schools so that all those who want to pursue their studies are not denied the opportunity simply because there is no institution in their neighbourhood. This will also be a more economical alternative to opening of institutions in the remote areas where initially the number of students is likely to be small.

(Para 8.30)

215. In the advanced areas, residential institutions should cater to selected children who are likely to make a grade in higher education.

(Para 8.30)

216. In view of the fact that wide disparities have appeared in education, the Central Government should work out a scheme of assisting the States to cover the entire education programme for tribals including scholarships, stipends, hostels and Ashram Schools with differential and higher assistance for the more backward communities and areas. The assistance for this programme may be provided to help the states to achieve this objective within the next 10 to 15 years.

(Para 8.31)

217. The increasing base of better qualified persons can be used for making good the deficiency in certain subjects by selective recruitments. Mathematics is an important part of elementary education. Science has now been introduced in the curriculum of the primary schools. But suitable arrangements have not been made for their teaching. Teaching in these classes requires greater skills. Therefore, graduates in Science and Mathematics could be specially inducted in the tribal areas through special recruitment. In every Elementary School Complex there should be one teacher each with background in Mathematics and Science. The command of a language is essential for higher education. It is therefore necessary that one of the teachers in each Elementary School complex should be qualified in the local dialects so as to help the students in regional languages. Such selective induction of teachers with background in Mathematics and Science will help in improving the quality of instruction in the elementary schools and provide a firm base for higher education.

(Para 8.33)

218. Teaching in classes I and II should be through the mother tongue. The text books should be accordingly planned to formulate transition from the local dialect to the regional language at the stage of class three. The teaching in the early classes should be so organised that children may get acclimated to the translation by careful use of the local and regional language together. The appointment of local teachers in the local schools suggested earlier will meet the particular problem satisfactorily. A policy of recruitment of teachers at other levels also from the local areas will help in this process.

(para 8.34)

219. Measures may be necessary for improving the quality of personnel who are already working in these areas. Many of them are not even trained. Some of them may have been recruited with lower qualifications.

(Para 8.35)

220. The school system, needs to be adjusted both in terms of its timing and its vacation. Busy agricultural period should be declared as holidays.

(Para 8.36)

221. One of the important reasons for low enrolment of girls in the tribal areas is the lack of relevance of education for their roles and responsibility. If education could be made more relevant to the felt needs of the community and aspirations of the people, the girls' attendance may improve and improve substantially.

(Para 8.38)

222. Even though there are no inhibitions in the tribal area to send a girl to a boys school yet the presence of a lady in an institution can be added attraction to the girls. If the lady teachers could also give special instruction in useful arts, the attendance may improve. Husband wife teams may be appointed in Sevashram schools on voluntary basis without insisting on the qualifications of the lady teacher.

(Para 8.39)

223. Distance is the most inhibiting factor in the girls' education. A girl may be attracted to a school within the hamlet but if she is required to go out to a distant school it may become a problem particularly in the early stages when there may be only a few girls, even one or two, who may be eligible to join a school. Once the number of girls increases, they may get together and attend even distant institutions. The spread of educational institutions itself may help in improving the attendance of girls. The opening of pre-primary institutions with husband wife teams as suggested above, will also improve the situation.

(Para 8.39 & 8.40)

224. The number of girls institutions however, has not increased and their needs has been relegated to a secondary position. Since distance adversely affects girls' enrolment, it is necessary that residential facilities for girls is provided on a more liberal scale than is warranted by their proportion amongst students in general. There should be at least one girls hostel in each tribal development block to begin with. It may be in the form of an Ashram School in the more backward blocks in which girls studying in higher classes may also be provided residential accommodation.

(Para 8.41)

225. In blocks where girls education has picked up hostels for senior classes may be established.

(Para 8.41)

226. Even though the general level of literacy amongst the women is generally low it will be necessary to adopt differential incentives for different communities and areas for girls education.

(Para 8.41)

227. Girls in elementary schools may be provided with a pair of uniforms. The rate of scholarships for girls at all levels should be higher.

(Para 8.41)

228. Special stipends may be given to those coming for training in various institutions, both short term and long term.

(Para 8.41)

229. Arrangement should be made for fine arts, music, etc. in all girls' hostels and at least one selected High School in each project.

(Para 8.41)

230. In view of the sparseness of population and poor communications, it is essential that the first supervisory point should be as near the institutions as possible. We have suggested the establishment of Elementary School Complexes with the headmaster of the middle school or the upper primary school, as the case may be, as the head. The Head Master of the School complex, therefore, should be given full responsibility for administration within the area of the jurisdiction of the complex and other isolated institutions, if any, outside the complex.

(Para 8.43)

231. A distinction may be made between academic supervision and administrative control at the elementary school complex level. As far as possible only one organisation may be responsible for the administration of the all education institutions and exercise full control over them. But so far as academic supervision is concerned, it must be unequivocally the responsibility of the education department and it should be ensured that this responsibility is properly discharged by them.

(Para 8.44)

232. The preparation of syllabus, its adaptation and preparation of reading material etc. should be the responsibility of the Education Department. The policies in this regard should be common for the tribal areas with suitable adaptation.

(Para 8.45)

233. There should be a joint Board for tribal education at the state level with Commissioner, Tribal Development or Secretary, Tribal Welfare as the Chairman and Secretary Education, Director of Public Instruction, Director Social Welfare, Director Tribal Welfare as Members. This Board should have the overall responsibility for monitoring progress of education, maintaining of standards, adaptation of programmes and for improving the quality and content of instruction and personnel.

(Para 8.45)

234. A closer supervision should be exercised at the district or the project level depending on the conditions of each area. A committee may be constituted comprising Project Administrator, District Education Officer, Tribal Welfare Officer, Panchayat Officer. This Committee should report to the Joint Board at the state level.

(Para 8.45)

235. The norms of technical and administrative supervision should be clearly spelt out. The Education Department should ensure that each institution is inspected once in six months by the first supervisory officer. There should be a higher level check of the standard of education in each institution the method of teaching, etc. by the Education Department once in three years. The Project level Committee should prepare a quarterly resume of the inspection at the first supervisory and higher levels and submit it to the state level Joint Board. The Board should ensure that the necessary follow up action is taken in the case of specific problems brought out in the inspections.

(Para 8.46)

9. COOPERATIVES IN TRIBAL AREAS

236. A tribal requires a package of services, the main components of which are credit for production as well as consumption, supply of seeds and other agricultural inputs and consumer goods and marketing of produce, both agricultural and minor forest. These activities constitute the major areas of exploitation of the tribals. LAMPS, if they have to be effective, have to be streamlined and restructured to provide for the following services:

- (i) Provision of short, medium and long term credit for agricultural purposes;
- (ii) Provision of inputs of agriculture like fertiliser, seeds, insecticides, agricultural implements and machinery;
- (iii) Provision of essential domestic requirements like foodgrains, cloth, salt, sugar, vegetable oil, kerosene, matches, tobacco, soap etc. against the member's entitlement under the cash component of the scale of finance or against a limit specifically sanctioned for meeting his consumption needs;
- (iv) Provision of technical advice and guidance needed for modernising agriculture and allied activities;
- (v) Marketing of agricultural produce or products of allied activities like dairying, poultry keeping etc.;
- (vi) Marketing of minor forest produce;
- (vii) Provision of credit for expenses incurred to meet certain social obligations in birth, marriage or death ceremonies;
- (viii) Primary processing of minor forest produce, which will provide employment and additional income to members;
- (ix) Promotion of thrift.

(Para 9.13)

237. The entire package of services of the LAMPS should be available, in addition to the Scheduled Tribe, to every other poor family in the tribal sub-plan area, identified on the basis of normal criterion.

(Para 9.14)

238. The LAMPS should be the only cooperative organisation in the tribal sub-plan area to handle short, medium and long-term loans for rural development. Their services in the matter of provision of credit should, therefore, be available to all participating members in the cooperative on the same lines as is available elsewhere with primary agricultural co-operatives.

(Para 9.14)

239. The more affluent sections also need the input services for farm husbandry and technical advice and guidance and this should be available to them from the LAMPS. Essential domestic requirements should be available in the LAMPS specially for the benefits of the poorer sections. Sophisticated goods should not be normally maintained in the LAMPS and, if they are, they should be on a commercial basis.

(Para 9.14)

240. If the viability concept is properly analysed, it will be found that it is only a block level organisation which can, over time, provide the necessary competence in the LAMPS to render all these services. The Committee, therefore, recommends that LAMPS shall be organised only on the basis of one LAMP per block in the tribal sub-plan area. Necessary action may be taken to introduce this form of LAMPS in all the blocks in the tribal sub-plan area within a reasonable period of time which the Committee suggests may be not more than three years.

(Para 9.17)

241. One centre for services at the block level does not meet the requirement of a service centre close to the client in a cooperative movement. The Bawa Committee had specifically recommended that a block level LAMPS shall have sufficient number of branches in order to cater to the rural families at places close to their place of living. A branch to cover a population of roughly 10,000 to 20,000 has been suggested. The Committee endorses this recommendation. The branch will have to be suitably located taking into consideration both the population and the area of operation and in areas with scattered population, it may have to serve a population of less than 10,000.

(Para 9.18)

242. The staff at the branch level need not have the high-level expertise as at the block level. They will have to carry out instructions from the head of office and should be in a position to follow orders and maintain the relative accounts. The number and the type of expertise at the branch level will certainly depend upon the level of business that the branch has to undertake. Broadly, it can be assumed the Head of Office at the Branch would be of the quality and capacity now found in LAMPS of 10,000 population.

(Para 9.18)

243. The Committee urges the Centre/State Governments to make vigorous efforts immediately to develop LAMPS.

(Para 9.19)

244. There should be a time bound programme supported by technical assistance from the State Governments, and where necessary, by financial aid from the State Cooperative Banks and the State Governments to vitalise and develop LAMPS so that they are in a position to discharge the functions expected of them.

(Para 9.21)

245. The Committee endorses the recommendations of the Committee to Review Arrangements for Institutional Credit for Agriculture and Rural Development (CRAFICARD) that

“There should be two categories of membership of societies—one exclusively reserved for the weaker sections distinguished by the lower rate of share capital prescribed for them and the other earmarked for those contributing share capital at the usual rate. Everyone of these two categories of members should be supplied with a pass book in two different colours containing all relevant details. This is to facilitate statistical reporting and analysis, and not to dilute the rights of the members belonging to the weaker sections. The entries in pass book should conform to the entries in the land register and other books of account of the society and the Validity of entries should be ensured by prompt authentication by the concerned official of the Society”.

The Committee would only suggest that in the LAMPS the pass books given to the weaker sections may be divided into three classes—A for Scheduled Tribes, B for Scheduled Castes and C for other weaker sections so that statistical analysis in the tribal sub-plan can be done more effectively. Further, the pass book issued for the non-weaker sections may have a sub-group under classification A for Scheduled Tribes of the more affluent. This is necessary for proper analysis of the benefits given to Scheduled Tribes as a class. These sub-divisions should be maintained in the LAMPS registers.

(Para 9.22)

246. In the tribal sub-plan, it has been provided that all members of Scheduled Tribes will be entitled to get 50% of the share capital as grant-in-aid and 50% as loan from the sub-plan funds. The Committee would recommend that for the other sections also 50% of the share capital should be given in the form of grant-in-aid and 50% as loan from the sub-plan funds.

(Para 9.23)

247. The recommendations of the CRAICARD on the entries in the pass book are limited to the credit functions of a cooperative. LAMPS have multifarious functions and services to render to their clientele. The pass book should reflect all these services and the limits to which the member would get these services from the LAMPS.

(Para 9.24)

248. For the first five years the cost of the organisation both at the headquarters of the LAMPS and in the branches shall be paid for by the sub-plan funds, on a telescopic scale. The Committee is well aware that this policy will mean a reasonable allocation of funds from the sub-plan provisions; but considering the importance of this service in bringing the tribals and the poorer sections out of the clutches of exploitative forces, this expenditure is basic for further development of tribal areas. The situation may be reviewed after five years and if, in particular backward areas where population is scarce and distances large, need for continuing the contribution on a tapering scale exists, the problem may be examined by the Tribal Welfare Department of the State and remedies developed.

(Para 9.25)

249. The LAMPS as envisaged by us require a high level of technical competence and management ability to set the scheme working. The committee, therefore, recommends that the first five years when the sub-plan allocations provided the necessary funds for management expenditure in order to ensure proper performance and development of the area, it is desirable that the project officer of the I.T.D.P. will be the Chairman in the block under his Project. This will enable a suitable tie-up between the technical services and the credit services and also enable a suitable orientations of area programmes to lead to greater productivity in the area and larger business to the LAMPS. The situation may be examined after a period of five years to see whether non-official Chairman can be inducted at that stage. Even when a non-official Chairman is inducted, it is desirable that the head of the management (Managing Director) of LAMPS is given the same status as in a Farmers Service Society so that his financial discretion is suitably protected.

(Para 9.26)

250. Training of the non-officials to take charge of the Cooperative system in due course, has to be an essential part of the development of tribal sub-plan areas. The cooperative movement had initiated a training programme for the inclusion of cooperative principles to aspiring members of cooperative and local leadership and it will be necessary to have a similar training programme suitably adopted for the tribal areas, particularly to train the Scheduled Tribe members and leaders in the cooperative and other principles embodied in the LAMPS and how this is to benefit the population.

(Para 9.27)

251. A suitable member of the Scheduled Tribe (non-official) be nominated as the Vice-Chairman of the LAMPS and in order to train him in the working he should be given some specific sectors of the LAMPS operations to handle, under the overall guidance of the Chairman. In the training courses for non-officials, such vice-chairman should be given intensive training.

(Para 9.27)

252. LAMPS have to be assisted by a number of experts in various disciplines and also competent accounts and clerical staff. A separate cadre should be

organised in each State for proper administration of the LAMPS which should draw its personnel, to start with, from the concerned Departments.

(Para 9.28)

253. Simultaneously with the induction of officers and staff, on a limited deputation basis, from the various departmental cadres, there should be a conscious attempt to make direct recruitment to this cadre so that in course of time the cadre stands on its own feet. The problem of stagnation would also arise even in the case of those recruited directly. A solution would have to be found for this problem by opening avenues of promotion for them in the higher organisations relating to their flow of work.

(Para 9.29)

254. A proper exercise should be carried out by the Project authority as to the requirements of the officers and staff in the LAMPS and its branches keeping in view its work load and the functions.

(Para 9.30)

255. The Board of Directors of the LAMPS should have other important official functionaries connected with the various organisations related with the work as well as an adequate representation of non-officials. Two third of the non-official representation should be from the Scheduled tribes.

(Para 9.32)

256. LAMP is to take out the Scheduled Tribe members and other weaker sections of the area, from the clutches of the money-lender. All the services now being rendered by the money-lender are being looked after by the LAMPS. If no action is taken to see that dues if any legitimately due to the money-lender from the member of the LAMPS is suitably paid off, any development that takes place in the economy of the member will only result in the money-lender maintaining his clutches and taking away all the profit. Some method will have to be found for absorbing debts due from the member to the money lender.

(Para 9.33)

257. Various debt redemption laws have been passed by the various states to free the weaker sections and particularly scheduled tribes from the clutches of the money-lender, particularly in the matter of extortionate claims as against actuals given. There is the provision for courts at local level to initiate debt redemption processes and after taking evidence bring down the claims to what is decided as legitimate. For effective relief, there has to be two conditions (a) the courts will have to be local and it will be necessary to bring back the old revenue courts which dealt with these problems. It is also necessary to keep the civil courts out of this jurisdiction. (b) Oral evidence will have to be allowed against any documentary evidence as was the practice in the old agency areas of the Madras province. Both these may require drastic changes in the debt redemption, and debt regulation Acts of the various States. The Committee will recommend that immediately the relevant laws should be examined in order to amend them suitably to make

these two recommendations valid. Having done this, it is necessary to carry out an operation on a war-footing to bring down the debts to reasonable levels of all the members of the weaker sections under the LAMPS. Having done this, the debt should be taken over by the LAMPS under its account and the money-lender paid off. Similarly, the cooperative loans should be paid off and brought within the LAMPS account. For the funds required for both, provision will be made under the sub-plan funds.

(Para 9.34)

258. When the cooperative movement in the TDA was originally examined, certain experiments were done in such take over of existing debts. Studies made in the Dhudi-area under the Banawasi Sewa Ashram in Mirzapur, U.P. has shown that normally these debts are of very small amount for a family. Yet, their extortionate power is tremendous when in the hands of the money-lender. The Committee would, therefore, suggest that if the necessary action is taken for debt redemption, the amount required for take over will not be very substantial.

(Para 9.34)

259. The LAMPS after take over of the liabilities of its members will have to initiate suitable programme of development for its members to enable them not only to repay the debt taken over by the LAMPS in suitable instalments but also repay the production loans that will be necessary to the member for increasing his productivity.

(Para 9.35)

260. Simultaneously with the debt regulation there has to be an aggressive development programme involving the families of the weaker sections. This necessitates that the project authority should simultaneously prepare the programme of action and see that it is implemented.

(Para 9.35)

261. As regards the requirements for social purposes, these are only a few times in the life of a scheduled tribes family and if there can be provision to give the loan when required and take it back in instalments, suitably fixed, the tribal will escape the clutches of the money-lender in one of the sectors where he is most exploited. The consumption credit system must provide for a running account during the year where he gets his requirements on credit and pays back with produce as and when he collects the same. As regards the social purpose loan, it can be similarly paid back by his produce provided a suitable time frame is fixed for the return. The Committee would point out that calling this system a consumption credit purveyance is not strictly correct if the modalities of the system are examined closely. The tribal requires the credit during the year in order to keep him active. In looking after his consumption needs it is ensured that he can actively pursue his activity and produce the necessary product either in minor forest produce or agricultural produce for discharging his liabilities.

(Para 9.36)

262. As consumption requirements of the family during the year will be repaid to the LAMPS by bringing minor forest produce and other produce and the like to the LAMPS, an estimate should be made at the beginning of each year for each member as to what would be his consumption credit requirements and what would be his repayment capacity. Normally the repayment capacity should be taken as about 1/3 to 1/2 of the amount of minor forest produce that the family is expected to gather and other produce which he may be bringing to the market.

(Para 9.37)

263. As regards the consumption credit for social purposes, an overall limit should be fixed for each social performance in the area and that limit should not be exceeded for any reason. The limits may not be as high as those suggested by the Committee on consumption Credit for general purposes. Whatever it be, these limits will have to be decided preferably for the project area by the project authority and followed by the LAMPS.

(Para 9.37)

264. The repayment of this loan should be distributed over a period of years as may be found convenient in the area keeping in view the possible surpluses of minor forest produce and other products which the families would be able to get, provided fair price is given.

(Para 9.37)

265. The Committee would emphasise that the need for a NABARD type of operation for rural development having been accepted in the national scheme, till such an organisation comes into being, the recommendation of the CRAF ICARD that methods must be found by the Reserve Bank of India for meeting the responsibilities of NABARD till it comes into operation, should be accepted by the Reserve Bank of India and necessary action taken to fill this gap in the credit requirements for the LAMPS. If it happens that this will need any statutory amendment and there will be a time lag, the Committee recommends that till the Reserve Bank of India takes over, funds must be found from the sub-plan allocation.

(Para 9.38)

266. A conscious effort should be made by the LAMPS management to see that only such essential items as are mostly needed by the tribals and the poorer section of the community are handled by them on priority basis and only after those needs have been met, they may undertake distribution of non-essential items to tribals and other members provided it is economical. The Committee would like to make it clear that in recommending this approach, it is not the intention of the Committee that non-tribal members should not be provided their requirements. All that it is emphasising is that a judicious approach should be brought about in the stocking of consumer goods and the priority should be for such goods as are needed mostly by the tribal and other weaker sections of the population.

(Para 9.39)

267. It is only when LAMPS give tribal a reasonable price for his produce that he would be enthused and have the necessary confidence in LAMPS and would be induced to sell his surplus produce to the LAMPS. It is equally essential for the LAMPS in their own interest to provide this facility as this is one source which would enable the tribals to repay the various types of loans which LAMPS would be advancing to them.

(Para 9.40)

268. The entire system of credit and development is to be properly worked in the sub-plan areas, fixing of a fair price for commodities brought to the LAMPS by its members, is the most essential part of the operation. This price should be such that a trader or middlemen with a profit motive will not be able to overbid. At the same time, it is necessary that the organisation improves its handling and checks its leakages so that by paying such a price it does not lose in the market. The attempt to cover inefficiency by mulcting the buyer or the seller must stop. Otherwise, the system will collapse.

(Para 9.42)

269. The Committee does not recommend any change in the existing linkage of the LAMPS for credit purpose and the present practice of linking them either to the District Cooperative Banks or with the Lead Commercial Banks should continue. These institutions would, however, have to ensure adequate and smooth flow of funds to LAMPS and provide the necessary guidance, supervision and also do the monitoring, etc.

(Para 9.45)

270. LAMPS should be made the agents of the LDBs of that area invariably to survey long term credit in the LAMPS area of operation. No parallel primary land development bank should be allowed to have any operation in the same area.

(Para 9.45)

271. The Project Authority should assess the requirements of inputs of various LAMPS under its jurisdiction and pass them on to the District or the Sub-District agency which handles supply of these inputs. As stated earlier, the inputs should be made available to the LAMPS for distribution to its members on a consignment and commission basis and all expenses incurred thereon, whether transportation, storage etc. must be borne by the supply agency.

(Para 9.46)

272. It would be the duty of the Project Authority and the Block Development Agency to provide the technical and extension support to all the programmes undertaken therein. There would have to be a complete liaison between the Block Development Agency and the LAMPS in this regard. The Committee is not in favour of recommending separate extension and technical staff in the LAMPS.

(Para 9.47)

273. The Committee would recommend that whichever be the apex organisation for a particular item of produce and which is entrusted with this responsibility

in the state must undertake to lift all the goods purchased by LAMPS at the price fixed by it.

(Para 9.48)

274. A market intelligence cell must be set up in each of these State level bodies not only to fix a reasonable price for produce but also to enable it to market the produce, where needed. This apex body should also assess the local needs in respect of the produce which may be surplus in the production season but may later be required by the local population for its own consumption.

(Para 9.49)

275. It would not be possible for the LAMPS to establish direct contact either with the secondary or the apex level organisations. It would be the responsibility of the Project Authority to establish these linkages and ensure that these arrangements work smoothly.

(Para 9.50)

276. The State/District level Agencies would require adequate transportation facilities for sending stocks of agricultural inputs and consumer goods to LAMPS and for collection of agricultural and minor forest produce procured by them for marketing in the internal and external markets. The number of vehicles required by these agencies would depend upon its turn over. The Committee would, therefore, strongly urge that any assistance in regard to transportation should only be to the Secondary and Apex level organisation for collecting produce from LAMPS and for supplying requirements of the LAMPS. As soon as these reach the Block Headquarter, internal distribution within the Block should be done by bullock carts etc.

(Para 9.51)

277. Branches of LAMPS require godown facilities depending upon the area of operation, the capacity of the godown to be constructed may vary. The branches of LAMPS could have a small godown where as LAMPS should have a sufficiently big godown.

(Para 9.52)

278. At the state level, a Review and Implementation Committee should be set up under the Chairmanship of Tribal Commissioner and consisting of representatives of all concerned organisations at the State level to take stock of progress made in implementation of various schemes and providing further direction.

(Para 9.53)

10. ORGANISATION OF ADMINISTRATIVE AND FINANCIAL STRUCTURES

279. The report of the National Committee on the Organisation of Administrative and Financial Structures for backward areas development covers all the aspects so far as tribal area is concerned as these would get classified as "backward".

(Para 10.1)

280. The Project approach, with necessary modifications with regard to administrative and financial autonomy, should be implemented in the tribal areas.

(Para 10.2)

281. The Committee has also dealt with in the relevant chapter (Chapter 8) of the report on Organisation of Administrative and Financial Structures, the methodology of plan allocations to backward areas, including tribal areas, budget provisions, special project fund for local planning, placing of funds with the Project authorities, delegation of adequate powers, unused funds, etc.

(Para 10.5)

282. Good administration of tribal areas is the key to success in tribal development, particularly during the transitional phases, when the economy may undergo structural change and the community may face enormous challenges. The level of administration should be assessed and the Centre should provide suitable assistance for raising the level of administration of the tribal areas to that of other areas within a reasonable time.

(Para 10.7)

283. The Finance Commission may be specifically asked to go into the question of grants-in-aid to the States for good administration of scheduled areas and development of tribal communities. Pending the availability of the findings of the Finance Commission, as and when such a reference is made, the Committee would urge that:

- (i) Special central Assistance for the tribal sub-plan areas should gradually increase till all the elements envisaged in the plan get fully operationalised;
- (ii) the cost of incentives to be given to the personnel posted in the tribal sub-plan areas recommended by the Committee as also any other strengthening of the administration to bring it to a minimum norm should be given by the Government of India as a part of its annual grants-in-aid to the State Government.
- (iii) Assistance to the States for tribal welfare programme in the State Plan sector, which is being separately shown in the Central Grant under Gadgil formula, should be specifically assessed and made non-divertible.

(Para 10.11)

284. It has to be admitted that Tribal Areas suffer from certain disabilities like lack of housing, educational, medical facilities, etc. Consequently, there is strong disinclination on the part of the Government officials to serve in these areas. The National Committee has dealt with the personnel aspects in Chapter

7 of its report on Organisation of Administrative and Financial Structures. The Seminar on Tribal Development in Bhubaneswar also went into this question in great detail, and recommended the following measures to attract suitable personnel to serve in the tribal areas:—

- (i) The places of posting in tribal areas should be graded on the basis of accessibility, availability of social services, etc. and suitable special pay should be given to persons posted there.
- (ii) Scholarships to enable children of such persons as are posted in places without a Middle School or a High School should be given, subject to a maximum of two children.
- (iii) Free housing should be provided to all personnel working in the Tribal areas. In case, residential accommodation is not available, suitable compensatory allowance should be given.
- (iv) Long term benefit should be given to persons rendering satisfactory service of 5 years or more in the Tribal areas in the shape of higher pension and gratuity on retirement.
- (v) Preference should be given to the personnel who have worked in the Tribal areas in the selection for foreign assignments/training abroad and awards of fellowships, etc.
- (vi) All personnel of the State and the All India services should be obliged to serve in the Tribal areas within five years of their initial entry into service.
- (vii) Personnel serving in the Tribal areas should be encouraged to learn recognised tribal dialects for which training facilities should be provided. Those who undergo such training and attain required proficiency should be given lump-sum monetary rewards.
- (viii) Special care should be taken for selecting the right type of personnel for service in the Tribal areas particularly at the level of Block Development Officers, Project technical heads and Project Director. Their tenure in a Project should be for a minimum period of 3 years and it would be fair to give them postings at good places on completion of such tenure in Tribal areas.
- (ix) The Central Government should provide special funds under Article 275(i) of the Constitution for raising the level of Administration in the Tribal areas and the measures suggested above should qualify for such assistance.

The Committee is in full agreement with the above recommendations and would strongly urge their acceptance by the Union/State Governments.

(Para 10.12)

I. INTRODUCTION

The terms of reference of the National Committee on the Development of Backward Areas *inter alia* provide for a review of the on-going programmes like the tribal sub-plan for dealing with the general development problems of backward areas, and to recommend appropriate strategies for effectively tackling problems of backward areas.

1.2 The tribal areas constitute a very significant part of backward areas of the country. The areas covered by the tribal sub-plan comprise about 15 per cent of the total area of the country and 7.63 per cent of the total population. In addition, the predominantly tribal states, which are not part of the tribal sub-plan scheme, cover 3.74 per cent of the area and about 0.5 per cent of the population of the country. The concentration of tribals however, varies from area to area. Some areas have high tribal concentration, while, in other areas, tribal people form only a small proportion of the total population. There are six States and Union Territories which have a tribal majority. In other States, there are large areas of tribal concentration covering districts, tehsils and blocks. However, in some regions, the tribals are rather dispersed.

1.3 The Indian Constitution envisages a special position for the protection and development of tribal communities. The Fifth Schedule of the Constitution gives the Union Government a special responsibility for administration of the scheduled areas. There are provisions for special development programmes as also for providing financial assistance to raise the level of administration of these areas and their development. The legal framework for administration of these regions has been kept extremely flexible so that a smooth transition could be ensured for them as the Nation as a whole marches ahead. Under the Constitution, the Union Government's responsibility for administration of the Schedule Areas extends not only to the supplementing of funds for their development but also in guiding the State Governments and giving directions to them. The Union Government have so far not issued any directive to the State Governments. They have relied only on persuading the State Governments to adopt appropriate policies for the development of the tribal areas. Further, the Governor is also required to submit to the President of India a Report annually regarding the administration of the Scheduled Areas in his State. These Reports, however, are rather irregular in submission. Also in course of time, they have tended to become routine administrative reports. The Governors in the light of the Constitutional provision have to act on the advice of the Council of Ministers. Thus, these annual reports are like 'State Reports'.

1.4 Soon after launching of the Five Year Plans, and inauguration of the Community Development Projects, special programme for the tribal areas was taken up and Special Multipurpose Tribal Blocks were established. Additional outlays were provided for these areas so that the pace of development could be quick-

ened and the gap between the tribal areas and the advanced regions could be narrowed. With the conversion of the Community Development Projects into Community Development Blocks, another scheme, for tribal areas was also prepared in the form of tribal development blocks. These schemes continued till the end of the Fourth Five Year Plan. By that time, 506 T.D. Blocks had been established covering all areas with more than 2/3rd tribal concentration.

1.5 A review was made of the Tribal Development Blocks by a Study Team under the Chairmanship of Shri Shilu AO. This Study Team summed up the adequacy or otherwise of development programmes undertaken for the Scheduled Tribes in the following words:

"While it cannot be denied that much work has been done and considerable sums of money have been spent in the field of tribal welfare during the three plan periods, it is difficult to assess with any degree of accuracy the success achieved in the implementation of measures formulated for the social and economic advancement of the tribals. Had a socio-economic survey been conducted, as it ought to have been before the implementation of the development programmes at least in areas which were carved out into Tribal Development Blocks some years ago the results of the survey would have served as a valuable 'Benchmark' against which progress in the intervening years could have been judged. But even so there is a general consensus of opinion that the position of the tribal has improved although, in the absence of data regarding the per capita income or the indebtedness of the tribal communities before and after the implementation of the welfare measures, the Team is unable to give a clear verdict as to whether the progress was appreciable or only marginal. But what does appear clear to the Team after a Study of the tribal development programmes, undertaken in the country, it is that if progress is to be judged by what remains to be done to bring the tribals on par with the rest of the population, the leeway to be made up is still considerable and that the delay in the implementation of considered recommendations made by the Scheduled Areas and Scheduled Tribes Commission and other high level bodies in the past to protect the rights of the tribals has worsened the position which these recommendations were intended to correct while the failure to pay attention to and profit by their advice on matters pertaining to the formulation and implementation of tribal development programmes has resulted in the failure of ambitious schemes and consequent waste of valuable resources".

1.6 A review of the problem and performance of tribal development from First Plan to the Fourth Plan reveals that the problem of development of tribal areas is primarily linked with the backwardness of these areas, poverty of the people and the problem of integration of tribals with rest of the population.

1.7 Apart from concentration of population of tribals in different States, the number of persons in individual tribes and sub-tribes varies from a few dozen to several thousands. For instance, the Andamanese, the Shopmen, the Onge and the Toda were only 19,71,129 and 714 souls, respectively while the Bhil, the Gond and the Santhal exceed three million each. Tribes of different areas face different problems. In spite of differences in problems between different zones there are a few common features of tribal economic and social life which merit consideration in formulating any development programme in tribal areas. Some of these common features may be listed as given below:

- (a) Their habitat is in isolated and difficult terrain with primitive transport system. Roads, bridges, culverts, etc. are still scarce and do not link the tribal villages even to the nearest market available or the block headquarters.
- (b) Agriculture and collection of forest produce together contribute the bulk of the income of tribals.
- (c) Tribals still depend on natural growth of crops with a view to achieve self-sufficiency and lack profit motivation.
- (d) The barter system of services and commodities still exists in tribal areas, the market remains unorganised and commodity loans predominate making it easier for moneylenders to operate.
- (e) Tribals spend large amounts of their income on social and religious ceremonies as a result of which they are perpetually indebted to the money lenders.
- (f) Their low rate of literacy makes them vulnerable to the unscrupulous personnel in the bureaucracy or forest contractors or outside.

1.8 The task force on "Development of Tribal Areas" constituted by the Planning Commission on the eve of the Fifth Plan, after reviewing the past performance observed that "in spite of investments for tribal development in the special sector of Welfare of Backward Classes, in the successive plans, specific problems of the tribals as primitive methods of agriculture, land alienation, indebtedness, adverse effects of industrialisation, low rates of literacy, poor health and nutrition etc., have not been solved. Reviewing the policies and programmes of the preceding five plans, we are of the view that the efforts so far made for social and economic development of Scheduled Tribes did not bring about appreciable changes in their condition. One of the important factors for lack of impact so far, is that the development of Scheduled Tribes and tribal areas has been looked upon as a problem of 'welfare' as distinguished from "development". Further, the Task Force observes that welfare of scheduled tribes has continued to depend on small outlays under the special sector of development of Backward Classes and not on the general sector outlays. Plan programmes formulated so far have largely failed to take into account actual needs of tribal people who are at varying socio-economic levels in different parts of the country. Even apparently, comprehensive economic development programme such as Tribal Develop-

ment Block (which is area based), is too small an area for larger investments on infrastructure like communications, medium and large irrigation, high school etc. Further, there has been a tendency to rely on schematic patterns in Tribal Development Block Programme in place of adopting a flexible strategy suiting the needs of each Tribal Development Block area. The elite among tribals tend to take away all benefits of developmental programmes, thus creating vested interests. Therefore, the more backward among the tribes have been denied the benefits of plan programmes. Lastly as a result of historical reasons, the administrative structure in tribal areas has continued to lack simplicity and thereby defying comprehension of the tribals and has failed to evoke any response from them. Such a structure of administration may not therefore be suitable for carrying out integrated development of tribal areas".

1.9 Having regard to the above, the Task Force recommended that "to ensure balanced socio-economic development of tribal areas a different approach would be necessary for the Fifth and subsequent Plans. From Fifth Plan onwards, it is suggested that a policy of integrated development for tribal areas may be emphasised".

1.10 As a consequence, the tribal development scene was critically reviewed on the eve of the Fifth Plan. The problem of tribal development was broadly classified into two categories (i) areas of tribal concentration and (ii) dispersed tribals. In respect of the former, it was decided to accept an area development approach with a focus on tribals. For dispersed tribals, it was decided that family oriented programmes would be taken up. Thus, the strategy of tribal sub-plan for areas of tribal concentration was evolved in the Fifth Plan and implemented in 18 States and Union Territories namely, Andhra Pradesh, Assam, Bihar, Gujarat, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Orissa, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh, West Bengal, A. & N. Islands, and Goa, Daman and Diu.

1.11 The tribal sub-plan was initially expected to include all the Scheduled Areas and Tehsil/Blocks with more than 50% tribal population. As per this approach, tribal majority States, namely Arunachal Pradesh, Meghalaya, Mizoram, Nagaland, Lakshadweep and Dadra and Nagar Haveli were not included since the development plans of these States/UTs were primarily meant for the scheduled tribes themselves. However, according to the formulation, substantial tribal population was covered by the tribal sub plans in Madhya Pradesh (74.83%), Orissa (68.41%), Bihar (76.75%), Rajasthan (43.67%), Gujarat (72.42%), Manipur (93.71%), Himachal Pradesh (59.15%), A. & N. Islands (99.45%), and Goa, Daman and Diu (100%). In other States where the tribal population was of lower concentration, these norms were relaxed with a view to cover a reasonable proportion of the States tribal population; a minimum scheduled tribe population threshold of about 20,000 was adopted in delineating the tribal sub-plan areas in Maharashtra, Andhra Pradesh and Assam. In the case of Tamil Nadu and Kerala, the norm was further reduced to a scheduled tribe population of about 10,000. In Tripura and West Bengal, groups of villages with more than

50% tribal concentration were included. In Karnataka and Uttar Pradesh, where the tribal population is small and dispersed, family based approach was adopted. Details about the coverage of tribal sub-plans are given in Annexure I.

1.12 The tribal sub-plan area was divided into 180 Integrated Tribal Development Projects for operational purposes. A list of State-wise Integrated Tribal Development Projects is at Annexure II.

1.13 One of the major weaknesses of actual implementation of development programmes has been the lack of family orientation to the extent necessary, particularly for tribals. The Tribal Sub-Plan approach aims at a comprehensive development of the area with focus on the individual family. It, therefore, follows that the approach must necessarily include not only development programmes but also programmes aimed at providing some of the basic needs of the local people like drinking water, adult literacy, elementary education, health care, rural housing, promotion of rural institutions as well as streamlining of administrative and organisational structures, simplification of procedures including devices for monitoring and evaluation.

1.14 Integrated development of the area is the obvious approach for attaining these goals. In such an area approach, it is not desirable that non-tribals in the given area should be completely left out, particularly as some of the development programmes would be such as would have to be handled on an area approach with particular focus and emphasis on the tribals and other weaker sections in that particular pocket. Also, it has to be remembered that certain other weaker sections in the tribal areas, particularly scheduled castes, have symbiotic relationship with the scheduled tribes.

1.15 The tribal economy still continues to be based primarily on land and forests with which they have a symbiotic relationship. Alienation of land has continued and time bound programmes for identification and restoration of alienated lands have not yielded results. In relation to forests, the collection of minor forest produce continues largely through contractors, bypassing the tribal co-operative societies, with the result that the desired benefit has not accrued to the primary collector nor has any serious attempt been made to link prices of the forest produce with the market prices. The decision to have processing of these commodities in the co-operative sector with a view to plough back maximum benefit to the tribals remains to be properly implemented.

1.16 The tribal has continued to practice shifting cultivation since it provided him a higher yield per acre compared to settled cultivation with lesser effort and meets most of his requirements.

1.17 Education has been accepted as the primary input for tribal development and accorded high priority. However, it is surprising to note that the major tribal communities have not taken the benefit of the institutional infrastructure established in these regions. In many areas, the level of literacy has remained very low. The Community, therefore, has continued to remain isolated without adequate appreciation of new

processes of change and development and understanding of the new system which results in a comparatively weaker position.

1.18 The programme of credit and marketing was given a high priority in a tribal sub-plan. The first task in any developmental effort has to be to enable the tribal to get due return for the fruits of his labour before attending to production aspects. Large Sized Multipurpose Co-operative Societies (LAMPS) have been organised through out the tribal areas. While these have started functioning in many areas, they continue to be ineffective and are not yet geared to discharge the functions expected of them.

1.19 Effective and sensitive administration for tribal development was sought to be established as a part of the Sub-Plan strategy. Some frame has been created but there is lack of effectiveness because a clear unity of command had not emerged. The States have been hesitant to delegate financial and administrative powers to the Project authorities making the project administrators rather weak as coordinators. The association of the local community both in planning and implementation just does not exist. There is a sense of distrust between the administrative system and the people whom the Administration is intended to serve. Another major handicap is the reluctance on the part of the Government personnel to move to these areas because of lack of even elementary amenities in most areas and to regard placement in these areas as punishment posting. These have naturally resulted in large number of posts remaining unfilled and also better type of people not moving to these areas.

1.20 In order to study the problem of tribal development, the National Committee constituted a Working Group on Tribal Sub-Plans consisting of senior and experienced administrators from a number of States as well as the representatives of the concerned Ministries in the Government of India. The Working Group was particularly asked to review the ongoing programmes for the development of tribal areas, allocation of resources by the State/Central Government, Planning methodology for sub-plans as a whole and for micro-regions with particular reference to the social constraints, level of development of different tribal areas and adoption of general sectoral programmes, administrative arrangements for implementation, protective measures, credit availability, marketing structures and to recommend programmes and policies measures for streamlining the development of the tribal areas. The composition and terms of reference of this Working Group are given in Annexure III.

1.21 The Working Group held several meetings and sent a detailed questionnaire to the State Governments (Annexure IV).

1.22 A Seminar was held at Bhubaneswar from November 11-13, 1980 in which not only the representatives of the concerned State Governments but also eminent sociologists, anthropologists, academicians and people's representatives participated. The subjects covered by the Seminar included cultural and historical background of selected tribes, forest policy and its implementation, ownership pattern of land and land reforms measures, evaluation of ongoing programmes

and existing potential for development, and administrative infrastructural position in States. The main conclusions of the Seminar are given in Annexure V.

1.23 The response of the State Governments to the questionnaires has not been encouraging. However, enough data, became available as a result of the papers presented in the Seminar and the individual papers sent by the members of the Working Group on specified subjects.

1.24 On the basis of the data available and considering the need to expedite the Committee's report, the National Committee decided to hold its meetings jointly with the Members of the Working Group with a view to finalise its approach and recommendations on this subject. The National Committee also felt that in view of the important nature of the subject, it would be advisable to submit a separate report on the development of tribals to the Planning Commission for their consideration.

2. GENERAL CHARACTERISTICS OF SCHEDULED TRIBES

Population and Areas of Tribal Concentration

The tribal situation in the country presents a varied picture. Some States like those of the North-East have a predominant tribal population, others like those of West-East Central belt have high tribal concentration and still other areas like those in the Southern States, the tribal population form only a small percentage of the total population. According to the 1971 Census, out of the total population of 54.82 crores, the Scheduled Tribes constituted 3.80 crores represented 6.94 per cent. After the Scheduled Castes and Scheduled Tribes orders (Amendment) Act 1976, the total population of the Scheduled Tribes was estimated at 4.11 crores constituting 7.50 per cent of the total population of the country.

2.2 As per 1971 Census, revised on the basis of Scheduled Castes and Scheduled Tribes orders (Amendment) Act 1976, about two third of the total population of the Scheduled Tribes was concentrated in five States of Madhya Pradesh (98.15 lakhs), Orissa (50.57 lakhs), Bihar (49.33 lakhs), Gujarat (37.57 lakhs) and Rajasthan (31.35 lakhs). The States having more than 10 lakhs Scheduled Tribes population include Andhra Pradesh (22.26 lakhs), Assam (16.07 lakhs), Bihar (49.33 lakhs), Gujarat (37.57 lakhs), Madhya Pradesh (98.15 lakhs), Maharashtra (38.41 lakhs), Orissa (50.57 lakhs), Rajasthan (31.35 lakhs) and West Bengal (26.03 lakhs). In the States of Meghalaya, Nagaland and the Union Territories of Dadra & Nagar Haveli, Lakshadweep and Mizoram, the total population is less than 10 lakhs, the Scheduled Tribes constitute, however, more than 80 per cent of the total population. Likewise in Arunachal Pradesh, the proportion of Scheduled Tribes

population is about 79 per cent. Statewise population of Scheduled Tribes is given in the Annexure VI.

2.3 The total and Scheduled Tribes population covered under Tribal Sub-Plan is 418.60 lakhs and 234.76 lakhs respectively. About 66 per cent of the tribal population of 17 States and 2 Union Territories has been covered under Tribal Sub-Plan. More than 70 per cent of the tribal population under Tribal Sub-Plan is covered in the States of Bihar (76.75 per cent), Gujarat (72.42 per cent), Madhya Pradesh (74.78 per cent), Manipur (93.71 per cent), Tripura (76.27 per cent), Andaman & Nicobar Islands (100.00 per cent), Goa, Daman and Diu (100.00 per cent). More than 50 per cent of tribal population has been covered in all the States except Karnataka (43.29 per cent), Kerala (27.51 per cent), Rajasthan (43.67 per cent), Tamil Nadu (46.47 per cent), Uttar Pradesh (7.56 per cent) and West Bengal (41.14 per cent).

2.4 The Tribal Sub-Plans cover 488832 square k.m. of 2802158 sq. k.m. geographical area in 17 States and 2 Union Territories. Total population, Scheduled Tribe population and Area under Sub-Plan in each State/ Union Territory has been given in Annexure-I.

Level of Literacy

2.5 Literacy amongst Scheduled Tribes was negligible in early part of the century and was only 0.7 per cent in 1931. The figures in 1961 and 1971 showed a stride from this initial start to 8.54 per cent in 1961 and 11.30 per cent in 1971. The growth of literacy among Scheduled Tribes and general population during 1961 and 1971 is as follows:-

Literacy rates of Scheduled Tribes and General Population

	1961 Census			1971 Census		
	Persons	Males	Females	Persons	Males	Females
General Population	24.0	34.5	13.0	29.5	39.4	18.7
Scheduled Tribes	8.5	13.8	3.2	11.3	17.6	4.9

The literacy among tribal females lagged far behind compared to literacy among males. Increase in literacy rates in 1971 compared to 1961 is 1.7 per cent among tribal females whereas among males it is 3.8 per cent.

2.6 The spread of literacy was not uniform in all the States; literacy rate between Scheduled Tribes on the one hand and the general population on the other varied from State to State. In a few States/Union Territories difference between percentage of literates among Scheduled Tribes was less than 5 per cent. These States/Union Territories are Assam, Manipur, Meghalaya, Nagaland, Arunachal Pradesh, Laccadive and Minicoy islands. In other States, the difference was quite significant, the difference in the literacy between Scheduled Tribes and General Population in the range of 6-10 per cent was in the States of Bihar,

Orissa, U.P., Dadra and Nagar Haveli and 11-15 per cent in the States of Rajasthan and Tripura. In 9 States and 2 Union Territories difference in the rate of literacy was more than 15 per cent. It is 16-20 per cent in Andhra Pradesh, Himachal Pradesh, Madhya Pradesh, Maharashtra and Karnataka, 21-25 per cent in Gujarat, West Bengal, Goa, Daman and Diu, 26-30 per cent in Tamil Nadu, Andaman and Nicobar and above 30 per cent in Kerala State. Literacy rate among Scheduled Tribes and General Population according to 1971 Census are given in Annexure VII.

2.7 Literacy among tribal females was less than one per cent in Rajasthan (0.49 per cent), less than 4 per cent in the States of Andhra Pradesh (2.13 per cent), Madhya Pradesh (2.18 per cent), Orissa (2.58

per cent), West Bengal (3.09 per cent), and in the Union Territories of Arunachal Pradesh (1.70 per cent) and Dadra & Nagar Haveli (2.59 per cent). Only in the States of Bihar (17.16 per cent), Kerala (19.40 per cent), Manipur (18.87 per cent), Meghalaya (22.79 per cent), Nagaland (17.68 per cent), literacy rate was higher among tribal females as compared to average literacy of 11.30 per cent among tribals.

Livelihood pattern

2.8 According to 1971 Census, a large section of tribal people live in rural areas and only 3.41 per cent live in Urban areas. Workers among Scheduled Tribes were 38.5 per cent of their total population which were higher than the corresponding percentage of general population, i.e. 32.0 per cent.

2.9 Occupational distribution under different sectors of economy was as given below:—

Percentage Occupational distribution of Scheduled Tribes -- 1971 Census

	General Population-1			Scheduled Tribe Population		
	Males	Females	Total	Males	Females	Total
Total workers	100.00	100.00	100.00	100.00	100.00	100.00
I. Cultivators	46.23	29.61	43.34	62.98	42.71	57.56
II. Agricultural Labourers	21.26	50.46	26.33	27.24	48.95	33.04
III. Livestock, Forestry, Fishing, Plantation Orchards and allied activities	2.36	2.50	2.38	2.33	2.42	2.35
IV. Mining and Quarrying	0.54	0.40	0.51	0.61	0.60	0.61
V. Manufacturing, processing, servicing & repairs.						
(a) Household Industry	3.37	4.25	3.52	0.92	1.32	1.03
(b) Other than household industry	6.61	2.76	5.24	1.20	0.86	1.11
VI. Construction	1.34	0.65	1.23	0.43	0.33	0.41
VII. Trade & Commerce	6.36	1.78	5.57	0.61	0.56	0.60
VIII. Transport, Storage & Communication	2.85	0.47	2.44	0.71	0.22	0.58
IX. Other Services	9.08	7.12	8.74	2.97	2.03	2.71

2.10 It is thus quite evident that the livelihood base for tribals is, by and large, agriculture and allied activities. The cultivators form 57.56 per cent of the total workers among Scheduled Tribes and Agricultural Labourers 33.04 per cent. The picture in this regard varies from State to State. In the States of Assam, Himachal Pradesh, Manipur, Meghalaya, Nagaland, Rajasthan, Tripura, U.P., and in the Union Territories of Arunachal Pradesh and Dadra and Nagar Haveli, the cultivators form more than 75 per cent of the total workers. In Bihar, Gujarat, Madhya Pradesh, Maharashtra and Orissa, the proportion of cultivators is between 51.75 per cent, it is between 26.50 per cent in the States of Andhra Pradesh, Kerala, Karnataka,

Tamil Nadu and West Bengal. In Laccadive, Minicoy and Amindivi Islands, the cultivators are less than 25 per cent. Against an all India average of 33.04 per cent of Agricultural Labourers among tribals, the percentage of agricultural labourers is higher in the States of Andhra Pradesh (49.1 per cent), Gujarat (42.3 per cent), Madhya Pradesh (33.2 per cent), Orissa (36.7 per cent), Tamil Nadu (37.3 per cent), West Bengal (49.0 per cent), Kerala (62.1 per cent) and Maharashtra (51.9 per cent).

2.11 Land Holdings of cultivators by size in general population and Scheduled Tribe population of household according to 1961 census is as given below:—

Percentage distribution of Household engaged in cultivation by size of land in acres

Category of population	No. of cultivating households ('000)	Less than 1.0 acre	1.0--	2.5--	5.0--	7.5--	10.0--	12.5--	15.0--	30.0--	50.0 and above	
			2.4	4.9	7.4	9.9	12.4	14.9	29.0	49.9		
	1	2	3	4	5	6	7	8	9	10	11	12
General	9386 (100.0)	11.0	23.5	22.8	14.3	6.8	6.2	2.6	8.5	2.6	1.3	
Scheduled Tribe	841 (100.0)	5.5	23.6	25.6	17.3	7.6	7.0	2.8	2.8	7.9	0.5	

2.12 The above table shows that about 29 per cent Scheduled Tribe Cultivating households have holdings of less than 2.5 acres as compared to 34.5 per cent of the general population. The percentage of households having land holding of 10 acres and above is about 20 per cent among Scheduled Tribes which in case of general population, it is 22 per cent.

2.13 The Scheduled Tribes generally live in inhospitable terrain where the productivity of the soil is low. Shifting cultivation and dry upland cultivation are traditionally the most important sources of livelihood for many of the tribal communities. While the distribution of the tribal workers in the primary, secondary and tertiary sectors gives a broad indication of the nature of their participation in the different sectors of economy, it is necessary to have some idea of the specific occupations in the different sectors in which the tribals are generally engaged. They are as follows:

- (i) Forestry and Food gathering.
- (ii) Shifting Cultivation.
- (iii) Settled agriculture.
- (iv) Agriculture labour.
- (v) Animal husbandry.
- (vi) Household Industry &
- (vii) Miscellaneous occupations.

2.14 There are few tribal communities in India today who are purely engaged in forestry and food gathering. Perhaps the Andamanese, Onges and shompens of Andaman and Nicobar Islands, are the only communities who belong to this category. There are communities like Birhor, Malpondaram etc. who are predominantly engaged in forestry and food gathering; but it seems that they have symbiotic relationship with the present communities and live by exchange of commodities. Shifting cultivation as the means of livelihood is found among many of the tribal communities of Arunachal Pradesh, Nagaland, Manipur, Tripura, parts of Assam, Orissa and Madhya Pradesh. Shifting cultivation as the subsidiary means of livelihood is more widespread. It is found among some of the tribal communities in West Bengal, Bihar, Madhya Pradesh, Andhra Pradesh, Karnataka, and Kerala. The tribal communities engaged in shifting cultivation, have other sources of livelihood as well. Frequently, they try to supplement their income from shifting cultivation by taking recourse to settled agriculture. For this purpose, wherever possible, they construct terraces. Besides, many of them engage themselves as labourers in construction activities going round the country. Sometimes they work as agricultural labourers in farms of their neighbours. Settled agriculture is the primary source of livelihood for the overwhelming majority of the tribal population in the country. This consists of terraced cultivation, wet rice cultivation and upland cultivation. In some parts of the country, for instance, Kerala, Gujarat, Maharashtra, West Bengal considerable number of tribals earn their livelihood as agricultural labourers. Animal husbandry as the main source of livelihood is found only among a few tribal communities like Gujars of Himachal Pradesh, some section of Bhotiyas of U.P., Todas of Nilgiri Hills and so on. Household industry as the main source of livelihood is found only among small tribes with scattered population like the Mahalis of West Bengal, Turis of

Bihar, Agarias of Madhya Pradesh. They are attached to their dominant neighbours as satellite communities and manufacture various objects for their clients. Diversified modern occupation is not the predominant means of livelihood of any of the tribal communities in India. However, some of the tribal communities have been drawn to a greater extent in a few modern industries. For instance, the Santhals, Oraons, Mundas, etc. have provided the bulk of the plantation labourers in the tea-gardens of Assam and North Bengal. Some of these tribals have also been drawn to the Mining industry. The Bhils and the Gonds have been drawn into the industrial labour force of Maharashtra and Gujarat.

2.15 The tribal areas can be broadly divided into seven regions which have different agro-climatic and demographic characteristics: --

- (i) Central Southern Tribal Region.
- (ii) Central Northern Tribal Region.
- (iii) Western Tribal Region.
- (iv) North-Eastern Tribal Region.
- (v) North-Western Tribal Region.
- (vi) South Tribal Pocket and
- (vii) The Oceanic Groups.

(i) Central-Southern Tribal Region

2.16 This region comprises Bastar and surrounding tribal areas in southern Madhya Pradesh, southern belt of Orissa, eastern tribal belt of Maharashtra and northern tribal belt of Andhra Pradesh. It has extensive virgin forests with low pressure of population. It is also known as the 'dome region' as bulk of it is high plateau of Bastar and Koraput punctuated by hill ranges and valleys with numerous streams flowing east and west. This area has moderate climate with evenly spread rain and medium temperature ranges. The quality of land is good though there is heavy soil erosion in Orissa and Andhra Pradesh because of extensive shifting cultivation. The area has rich mineral wealth. However, only a beginning has been made for the exploration of these resources. The main tribal communities in this region are the Gonds who account for 40.7% of total tribal population of 61.75 lakhs in the region. This area is attracting in-migration and the proportion of tribal population is gradually declining.

(ii) Central-Northern Tribal Region

2.17 This region comprises the Chhotanagpur belt of Bihar, eastern tribal belt of Madhya Pradesh, northern tribal belt of Orissa and western tribal belt of West Bengal. This region represents largest tribal concentration in India. The total tribal population in the region is about 145 lakhs which is about 38% of the total tribal population in the country. It has good forest resources. But, with the growing pressure of population, large areas have got converted into agricultural lands. This region has the richest mineral wealth in India accounting for bulk of the coal deposits in the country. It has now had a sufficiently long history of mineral and industrial development which has resulted in large inter-mixing of population. This region, however, had been experiencing growing pressure

of population even before the advent of industrial enterprises in the earlier phase of its economy. The tradition of out-migration of some communities like Santhals and Oraons to the neighbouring States and plantations in Assam is now more than a century old. The main tribal communities in this region are Santhal, Oraon, Munda and Ho in the eastern part and Gond and Kol in the west. The area has moderate and well distributed rainfall. It has mild climate. The region is undulating, it is experiencing considerable soil erosion particularly in the Southern parts. The socio-economic situation is mixed. Some areas are still extremely backward with only a moderate pressure of population and unexploited rich natural resources. Some regions can boast of having giant industrial and mining complexes with large population concentration.

The Western Tribal Region

2.18 This region comprises the southern tribal belt of Rajasthan, eastern tribal belt of Gujarat, western tribal belt of Madhya Pradesh and northern tribal belt of Maharashtra as well as Dadra and Nagar Haveli and Daman. It stretches from the arid and semi-arid regions in Rajasthan to heavy rainfall areas in the western ghats near Bombay. The total tribal population in the region is 111.88 lakhs. The Bhils are the predominant tribal community in the northern half while Dhodias, Gamits and Karlis are dominant in the South. The pressure of population in the north is very high. The natural resources have got completely depleted. The region is not able to provide even bare sustenance for a part of the year. The position is somewhat better as we move southward. This region is entirely agricultural with no industrial or mining activity so far except as we reach Thana in Maharashtra. Forestry is important in the southern part.

North-Eastern Tribal Region

2.19 This region comprises (a) hilly areas in Assam, Meghalaya, Nagaland, Arunachal Pradesh, Mizoram, Manipur, Sikkim and Northern West Bengal and (b) the plain areas in Assam and Tripura. The region falls in the highest rainfall zone of India. The topography, however, changes fast as we move from the plains in Assam through small low hilly regions with soft formations to the Great Himalayan heights in the North. Extensive forests in this region have got denuded in many areas because of the high incidence of shifting cultivation not-with-standing the recent diversification of economy and steady advance in education. Nevertheless forests still provide a great potential, agricultural land being extremely limited. There is good potential for mineral development in some regions. The total tribal population in this region is 48.95 lakhs. It has a large number of comparatively small tribal communities including the Naga, Khasi, Moro, Hiri and Tripuri.

North-Western Tribal Belt

2.20 This region comprises the tribal belt in the hills of western U.P. and the northern Himachal Pradesh. It accounts for only 3.30 lakhs tribals though it covers large area. The belt begins almost from the foot-hills of the Shivaliks in Dehra Dun, U.P., to

the northern border of India in Lahaul and Spiti. The prominent tribal communities here are the Jaunsaries, Lahalies and Kinnoras. The agro-climatic condition in this region changes sharply from the foot-hills of the Shivalik to the high altitude arid zone in Spiti. Natural resources are extremely meagre which has resulted over the millenia in the sociological phenomenon of polyandry where long tradition of static family-size has acquired a high social valuation.

Southern Tribal Pocket

2.21 This pocket comprises the tribal areas on the tri-junction of Tamil Nadu, Kerala and Karnataka. This is a heavy rainfall area with dense forests. The tribal communities in this region are extremely backward and the area is very sparsely populated compared to the highest density areas around Kerala and Tamil Nadu. The total tribal population in this region is only 7.32 lakhs. The major tribal communities are the Malayali, Soluga and Kurumba.

The Oceanic Groups

2.22. These groups comprise the tribal communities in Andaman and Nicobar Islands and Lakshadweep. The total tribal population is 48 thousand and only comprising the smallest ethnic groups in India. Jarwas, Onges, Sentenelese and Great Andamanics have the distinction of being the remnants of the Negrito race who are amongst the oldest human communities surviving in the world. The islands have typical equatorial climate and rich vegetation. Agriculture is unknown, their economy is based on food gathering from natural forests and sea-faring.

The Gonds

2.23. The Gonds, the most dominant tribal group of Central India, number a little over 5 millions (1971 Census). They are distributed widely in a vast area within the limit of Andhra Pradesh, Madhya Pradesh, Maharashtra and Orissa. Under the generic term 'Gond' includes a good number of ethnic groups differently designated by different nomenclatures, each forming an endogamous section. Each of such groups is marked by some cultural distinctiveness of its own and remains at different developmental levels. The Gonds are a Dravidian speaking tribe having their own language called 'Gondi'. They have retained their own language and maintained their cultural identity. They use the term 'Koitor' or 'Koi' as self-designatory term. It is rather difficult for such a large group like the Gond, spreading over a vast area, to have a homogenous population by retaining uniform racial and cultural affinity. But on the whole, the Gonds, in general, present some feature peculiar to the group as a whole, and various sub-groups of the Gond are accordingly found to share such features in common amongst them; for example, they have a common tongue 'Gondi', the common self-designatory term is 'Koitor', the presence of phratry system for regulation of marriage among them is another common feature of the tribe. Again, each of such phratries is usually referred to in terms of the number of gods (pen, deve, etc.) which are supposed to be worshipped by the concerned members.

2.24 Their traditional system has been under process of changes which is more discernible in the area where impact of outside influences is significant, and also in case of those who live apart from the main stock. The reform activities or some induced factors like introduction and application of some State Laws of obligatory nature also play an important role in that direction. On account of the Dravidian characteristics present in their traditional language (Gondi), it has been asserted by many about their probable migration towards the north from the Godavari valley. There are various myths, folk-songs and traditions found current which are indicative of such inferences.

2.25. The political scene of Central India beginning from fifteenth century was eventful in matter of the rise and advent of Gond's supremacy; they continued to enjoy the status of a ruling race up to the middle of eighteenth century when a number of Gond kingdoms came into being. At that time some important changes in the social life of the Gonds were marked. An aristocratic section among the Gonds emerged out, and an appellation 'Raj' came into use of the members of this class of people as a mark of differentiation from the ordinary class of Gonds. These people refrained from marrying freely into the ordinary section, restricted only to hypergamy type of marriages in some cases. But in later period such term as 'Raj Gond' was being applied to indicate a cultured group of Gonds under Hindu influence. The spread of education among the Gonds is far below the standard. At present facilities are provided for primary education to tribal children in most of the big villages. But the scope for attainment of higher study is too meagre to meet the general demand, if there is any. Regarding the literacy standard among the Gonds, taking together all the groups including the koys, the literacy percentage (1971 Census) is highest in Orissa (12.17) followed by Maharashtra (11.70) and then by Madhya Pradesh (8.61), the lowest (3.71) being found in Andhra Pradesh.

2.26 The training institutes of indigenous type called *ghotul* in its active form are found only among the Muria Gonds of Bastar. A village *ghotul* or bachelors' dormitory serves as a training centre for the unmarried young people of the village in a traditional way. Agriculture forms the main core of subsistence among the Gonds. They are primarily found to be settled agriculturists, with the exception of a very few, particularly in case of those in most remote hilly and forested areas like the Hill Marias of Abujhmar in Bastar. The Gonds, in general, still pursue the old method of cultivation. Besides agriculture, labour on daily wage basis forms an important occupation. Their association with forests is very significant. They derive from forests a wide range of items serving as food and building materials, fuels, etc. A forest also serves as a grazing and hunting resort. Cattle rearing is an important secondary occupation among some sections of the Gonds like Doria and some Marias of south Bastar. Individual right of ownership over land is recognised among almost all the Gonds practising settled cultivation. But some sort of joint or group ownership over land exists among those who still practise shifting cultivation like the Hill Marias of Bastar. Simple or nuclear type of family is predominately present among all the Gonds; joint families also occur

in some cases. Mode of residence is patrilocal, but in case when a man has only one daughter, he usually likes to get his son-in-law settled in his house. In such case if the boy (*lamsena, illitam*) settles down there, he undertakes all the economic responsibilities as a member of the household.

2.27 Normally the right over moveable and immoveable property passes through male line from a father to his sons, each getting an equal share. The daughters have no right over any property as such. Though the present succession acts of the country allow a daughter an equal share of her father's property with the sons, its effect is not significant. In case of succession to an office like headman, priest, etc. it is the prerogative right of a male member in the direct line of a man holding the office to succeed him. The system of primogeniture is the general rule. The Gonds in most cases still adhere to their tribal council to deal with various social offices among them. The recently introduced statutory panchayat system mainly concerns with the welfare activities. The traditional authority structures though control the social breaches, it is gradually losing control over the matters relating to economic disputes, particularly those arising out of land issues.

The Santhals

2.28 The Santhals are one of the largest Scheduled Tribes of India. They are spread over a wide area in Bihar, Orissa, West Bengal, Tripura, Assam. Of the total Santhal population of the Country 49.58 per cent reside in Bihar, 37.90 per cent in West Bengal, 12.46 per cent in Orissa and Tripura occupies the lowest position with 0.06 per cent to its credit. The Santhals have distinct areas of concentrations where they have built up a tradition of their own through centuries. These areas are Santhal Parganas, Singhbhum and Manbhum districts in Bihar, the Districts of Mayurbhanj, Seraikella and Kharswan in Orissa and the districts of Purulia, Midnapore, Bankura and Birbhum in West Bengal.

2.29 The Santhals are very conscious about their identity and heritage. Most of them have retained their own mother tongue which is a great binding factor. They are also bilinguals in general and have adopted regional languages (Hindi/Oriya/Bengali) besides their mother tongue (Santhali) which belongs to the Austro-Asiatic group of Austrie Speech family. There is a popular demand current amongst them for the official recognition of 'Ol Chiki' which is supposed to represent all the characteristic features of Santhali dialect. Migration from their original homeland also took place due to (i) jungle clearing for permanent settlement, (ii) demand for manual labour force for mining, quarrying and railway construction, (iii) for engaging them in indigo and tea plantations and other allied avocations and finally (iv) demand for agricultural labour force. Of the total Santhals residing in the four States, only 7.86 per cent are literate and educated, the percentage of male literates being 13.11 and females 2.03.

2.30 The Santhals, in the past were engaged in collection of forest produce, hunting, fishing and cultivation on hill slopes. Their main trading craft was

extraction of oil and manufacture of lime. At present most of them are engaged in cultivation, but mainly in the capacity of share croppers, agricultural labourers and small farmers. A good number of them work as labourers in the tea gardens of North Bengal and Assam, they have also earned name as efficient colliery labourers in Dhanbad-Raniganj-Asansol area. Some are employed as unskilled workers in different industrial institutions. The Santhals are a patriarchal people and follow patrilineal descent. The binding factor of their social life is the belief in a common ancestry from the first human couple, Pilchu Haram and Pilchu Buri who divided them into twelve exogamous totemic ancestral clans. These clans are further divided into sub-clans. Violation of tribal endogamy and clan exogamy lead to the highest social punishment of expulsion from the society through 'Bitlaha'. *Thakur-Jill* is their supreme deity. Their religious life is based on belief in a number of community and individual *Bangas*. Dances, Songs Music are performed in groups on major community festivals. The traditional *Panch* with five officials (Jogmanjhi, Paramanik, Jog Paramanik, Naiki, Gorait) still have some influence over their socio-religious life and activities. From time to time a number of social movements had taken place which brought some sorts of stratification here and there. These disturbed the solidarity and cohesiveness of Santhal society. But at present a several trend is noticeable, the splinter group trying to get into the core element of the society.

The Oraons

2.31 The Oraons are widely spread throughout the States of Bihar, West Bengal, Orissa and Madhya Pradesh. They constitute rather a linguistic island of the Dravidian group among the dominating Munari group of Austro-Asiatic family. Short statured, narrow headed (dolico-cephalic) and broadnosed (platyrrhine), dark bran, curly haired, the Oraon have been termed as Dravidian by Risley and Proto-Australoid by Guha. The economy of most of the Oraons revolve round agriculture and by and large they have land which may be classified as low land and up land. The principal crop is paddy of coarse and fine varieties. They also raise a kind of millet and couple of oil seeds. They are exclusively dependent on monsoon for agricultural water and for this they are in a position to raise only one crop in a year which is hardly sufficient for six to nine months. Owing to such precarious agricultural economy there is a large exodus of labour migration specially during the slack seasons. They have also to supplement their economy by food gathering, food collecting and hunting in the forest. There has been considerable transfer of tribal land to the non-tribals and, taken together all these have intensified the process of land alienation, tribal indebtedness and various other types of exploitation including the forced labour.

2.32 In spite of poverty the Oraons are rich in socio-religious practices as well as in folk songs and dances. In general, their ethos and value attitude system are characterised with optimism, simplicity, honesty, flair for freedom and love for their own style of life. The Oraons like the other major tribes are exposed to (i) the traditional processes and (2) modern processes of transformation. Following the Hindu model they

have been influenced by a series of Bhagat movements and a large number of them emulate the religion and culture of their Hindu neighbour. The Oraons were the first to embrace Christianity and, looked at from the point of view of changes Christianity has provided as the first model of Westernisation to the Oraon in the shape of 'Church Organisation', 'Western education', and above all the 'Western values and morals'. Originally there was a conscious effort on the part of the Christian Oraons to do away with the Sarna traditions completely in order to give acceptance in Christian world. This trend, however, sustained a set back after India's independence and constitutional privileges were granted to the tribals. The industrial urbanisation in Chotanagpur has greatly affected the tribal population which till recently led a homogeneous, distinctive and folk style of life. The impact of industrial urbanisation has been differently felt by the uprooted villagers, the tribal migrants and the villagers living around the industrial and mining complexes. Sponsored agencies and the implementation of various types of welfare schemes meant for the tribal areas have brought about certain economic and social changes in the tribal communities. After independence the tempo of development among the tribals was accelerated with the constitutional provisions, as well as special tribal policies provided in the different five year plans such as special multipurpose tribal development blocks, integrated area development sub-plans etc.

2.33 All these have released varied types of forces and in general the Oraon from several angles may be termed as the most progressive tribe. In the course of the history they have faced the varying situations boldly and owing to these they are today, one of the most cultured and adjusted tribal groups of middle India. They were one of the first tribals to leave their original land in search of better fortune. They were, first to embrace Christianity, and today first to take up the challenges of urbanisation, industrialisation and democratic experiments.

The Mundas

2.34 The Mundas numbering over a million, are mainly concentrated in Bihar, Orissa and West Bengal. While the Ranchi district accounts for almost half of the population, the other districts, where the population is more than 20,000 are : Hazaribagh and Singhbhum in Bihar, Keonjhar, Sambalpur and Sundergarh in Orissa, Jalpaiguri and 24 Parganas in West Bengal.

2.35 The migration history and the distribution pattern, of these people are linked with their agrarian history during the past 150 years. The original agrarian structure was based on *Khunti-Katti* villages. These were intensively patri-kin based villages which formed nucleus of a segmentary political system. The subsequent influx of outsiders (diku) mostly as tenure-holders (pattiders) dealt a severe blow to the traditional Mundari agrarian structure. They not only usurped most of the original *Khunti-Katti* villages and reduced the aborigines to rent paying raiyats, but also settled other Hindu and Muslim aliens in their territory. The antagonism between the tribals and the dikus gradually increased culminating in a

series of agrarian uprisings during the period. This phenomenon coupled with famine and scarcity forced the people to leave their homeland and migrate to the adjoining States. Tea industry in north Bengal and Assam and opening of forest and waste land in South Bengal and Orissa for settlement about this time, perhaps added further incentive to migration. This tribe is educationally very backward, only 13.5 per cent of the population being literate. The literacy rate gradually falls as one moves out of the core area in Bihar to the adjoining areas of Orissa, West Bengal, Tripura and Madhya Pradesh. Among the women the literacy rate is even less (3.5%). Among the literates most are either literate without education or primary/junior basic education. Very few have matric and above qualification. Only 0.42 per cent of the literates have any technical qualification.

2.36 The primary occupation of these people along with the other Chhotanagpur tribes is agriculture. But the number of landless labourers are increasingly more in Orissa and West Bengal, 367 and 490 as against 281 per thousand of workers in Orissa, West Bengal and Bihar respectively. The diversification of occupation appears to be more in the migrated zones—100 in Bihar as against 117 and 198 in Orissa and West Bengal per 1000 of workers. The women constitute an important segment of the tribal work-force, in some cases they constitute 50 per cent or more of the total work force. In the land-use and ownership pattern it is observed from a field-study of a Chhotanagpur village that the Hindus though not numerically dominant hold per capita more low land than the Mundas. In West Bengal rural areas per capita land held by the Mundas is very low when compared with that of the other higher castes and Muslims.

2.37 Close patri-kin association is the basis of all Munda socio-political structures. It determines the character and the authority structure of every type of kin groups: family, lineage, clan, tribe and sub-tribe. Rules of inheritance and succession to traditional offices are also determined on the basis of patriliney. The tribe is primarily divided into two sub-tribes: Kompat and Tamarua. Each of the sub-tribes is divided into a large number of patrilineal exogamous decent groups known as *Kili* or *clan*. At one time the Munda clan was probably a well knit corporate body, but now, it has lost much of the corporate character. It exists only in an attenuated form in the parha organisation. Each Munda clan is divided into two or three highly localized sectional patrilineages. That the lineage is a corporate unit is evident from the fact that each lineage has a recognised senior house and all the houses of a lineage, once a year, worship together the tutelary deity of the lineage. In former times land was held in common by the lineage. Even now the lineage enjoys a residuary right over the land held by its members. At the village level the panch headed by a recognised headman (Mundi) exercises socio-political control over the members of the community. Outside the villages there is the parha organisation. The parha is a corporate inter-village uni-clan council which looks after both the social norms and political interest of the people. The introduction of statutory panchayat has not completely obliterated these institutions, rather a revival of parha organisation was noticed as late as 1965.

The Khonds

2.38 In Orissa, they are the largest tribe, living mostly in the southern districts. They are also found in the Visakhapatnam Agency in Andhra Pradesh and the South-eastern part of Madhya Pradesh. The majority of the Khonds grow turmeric and have mastered the production of this commercial crop. On the hill slopes many of them cultivate on terraces. The Kuttia and Dangaria Khonds are relatively under developed, still practising shifting cultivation and migrating from place to place in a cycle of three to five years. The Khonds practised human sacrifice a hundred years ago but this was stopped by 1857. Instead, buffaloes are now offered to propitiate the spirits. The traditional tribal organisation is fairly strong. There is a chief for every 10 to 12 villages, called the Mutta, whose jurisdiction covers several exogamous families with different totems such as the elephant, tiger, bamboo, and so on. This tribe also has the bachelors' dormitory, though it is gradually dying out.

The Hos

2.39 They are a Kolarian tribe, primarily of Singhbhum. The name Ho seems to be merely a contracted form of the word 'hero man' which is used for them by their cognate tribes of Mundas and Santhals. The Hos admit that they are of the same family as the Mundas and according to Rislav, they are the only branch of the Kols that have preserved a national appellation. They have no sub-tribes, but the Septs are very numerous, and many of them, appear to be totemistic. A typical Ho village is built on high ground in the midst of an undulating surface. The houses are built of mud, thatched with grass or roofed with tiles as means permit. Every family has a cage for housing pigeons. The economic base of the Hos is agriculture, though occasional hunting and fishing form important diversions from the monotony of an uneventful occupation. The Hos in agriculture are fair marksmen with the bows and arrows and great sportsmen. The Hos are divided into a number of exogamous Septs 'Killi' which are totemistic in nature. They are patri-local and patri-lineal people. The Ho religion embodies a number of 'bongas'. Singhbonga is considered to be the supreme God, and Naga-Bonga or the river goddess, is supposed to be the wife of the former (according to some Chando is his wife). Apart from the above, there are other benevolent and malevolent 'Bongas'. The Ho religion today is very much mixed with Hindu ideas. The following are the traditional festivals of the Hos, which are mostly connected with the agricultural pursuits: Maghe, Baha, Bamurai, Hero, Jomnama, Kolan, Batauli. The 'Munda' of their own tribe usually belongs to the dominant 'Killi' of the village. Each 'Killi' has its own panchayat in which all the elder persons take part.

The Nagas

2.40 Among the Indo-Mongoloid tribes in India, the Nagas are one of the most fascinating and colourful. It is possible that the Nagas are to be included among the Kiratas referred to in Hindu tradition and mythology. The respect in which the Kiratas were traditionally held is shown in the Mahabharata which describes Shiva as taking the form of a Kirata, with Parvati by his side in the guise of a Kirata women.

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3. STRATEGY OF DEVELOPMENT

Pre-Independence Scene

3.1 We have seen in the earlier chapters that the tribal communities have continued to live predominantly in hilly and forest regions. These areas are comparatively inaccessible and isolated. The British came in contact with tribal communities at a latter stage and experienced greater resistance in these areas. In the first instance, the British attempted to superimpose their conventional administrative pattern, directly or through intermediaries. This led to hostility, discontentment and sometimes rebellions. This policy was reviewed and subsequently a policy of non-interference was adopted. Some of the more backward tribal areas were declared as 'Excluded' and comparatively less backward areas as 'partially excluded'. These regions were administered with limited interference from outside. The traditional institutions were also recognised particularly in the excluded areas.

3.2 The opening of tribal areas and incursion of outside elements in the early part of the British rule had serious consequences for the tribal economy. Their rights over the land got jeopardised, and the incidence of land alienation increased phenomenally. The direct ownership in most of the tribal areas of forests was also assumed by the State in most of the tribal areas. The introduction of formal administration, particularly in relation to administration of justice, undermined their traditional institutions. The policy of keeping the tribals more or less in isolation helped in maintaining a status quo and created a situation of drift, depriving the tribal communities of the possible benefits of the new forces of change informing the larger national life. The outside elements continued to exploit the situation and the economic system of the tribal communities became untenable. The spread of literacy except in a few areas among them was extremely insignificant on the eve of Independence. The health services were generally grossly insufficient and no significant schemes of development had been taken up.

Review after Independence

3.3 Planned economic development was adopted as our national policy soon after Independence. The tribal communities like all other constituent groups in the nation, were expected to partake in this national endeavour on terms of equality. However, the distinct socio-economic situation of the tribal areas and tribal communities was recognised and the Constitution provided a frame with the objective of enabling the tribal communities to join the mainstream of national life, with adequate protection and support, wherever necessary, during the transitional period. It was also envisaged that these areas may not be subjected to a uniform extension of all institutions and laws and they should be allowed to retain the best from their own traditions maintaining their identities.

3.4 The tribal development scheme can be reviewed in the context of general development programmes in the country. A comprehensive programme of community development arriving at all round development in the rural areas was initiated in the First Five Year Plan and 56 community development projects were started. It, however, became clear that it may not be possible to cover the entire country by such an intensive programme within a reasonable period. Therefore, a comparatively less-intensive model of the Community Development Approach was adopted which gradually covered the entire country by the end of the Second Plan.

3.5 Since the community development programme was comprehensive in its coverage, the same concept was equally applicable to the tribal areas. The task in these areas was more difficult. They comprised sparsely populated hill and forest regions, with poor communications and limited institutional infrastructure. This would require much greater investment and personal attention by extension workers. It was, therefore, decided to supplement the community development programme in tribal areas. Forty three Special Multi-purpose Tribal Development Projects were started during 1954 for this purpose.

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became synonymous with tribal development block programme even though they catered to a limited area and covered a few schemes within a fixed outlay. The protective measures envisaged under the Constitution were not linked with developmental system. Sometimes special laws and regulations were made which, however, proved inadequate. The administrative aspects in tribal economy also remained largely unattended to. The process of land alienation continued unabated and the economic base of the tribal communities deteriorated. The tribal development blocks could not, therefore, emerge as an effective instrument for tribal development.

3.9 In the mean time, many aspects of development in relation to different sectors were claiming attention of concerned authorities in the Centre and the States. Various departments initiated intensive programmes for their respective sectors. The total developmental effort in the States and the Centre was growing from plan to plan. In this context the composite programme under tribal development blocks which represented a small proportion of the total developmental investment receded to the background. In view of the policy followed in the Five Year Plans, it was expected that benefits would accrue to the tribals in due proportion under various developmental programmes. In practice however, the T.D. Block programme and schemes taken up under Backward Classes sector which were expected to be supplementary in nature substituted the developmental efforts of the sectoral programmes. No serious attempt was made to give a fair share of sectoral programmes to these areas.

3.10 The developmental effort in the first decades did result in substantial growth, though not of the desired order. But the striking feature of the new situation was that the disparity between different sections of the community and also between different regions also continuing to grow. This issue claimed attention of the planners at the highest level. In the Fourth Five Year Plan, therefore, a series of programmes addressed to specific target groups like small farmers, agricultural labourers as also specific areas like drought prone regions were taken up to check this process. In the wake of these area specific and group oriented projects, a programme for tribal areas was also taken up on a pilot basis in areas of special agrarian unrest, with the establishment of six Tribal Development Agencies in M.P., Bihar, Orissa and Andhra Pradesh during the Fourth Plan. Towards the end of Fourth Plan, two more tribal development agencies were created in Orissa in areas not based on any agrarian unrest. This programme envisaged a comprehensive frame comprising protective measures, economic development and social services. In actual practices, however, these agencies confined themselves to agricultural development programmes with only additional investment on arterial roads. This programme was still in a pilot phase when the progress of tribal development situation was reviewed in depth on the eve of the Fifth Five Year Plan.

3.11 The first comprehensive review of the tribal scene was made by the Scheduled Areas and Scheduled Tribes Commission (Dhebar Commission) in 1961. The Commission noted the slow pace of development and inadequate investments in the tribal areas. The

protective measures were also inadequate and this needed the urgent attention of Government. The Commission called for comprehensive legislation to cover all tribals living within the scheduled areas and outside and a simple administrative system for tribal areas. The scheme of Tribal Development Blocks was recommended for all areas with more than 50 per cent tribal population. The Commission was of the view that if the above programmes were taken up, it would not be necessary to extend the scheduled areas. The situation in tribal areas, however, remained unchanged when the Shilu-A Committee again took up the review in 1969. This Committee came to the conclusion that the scheme of tribal development blocks was inadequate for dealing with the complex problems of tribal development. These blocks were too small to function as the basic unit for planning and implementation. The main problems of tribal communities, according to them related to indebtedness, land alienation, educational backwardness and inadequacy of communications. They drew pointed attention to the non-implementation of the recommendation of Dhebar Commission. They called for vigorous action to implement these recommendations and for preparing comprehensive tribal development programmes, with larger resources commensurate with the size of the problem and overall national developmental effort.

The Sub-Plan Strategy

3.12 The review of the tribal situation on the eve of the Fifth Plan brought out that the tribal communities continued to lag behind, and the deficiencies pointed out by the Dhebar Commission and Shilu Ao Committee had remained uncorrected. The socio-economic situation of tribal community as a whole, however, had not remained static. There were some gains and many set-backs. Some tribal communities were far ahead of other groups, both educationally and economically. In a few tribal areas, industrial and mining complexes had been established which did help the people living in those areas getting some benefits and coming within the close range of a modern economy; but this as we shall see further on, was a mixed blessing. In regard to the remaining areas, while some communities still continue to be at the stage of 'hoe' cultivation, quite a few of them have taken to settled agriculture and adopted the 'plough' culture. The rich resources of some tribal regions were attracting substantial population from outside. The pressure of population in other regions was forcing some tribal communities to migrate seasonally or permanently. Thus, it became clear that no single solution could be expected to have universal applicability in all tribal areas. Each tribal area presented more or less unique situation in terms of resources, people, social constraints, infrastructural development etc. Yet, it was also appreciated that there were certain common features and problems to all tribal areas and tribal communities which called for a suitable strategy at the national level.

3.13 The entire question of tribal development was broadly divided, into two parts:

- (i) areas of tribal concentration and
- (ii) dispersed tribal population.

The approach and strategy for tribal development in the two cases had to be quite distinct. In the areas of tribal concentration, some elements of area development have to be incorporated in any plan even when it may be exclusively designed for people's development, particularly in the backward areas where infrastructure was not developed. It must be remembered that development of the physical potential, infrastructure, etc. in the area may not necessarily promote the development of the people residing in the relevant area. In this context, infrastructural development suitably adapted may be a necessary condition as a part of the bigger package of programmes, but not a sufficient condition for people's development. Thus, a concept of 'area development with focus on the development of tribal communities' was accepted for the tribal areas.

3.14 Another important distinguishing feature of the areas of tribal concentration and dispersed tribals is the ownership of resources. The tribal community in the original state of their economy, had full command over the local resources. In the predominantly tribal areas, this ownership pattern has been disturbed, but only partially. On the other hand, in the case of dispersed tribals, their physical command over resources is extremely limited. Therefore, there is a qualitative change in the initial conditions for tribal development in the two situations.

3.15 Besides, a broad two way classification of tribals for the purposes of developmental strategy, some other special features are also noticed. There are some tribal communities, who are caught at a niche representing an earlier stage of economic development. They largely depend on food-gathering and hunting. Since the carrying capacity of local resources of the area at pre-agricultural level of technology is very limited, their population size is small. These communities are also generally pre-literate. Therefore, in the new strategy of development, they have been treated as a separate group. In their case, a very flexible approach of development keeping in view the conditions of each specific group or the community has to be evolved. They have been termed as primitive tribal communities.

3.16 In pursuance of the above approach evolved on the eve of the Fifth Plan, a comprehensive programme of development was prepared, in the first stage, for areas of tribal concentration. Programmes for primitive tribal communities were also given some priority and specific schemes were drawn up for them. It was, however, decided that intensive development of dispersed tribal communities will be taken up in the second phase.

3.17 Thus, in the Fifth Plan, a distinct approach for development of tribal communities living in areas of their concentration was worked out. It was, however, just one step beyond the earlier thinking on the subject which was initiated when the community development blocks and tribal development blocks were established. Advantage was taken of the experience gained in the earlier programmes. In the first instance, it was decided that any programme of tribal development in

these areas had to be comprehensive. The socio-economic situation in these areas was at a stage where protective and developmental measures had to be interwoven. In fact, effective protection had to provide the firm base on which the super structure of development could be built. Area development by itself can be counter productive and may result in backlash effects so far as the tribal communities are concerned.

3.18 The above approach is in consonance with the Constitutional frame for development of tribal communities. We have noted that a number of provisions in the Constitution aim at providing necessary safeguards during the transitional period and help the tribal community to move faster in the wake of national developmental effort. However, even though the sub-plan strategy as a conceptual frame did include all aspects of tribal development, the administrative needs were specially underlined. The Guidelines noted that "multiplicity of agencies in these areas has resulted in division of responsibilities, inadequate control, lack of coordination and, from the people's angle, difficulties in identifying the officials concerned with specific programmes. The pattern of administrative organisation should be worked out in detail for achieving the functional coordination and efficiency. Delegation of authority, specificity of responsibilities and adequate flexibility should be built into the administrative frame. At this stage of development protective and developmental functions cannot be distinguished in the tribal areas particularly in view of the fact that in the new strategy elimination of exploitation has been accorded the highest priority".

3.19 Administration is the instrument for translating policy decision in operational term for which base is provided by the legal frame. Even though the Sub-Plan approach envisaged appropriate administrative measures as an integral part of the new strategy, it was stated that while the sub-plans may primarily provide the economic and social inputs, the protective and administrative aspects should be taken care of under the appropriate Constitutional Provisions. It was, therefore, decided that, as far as possible, the Sub-Plan area should become co-terminus with the Scheduled areas. Consequently, statutory steps were taken in all States having scheduled areas to ensure that the areas falling within the tribal sub-Plan were scheduled by declaring more areas as scheduled areas. Similar action, however, could not be taken in other States which did not have scheduled areas.

3.20 Having, thus broadly defined the tribal sub-plan approach, it was necessary to define the strategy for the development of these areas. Some of the important features were as follows:

- (i) The development in the tribal areas has to be conceived in comprehensive terms. Therefore, formal categorisation of various developmental activities which had emerged over the matter earlier two decades should not be governing criteria so far as the tribal areas were concerned. The resources for development should be pooled and the priority within these resources should be worked out with reference to the needs of these areas. Problem-solving approach

with clear objectives should be adopted making the system flexible, so as not to compromise on basic objectives.

- (ii) The Development of the tribal areas has to be an integral part of the total development of the State and the nation. The major thrust of their development has to be provided by the various sectoral authorities themselves. The basic investment for development of tribal areas, therefore, should flow from the normal State Plan.
- (iii) The special responsibility of the Union Government in terms of the Constitutional provision was also spelt out. Each Central Ministry is responsible for development of these areas in relation to its functional jurisdiction. They should review the tribal situation and provide necessary investments for their speedy development. However, all sectoral efforts, in their totality may still not provide the full answer to their problems. It was agreed that the nodal and the residual responsibility will rest with the Ministry of Home Affairs at Union level under the Constitutional scheme. Thus, the roles of all partners in development were defined and a mechanism for its translation in operational terms was also provided.
- (iv) Another basic premise in tribal development is the recognition of the fact that the socio-economic situation may require a specific answer. The basic unit of planning and implementation, which should be homogenous and viable, was defined as an Integrated Tribal Development Project. The Sub-Plan should be built from below and represent an organic built up of project planning.
- (v) The primitive tribal communities should be identified and special programme with adequate flexibility should be built up for them.
- (vi) The administrative system for tribal areas should be simple and overspecialisation discouraged so that the system was within the comprehension of the community which it was supposed to serve. Adequate administrative and financial powers should be delegated and responsibility at each level should be specific.

Priorities under Sub-Plan Strategy

3.21 The new strategy envisaged that the programmes and priorities for tribal development had to be specific for each area and each community having accepted this approach, it was recognised that there were certain characteristics common to all tribal areas which call for clear enunciation of priorities at the national level. Some of the critical problems of these regions had been noted by the earlier Commissions and Committees which should claim the fullest attention in any scheme. The Exploitation in various forms is widespread. The process of development itself, in its normal course, may have some adverse consequences for the tribal community. It was therefore logical to attend to protective measures before launching a developmental programme so that the com-

munity is enabled to retain command over resources and was able to enjoy the fruits of their labour. Elimination of exploitation, was therefore, accorded the highest priority in these schemes. Any measure for protection must begin with a review of the State policies themselves since they were entirely within the purview of Government to rectify. For example, excise policy in tribal areas was the root cause of exploitation in many ways. Similarly, review of forest policy was necessary with a view to give the community a share in the benefit of the working of forest resources, alienation of land with the introduction of money economy and inadequate provision for credit and marketing, continued to plague these areas. The State should take adequate legal measures for plugging the loopholes in the legal system and take up programmes for restoration of alienated lands. A system of credit and marketing should be established so that the exploitation in money lending and exchange of commodities was eliminated.

3.22 While elimination of exploitation is the essential first step, it can not provide a solution to the problem inherent in a situation where two different systems of unequal strength, are coming in increasingly closer contact with adverse implications for the traditional. The strategy for tribal development, therefore, should underline measures for building the inner strength of the community so that they are able to face, as quickly as possible, the new system on terms of equality. In this frame, education and health services have to be given a high priority in the developmental profile of the tribal areas. They have to be accepted not only as necessary investment for faster economic growth but also as an effective protective device during the transitional phase.

3.23 The economic problems comes next in the developmental strategy. The development of infrastructure by itself did not lead to development of the people. Therefore, a cautious approach had to be adopted and each such scheme must be justified by its support to specific economic programme. The economic programmes themselves were divided into two groups. In the first category were those programmes which were of universal applicability and which did not involve a structural change in the tribal economy. Here, the programmes should begin where an average tribal was standing today and aim at enabling him to take benefit of new advances in production process, science and technology. The programmes benefiting limited groups involving structural change in the tribal economy had to be taken up cautiously ensuring that the weaker sections of the community were not adversely affected.

Integrated Tribal Development Projects:

3.24 Having, thus, defined the approach and strategy for development of tribal areas, the sub-plan proceeds to operationalise it in the field through Integrated Tribal Development Projects which are the basic units for planning and implementation. It was envisaged that "suitable planning areas should be carved out at micro, meso and macro levels. This delineation should keep in view the various characteristics such as natural resources, physical features, level

of the development of the tribal communities inhabiting the regions and other socio-economic considerations to suit the planning functions at each level to the extent possible. The existing administrative boundaries were taken into consideration for the purpose of demarcation of these areas. Although a T.D. Block was considered too small a unit for comprehensive planning, it was accepted as the micro unit in the new scheme. An Integrated Tribal Development Project now comprised a number of blocks which were grouped keeping in view their common characteristics.

3.25 The Integrated Tribal Development Project has been given as wide a frame of operation in relation to its geographical area as the Tribal sub-plan at the state level. All investments at the project level are pooled together and no item of state activity is outside its purview. Caution has also been taken lest even a comprehensive frame accepted at the conceptual level may get transformed merely into a programme as had happened earlier in the case of T.D. Blocks and T.D. Areas. The I.T.D.P., therefore, has not been reduced to the form of a fixed set of schemes but represents total activity of the State as also organisations to the extent possible. All forces operating in its area should get clearly identified so that the course and the direction of the Tribal Development can be realistically planned. Adequate flexibility has been built into this scheme but the conceptual frame has been kept inviolable. Thus, the Integrated Tribal Development Project represents a basic concept rather than a mere aggregation of investments and schemes.

3.26 Even an average I.T.D.P., covers a large geographical area in which socio-economic condition may not be identical throughout. Further, there may be some special situations like the ones arising from establishment of a heavy industry, construction of a major irrigation project or intensification of forestry programmes. Similarly, a Project may cover some communities which may be small in size but who may be at a different stage of economic development. The integrated tribal development frame, therefore, is envisaged as providing adequate accommodation for all those variations which at that level are not mere abstractions but can be seen as affecting the people and demanding urgent corrective measures. The I.T.D.P. plan, therefore, envisaged identification of specific problems in the area and suggestion of specific measures for meeting these situations. The following are some of the aspects which are to be specially noted :

- (a) Primitive Communities;
- (b) Areas with distinctive economic activity like shifting cultivation;
- (c) Areas with predominantly forest based economy;
- (d) More backward sub-regions;
- (e) Growing urban centres;
- (f) Areas of influence of industrial and mining complexes, existing and potential; and
- (g) Other problem areas, if any.

3.27 The tasks thus outlined for the Integrated Tribal Development Projects had to be undertaken by the respective sectoral authorities. It was accepted that the entire administrative system within the project area had to work in unison according to the approach and strategy which might be adopted for that project by the State Government with the approval of the Central Government. Therefore, the administration at the project level had to be inter-disciplinary within a unitary structure and under effective leadership. The total task of development assigned to the project could not be undertaken by any authority except the Government. The I.T.D.P. approach, could not be accommodated in a 'Society' Model which, by definition, was not capable of assuming the responsibility of the Government and must be satisfied with limited functions. Even the requirements of flexibility and adaption inherent in the Integrated Tribal Development Project approach could not be fully satisfied in a society. Similarly, a statutory authority was also unsuitable because of the need for clear delineation of powers even in their case as distinct from those of Government. The best and the only practical course was to establish the Integrated Tribal Development Projects by a resolution of Government, with clearly defined tasks in their respective areas covering all facets of social and economic life of the community. All issues coming in the way of achieving the goal had to be resolved as stipulated in the sub-plan strategy.

3.28 We have, however, found that barring some States neither inter-disciplinary structure nor leadership has been effective. The strategy outlined envisaged a comprehensive development approach to be implemented on the basis of a 'Project Approach', aiming at an integrated development of the area, with special emphasis on the least advantage and to improve the productive and earning capacity of the poor in their existing activities or through promotion of new activities. The beneficiary oriented approach had to be fitted in as part of the area development plan.

3.29 The National Committee has gone in great detail into the Constitution, composition, functioning, delegation of powers, both administrative and financial, and suggested a set up for an integrated area development authority in the report on 'Organisation of Administrative and Financial Structures for backward area development'. This model is essentially based on the ITDP model envisaged in the sub-plan approach but not represents complexes. The Committee would recommend that the approach outlined in its report on 'Organisation of Administrative and Financial Structures for backward area development' should be fully implemented in all Sub-Plan areas and all the ITDPs streamlined and restructured on the basis of suggestions therein.

3.30 After accepting the need for a special programme for areas of tribal concentration, the next step was to identify them. The case of areas covered under the Fifth and the Sixth schedule was clear. The areas under the Sixth schedule are confined to the former state of Assam. All these areas except the districts of Mikir and North Kachar hills have been given the status of a State or a Union Territory. In Assam, the practice of preparing separate

plans for the hill districts was already in vogue. In the case of predominantly tribal states and Union Territories their state plan should be deemed to be the plan for tribal development. It was, therefore, decided not to include these areas under the scheme of Tribal Sub-Plan.

3.31 In the rest of the country, the review showed that the scheduled areas did not cover all tribals in majority areas even in these States which had scheduled areas. There were also instances where the demographic structure of scheduled areas had undergone substantial change and the tribal population in some of them was less than 50%. In view of the fact that the scheduled areas enjoyed a special Constitutional Status, it was decided that they should qualify for inclusion in the tribal sub-plan irrespective of the size of the Tribal population unless a decision was taken to de-schedule some of them at a later date.

3.32 There were substantial areas of tribal concentration which were not covered under the Fifth Schedule. Therefore, the next question was to define the smallest unit which should qualify for inclusion in the sub-plan. A development block was taken as the basic unit for this purpose. The sub-plans, therefore, envisaged inclusion of all the scheduled areas and development blocks with more than 50 per cent of tribal population.

3.33 It was possible to cover a substantial tribal population under this approach in Madhya Pradesh, Bihar, Orissa, Gujarat, Andhra Pradesh, Manipur, A & N Islands and Himachal Pradesh. A reasonable proportion of the tribal population was also covered in Maharashtra. The coverage of the tribal population in Assam, Tripura, West Bengal, Kerala and Tamil Nadu was, however, very low. No area qualified for inclusion under this formula in Karnataka and Goa. The situation in every State, therefore, was reviewed so as to ensure that the benefit of the new thrust for tribal development was extended to as large a population as possible keeping in view their demographic situation. This was the first application of the principle of flexible approach in relation to solving the problem of tribal development at the national level. Since a substantial part of tribal population had already been covered in Madhya Pradesh, Bihar, Orissa, Gujarat, Andhra Pradesh, Manipur, Himachal Pradesh, A & N Islands, in their case the sub-plan were finalised with block as the minimum unit. In the case of Maharashtra and Assam, the minimum unit was reduced to a population threshold of 20,000. It was possible in their case to cover a substantial population and their sub-plan area was accordingly finalised. In the case of Tripura, Kerala and Tamil Nadu even this stipulation did not help. Further, it was noted that compact tribal areas were divided into more than one administrative unit, each one of which individually could not qualify for inclusion in the sub-plan. In the case of these States, therefore, the minimum population threshold was reduced to 10,000 and they were also allowed to cut across administrative boundaries, if necessary. In the case of West Bengal, even this norm was further relaxed. The basic unit was taken as a Mauza with tribal majority. In Karnataka and Goa as the tribal population was still more dispersed. The sub-plan in their case became in essence a family-oriented programme.

With such a flexible approach adopted in case of each State it was possible to cover about 63% of the total tribal population under the sub-plans. These areas remained unchanged during the Fifth Plan.

3.34 The Planning Commission have accepted for the Sixth Plan the minimum population threshold of 10,000 for all States. They have also allowed States to cut across administrative boundaries, wherever necessary. In the meantime, however, another significant development was the removal of area restriction for Scheduled Tribes in pursuance of the Scheduled Castes and Scheduled Tribes Order (Amendment) Act 1976. This Amendment provided for removal of area restrictions and ascertaining the population of Scheduled Tribes in each State by the Census authorities. The Registrar General was required to notify the population of Scheduled Tribes in respect of the concerned States in which area restriction had been removed. The Registrar General prepared population projections based on 1931 Census and gave rough figures of the scheduled tribe population Tashil-wise, except in some States, projection of scheduled tribe population was possible on the basis of revised electoral rolls. The Planning Commission allowed inclusion of areas with tribal majority on the basis of such projections, supported by independent random check, wherever possible. A clear picture will however, emerge in the Census of 1981.

3.35 The Tribal Sub-Plan approach aims at a comprehensive development of the area with focus on the individual families. In such an approach, there are programmes like agriculture, drinking water supply, appropriate structural reforms, etc. and emphasis which have got to be taken up on an area basis, of course, with particular focus and on the tribals in that particular pocket. It has to be remembered that in the tribal areas there are other weaker sections, particularly Scheduled Castes which have symbiotic relationship with the Scheduled Tribes. By and large, people residing in the tribal areas can broadly be divided into four groups, viz., (i) Original inhabitants of the area who are not recognised as scheduled tribes; (ii) members of the SC who have been living in the area for a long time; (iii) migrant communities forming upper strata of society; and (iv) migrant communities who have settled as small cultivators, landless labourers, etc.

3.36 The relationship of these groups with the tribal communities and their role in local economy can be easily distinguished. The members of the first group share a common heritage with the tribal communities who are indistinguishable in many respects. The members of the Scheduled Castes having for a long period in these areas have developed a relationship of symbiosis with the tribal community. In the terminology of economic analysis they comprise the group of middlemen. In many areas, they have almost assumed the role of contact group for the tribal communities with the modern system in almost all facets of their life. Nevertheless, the Scheduled Caste also shares a tradition of tribal community and, in some cases, accepts subordinate ritual position in the social hierarchy. These people may comprise a distinct economic class but an average person is a small man making out a living, using his confidence and relationship with the tribal and his relative intelligence. Any

scheme of development which does not take into cognisance at least the problems of Scheduled Castes is likely to result in imbalance and the possibility of manipulation of programmes. The Committee would, therefore, recommend that the criteria for the determination of the tribal sub-plan area should be revised to include Scheduled Caste population also. While delineating the Sub-Plan area, areas having 50% Scheduled Tribes plus Scheduled Castes population should be included under the Tribal Sub-Plan.

3.37 The Committee is dealing in the subsequent paragraphs as to the financial assistance to be available to the Scheduled Castes and other weaker sections falling within the ambit of the sub-plan area.

Identification of Constraints

3.38 Some of the tribal areas have rich resources, but lack of infrastructure inhibits progress in many ways. However, infrastructure in these areas needs to be defined in comprehensive terms. Infrastructure can be broadly classified in three categories, viz; (i) Economic; (ii) Institutional; and (iii) Physical. The Tribal areas are passing through a stage when the individual is facing the situation of basic conceptual change in relation to property, ownership of natural resources, etc. Economic infrastructure, in this context, should comprise stabilisation of their *de facto* rights in a form acceptable in the new system. Preparation of land records, recognition of traditional rights in forests, regulation of markets and money lending, etc. fall in this category. The institutional infrastructure paves the way for growth and development of the community and the area in the changing situation. This includes extension services, financing institutions, local bodies, etc. The tribal communities are handicapped by their unfamiliarity with these institutions. Benefits accruing from such developmental efforts do not therefore generally reach them in due proportion. In order to prepare tribals to avail of the infrastructural facilities, these should be introduced gradually and in a manner so that the tribals could make use of them for improving their quality of life. Therefore, the normal structure should be modified and designed so that they are within the comprehension of the tribals and they become active participants.

3.39 The physical infrastructure comprises road network, electricity, etc. This infrastructure by itself cannot be a sufficient condition for tribal development and unless it is linked to specific economic programmes suitably adopted for the benefit of tribals, it may result in backlash effect.

3.40 Inability to adapt programmes to the local needs is a serious problem. The extension agency is not familiar with the tribal situation and the well tried local practices may be ignored in favour of prescriptions evolved for more advanced areas. There is a real paucity of adequate information base about these areas and their economy and suitable programmes in many important sectors still remain to be evolved.

3.41 The new programmes demand new skills, which could be different but not necessarily higher, than what the average tribal already possesses. Unless,

therefore, there is deliberate and adequate effort and preparation, which is generally at present lacking, to train the tribals in the new skills, the new programmes may be beyond the capacity of the individual tribal to adopt.

3.42 Under all the developmental programmes involving subsidy and loans, the tribal has to undergo a variety of formalities wherein he has to sign legal documents concerning agreements etc. These formalities are beyond his comprehension. In certain cases, the initial cost such as legal and processing expenses, travel costs and other expenses, which includes bribes for obtaining the benefit often cost the tribal about half the subsidy and one fifth of the loan. Sometime, he may incur a liability without accrual of any benefit. A large variety of conditions stipulated in programmes sponsored by different organisations confuse the situation which is taken advantage of by the vested interests. This results in the tribal getting suspicious about state sponsored programmes and he may find himself obliged to trust the traditional money lender or middleman.

3.43 One of the critical condition for success in developmental effort is the confidence which the people can have in the administrative system. The experience of an average tribal of the new system is not happy and there is often lack of confidence in the system by the people. The personnel posted in tribal areas, by and large, are not psychologically prepared to work there and often seek transfer. Under such a situation, the tribal feel isolated with the growing administrative apparatus. The complexity of the administrative system is an important constraint. The administrative organisations generally follow the patterns developed for advanced areas which acquire high sophistication for and require finely defined coordination amongst numerous elements. Such a complex mechanism may become dysfunctional because some of the elements are missing at any point of time and physical factors may stand in the way of effective coordination. We have therefore recommended restructuring of the existing set up in our report on Organisation of Administrative and Financial Structures for Backward Areas Development. These recommendations apply to all backward areas, including tribal.

Sociological Constraints

3.44 There are some aspects of tribal life and culture which are not wholly compatible with the requirements of modern economy. One important fact of their life is the 'Pleasure Principle', he wishes to enjoy life in its full. He may be unwilling to accept the discipline of the new economic system. Similarly, it may be difficult to persuade an individual tribal to pursue an economic activity all by himself at a time where tradition may require the entire community to hold a social function or religious ceremony. These aspects are relevant and any programme which ignores them may not succeed. The programme may have to be slowly introduced identifying the soft spots where the community as a whole or some individuals may be experiencing a new need. The tyranny of disciplined labour could be avoided by reworking the

schedule of operations which may be more suitable to them rather than being dictated by the needs of the organisation.

3.45 It is necessary that the sociological dimension of the tribal situation are not only clearly understood but their implications in relation to economic programmes are also spelt out and programmes are suitably adapted and phased. The concept of good life amongst the Santhals underlines harmony and balance between nature and man. This can provide a valuable setting for preserving the ecological balance in these areas. Similarly, a healthy life is considered to be the normal condition of the man's existence. The Santhal, therefore, propitiates the deities and constantly endeavours to remove all those causes which appear to him to be working against this natural condition. The modern medical services could use this psychological frame and explain to the community the real causes of various diseases and secure people's cooperation in their programme.

3.46 A reference may also be made here to some of the traditional social customs which have been exploited by the vested interests at a heavy cost to the tribal community. Preparation of traditional drinks and their consumption on social occasions is thus a part of tribal life. Vending of liquor through contractors has led to the phenomenon of alcoholism, chronic indebtedness and so on. Abolition of vending of liquor through contractors, and allowing the tribal to prepare his own traditional drinks accompanied by social action for modernisation has therefore to be accepted as an essential step for tribal development. This policy still remains to be implemented in its true spirit in many areas and excessive drinking continues to be identified as the major reason for their poor health and economic disaster. Similarly, the mounting bride price, without social action or institutional assistance, saps the community through indebtedness, land alienation and bondage. Effective measures in these areas through social education and voluntary effort are a pre-condition for a meaningful economic programme.

3.47 It is thus clear that the sociological aspects of the tribal situation are not only relevant but also crucial in many respects. Suitable reorientation of planners and administrators may be necessary so that a problem solving approach is adopted and action plans become realistic. A word of caution may be necessary at this stage. Sometimes these aspects should be over emphasised and sociological barriers to development imagined when issues are purely economic in character and clear decision needs to be taken.

3.48 In the absence of a clear profile of the tribal economy in the country, the problem of tribal development is often viewed in terms of the socio-economic situation of various tribes who had attracted the attention of anthropologists and administrators because of their primitiveness. With the quickening of pace of economic development and introduction of new elements in these areas, a number of problems of adjustments for these tribals has arisen. There are the groups, generally small in size, which require most careful consideration in the national economy and the service of devoted people as also a flexible human approach for solving their problems. These

communities, however, form a small part of the total tribal population in the country and their problem requires urgent attention, while the major thrust in tribal development has to be in relation to other major tribal communities.

Development of non-tribal communities in Sub-Plan Areas

3.49 The strategy of development for tribal area, as explained earlier, has necessarily to be an integrated development of the area with a clear focus on the development of the tribal communities. Such a stipulation would necessarily influence inter-sectoral and intra-sectoral priorities as well as the internal structure of the various schemes.

3.50 While there is a clear focus on enabling the tribal families to become viable, the question as to what happen to the non-tribals and non scheduled castes living in the sub-plan areas has got to be very carefully considered. As pointed out in para 3.36 apart from tribals, there are four other distinct types of groups, namely, original inhabitants not recognised as Scheduled Tribes, Scheduled Castes and migrant communities.

3.51 The relationship of these groups with the tribal communities and their role in local economy can be easily distinguished. The original inhabitant share a common heritage with the tribal communities and are indistinguishable in many respects. Some of them particularly those who belong to professional castes, like the potters, may suffer from some social disabilities as well. The group of migrants in the upper strata generally comprise the most adventurous group, taking maximum advantage of the new situation and quite a few also emerging as the exploiters. The section, amongst the migrants, however, is not very conspicuous. They have continued to press against the average tribal over a long period and have succeeded in gaining a comparatively better position with the advantage of higher technology, preparedness for a more disciplined and sustained work and familiarity with a new system which has been super-imposed. These pressures of small dimension at each individual point add upto a total impact of large magnitude which has affected the tribal economy critically rendering a substantial number landless.

3.52 The case of the Scheduled Castes, however, stands on a somewhat different footing. Not only the members of the Scheduled Castes have lived for a long period in these areas but quite a few of them play the role of 'middlemen'. In many areas, they have assumed a role of contact group for the tribal communities with the modern system. The tribal is often unaware of the real value of his produce and it is the Scheduled Caste brother on whom he depends for marketing. He is often his adviser when administrative personnel or extension officers approach the community. He is also a link between the tribals and the new migrants. While doing all this, he shares the tradition of tribal community, and in some cases, has accepted a subordinate ritual position in the social hierarchy. There has thus developed a relationship of symbiosis between the Scheduled Caste and the Scheduled Tribes. Scheduled Castes in the tribal areas

comprise a distinct functional class. An average person, however, is a small man eking out a living using his relationship with the tribal and his relative intelligence. Any scheme of development that does not take into account the socio-economic problems of this group and its close relationship in many areas with tribal communities may give rise to social disharmony and imbalance and, may, often, adversely affect the interests of the more dominant tribal population of the area. It is in this context that the Committee has recommended in the relevant paragraph that in delineating Sub-Plan tribal areas, the 50% criteria should include not only Scheduled Tribes but also Scheduled Castes.

3.53 The exploitative elements, who do not contribute to the local economy, have to be put down with a heavy hand. Elimination of exploitation has to be a priority item on the agenda. However, not all sections among the higher groups may fall under this category. It is possible that some of the migrants may be able to provide some of the necessary skills for the new task of economic development. Their role has to change. They should find a place in these activities which add to total wealth in the region. But institutional arrangements have to be made so that the members of tribal communities are also enabled to join the new economy at different levels and become partners on terms of equality therein.

3.54 In the case of the small land holders and landless labourers, a policy of 'restraint and support' is to be evolved. The illegal and improper alienation of land has to be undone and lands should be restored to their rightful owners. In any case, future alienation of land is to be put to a complete halt at any cost.

3.55 Subject to these conditions, the Working Classes amongst the migrant communities have to be accepted as a partner in the area development programme subject to the condition that they should not be allowed to corner the major share in the new opportunity. They cannot be treated at par with the tribal groups in relation to various benefits in economic programmes. The tribal communities have to be given support both in economic terms and social services so that they are able to overcome many inherent limitations during the transitional phase.

3.56 The symbiotic relationship between certain groups and tribal communities has to be appreciated in realistic terms. While the element of exploitation has to be removed as a part of general strategy, the members of the scheduled castes and other communities at the same poor level need to be identified and helped to establish in alternative occupations and contribute to the growth of the local economy. Some of them can become the new entrepreneurs with suitable assistance from the State. However, it will have to be ensured that Scheduled Castes do not emerge as a new exploiting class and the process of development also informs the members of tribal communities in due measures through spread and percolation effects.

3.57 The comprehensive planning for the tribal area should take all the above elements into account. Programmes under the tribal sub-plans must have a definite shift towards family oriented programme with a clear target for each beneficiary group. In these programmes, the proportion of different needy communities other than the exploitative in the tribal area may be the guiding factor for fixing the number of beneficiaries in each group. The members of the Scheduled Tribes may be assigned a share in proportion to their numbers with some weightage, say 10%, the number of Scheduled Castes in proportion of their numbers and the balance being assigned to other people belonging to the weaker sections of the population.

3.58 A question will arise that having included the Scheduled Castes alongwith Scheduled Tribes in delineating the Tribal Sub-Plan area, should the Scheduled Caste be eligible for subsidies and other benefits at the same rate as are applicable to the scheduled tribes. As Scheduled Castes would also be found in most other backward areas and they are in any case somewhat better placed in the Tribal Sub-Plan areas than the tribals communities, the Committee is not in favour of recommending the same treatment to the Scheduled Castes in this regard as is applicable to the Scheduled Tribes in the Sub-Plan areas for this purpose. Any distinction in the matter of grant of subsidies, etc, to the Scheduled Castes in the Tribal Sub-Plan areas and in other backward areas would create an embarrassing situation. The Committee would leave it to the States to decide what concessions would be available to the Scheduled Castes in the backward areas. All that the Committee would recommend that the concessions available to the Scheduled Castes in the Tribal Sub-Plan areas should not be at a lesser level than are being extended to Scheduled Castes in other areas, particularly backward.

3.59 A word of caution, however, will be necessary in relation to operationalising this scheme in the context of tribal areas where resources are plentiful and the tribal community is not fully prepared to take benefit of the new schemes. An argument may be put forward that many of these programme can be operated like an open ended scheme. The development administration can presently cater to all possible demand. Any limitation can be justified only when the resources become scarce. The fact, however, remains that the extension agency is neither active nor is adequately staffed to cater to the expanding needs of development. In any open ended scheme approach, there is the great danger that the other groups may take away the lion's share leaving the tribal community where they are. This has happened in many schemes and even under the tribal development blocks. In this stipulation, the flaw is that the extension agency can afford to be passive with no built-in obligation to approach the members of the tribal communities. Therefore, it is essential that the balance in terms of beneficiaries belonging to different groups is maintained at all levels. The physical extension of and allocation of resources for any scheme must be subjected to strict criterion of the stipulated number of tribal families being benefited.

4. REVIEW OF PAST AND ONGOING PROGRAMMES

4.1 Development of scheduled tribes and the tribal areas was envisaged from the beginning of the Plan era. Since, these groups were distinct and suffered from socio-economic handicaps which placed them in a disadvantageous position, supplementary programmes for their development were taken up under a separate sector known as 'Backward Classes Sector'. The provision under the Backward Classes Sector was intended to supplement benefits accruing from the general development programmes in different fields of development such as agriculture, soil conservation, horticulture, co-operation, irrigation, village and small industries, communication, education, health, housing, rural water supply, etc. It was also expected that the general development programmes should be so designed as to cater adequately for the scheduled tribes and the special provision under 'Backward Classes Sector' would be used as far as possible for providing additional benefits.

REVIEW OF TRIBAL DEVELOPMENT UPTO FOURTH PLAN PERIOD

Backward Classes Sector

4.2 The outlay and expenditure in the tribal areas and for scheduled tribes from First to Fourth Plan under Backward Classes sector was as follows:

Plan Outlays/Expenditure for Programmes for the development of Scheduled Tribes

(Rs. in Crores)

Plan	Total Plan Outlay	Scheduled Tribes	Percentage
1	2	3	4
First Plan*	1960	19.93	1.0
Second Plan*	4672	42.92	0.9
Third Plan*	8577	50.53	0.6
Annual Plans* 1966-69	6756	32.32	0.5
Fourth Plan**	15902	75.00	0.5

*Expenditure

**Outlay

Source : Ministry of Home Affairs.

4.3 Important programmes taken up in this sector were grouped under education, economic development, health, housing and other programmes. The major schemes for the development of Scheduled Tribes under education included pre-matric scholarships/stipends, postmatric scholarships, hostel facilities, educational aids like books, slate, dress etc. girls hostels, coaching and allied schemes. The important programmes for economic development included the scheme of tribal development blocks, schemes of subsidies for improved agricultural implements, improved seeds, fertiliser, bullocks, land reclamation and other agricultural aids, assistance for setting up village and cottage industries, construction of inter-village paths, etc. Under Health,

Housing and other Sectors, subsidies were given for construction of houses, financial assistance to patients suffering from incurable diseases, setting up of dispensaries, drinking water wells, etc.

4.4 There was significant expenditure under "Backward Classes Sector" for promotion of education. As a result of this, by the end of Fourth Plan about one million children belonging to scheduled tribes received prematric scholarships or stipends. The number of scheduled tribes who were awarded postmatric scholarships increased from 0.06 lakh in 1951-52 to 0.51 lakh at the end of 1973-74. At the end of the Fourth Plan 484 T. D. Blocks and 20 sub-blocks were functioning in the various tribal regions of the country.

4.5 In the First Plan a provision of Rs. 25 crores was made for the welfare of the Scheduled Tribes, Rs. 15 crores by the Government of India and Rs. 10 crores by the State Governments to be found from their own resources. In the Second Plan, development schemes were taken up under two separate sectors namely, the State Sector and the Centrally sponsored. The expenditure on schemes undertaken in the State Sector was shared by the Central and the States roughly on a 50:50 basis. The Government of India met the entire expenditure on schemes undertaken by the State Governments in the Centrally sponsored programmes. The pattern of Central assistance adopted for the schemes in the State sector during the Third Plan was on 50:50 basis except for autonomous hill districts of Assam where it was cent percent. However, in 1962-63, the Central assistance under schemes for education was raised from 50% to 75%. Later, from 1967-68 onwards a uniform pattern of assistance at the rate of 60% for all groups of schemes under the State sector had been in vogue. In the Fourth Plan, it was decided that Central assistance would not be related to any specific schemes or programme under the State Plans but would be given to the States through block grants and block loans under Gadgil Formula.

General Programmes

4.6 A review of the programmes implemented in the First Four Five Year Plans shows that allocations from the general sector programmes were not adequate to provide a reasonable base for the development of Scheduled Tribes so that the supplementary Backward Classes Sector could play an effective role in bridging the gap between these groups and the rest of the society. Even though from general sectoral programmes, some schemes might have been taken up in tribal areas for which no precise data is available, nonetheless these did not make an significant contribution towards improving the quality of life of the tribals.

4.7 The Commissioner for Scheduled Castes and Scheduled Tribes in his Report for the year 1962-63 stated that "while examining the schemes received

from the States for obtaining grants-in-aid under Article 275 of the Constitution, I found that some states which had already undertaken schemes for the welfare of the Scheduled Tribes and Scheduled Areas in their States were meeting the cost of such scheme out of their own expenditure on these schemes. The position is that the assistance which the Centre gives to the State Governments, is intended to supplement the efforts of the State concerned. It is, therefore, quite incorrect to assume that all the development expenditure on the welfare of the Scheduled Tribes or on the improvement of the administration of the Scheduled Areas will be wholly met from Central revenues. I, therefore, moved the Government of India to make this position clear to the State Governments, which has since been done by the former. It has been emphasised on the State Governments that the object of the grants-in-aid is to encourage States to further advance the scheme undertaken by them, or in case they had not planned schemes or were not spending anything for the Scheduled Tribes or the Scheduled Areas, to start doing so with the initial assistance from the Centre in the shape of grants-in-aids".

4.8 The Scheduled Areas and Scheduled Tribes Commission (Dhebar Commission) in 1961 had observed that while Tribal Development is accepted as very necessary by all State Government, the tribal Department does not get high enough place between the competing claims of other departments. The Study Team (Shilo Ao Team) on Tribal Development in their report pointed out: 'Although the attention of the State Governments, has been repeatedly drawn to the fact that the special provision in the Plan for Scheduled Tribes and other backward Communities is not in lieu of the provision in the general development programme but is intended to supplement it, the Team notes with regrets that no conscious attempt has been made by any of the State Governments.

4.9 The Task Force on "Development of Tribal Areas" 1972, constituted by the Planning Commission on the eve of the Fifth Plan, after reviewing the past performance observed that "in spite of investments for tribal development in the special sector of Welfare of Backward Classes", in the successive plans, specific problems of the tribals as primitive methods of agriculture, land alienation, indebtedness, adverse effects of industrialisation, low rates of literacy, poor health and nutrition etc; have not been solved. Reviewing the policies and programmes of the preceding five plans we are of the view that the efforts so far made for social and economic development of Scheduled Tribes did not bring about appreciable changes in their condition. One of the important factors for lack of impact so far, is that the development of scheduled tribes and tribal areas has been looked upon as a problem of "Welfare" as distinguished from "development". Further, the Task Force observes that welfare of scheduled tribes has continued to depend on small outlays under the special sector of Development of Backward Classes and not on the general sector outlays. Plan programmes formulated so far have largely failed to take into account actual needs of tribal people who are at varying socio-economic levels in different parts of the country. Even apparently, comprehensive economic development programmes such as Tribal Development Block

(which is area based), is too small an area for larger investments on infrastructure like communications, medium and large irrigation, high schools etc. Further, there has been tendency to rely on schematic patterns in Tribal Development Block programme in place of adopting a flexible strategy suiting the needs of each Tribal Development Block area. The elite among tribals tend to take away all benefits of developmental programmes, thus creating vested interests. Therefore, more background among tribes have been denied the benefits of plan programmes. Lastly, as a result of historical reasons, the administrative structure in tribal areas has continued to lack simplicity and thereby defying comprehension of the tribals and has failed to evoke any response from them. Such a structure of administration may not therefore be suitable for carrying out integrated development of tribal areas".

4.10 Having regard to the above, the Task Force recommended that 'to ensure balanced socioeconomic development of Tribal areas a different approach would be necessary for the Fifth and subsequent Plans. From Fifth Plan onwards, it is suggested that a policy of integrated development for tribal areas may be emphasised.

4.11 As a consequence, the tribal development scene was critically reviewed on the eve of the Fifth Plan. The problem of tribal development was broadly classified into two categories (i) areas of tribal concentration and (ii) dispersed tribals. In respect of the former, it was decided to accept an area's development approach with a focus on tribals. For dispersed tribals, family oriented programmes were decided to be taken up. Thus, the strategy of tribal development was evolved in the Fifth Plan and implemented in 18 States and Union Territories, namely, Andhra Pradesh, Assam, Bihar, Gujarat, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Orissa, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh, West Bengal, A & N Islands and Goa, Daman and Diu.

4.12 The tribal sub-plan has been envisaged in representing total development effort in the identified areas with the aid of resources pooled from (i) outlays from State Plans (ii) investment by Central Ministries (iii) special Central assistance from the Ministry of Home Affairs and (iv) institutional finance. The finalisation of the States' tribal sub-plans stretched over a couple of years. Annexure VIII indicates flow of resources from the State Plans and Special Central Assistance for 1974-79 and 1979-80.

4.13 During the Fifth Plan for the sub-plan areas expenditure from the State Plan and Special Central assistance provided was of the order of Rs. 917.27 crores against the allocation of Rs. 1042.84 crores. Year-wise outlay and expenditure and achievements of selected targets is given in Annexure VIII, IX, X, XI and XII. Of this expenditure, Rs. 265.33 crores (28.92 per cent) was spent on agriculture and allied services, Rs. 47.70 crores (5.20 per cent) on Cooperation Rs. 250.48 crores (27.3 per cent) on water and power development, Rs. 96.43 crores (10.51 per cent) on

Transport and Communication, Rs. 199.40 crores (21.74 per cent) on Social and Community Services and Rs. 23.84 crores (2.59 per cent) on Economic and General Services. Next to Agriculture and Allied Services, the Major expenditure in the Fifth Plan was on water and power development. Since the major expenditure was incurred on Power and Irrigation Project, except for rural electrification programme, direct benefits did not accrue to the tribals in substantial terms.

4.14 State-wise and sector-wise analysis of expenditure during 1974-78 in tribal sub-plan areas, is given in Annexure V. Of the total expenditure, the highest expenditure was on agriculture and allied programmes in the States of Madhya Pradesh (44.42%), Assam (43.88%), Tripura (35.79%), Bihar (30.68%), Himachal Pradesh (29.87%), Gujarat (35.25%), whereas the expenditure varied from 20-25% in the States of Andhra Pradesh (24.40%), Maharashtra (20.62%), Manipur (25.44%), Orissa (20.99%), West Bengal (23.15%) and Tamil Nadu (24.03%). The States having less than 20% expenditure under this head include Karnataka (19.12%), Kerala (17.40%), Rajasthan (15.52%) and Uttar Pradesh (19.64%).

4.15 Next to Agriculture and allied programmes overall priority seems to have been given to water and power development. The analysis of States particularly Rajasthan, where 63.80% of the total expenditure was on water and power development shows that tribal sub-plan programmes were not formulated keeping in view the objectives. In Andhra Pradesh (32.98%), Bihar (28.07%), Orissa (39.97%), West Bengal (34.84%), about one third of the total expenditure was under this head. Transport and communication consumed one-fifth of the expenditure in the States of Himachal Pradesh (21.56%), Tamil Nadu (39.92%), Uttar Pradesh (45.73%). In Madhya Pradesh (8.41%), Orissa (7.78%), Bihar (7.42%), Karnataka (5.11%), Rajasthan (7.98%), the expenditure was less than 10 per cent.

4.16 It has not been possible to get the exact figures of the divisible pool of all the States over a sufficiently long period to enable a comparison of the outlays from the total divisible pool of the States vis-a-vis expenditure incurred under the Tribal Sub-Plan and its percentage to the population. The Working Group on Tribal Development during Medium Term Plan (1978-83) had however made very interesting observation in regard to the flow of funds from the State Plan and funds accruing from sectors benefiting individual families which is as follows:

'An analysis of the 1979-80 State Plans and tribal sub-plans shows that 12 States out of 16 had a divisible pool of less than 50% of the States' total outlay for the year and in 5 States, it was less than 40%, in 4 States, the divisible pool was about 50%. While the weightage in favour of the capital intensive sectors comprising non-divisible pool may be justified in the context of the overall priorities, it is not conducive to target groups and family based planning in the ITDPS. Though the allocations for such sectors in the tribal situation might to an extent, help create employment

build infrastructural facilities, extension and imparting of skills, there is going to be a long time lag between the availability of infrastructural facilities being created with the capital-investment on the one hand and their utilisation through acquisition of skills, expertise and knowledge of on the other. This points to the need for redressal of balance in planning for tribal areas in favour of divisible sectors. Further, it has also been seen that the percentage of funds which flow to sectors benefiting individual families of the total of the State plan outlay ranges from 0.02% (West Bengal), to 15.66% (Tripura), mostly being in the neighbourhood of upto 5%. It would, thus, appear that the Planning process needs to be re-oriented to acquire a bias in favour of beneficiary oriented schemes, making the scheduled tribe families particularly the target group'. The inadequacy of efforts in family approach of planning and development has already been referred to. Commitment towards capital-intensive sectors in State Plan budgets, greater attention towards creation and development of infrastructure, lack of adequate support from financial institutions appear to have been the major drawbacks. But apart therefrom, the chief weakness seems to have been in the way of establishment of organisation and manpower in the tribal areas which would fill the bill'.

4.17 As stated earlier, sector-wise expenditure figures are available which have been given in the relevant Annexures. This, however, is not adequate to appraise the performance of various sectoral programmes or to examine whether the necessary priorities were accorded to the programmes, best suited to the needs and requirements of the Sub-Plan Area. This is a sad reflection on the existing monitoring and evaluating system, both in the States and at the Centre.

4.18 We have already mentioned in the Chapter on 'Introduction' that, despite best efforts, the response from the States to the detailed questionnaire issued by the National Committee has been rather poor. In fact, not a single State has sent any reply. An attempt was, therefore, made to get whatever figures the Committee could get from the Ministry of Home Affairs and these are given below:

HORTICULTURE

Horticulture development in the following States during 1974-79 for the sub-plan areas is as follows:

Andhra Pradesh	• •	12082 hectares
Bihar	• • • •	50000 hectares
Himachal Pradesh	• •	2661 hectares
Orissa	• • • •	14000 hectares
Rajasthan	• • • •	930 hectares

(The comparative figures for the entire State in respect of the above States is not available).

SOIL CONSERVATION

Additional area brought under soil conservation (1974—79)
'000 hectares

	Total State	Tribal Sub-Plan	Percentage to total
Andhra Pradesh	54	0.07	0.13
Assam	17	0.09	0.53
Bihar	133	0.63	0.47
Gujarat	541	0.47	0.09
Himachal Pradesh	8	0.003	0.04
Manipur	6	0.006	0.10
Orissa	69	0.33	0.48
Rajasthan	118	0.03	0.03
Tripura	8	0.04	0.50

MINOR IRRIGATION

Additional area brought under Minor Irrigation (1974—79)
'000 hectares

	Total State	Tribal sub-Plan	Percentage to total
Andhra Pradesh	330.00	61.00	18.4
Assam	39.50	21.40	54.10
Bihar	545.00	45.00	8.25
Gujarat	112.00	7.20	6.42
Manipur	5.00	0.06	12.0
Orissa	195.00	103.40	52.82
Tripura	8.70	0.04	0.45

DRINKING WATER SUPPLY

	Total State	Tribal Sub-Plan	Percentage to total
Andhra Pradesh	6140	340	5.53
Himachal Pradesh	2161	21	0.97
Karnataka	18860	1927	9.68
Orissa	12257	5792	47.25
Uttar Pradesh	9300	20	0.21
Gujarat	2382	300	12.69
Rajasthan	3666	278	7.58

RURAL ELECTRIFICATION

Andhra Pradesh	5273	926	17.56
Bihar	9368	2342	25.00
Gujarat	3781	95	2.51
Maharashtra	5673	1173	20.67
Orissa	7491	1119	14.93
Rajasthan	6533	652	9.98
Tripura	463	41	8.85

4.19 On the basis of the information available, its discussions with the State Governments, deliberation of the Seminar held at Bhubneshwar, papers contributed

by various State representatives in their capacity as members of the Working Group, the Committee has already analysed the deficiencies and corrective steps required in the approach for the development of Tribal Sub-Plans Areas in the Chapter 4 on 'Strategy of Development'.

4.20 The Tribal Sub-Plan approach aims at a comprehensive development of the areas with a focus on the individual families. In such an approach, there are programmes like agriculture, horticulture, forestry soil conservation, minor irrigation, etc. Social Welfare Services, Drinking Water Supply, appropriate infrastructural programmes, etc. which have got to be taken on an area basis. In other words, the approach has to be an 'Integrated area Development Approach'. The Committee has already made its recommendations in this regard in its report on 'Organisation of administrative and Financial Structure of Backward Area Development'.

4.21 Administrative unpreparedness has appeared to be an important constraint in purposive utilisation of resources. There have been savings even in the limited resources allocated for the Sub-Plan areas and funds have not been fully utilised. Suitable arrangements for effective implementation are urgently required lest unregulated expenditure becomes counter-productive. The establishment of a single line of command, organic integration of the programmes in the field and an effective delegation of powers both financial and administrative to the project authorities, although agreed to in principle, remain to be fully implemented. In some States, even the first steps have not been taken. Again, the implementation of the programmes depends largely on quality of personnel. The Committee has found that a large number of posts in the key sectors are vacant in most tribal sub plan areas. The Committee has dealt with this aspect in the Chapter dealing with organisation of Administrative and Financial Structure.

4.22 Inability to adapt programmes to the local needs would appear to be another major problem. The extension agencies are not familiar with the tribal situation and the well-tried local practices are often ignored in favour of prescriptions evolved for universal application. In the absence of adequate data base about the Tribal Sub-Plan Area, suitable programmes in many important sectors still remain to be evolved.

4.23 There has been no conscious approach to train the tribals in the new skills which would be needed for new programmes.

4.24 It was expected that each Department would adapt its programmes with reference to the specific needs of the Sub-Plan Area. This process has, however, been initiated but its pace is very slow. The distinction between the sectoral programmes and the tribal development programmes addressed to specific groups is not always appreciated. The result is that achievements are not commensurate with the money spent. Preference for bigger programmes even though some of them may not be of direct relevance to the tribals, persists in most of the States.

4.25 Credit including consumption credit and marketing would appear to be the most important component in any scheme for Integrated Area Development Programme which would have to cover every individual. The policy in relation to the basic structure for credit and marketing has been reasonably settled in the last few years. The process of implementation of these decisions, however, has not been very satisfactory. This is being dealt fully by the Committee in the Chapter on 'Cooperatives' in 'Tribal Areas'.

4.26 Land Alienation is another big problem in the tribal areas. Most of the State Governments have reviewed their existing laws with a view to plug the legal loopholes. It has also decided that a time-bound programme will be prepared for identification of alienated land and its restoration. In actual practice, measures taken so far, however, are not adequate. These have been discussed in detail in the Chapter on 'Land and the Tribal' and corrective measures suggested.

4.27 Agriculture and allied programmes in these areas have so far followed the pattern adopted for the developed areas. Therefore, it has not touched even the fringe of the problem in these areas. Agriculture development programme, shifting cultivation, irrigation, animal husbandry and horticulture development would require special attention. Tribals generally live in plateau/hill areas. Some of the areas are also chronically drought affected. Problems relating to agriculture and allied sectors, both in the hills and in drought affected areas, have been dealt with by the Committee in its Report on 'Development of Backward Hill Areas' and on 'Drought Prone Areas'. The Committee would urge that the various approaches suggested in the reports should

be adopted for tribal development by the concerned Departments both in the States and Centre, and necessary steps taken to reorient existing programmes.

4.28 Forests occupy a central position in the tribal economy. This has been dealt in detail in the Chapter 'Forests and the Tribals'.

4.29 Education holds the key to tribal development. Education is not only an input for economic development but essential for providing inner strength to the community so that it can stand on its own and meet the new challenges on terms of equality. These, again, have been dealt with by the Committee in a separate Chapter on 'Education'.

4.30 A comprehensive concept of qualitative improvement in the socio-economic status of the family with focus on women and children, is necessary. So far there have been no appreciable efforts of the welfare needs of the tribal communities. This is an important task which should be taken up urgently if the economic development efforts have to become meaningful in these areas so as to bring about a total improvement in the quality of the life of the individual. Apart from Education already dealt with in para 9.26, health services, nutrition, social services, drinking water supply etc. would also require adequate attention. Once the concept of a total development of area, as recommended by the Committee, is translated into action, this would have to be taken care of. The recommendations made by the Committee in its Report on Development of Backward Hill Areas with regard to infrastructural development and in its report relating to the Development of village and Cottage Industries, should also be suitably implemented in tribal sub-plan areas, on the lines recommended therein.

5. CONSTITUTIONAL PROVISIONS

The tribal communities in India have generally been living in remote hilly and forest regions. These communities are traditionally organised in small self-governing groups. During the medieval period, there are some tribal kingdoms. Some of the tribal areas formed part of larger states or owed allegiance to them. The British came in contact with these areas and communities at a later stage after their arrival in India. They faced considerable resistance in these regions and even when they controlled them, they continued to experience revolts and rebellions. The need for a special system of administration for areas with preponderance of tribal population was becoming clear towards the end of the eighteenth century.

5.2 According to Dhebar Commission, 'Augustus Cleveland laid the foundation of policy embodied in Regulation 1 of 1876 when he was deputed to handle the revolt of the Paharias of the Rajmahal district in Bihar and, as time went on, the idea that distinct and special arrangements were necessary for the tribal regions gained general acceptance'.

5.3 The Ganjam and Vizagapatnam Act of 1839 introduced simple and elastic norms of judicial and administrative procedure in tribal areas in the old Madras Presidency. Later, all such areas were declared "Scheduled Districts" and their administration was conducted in accordance with the Scheduled District Act, 1874. Apart from providing for appointment of officers to administer civil and criminal justice and conduct administration, the Act enabled extension, with such special restrictions and modifications as were deemed fit, of laws in force in any part of British India by notification. Thus, wide powers of legislation by simple executive order were vested in the executive. After 1874, the Government of India, Act 1919 vested powers in the Governor-General in council to direct by notification that any act of the Indian Legislature would apply to backward tracts subject to such exceptions or modifications as he thought fit; the Governor-General was also authorised to give similar directions as regards Acts of local legislatures.

5.4 Sub-Section (1) of section 92 of the Government of India Act 1935 is the next landmark providing for the administration of the "excluded areas" and the 'partially excluded areas'. Under that Act, a classification of areas was made into "excluded areas" and, "partially excluded areas". The "excluded areas" were frontier and border regions in Assam, Lakshadweep and Lahaul-Spiti District of Himachal Pradesh and the "partially excluded areas" broadly comprise what are now described as Scheduled areas. Section 92(1) provided that "No Act of the Dominion Legislature or of the Provincial Legislature shall apply to an 'excluded area' or 'partially excluded area' unless the Governor by public notification so directs". Under Section 92(2) of the Act, the Governor-General was empowered to make regulations for the peace and good government of any area of the province which was, for the time being, an 'Excluded area' or a "Partially

excluded area", and any regulation so made might repeal or amend any act of Federal Legislature or of the provincial Legislature or any existing law which was, for the time being, applicable to the area in question.

Distinctive Constitutional Provisions.

5.5 The Indian Constitution provides a frame for social and economic development in keeping with the spirit of the time with adequate provisions for continuously readjustment amongst various elements, but honouring the basic tenets accepted as the directive principle of state policy. The special features of socio-economic situation in tribal areas was well appreciated by the constitution makers. The historical evolution of the laws and administrative regulations applicable to these communities have been kept in view. However, the focus in the Constitution shifted from the earlier 'isolationist' approach to integration with necessary safeguards for the transitional period so that their interests were not adversely affected.

Welfare of Scheduled Tribes.

5.6 Under Article 342, the President may with respect to any state or Union Territory, and where it is a State, after consultation with the Governor thereof, by public notification specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall, for the purposes of the Constitution, be deemed to be Scheduled Tribes in relation to that state or Union Territory, as the case may be. But once the notification has been issued under this Article, it is only the Parliament which can vary the list by enacting a law. Article 46, of the Constitution lays down the Directive Principles of State Policy and special responsibility has been placed on the State for promoting with special care the educational and economic interest of the weaker section of the people and in particular of the SC and ST and for protecting them 'from social injustice and all forms of exploitation'. Thus equal emphasis has been placed in the constitution on both the promotional and the protective aspects. Further, under Article 29, any section of citizens as may have a distinct language script or culture or its own shall have the right to conserve the same'.

5.7 The Indian Constitution prohibits under Article 15 any discrimination on grounds of religion, race, caste, class, sex or place of birth. However, having enunciated these principles, important exceptions have been made therein in pursuance of the State's special provision for the advancement of tribal communities. Article 17 of the Constitution envisages certain fundamental rights of all citizens. Accordingly the citizens have the right: —

- (a) to freedom of speech and expression;
- (b) to assemble peaceably and without arms;
- (c) to form associations or unions;

- (d) to move freely throughout the territory of India;
- (e) to reside and settle in any part of the territory of India;
- (f) to acquire, hold and dispose of property; and
- (g) to practise any profession or to carry on any occupation, trade or business.

5.8 However, it was realised that important exceptions may have to be made to some of these fundamental rights for protecting the interest of the member of Scheduled Tribes. Therefore under proviso (5) of the same Article, the State has been authorised to make reasonable restrictions on the exercise of any of the rights described in (d), (e) and (f) for protection of the interests of any Scheduled Tribe. Article 16 provides for equality of opportunity in matters of public employment for all citizens irrespective of religion, race, caste, sex, descent, place of birth, residence, or any of them. However, equality of opportunity amongst unequals may in effect mean discrimination. Therefore, clause (4) makes an exception and provides for reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State. A specific provision has also been made under Article 335 in respect of services and posts for Scheduled Tribes. Their claims shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of the appointments to services and posts in connection with the affairs of the Union or a State.

Scheduled Areas & Tribal Areas

5.9 While the above provisions have been made for welfare of the Scheduled Tribes living in all parts of the country, certain areas have been specified under the Constitution whose administration needs special attention. Article 244 provides for administration of the Scheduled Areas and Tribal Areas. The Scheduled Areas are governed by the provisions of the Fifth Schedule which relates to all States other than the State of Assam and Meghalaya. The Scheduled areas are defined under Fifth Schedule of the Constitution. They comprise such areas as the President may by order declare to be Scheduled Areas. The President has been empowered to make changes in the list of the scheduled areas at any time. The Tribal Areas have been defined under the Sixth Schedule and cover those areas only which are specified in that schedule. The Tribal Areas in the State of Assam, the State of Meghalaya and the Union Territory of Mizoram are included under the Sixth Schedule. The Parliament can, by law, make changes in the area included in this Schedule. The Constitution contains special provisions with respect to the State of Nagaland. The Hill Areas in Manipur may comprise such areas as the President may by order declare to be Hill Areas under Article 371-C.

5.10 The Provisions in relation to the administration of the Scheduled Areas, Tribal Areas and Hill Areas (of Manipur) do not cover all tribal majority areas in the country. The Union Territories having

tribal majority are governed directly by the Union Government. In Andaman and Nicobar Island the Chief Commissioner by a notification, can declare certain reserves for tribals in that Union Territory. In the State of Assam there are substantial tribal majority areas inhabited by plains tribals which are not enlisted in the Sixth Schedule. The Government of Assam have carved out tribal belts and blocks for the purpose of land management in respect of some of the tribal majority areas not included in the Sixth Schedule.

5.11 The provisions of the Fifth Schedule can be applied to areas in all States except Assam and Meghalaya. However, scheduled areas have been declared only in the States of Madhya Pradesh, Bihar, Orissa, Andhra Pradesh, Maharashtra, Gujarat, Rajasthan, Himachal Pradesh. It has been accepted in principle that all-sub-plan areas should, as far as possible, be covered under the Fifth Schedule but no such step has been taken so far in respect of the remaining States having tribal majority areas.

Administration of Tribal Areas in the North-East

5.12 The provisions for administration of the tribal areas in the Constitution are exhaustive and have been spelt out in considerable detail. The Tribal Areas in the North-East have undergone fast politico-administrative change after independence. Consequently, the provisions in the Constitution have been amended from time to time. An important distinguishing feature of the provisions in the Sixth Schedule is that District Councils and Regional Councils have been accepted as a distinct tier in the political and administrative set up for the Tribal Areas. An autonomous Region within a State. It is accepted that a District and a Region within an autonomous District in the Tribal Areas has almost the same status as the autonomous District within it may have certain common features which can be taken care of under the general provision of the autonomous District. But a Region may in addition need special provisions because of its distinctive features for its administration and protection of the interests of the community living in that Region. The District councils and Regional Councils have been given powers under clause 3 of the Sixth Schedule to make laws with respect to:

- (a) The allotment, occupation or use or the setting apart, of land, other than any land which is a reserved forest, for the purposes of agriculture or grazing or for residential or other non-agricultural purposes likely to promote the interests of the inhabitants of any village or town:

Provided that nothing in such laws shall prevent the compulsory acquisition of any land, whether occupied or unoccupied, for public purposes (by the Government of the State concerned) in accordance with the law for the time being in force authorising such acquisition;

- (b) the management of any forest not being a reserved forest;
- (c) the use of any canal or water-course for the purpose of agriculture;

- (d) the regulation of the practice of *Jhum* or other forms of shifting cultivation;
- (e) the establishment of village or town communities or councils and their powers;
- (f) any other matter relating to village or town administration, including village or town police or public health and sanitation;
- (g) the appointment for succession of Chiefs or Headmen;
- (h) the inheritance of property;
- (i) marriage and divorce; and
- (j) social customs.

5.13 No act of the Legislature of the State of Assam in relation to the above subjects, shall be applicable to the concerned Tribal Areas under clause 12 of the Sixth Schedule unless the District Council may, by notification, so direct. The Council can also make them applicable subject to such exceptions or modifications as it may think fit.

5.14 In the State of Meghalaya and the Union Territory of Mizoram, which are tribal majority areas, the position is slightly different. In their cases while the State Legislature can make laws in relation to subjects in the State list, the District or Regional Council can make laws in respect of the items mentioned above. But the laws made by the State Legislatures will over-ride the laws made by the District or the Regional Council.

5.15 So far as the Acts of Parliament are concerned, the Governor has been empowered to direct that they shall apply to such District or Region or in part thereof, subject to such exceptions or such modifications as he may specify in the notification.

5.16 In the case of State of Meghalaya and the Union Territory or Mizoram, it is the President who may direct that any Act of Parliament shall not apply to an autonomous District or an autonomous Region or any part thereof, or may apply with such modification as he may specify. The changes in this regard can be given retrospective effect.

5.17 The powers of the District Councils and Regional Councils extend to specified items irrespective of the fact whether they are included in the State or the Central list in Seventh Schedule. In the case of Nagaland, there was no need for special provisions in relation to the State subjects, since the State is predominately tribal. However, special provision has been made for other subjects. Under Article 371-A, no Act of Parliament in respect of:—

- (i) religious or social practices of Nagas;
- (ii) Naga customary law and procedure;
- (iii) administration of civil and criminal justice involving decisions according to Naga customary law and;
- (iv) ownership and transfer of land and its resources, shall apply to the State of Nagaland unless the Legislative Assembly of Nagaland by a resolution so decides.

5.18 In Nagaland there is no general provision for a District or a Regional Council. However, a special status has been given to the Tuensang district for which a Regional Council has been provided in the Constitution. The Governor of Nagaland has been given a special responsibility for establishment and functioning of this Council. The Deputy Commissioner of Tuensang District is the Chairman of this Council in his ex-officio capacity. No act of the Legislature of Nagaland shall apply to Tuensang district unless the Governor, on the recommendation of the Regional Council, by public notification so directs. This direction can also be given retrospective effect. The Governor can also make regulations for this district and any regulation so made may repeal or amend with retrospective effect, if necessary, any Act of Parliament or any other law which is for the time being applicable to that district.

5.19 Besides provisions in the Sixth Schedule for the Tribal Area in Assam, Article 371-B makes a special provision for the constitution and functioning of a Committee of the Legislative Assembly elected from the Tribal Areas and such other members of that Assembly as may be notified. The notification may also modify the rules of procedure of that Assembly for the Constitution and proper functioning of such Committee. The Constitution also provides for formation of an autonomous state comprising certain tribal areas in Assam and creation of a local Legislature, or a Council of Ministers or both therefor under Article 244-A. Such Autonomous State can comprise all or any of Tribal Areas (whether wholly and in part) under the Sixth Schedule. A body can be created, whether elected or partly nominated and partly elected, to function as a Legislature for the Autonomous State. The legislature of this autonomous State can be given powers to make laws and such matters as may be enumerated in the State List or the Concurrent List. However, the Political Process in the Tribal Areas has been so fast that before the formation of a Union Territory or a separate State, no part of the Tribal Area graduated through the State of autonomous State.

5.20 The Sixth Schedule also makes a special provision for administration of justice in autonomous Districts and autonomous Regions. The District Council can constitute courts for trial of suits and cases. The Governor can also appoint any officers for this purpose. The Governor can also confer such powers as he may deem appropriate under the Code of Civil Procedure or the Code of Criminal Procedure on District Council, a Regional Council, a court constituted by the District Council, or an officer appointed by the Governor. These powers can be in respect of trial of suits or cases arising out of any law in force which the Governor may specify or for the trial of offences punishable with death, transportation for life or imprisonment for a term not less than five years under the I.P.C. or under any other law.

5.21 The District Councils have been given certain educational and developmental functions under clause 6 of the Sixth Schedule. District and Regional funds have been created under Clause 7. Further, the

Councils have been given powers to assess and collect land revenue and impose tax under Clause 8. They can also make regulations under Clause 10 for control of money-lending and trading by persons other than Scheduled Tribe resident in the district.

Tribal Areas in Tripura

5.22 Tripura is not covered by provisions of the Sixth Schedule. No area in Tripura has been Scheduled under the Fifth Schedule. In 1979, the Government of Tripura have enacted 'The Tripura Tribal Areas Autonomous District Council Act'. The Act provides for establishment of an autonomous district comprising tehsils and villages which are predominantly tribal. The powers of the District Council have been defined following generally the scheme of District Councils under the Sixth Schedule. According to this Act, the District Council shall have control over the following matters:—

- (a) The allotment, occupation or use of the set apart land, other than any land which is a reserved forest, or used for the purpose of agriculture or grazing or for residential or other non-agricultural purposes, or for any other purpose likely to promote the interest of the inhabitants of any village, locality or town;
- (b) the management of any forest not being a reserved forest;
- (c) the use of any canal or water-course for the purpose of agriculture;
- (d) the regulation of the practice of *Jhum* or other forms of shifting cultivation;
- (e) the village or town committees or councils;
- (f) any other matter relating to village or town administration including village or town police and public health and sanitation;
- (g) The District Council may establish, construct or manage primary schools, dispensaries, markets, cattle ponds, ferries, fisheries, roads, road transport (other than nationalised routes) and waterways in the district and may with the previous approval of the Government make regulations for the regulations and control thereof and, in particular, may prescribe the language and the manner in which primary education shall be imparted in the primary schools in the district.
- (h) The District Council may make regulations for the regulation and control of money-lending or trading within the district and such regulations may:
 - (i) prescribe that no one except the holder of a licence issued in that behalf shall carry on the business of money-lending;
 - (ii) prescribe the maximum rate of interest which may be charged or be recovered by a money-lender;
 - (iii) provide for the maintenance of accounts by money-lenders and for inspection of such accounts by officers appointed in that behalf by the District Council; and

- (iv) prescribe that no person who is not a member of Scheduled Tribe resident in the district shall carry on wholesale or retail business in any commodity except under a licence issued in that behalf by the District Council.

5.23 Even though the autonomous District comprises areas from different administrative units in the State, not all coterminous, there is no provision for a sub-autonomous district unit like a region in the Sixth Schedule. The Act envisages constitution of Village Councils. The Village Councils, will have powers to try certain civil suits, cases or offences arising out of any bye-laws, regulations or rules in force in the Autonomous District, as well as cases arising out of any bye-laws, regulations, offences or abetment thereof, which are not punishable with death, imprisonment for life or imprisonment for a term not exceeding six months and offences under Section 379 and 380 of the Indian Penal Code, where the value of the stolen property does not exceed Rs. 5000.

Administration of Scheduled Areas

5.24 While the administration of the Tribal Areas is governed by the specific provision under the Sixth Schedule, the administration of Scheduled Areas is governed by the provisions of the Fifth Schedule. The Executive powers of the Union in the case of the Scheduled Areas extend to the giving of directions, to the State as to the administration of the said areas. The executive power of State is subject to provisions of the Fifth Schedule and extends to the Scheduled areas subject to these provisions. Under Clause 5 of the Fifth Schedule, the Governor may, by public notification, direct that any particular Act of Parliament or of the Legislature of the State shall not apply to a Scheduled Area, or any part thereof in the State or apply to a Scheduled Area or any part thereof in the State subject to such exceptions and modifications as he may specify in the notification and any direction given under this sub-paragraph may be given so as to have retrospective effect. Thus the provision for adaptation of the Central or the State laws is all inclusive. The Governor has been further empowered to make regulations for peace and good government of the Scheduled Areas. These regulations may repeal or amend any act of parliament or the Legislature of the State or any existing law which is for the time being applicable to the area in question. These regulations, however, come into effect only after they are assented to by the President. The Governor is also required to consult the Tribal Advisory Council before making such regulations.

5.25 The Constitution envisages establishment of a Tribes Advisory Council in each State having Scheduled Areas and also, if the President so directs, in State having Scheduled Tribes. The Tribes Advisory Council is required to be consulted by the Governor before making a regulation. It is also the duty of the Council to advise on such matters pertaining to the welfare and advancement of Scheduled Tribes in the State as may be referred to by the Governor.

5.26 The regulation making powers of the Governor for peace and good government of the scheduled areas under the Fifth Schedule are comprehensive but Specific

mention has been made about regulations which may:—

- (a) prohibit or restrict the transfer of land by or among members of the Scheduled Tribes in such area.
- (b) regulate the allotment of land to members of the Scheduled Tribes in such area;
- (c) regulate the carrying on of business as money-lender by persons who lend money to members of the Scheduled Tribes in such area.

Hill Areas in Manipur

5.27 The special Provision relating to the Hill areas in Manipur under Article 371C envisages constitution of a committee of the Legislative Assembly of the State consisting of members of that Assembly elected from the Hill Areas of that State. The President may also by an order provide for modifications to be made in the rules of business of government and in the rules of procedure of the State. He may also give special responsibility to the Governor in order to secure the proper functioning of such committees.

Governor's Report

5.28 In view of the special responsibility of the Union Government, the Constitution envisages that the Governor of each State having scheduled area shall make a report to the president regarding administration of the Scheduled Areas in that State. The Governor is also required to send report to the President regarding the administration of the Hill Areas in the State of Manipur.

Financial Assistance

5.29 Having thus provided for a suitable frame for the development of the Scheduled Tribe and administration of the Scheduled Areas, Tribal Areas and Hill Areas (in Manipur), the Constitution also makes provision for special financial assistance for this purpose. The First Proviso to 275 (1) envisages assistance for the welfare of Scheduled Tribes and raising the level of administration of the Scheduled Areas. According to this Proviso, 'these shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such Capital and recurring sums as may be necessary to enable that state to meet the costs of such schemes of development as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of the Scheduled Tribes in that State or raising the level of administration of the Scheduled Areas therein to that of the administration of the rest of the areas of that State'.

5.30 Similar provisions have been made for the Tribal Areas in the State of Assam and also for the autonomous State which may be formed under Article 234A. Such Tribal Areas which have acquired the Status of a State or a Union Territory are governed by general provisions and do not require special provisions.

Political Reservations

5.31 The Constitution makes provision for reservation of seats for Scheduled Tribes in the House of the People under Article 330 and in the Legislative

Assembly of the States under Article 332. The number of seats reserved under these provisions are on the basis of the population of the Scheduled Tribes in the concerned State or Union Territory. The reservation of seats in all States except Assam is for Scheduled Tribes in general, and is not relatable to any area. The constituencies are reserved by the Election Commission according to the provisions of the law. In the State of Assam some reservations have been made specific for autonomous districts. The number of seats in their case shall not be less than the proportion of population of the Scheduled Tribes in the concerned autonomous District to the total population of the State. It is also envisaged that the constituencies in respect of seats reserved for any autonomous District in Assam shall not comprise any area outside that District. Further no person who is not a member of SI of any autonomous District of the State of Assam shall be eligible for election to the Legislative Assembly of the State from a constituency of that District.

5.32 The Constitution envisaged that all reservation of seats and special representation shall expire after a period of ten years from the commencement of the Constitution. This period has been extended from time to time and it stands at 40 years now.

Special Officer for Scheduled Tribes

5.33 The Constitution makes a provision for appointment of special officer to investigate all matters relating to the safeguards for the Scheduled Tribes under the Constitution and report to the President about the working of those safeguards at such intervals as the President may direct and the President shall cause all such reports to be laid before each House of Parliament. While the reports of the Governor and the Special Officer give, a review of the tribal situation on a continuing basis, the Constitution provides for its comprehensive review by a Commission under Article 339. The President may at any time and shall at the expiry of ten years from the commencement of the Constitution by order appoint a Commission to report on the administration of the Scheduled Areas and the Welfare of Scheduled Tribes in the States. The first such commission was appointed in 1960 under the Chairmanship of Shri U.N. Dhebar.

Governor's Responsibility

5.34 The role of the Governor in relation to tribal affairs in the State has been defined at a number of points in the Constitution. His responsibility has been made specific in respect of law and order in the State of Nagaland for so long as, in his opinion, internal disturbances occurring in the Naga Hills—Tuensang Area immediately before the formation of that State continue therein or in any part thereof and in the discharge of his functions in relation thereto the Governor shall, after consulting the Council of Ministers, exercise his individual judgement as to the action to be taken.

5.35 The Governor has been made responsible for carrying on the administration in Tuensang district for a period of ten years from the date of formation of that State or for such further period as the Governor, on the recommendation of the Regional Council, may by a notification specify in this behalf. The Minister

of Tuensang district has also been given direct access to the Governor even though he is a member of the Council of the Ministers. The final decision on all matters relating to the Tuensang district shall be made by the Governor in his discretion.

5.36 The Constitution and proper functioning of the autonomous Districts and autonomous Regions is the responsibility of the Governor under Sixth Schedule. The Governor is responsible for the first constitution of District Councils or Regional Councils in consultation with the existing tribal councils or representative tribal organisations within the Autonomous District. The election to the Councils is governed by rules which *inter-alia* deal with delimitation, qualifications for voting, qualifications for being elected, composition of the Councils, allocation of seats, etc. Not more than four persons in each Council, consisting not more than 30 members, are nominated by the Governor. These Councils are authorised to make regulations for levy and collection of taxes, for control of money-lending and trading by non-tribal, etc. These regulations are required to be assented to by the Governor before they came into effect. The District Councils have also been assigned a share of royalties accruing from licences or leases for the purpose of prospecting or extraction of minerals. In case of a dispute on this matter between the State Government and the District Council, the Governor, in his discretion, may determine the amount which shall be final.

5.37 All laws and rules made under the Sixth Schedule by the Councils are required to be assented by the Governor before they came into effect. The Governor can appoint a Commission at any time to examine and report on any matters specified by him relating to the administration of the Autonomous Districts and Autonomous Regions in the State. This report, with recommendations of the Governor, is laid before the legislature of the State with a explanatory memorandum regarding the action proposed to be taken on it by the Government of the State.

5.38 The Governor can also annul or supersede an Act or regulation of a District or Regional Council. He may suspend and assume to himself all or any of the powers vested in or exercisable by the Council. Such an order is to be laid before the legislature of the States, as soon as possible and the order shall, unless revoked by the Legislature of the State, continue in force for a period of 12 months. Further the Governor can also dissolve a District or Regional Council if at any time he is satisfied that a situation has arisen in which administration of an autonomous District or Region cannot be carried on in accordance with the provisions of the Sixth Schedule. Such an order is to be laid before the Legislature of the State and shall cease to operate at the expiry of thirty days from the date on which the State Legislature first sits after issue of the order.

5.39 Thus, the tribal areas in the Sixth Schedule have a distinct tier of administration with a representative government having powers to legislate, levy taxes and administer in relation to the functions assigned there. The Governor has the final authority on most of the issues. His position in relation to the District

and Regional Councils is similar to that of the President in relation to the State Government. The State legislature in relation to the District and Regional Councils has function similar to those of the Parliament in relation to the State Governments and State Legislatures.

Governor and the Scheduled Areas

5.40 The Constitutional schemes for the Tribal Areas in the State of Assam etc. and the Scheduled Areas in the rest of the country are quite distinct. The Administration of Tribal Areas has been envisaged as that of autonomous units in the concerned State under the general directions and control of the Governor. The executive power of the State in regard to the autonomous units of the concerned State is limited by specific constitutional provisions. The Union Government have not assigned a special role in the administration of these areas. The Governor is not required even to send a report to the Union Government on any of the issues relating to the administration of Tribal Areas.

5.41 The administration of Scheduled Areas is designed on different Principles. The executive power of the Union extends to giving of direction to the State as to the administration of the Scheduled Areas. No representative bodies are envisaged under the Constitution for all or any of the areas declared as Scheduled Areas. The Tribes Advisory Council for the State can be consulted by the Governor, at his discretion, on matters pertaining to welfare or advancement of the Scheduled Tribes. Consultation with the Tribes Advisory Council is obligatory only in case the Governor proposes to a regulation. In the case of Tribal Areas in the Sixth Schedule the regulation making powers rest with the District or Regional Council subject to approval of the Governor, but in the case of Scheduled Areas, these powers rest with the Governor subject to the approval of the President. The Governor is required to send annually a report to the President on the administration of the Scheduled Areas. It is clear, therefore, that the Constitution has placed a special responsibility on the Union Government for the Scheduled Areas in contrast to the case of Tribal areas which have been given autonomy on vital matters concerning the welfare and development of the community. In the case of scheduled areas, a transitional period was accepted as necessary needing special care and attention of the Union before the members of the tribal communities could become partners in management of affairs of respective regions in association with other people within the general political and administrative frame of that State. The special provisions would exist only till such time as the need for special protective measures and supportive programmes for the welfare and developments of the people is felt. The President can issue directions to the States about developmental programmes under Article 399 and about administration of the Scheduled Areas under Clause 3 of the Fifth Schedule. Thus, the role of the Union Government and the Governor in relation to the administration of the Scheduled Areas and Welfare of the Scheduled Tribes in States other than Assam is direct and their actions are to be guided by clear objectives in relation to these areas and the tribal people.

Appraisal of Legislative Powers

5.42 The review of Constitutional provisions clearly brings out that adequate powers have been given to the executive for making regulations having the effect of law so that the special responsibility for tribal development can adequately be discharged. There are three alternatives for making a law for the scheduled areas depending on the situation in each case:

- (i) Legislation by Notification;
- (ii) Legislation through Regulation; and
- (iii) Normal legislation.

(i) Legislation by notification

5.43 Even though the Constitution has made specific provision for the special needs of the tribal communities and tribal areas, it gives further discretion to the executive to meet any contingency which may arise in relation to protection and advancement of the tribal communities. This discretion, however, is limited to Scheduled areas and Tribal Areas only. In respect of tribal communities living outside these areas, it will be necessary to rely on the general laws. It was visualised that certain laws of the State or Centre may need to be changed sometimes drastically. The Governor, therefore, has been given the power to make any changes in a law of State Legislature or the Parliament 'notwithstanding anything in the Constitution'. In certain cases, it may be that the interests of the tribal communities may have already been adversely affected for reasons of omission or commission at some level. Fifth Schedule, therefore, specifically makes a provision for giving retrospective effect to the Governor's notification. This notification can be issued by the Governor without any reference either to the Tribes Advisory Council or to the Union Government. Thus, the Constitution gives almost unlimited discretion to the executive for making any change in the law should such a contingency arise.

(ii) Legislation through Regulation

5.44 The Governor has been empowered to make Regulations for peace and good government of the Scheduled Area. The regulation can repeal or amend an existing law of the Parliament or the State Legislature. A distinction has been made in the case of regulation making powers of the Governor compared to his powers to amend a law by notification. A regulation is required to be assented to by the President before it becomes applicable. The Governor is also obliged to consult the Tribes Advisory Council before making any Regulation. Thus, the distinction between the Governor's power to amend the laws and the power to make regulation is clear. The Governor has wide powers to rectify the ill effects of any law whatsoever, but when certain positive measures are to be taken, which may or may not affect an existing law, the Governor is to be guided by the Tribes Advisory Council and must seek approval of the President. It is significant that all these legal measures do not require the approval of the State Legislature or the Parliament.

(iii) General Legislation

5.45 The legislative powers of the Parliament and State Legislatures are defined under Article 245, 246 and 248 and the three lists given in the Seventh Schedule indicate the manner and nature of their distribution. There is no entry in the three lists pertaining to either the Scheduled Areas or the Scheduled Tribes. Therefore, any legislation in relation to these subjects fall within the purview of the Parliament in exercise of its residual powers under Article 248(i) read with entry 57 in List I of Seventh Schedule.

5.46 The question of the competence of the State Legislature to enact for Scheduled Tribes came up before the Kerala High Court with reference to certain provision in the Kerala Hill-man Rules. Even though there is no specific entry relating to tribal affairs in the three lists the various entries therein have bearing on the tribal areas as also the tribal communities. For example, the State can legislate in respect of money lending or transfer of land which are in the State List. These items have also been specifically mentioned in the Fifth Schedule in the regulation-making powers of the Governor. If a State makes any general law in relation to the subject matter of these items, provisions beneficial to the Scheduled Tribes can also be made since in this regard the State is guided by the Directive Principles of State Policy enunciated in Article 46 of the Constitution. The State is required 'to promote with special care the economic interest of the Scheduled Tribes'. However, since tribal affairs by themselves have not been included in the State or the concurrent list, the State Legislature has no power to make a special law exclusively, in relation to those affairs. Kerala High Court summed up the constitutional position as "Where the pith and substance of a law show that it is only meant for Scheduled Tribes as such the State Legislature will have no competence to make such a law. But if a law is on the subject matter contained in any of the entries in Lists II and III which also affords protection to the Scheduled Tribes the same will be valid and within the competence of the State Legislature."

Review of the Constitutional Provisions for Scheduled Areas.

5.47 The Dhebar Commission examined the constitutional provisions relating to tribal affairs critically in their Report. They observed that 'in view of the changes that have taken place since the inception of the Constitution, it is no longer necessary to pursue the question whether a tribal area should be declared Scheduled or a Scheduled Area should be descheduled. The Fifth Schedule was conceived as a temporary expedient and its objectives can be achieved by our alternative approach, which is simply that Government should undertake a plan which would protect the Scheduled Tribes and ensure development of the tribal areas within a stated period. The State Governments should undertake general legislation applicable throughout the scheduled and non-scheduled areas for protection from exploitation by money-lenders and protect the rights of tribes in land and forest and this legislation should be implemented within a period of ten years. Pending enactment of

such general legislation the regulatory powers of the Governor under Paragraph 5(2) of the Fifth Schedule may be utilised for the promulgation of corresponding regulation for the Scheduled Areas. Simultaneously all tribal areas should be grouped under Tribal Development Blocks so that the bulk of the tribal population is brought under intensive development schemes. The blocks should concentrate on the following four activities--economic development, education, health and communications and should have specific targets. With the fulfilment of the targets in all Tribal Development Blocks and the pressing and implementation of protective legislation, the objects of the Fifth Schedule would have been achieved and it could conveniently be abrogated.

5.48 The recommendations of Dhebar Commission were generally accepted but concrete programmes were not developed on those lines. The extension of Tribal Development Block programme to all areas with more than 50 per cent tribal population could not be taken up even upto the end of the Fourth Plan. It was decided to consolidate the programme in the T.D. blocks already started, thus leaving a large tribal population outside the purview of any special scheme. The tribal situation so far as protective measures and developmental programmes are concerned, remained almost unchanged when Shilu Ao Committee was appointed in 1969, to review tribal development programmes. The Committee observed that most of the recommendations of the Dhebar Commission remained unimplemented and urged that they should be implemented without any further loss of time. In retrospect, it appears that the Dhebar Commission while suggesting the alternative strategy accepted an over-simplified picture of the tribal situation in the context of vigorous developmental efforts envisaged in the national plans. The full import of the provisions of the Fifth Schedule was, therefore, lost in the new scheme even though they themselves suggested that if the Government was not in a position to accept that programme there was no alternative to scheduling other areas. We have already discussed that scheduling of an area by itself merely enables the Government to take certain measures and places special responsibility on them. But it does not automatically result in operational action programme like identification of problems, invitations of corrective measures, relevant planning and purposive evaluation and monitoring.

5.49 This position changed significantly when the sub-plan approach was evolved for tribal development during the Fifth Plan. Under the new strategy, the sub-plan is envisaged as a comprehensive plan for development of all areas with more than 50 per cent tribal population. The sub-plan together with the provisions of the Fifth Schedule together were accepted as two independent, but complementary instruments for achieving the goal of protecting the interests of tribal communities and their development. Consequently all tribal majority areas in State having Scheduled areas have been scheduled by suitably extending those areas. Methodology of sub-plan preparation has now got established. But adequate measures for making the administration capable of carrying the new responsibility and answerable for achievement remain to be taken.

Critical Appraisal of Constitutional Provisions.

5.50 The above review brings out that the Constitutional provisions present a comprehensive and well-designed scheme for tribal development taking into account the special socio-economic situation in different regions. The scheme has been spelt out, wherever necessary, in considerable detail so as to ensure that the basic objective of tribal development is not compromised. The legal frame has been kept extremely flexible and wide powers have been given to the Executive for making regulations having the effect of law. The responsibility of the Union Government has been made clear by extending the executive power to giving of directions for preparation and execution of programmes for tribal development and for good administration of the Scheduled Areas. These provisions are reinforced by making necessary financial provision for this purpose a charge on the Consolidated Fund of India. The Constitution provides for effective protection of tribal communities even by limiting, wherever necessary, the fundamental rights in important ways. Reservation in the services as also in the political system has been provided for. The Governor is given the special responsibility for peace and good government of the Scheduled Areas and he is required to report to the President annually. A Special Officer is appointed under the Constitution to oversee the functioning of the safeguards under the Constitution and report to the President thereon. The Parliament is kept informed about the State of tribal development through his report.

5.51. Our review shows that the constitutional safeguards in relating to reservations of seats in the Parliament and State Legislatures have been effective and continue to be fully provided for. The representation in services has been claiming due attention and the situation in this respect has been improving. There is a system of review of reservations at the highest level in the Central and State Governments. The Parliament and State Legislatures are also conscious about reservations. The Commissioner for Scheduled Castes and Scheduled Tribes makes a detailed and critical review of reservations in his report. The members of the service belonging to the Scheduled Castes and Scheduled Tribes can themselves approach the Commissioner, wherever necessary, for enforcing their rights.

5.52. The Constitutional provisions in relation to the protection and development of tribal communities and administration of scheduled areas, however, have not been operationalised. Law provides the basis and the frame for all administrative action. But the regulation-making power under the Fifth Schedule has been used by the States to a very limited extent. The Dhebar Commission had recommended that general legislation should be enacted by all States to safeguard the interests of the Scheduled Tribes but no action seems to have been taken in pursuance thereof. Subsequently, it has been held that it is the Parliament which can enact a law on tribal affairs. But no law has been passed so far by Parliament either for protection or for development of the Scheduled Tribes. Similarly, no regulation has been made for peace and good administration of the Scheduled Areas, although there is a

specific provision for this purpose under the Fifth Schedule and administration has continued to remain the weakest spot in tribal affairs.

5.53. The position in relation to economic programmes has also remained vague and was somewhat unsatisfactory before the Fifth Plan. The tribal sub-plans have, however, provided a frame for meaningful discussion and continuous review about the level of investments and the quality of programmes in various sectors. But the administrative apparatus which was envisaged as a part of the sub-plan strategy remains to be established. We consider that rising level of investment without effective protection and administration may be counter-productive in relation to the welfare and interests of tribal communities.

5.54. The unsatisfactory situation in these important matters notwithstanding the best intentions and well-articulated policy needs a critical examination. The Central Government have issued guidelines from time to time about the need for effective protection purposive implementation and good administration for the tribal areas. But the basic structure has remained unchanged. Even a realistic assessment of the emerging situation is not available to the Union Government in the absence of a purposive and reliable feed-back although the Governor is expected to send an annual report on the administration of the Scheduled Areas. The Governor himself is handicapped by the fact that no one reports to him directly about the problems of the scheduled areas and the progress of development of tribal communities. His reports tend to present a mere narrative of the activities of the Tribal Welfare Department in the State. The Constitution also envisages that the Special Officer (Commissioner for Scheduled Castes and Scheduled Tribes) shall investigate and report to the President on the working of Constitutional safeguards. But the Commissioner is an external authority. He gives an array of suggestions, year after year, only some of which may be picked up for special attention. But there is no mechanism within the system for internal appraisal and corrective measures on a continuing basis. Therefore, the President has not issued even a single direction to any State in the last thirty years exercising his powers to give directions for development of tribal communities under Article 339(2) or for good administration of the Scheduled Areas under the Fifth Schedule. The basic reason is the lack of a systematic and continuous appraisal of the situation with reference to the clear policy frame and administrative goals which may be set in this regard. Thus, there is a critical gap in the Constitutional scheme which makes it virtually inoperative. This gap can be filled only if the executive keeps the Governor and the President informed about the situation in the tribal areas and the development of tribal communities.

5.55. We have seen that the various Constitutional provisions relating to the administration of the Scheduled Areas are complementary to one another and provide a broad frame for action. A satisfactory plan of action has to be drawn up to operationalise all these elements in such a way that they function in unison. The basic elements which go to determine the quality of administration have to be clearly defined. As we have discussed in a separate chapter, much remains to be

done both in relation to the structure of administration for scheduled areas and the quality of personnel in these regions. We consider it necessary that a clear programme should be worked out for regular appraisal of the administrative situation in the tribal areas, corrective measures taken by the States and the supporting financial provisions made for that purpose by the States and the Central Government under the first proviso to Article 275(i).

5.56. We may draw attention at this stage to the convention now well-established in the case of agricultural development programmes. The need for Central guidance to the States for preparation and implementation of agricultural programmes was realised when the country faced the problem of continuing imports and precarious food stocks to meet the shortages arising in different areas. Agriculture is a State subject. The Agriculture Ministry, therefore, could assume only the role of an adviser and enter into dialogue with the States on this important subject. Advantage was, however, taken of the fact that the Planning Commission had emerged as an organisation outside the formal structure of the Central Government which guided the States in relation to their long term plans and annual plans backed by the authority to determine the financial outlays and allocate resources within the general frame of financial assistance as approved by the National Development Council. The practice of annual visits to the States by a multi-disciplinary team was started in mid-sixties with a view to finalise the programme of action for each year and review the progress of implementation in the previous year. These visits were organised by the Ministry of Agriculture in which the representatives of the Planning Commission were also associated. The discussions were held at the State level covering technical, financial and administrative aspects relating to agricultural development. The team also made local visits. These meetings helped in pin-pointing the shortfalls in the effort and in working out correctives in planning of programmes and their implementation year by year. The Ministry of Agriculture gained considerable experience from different parts of the country and brought to the notice of all States the success-stories, innovations, etc., in different parts of the country. This informal interaction at the official level provided an effective communication link between the field, the States and the Union Government which is not provided for in the formal Constitutional frame. This has helped the agricultural production programme moving on at a fast pace for more than a decade now.

The above experience brings out that once a problem is identified and there is systematic application, it is possible to find a satisfactory solution. The Agriculture Ministry acted mainly by virtue of their general enabling role in relation to agricultural development in the country. The Ministry of Home Affairs is on much stronger grounds in the case of administration of the Scheduled Areas and development of tribal communities. The overall responsibility for good administration of scheduled areas and protection and development of tribal communities rests with the Union Government. The authority vested in the Union Government could not be used for reasons discussed earlier. A system of regular dialogue at the national level similar to that of the Ministry of Agriculture (under the

agies of the Ministry of Home Affairs) therefore, should be immediately worked out. So far as preparation of tribal sub-plans is concerned, it has now become a part of the normal planning process and the Planning Commission review programmes and priorities, sectoral allocations, actual performance, etc., for the tribal areas as a part of annual State Plan and Five Year Plan exercises. But a parallel system is necessary for review of the administrative system and its performance in the Scheduled Areas and implementation of tribal development programmes keeping in view the special responsibility of the Union Government. The Ministry of Home Affairs, may constitute a Standing Committee for the review of administration of the scheduled areas and tribal development. The committee may be known as 'Tribal Administration Review Committee'. It may be headed by the Home Secretary and have representatives of the Planning Commission, and Department of Personnel

5.57. After the introduction of tribal sub-plans and establishment of Integrated Tribal Development Projects, important changes have been made in the structure of tribal development administration in the States. The Tribal Welfare Department, earlier generally concerned themselves with the implementation of programme under the Welfare of Backward Classes Sector. Now the Tribal Development Administration in the States is responsible for coordination of all developmental programmes in the tribal areas while their execution rests with the concerned administrative authorities. They are also responsible for protective measures. A chain of command in Tribal Administration has been worked out from the field level to the State Headquarters. This Administration is headed by the Tribal Development Commissioner. In some States, the new organisation has been fully established and is gradually getting a grip on the total situation. In some States, however, this process has been rather slow. Early action should be taken to firmly establish the integrated tribal development administration for the tribal areas. The review of administration of the Scheduled Areas and tribal development should be the responsibility of the Tribal Development Administration in the State. The review should not be a sporadic activity but should be conducted in the form of a periodical appraisal of the administrative situation in the scheduled areas. This review should also form the basis for the preparation for the Governors' Reports on the Administration of the Scheduled Areas.

5.58. The Governor's report, according to the provisions of the Constitution relates only to the administration of the Scheduled Areas. The programmes of development of tribal communities for which the Union Government has a special responsibility under Article 339(2) is not covered under it. Therefore, the Governors of those States which do not have scheduled areas are not required to submit a report. The scope of Governor's report, therefore, should be enlarged so as to cover the administration of the Scheduled Areas as well as tribal development. This Report should be submitted by the Governors of all States having tribal population. Suitable amendments in the relevant provisions of the constitution may be made.

These reports should be based on the reports from the project administrators and the Heads of the De-

partments. The Project Administrators should send a quarterly report to the Tribal Development Commissioner. The Heads of the Departments in the State should also prepare an administration and development report for their respective fields which may be submitted to the Tribal Development Commissioner by the end of April each year. The Tribal Development Commissioner should then prepare a consolidated report on the administration of Scheduled Areas and tribal development, based on quarterly reports from the Projects and the Annual Reports of the Heads of the Departments. This report should be finalised and submitted to the Ministry of Home Affairs by the end of June. The Ministry of Home Affairs should then organise teams for visit to the States during July-September each year. These teams may comprise representatives of the Ministry of Home Affairs, Planning Commission, Department of Personnel, Ministry of Agriculture, and other concerned Ministries. The administrative report of the Tribal Development Commissioner should also visit selected tribal areas each year. The report of the Governor on Administration of the Scheduled Areas and tribal development should be prepared thereafter on the basis of the Commissioner's report and the observations of the visiting teams. The Governor's report along with a memorandum of proposed action by the State Governments should be submitted to the President by the end of October each year. The Union Government may issue a direction under Article 339(ii) and the Fifth Schedule of the Constitution specifying the contents and manner of preparation of the Governor's Report on the administration of the Scheduled Areas and tribal development and on follow up action thereon.

5.59. The 'Tribal Administration and Development Review Committee' should finalise a plan of action based on the report of the Tribal Development Commissioner and observations of the visiting teams in consultation with different Ministries. The gaps which may be noted in the developmental programme in the respective sectors, should be filled in the concerned Ministries. The Ministry of Home Affairs should work out the supplementary financial assistance required by each State for improvement in the administration of the tribal areas. The concerned Ministries should incorporate the appropriate programmes in the annual plan or non-plan programmes for the next year. The Ministry of Home Affairs should give additional assistance to the concerned State for improving the administration under the first proviso to Article 275(i) of the Constitution. There may be some urgent measures which may have to be taken immediately for which assistance may have to be provided in the same year. Financial provision for other matters should be made in the budget proposals of the subsequent year. The State Governments may also initiate suitable action at their end, so that necessary provisions are made in their budgets in time and schemes are taken up early in the next financial year. The review of action taken on the Governor's Report should be incorporated in the Report of the Governor for the following year.

Role & Responsibility of the States

5.60. We have discussed in detail here the role of the Union Government and the various ministries in view of their special constitutional responsibility for tribal development. The basic tasks in this regard,

however, will have to be performed by the concerned State Governments. We will be considering the various aspects of general and developmental administration for tribal areas in the following paragraphs. We may only add here that the administration in the field can be effective only if there is a clear direction from the State Headquarters. The State Cabinet should pay special attention, on a continuing basis to the problems of tribal areas. A Cabinet Sub-Committee should be constituted where it has not already been done. The basic problem in tribal development administration is that even though there is broad agreement on policy issues they are resisted at the point of implementation at various levels within the system as also from outside. An individual issue at each point of time may appear to be minor or non-consequential. There is also a tendency to keep outward appearance by formal token performance or postponing consideration to a better time. Each of these decisions in their totality, in effect, mean implicit negation of the basic policy. We have examined in detail the steps taken to meet the problems of land alienation and money lending, removal of the extortionate middle man from marketing, review of the forest policy and the adaptation of sectoral programmes. We find that inspite of unequivocal policy decisions and clear time-schedules accepted for their implementation, not much has been achieved and valuable time has been lost. Tribal development is essentially a problem of negotiating the transition and this distinguishes it from other types of basic backwardness. In this context, time is of essence and every day we lose in decision-making at various levels and implementation, the community suffers a set-back which can be irretrievable. The States, therefore, must gear up the process of decision-making at the political level and the administrative arrangements so that the basic issues are not missed and the State effort is constantly directed to solve them. The continuing guidance and help from the Union Government, as we have recommended earlier, will help the States in taking an All-India view of the problem of tribal development which has been accepted as a national task in the Constitution.

Special Officer for Scheduled Tribes

5.61. Article 338 of the Constitution envisages the appointment of a Special Officer for the Scheduled Castes and Scheduled Tribes by the President. It will be the duty of the Special Officer to investigate matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution and report to the President upon the working of those safeguards at such intervals as the President may direct and the President shall cause all such reports to be laid before each House of Parliament. In pursuance of these provisions the office of the Commissioner for Scheduled Castes and Scheduled Tribes was created soon after the promulgation of the Constitution. The Commissioner was assisted by a field organisation to maintain liaison with the States and carry out survey, evaluation, specific investigation, etc., as may be directed by the Commissioner. The Commissioner submits an annual report to the President based on the information received from the Government organisations and also his independent investigations. The Commissioner was earlier associated with the formulation of programme for development of Sche-

duled Tribes and also their review. However, it was considered later that since the Commissioner was responsible for investigation of all matters relating to the safeguards in the Constitution and report upon their working, he should not be directly associated with the formulation of programmes because, in that case he became a part to the very policies and programmes which he was supposed to review. The Commissioner, therefore, began to function independently. In view of this changed situation, the field organisation of the Commissioner for Scheduled Castes and Scheduled Tribes was placed under the Director-General, Backward Classes Welfare, whose organisation was given the status of an attached office under the Central Ministry in charge of Tribal Welfare. The Commissioner was, however, extended the facility of using the organisation for surveys, studies and special investigations. As Commission for Scheduled Castes and Scheduled Tribes has been established in 1978 with the Commissioner for Scheduled Castes and Scheduled Tribes as a member. The Government of India have decided to make the Commission a statutory Body under Article 338 in place of the Special Officer. However, the necessary Constitutional amendment has not been made so far. The relationship between the Commissioner and Commission, besides the Commissioner being a member of Commission remains unclear. The field organisation of the Director General, Backward Classes Welfare, has been transferred to the Commission and the Office of the Director General of Backward Classes Welfare has been abolished. A separate Tribal Development Wing in the Ministry of Home Affairs has been established which keeps in touch with the State Governments. The Ministry of Home Affairs do not have a field organisation but they can use the organisation under the Commission for any report and investigations. The Ministry is increasingly relying on feed-back from the State Governments themselves on various aspects of protection and development of the Scheduled Tribes and administration of the Scheduled Areas.

Organisation for Tribal Development Administration at the Centre.

5.62. We may now consider other administrative arrangements necessary at the Centre for discharging their responsibility of Union Government for tribal affairs. The Tribal affairs present a unique amalgum of the responsibilities of the Union Government and the States. They are presented in the form of delicate balance of numerous aspects relating to protection administration and welfare. The Ministries in the Centre are either responsible for certain specific functions which are exclusively within the Central Government's purview or a Ministry may provide general guidance to the States keeping in view the importance of the subject in the national economy but without specific Constitutional obligation. We have seen that neither of these models are suitable for the complex task of administration of the Scheduled areas and protection and development of tribal communities. It will be necessary to have a structure which can support policy formulation of the Centre in different Ministries, interact the policy formulation process as also administrative direction at the State level and oversee the process of the change and development in the field. A special Tribal Development Administration Department may be set up in the Ministry of Home Affairs instead of a

Division for Tribal Development as at present. The Administration should have a strong officer-oriented structure with greater contact with the field.

5.63. The Tribal Development Administration Department may have the following responsibility:—

- (i) The administration should be a nodal point in the Union Government which should review action taken by the various Central Ministries within their functional jurisdiction and provide broad guidelines for adaptation of sectoral programmes keeping in view the special requirements of the tribal areas and the tribal communities;
- (ii) it should keep constant touch with the Tribal Development Administration in the States and review implementation of developmental programmes and administrative situation in the Scheduled Areas;
- (iii) it should also keep in touch with the Integrated Tribal Development Project authorities through regular field visits. It should review the implementation of programmes and the administrative situation with the officials and the people themselves in the field; and
- (iv) it should organise, guide and oversee the evaluation of developmental programmes and administrative situation through studies by organisations.

5.64. The Tribal Development Administration should be a strong organisation with senior officers having experience of working in the tribal areas. It should have the support of a competent research unit. Senior officers should visit the tribal areas regularly so that each Integrated Tribal Development Project is visited by them at least once in three years and each Tribal Development Block atleast once in five years. The evaluation of programme should be so organised that a clear picture is available regularly for each project, special sub-regions therein, if any, and different tribal communities. Thus, the Tribal Development Administration should develop close contact with the tribal areas on personal level and should also have the benefit of quantitative feed-back through regular flow of information. The visits by senior officers should provide the Tribal Development Commissioners in the States an opportunity to have a second look at the situation in different projects and this assessment should lead to positive correctional measures. The tribal development administration in the States should also be provided a firm base by a comprehensive regulation for administration of the scheduled areas and Tribal Sub-Plan areas. The regulations should place specific responsibility on the Project Administrator, Collector and Tribal Development Commissioner. They should also be given adequate powers for enabling them to effectively guide the course of change and development in those areas. The working of the regulations for good administration of the Scheduled Areas should be specially reviewed in the Governor's Report.

6. FOREST AND TRIBAL ECONOMY

Background

6.1 The tribal communities in India largely occupy the forest regions where, for a long period in their history, they have lived in comparative isolation. These communities have had symbiotic relationship with the forests as was the case in the early history of the entire human society itself. They drew their sustenance largely from the forests, a relationship which continues undisturbed in the remoter tribal areas even now. In the more advanced regions, however, many tribal groups have got transformed into agricultural communities. Another qualitative change in the life of people in these areas occurred with the immigration of more advanced agricultural groups. These communities had their base in agriculture but they depended on forests only for limited purposes like grazing of their cattle or meeting their fuelwood needs. This relationship was entirely different from that of the original tribal communities with the forests. As pressure of population increased, they became competitors for use of limited resources thereby adversely affecting the tribal economy in many areas.

6.2 The forest resources came under systematic management of the State gradually from about middle of nineteenth century. The State was concerned for the preservation of forests from the wider angle of ecological balance as also maintenance of natural resource—base for economic use and sustained income. Some conflict of interest arose regarding the traditional use of the forest by the local community and the States long-term interest. Further, the difference between the symbiotic relationship of the tribal communities with the forests and its limited use for nistar by migrant agricultural community was not adequately appreciated. The result was that the growing population in many areas resulted in continuously dwindling forest base adversely affecting the tribal economy. There was considerable gap between the States' forest policy as enunciated and its actual implementation in the field depending on the local situation and changing emphasis from time to time.

National Forest Policy

6.3 The first national forest policy was enunciated in 1894 which accepted administration of the State forests in the public interest as the sole object. The idea of regulation of rights and restriction of privileges of the user in the forest by the neighbouring population was introduced as a measure for preservation of forests. Forests were still plentiful and the pressure of population was not large. Therefore, subject to the preservation of natural forests on the hill slopes and commercially valuable timber, the policy envisaged even clearing of forests without honey-combing it for cultivation wherever such a need arose with the growth of population. A fourway classification of the forest was introduced keeping in view these objectives.

6.4 The national economic scene remained near static during the early part of the twentieth century. However, the pressure of population was gradually

increasing and by the mid-twentieth century the increase was more than 40 per cent. War affected the economy in many important ways and underscored the value of forest-resource-base for the industrial system and even for defence. The national leadership decided to make a determined effort for fast economic development soon after Independence which necessitated a second look at the forest policy. The forest policy therefore, was revised in 1952. The new policy accepted as its primary goal the need for evolving a system of balanced and complementary land use under which each type of land is allotted to that form of use under which it would produce most and deteriorate the least. The policy also took note of the needs for checking of denudation etc., establishing tree-lands, providing nistar facilities, defence and industrial use and maximum revenue consistent with its primary goal. The tribal communities were granted certain concessions under this policy including collection of minor forest produce, grazing of cattle, etc.

6.5 Another important element in the context of overall forest resource in the country was added soon after Independence with abolition of princely states and Jagirs and Zamindars. The forests in these areas were generally personal property of the chieftains. They were also the main source of revenue for many a 'Jungle-State'. Therefore, they were carefully protected and jealously guarded. Many states promoted forestry on a substantial scale. The taking over of these forests by the State resulted in a period of uncertainty which caused substantial damage to the forest. It took considerable effort before the new area was put under systematic administration and control, and covered by the general State policy on forests. Even now there are major gaps in the forest lands in many States. There are substantial areas which are privately owned or even where these are taken over by the government, their management remains to be systematised.

6.6 In the post-independence era, the pressure of population in some of the tribal regions began to rise very fast with their getting opened up. These regions also provided a rich resource-base for new developmental activities which had resulted in considerable in-migration. The demand for timber, fuelwood and other commercial uses of forests continued to rise substantially during this period. Further, the forests provide a good source of augmenting state income. The unsatiable need of fuel in growing centres in and around the forest regions resulted in vast areas being cleared legitimately under the prevalent rules which have become incongruous or many a time illegally. This new configuration of forces has been carefully studied by two Commissions in the recent years—the Scheduled Areas and Scheduled Tribes Commission (Dhebar Commission) so far as it related to the tribal economy and the National Commission on Agriculture subsequently in the broader national context. The Dhebar Commission observed that the full control of tribal communities over forest resources was changed into merely some rights by the 1894 Forest Policy. Even these rights were reluctantly accepted merely as concession by the

1952 policies which did not mean much in concrete terms. They urged a basic change in the forest policy so that the tribal communities can regain the control of this resource—base and the earlier balance in their economy was restored. On the other hand, the National Commission on Agriculture accepted inter-relationship of forest economy with rural and tribal economy and urged for a better rationality in the forestry operations and their utilisation. The two could not work in isolation and the inter-relationship between them had to be considered in terms of employment, rights of user and involvement of the local people. Employment itself could be treated as an alternative to 'the right of the user' if the forests had to be properly organised. The forestry base itself needed strengthening by larger investments and use of new technology so that it could yield a greater surplus to be shared locally, regionally and nationally.

Sub-Plans and Forestry Programmes

6.7 Even though the need for a change in the forest policy and their implementation had been increasingly felt throughout this period, the forestry schemes and other State Plans functioned in relative isolation. A comprehensive plan frame in the tribal regions with the possibility of all aspects of area development with focus on the tribal communities became available after the tribal sub-Plans were prepared during the Fifth Plan. The Working Group on Tribal Development (1978-83) reviewed the programme and urged that comprehensive plans for all those projects which have sizeable forest areas may be prepared in which tribal development and forestry development would become two co-equal goals. In the forest rich regions, forestry based programmes may be assigned the central position while agriculture may have a secondary and supplementary role. The Working Group also recommended that the forestry plans may be prepared in two parts. The basic needs of tribal economy should be provided on a priority basis as part one in all forestry schemes whether conventional, intensive or commercial. In case commercial forestry and intensive utilisation of forest resources is planned for an area, it should have a counter-part plan for development of the tribal communities living in the area so that balanced development of the region and the people is ensured. The Working Group recommended a large programme of horticulture, fuelwood species etc. with the help of tribal community themselves giving the community or the individual, as may be suitable in each case, the right on the trees planted and their usufruct. Mixed fruit trees and other useful species should invariably be planted as part of all plantation programme. They recommended recognition of full rights of the tribal on minor forest produce and arrangements for their marketing through co-operatives eliminating the middle man. All major forestry programmes should be organised through co-operatives.

6.8 A Conference of State Ministers of Forests and Tribal Welfare was convened in 1978 which considered the various issues relating to forests and tribal development. The Conference concurred broadly with the approach outlined by the Working Group. The Conference recommended that forestry development, instead of being planned in isolation, should become

an integral part of comprehensive plan for that area in which the needs of the local economy should get the highest priority and consequently influence the choice of the species for each area. The Conference accepted the need for associating the tribal in a high plantation programme giving the individual right on the trees and their usufruct. In the intensive forestry programme, the socio-economic constraints have to be kept in mind and the tribal community should be enabled to become partners in benefit accruing to those areas. The Conference underlined the need for establishing a strong co-operative base for the Tribal Welfare Department in conjunction with the Forest Departments. Till such time as these arrangements are made responsibility for a fair deal to the tribal must rest with the Forest Department.

A Resume of States Scene

6.9 The various State Governments have taken a number of measures in pursuance of the guidelines and suggestions made from time to time particularly after the sub-Plans become operational. Our review shows that there is consensus about rights of land being given to the tribals living in the forest villages. In Maharashtra, Gujarat and Orissa forest villages have already been converted into revenue villages. In Madhya Pradesh 15 year lease of land has been given to the forest dwellers. In West Bengal, however, the traditional forest vilages continue. Large sized Multi-purpose Cooperative Societies (LAMPS) have been organised in all the States. One of the important functions of the LAMPS is the purchase of minor forest produce. In some States particularly Andhra Pradesh, Maharashtra and West Bengal monopoly rights have been given to the LAMPS. The position in other States remains uncertain. There is a general reluctance on the part of the States to link the price of minor forest produce with their market price and even where nationalisation has been done, the middlemen operates in a new form. The principle that the first processing of M.F.P. should be through the cooperatives of primary collectors of M.F.P. does not appear to have been very favourably received and the tribal has to be satisfied with what he can get as gatherer of forest produce. The cooperativisation of forest labour is limited to the States of Maharashtra and Gujarat and no significant advance has been made anywhere else which is indicative of almost instinctive acceptance of the fate of a tribal as a casual wage earner without any concern. Forest corporations have been established in most of the States. Institutional finance is now gradually becoming available through them. Some corporations have taken up the task of training tribal youth in new techniques. However, the broader questions of the role and place of forestry labour in the new institutional set up remain to be defined.

Policy Frame

6.10 The above review shows that although a number of steps have been taken, one by one, in the past few years, a comprehensive frame to which all aspects of forestry and tribal economy are fully reconciled has not yet emerged. There is a search for such an approach both amongst foresters and planners for tribal development. It is clear that the overall national interests, particularly ensuring ecological

balance, must be paramount. Yet, within the parameters, as defined by national considerations, there are many alternative action plans possible which may have varying implications for the local tribal economy. An extreme view can be taken that the tribal economy could be left to adjust to itself to the new situation. At the other extreme tribal interests could be accepted as an important objective and a middle path chosen.

6.11 It is clear that rights on the forests as were envisaged in the early days cannot be sustained in the same form. The situation has considerably changed and any effort to go back to the old form will be disastrous. The rights in forests can be sustained only if there is a comprehensive frame for the protection, use and development of forests in which the community and the individual must assume the responsibility for creation of new forestry wealth and its protection. We do not agree with the approach of Dhebar Commission since they ignored these aspects and emphasised only the rights. The broad approach outlined by the National Commission on Agriculture will have to be followed.

6.12 Thus the local tribal community, which has symbiotic relationship with the forests, should be accepted as partners in the local forestry development efforts in each area. Unless this premise is accepted and built into the system, it may not be possible to avoid conflicting situations at the local level. The best protective device for the existing forests and the new additions is to create an interest of the local community in the forest wealth.

6.13 We may point out that there is a tendency to treat all persons living in the tribal areas alike in the programmes and policies for the use and working of forest resources. It is necessary to distinguish between the tribal communities who have a long tradition of symbiotic relationship and other agricultural groups for whom the forest is just a source for satisfying some of their needs. The relationship of the two is qualitatively different which should get reflected in the policy frame and developmental programme for these areas.

6.14 We consider that the potential of tribal areas, which have even moderate forest resources, is so good that a mere linkage of the individual with the process of comprehensive development in that area can provide a satisfactory solution to problem of economic development of the people. It is the tendency to disregard this important aspect in the forestry programmes as also in the tribal development schemes which is resulting in conflicting situations and disharmony. The symbiosis between the tribal community and the forests should be re-established through suitable plans of development of these regions.

Tapping new technology for development of tribals and other weaker sections.

6.15 Social forestry is an important step forward in associating the local community with the creation of new tree-wealth. However, the maximum potential which can be developed under this programme is small compared to the total potential which can be achieved by the use of new technology now available for tree-culture. We are on the threshold of technological revo-

lution in agriculture and land use whose significance is not quite appreciated as yet. The new agricultural technology is inevitably leading toward higher specialisation in land use. Now comparatively smaller areas can support bigger populations so far as foodgrains are concerned. The sub-marginal lands, which are being used for raising poorer grains or where cultivator has to remain satisfied with poor yields can be put to many better alternative uses which incidentally also help in restoring the ecological balance. The energy crisis is also pointing in the direction of tapping biosources for energy. Today it is possible by choice of a suitable technology and production pattern that any piece of land, about a hectare or so, can make a family economically viable. The choice can be as wide ranging as the capital intensive coffee plantation on one hand through plantation of fruit-bearing trees, host plants for tasar to plantation of fodder trees linked to the animal husbandry and fuelwood plantation on the other. Tassar cultivation with plantation of host trees is important area of food potential for some regions. These programmes may be taken up on private lands or government lands, particularly those recently excised from forests and also in the large blanks within the forest areas which, in quite a few cases, are still under State control.

6.16 The weaker sections of the community can provide necessary manpower to create tree-wealth on marginal lands which, in quite a few cases, are still under State control. The traditional programmes of forest plantations are too costly since heavy investment is required for their protection and for administrative infrastructure. All these elements in the cost of plantations are reduced with the individual beneficiary coming on the scheme. The experience of horticulture programme in Orissa shows that the cost of programme with individual ownership is likely to be moderate. The problem with an average person may be of sustenance for the period of his engagement in this activity. Methods can be found to provide financial support to the landless labourer or marginal cultivator for a limited period till he acquires the new resource-base and becomes viable. A large programme of coffee plantation has been taken up in Andhra Pradesh with financial support from A.R.D.C. Each individual tribal is assigned a piece of land for plantation and he is provided technical and financial assistance. He has a right on the trees and their usufruct but he does not have the right of alienation. It is such groups of individuals interested in creation of new tree-wealth as a part of their individual development plans that will get vitally interested in the development and protection of the forest. The planning for creation of this new tree-wealth may also keep in view the requirements of the community of the region and of the national economy. It will thus be possible to have a frame in which the local needs, national priorities and economic well-being of individual tribal living in these areas are fully harmonised.

6.17 The above programme envisages pre-option of the growth-potential of sub-marginal lands in favour of the landless and the marginal cultivator, particularly the members of tribal communities. If due caution is not exercised a new interest may emerge and make a bid to acquire control over the new

resource-potential with the backing of financial resources. The results of some of the earlier programmes basically designed for the weak but missing the target group is an indicator of this tendency. We are at a point where full implication of new technology have not yet been appreciated and there is time when the landless and the weaker sections of the community particularly the tribals can be given a resource-base. It may be necessary that a strong organisation is created for this programme which may provide necessary technical support as also the financial resource for this programme which has a comparatively longer gestation period. The organisation may also organise in due course marketing with a view that the primary producer gets the maximum benefit. It will be necessary that the personal and social needs of the tribal producer are also fully provided for by this organisation so that the individual is not required to go to a money lender which may mean symphonising off the benefit of new development through indebtedness.

6.18 All these aspects require a very careful consideration at the stage of planning of each programme and preparation of area-development schemes for each area. Even though the tribal sub-plan and Integrated Tribal Development Project envisage a comprehensive frame in which forestry programme should be fully reflected so that the inter-dependence between the forests and the tribals is clearly brought out and policies and programmes are suitably adapted on either side, adequate attention has not been paid to this aspect in planning so far. The plans of Integrated Tribal Development Projects and the Working Plans of forests should be reviewed and suitably reformulated for achieving the balance in the development of the people and the forest.

Minor Forest Produce

6.19 Minor forest produce provides substantial sustenance to the tribal communities particularly in the more backward regions. In some cases they are the main source of their cash incomes. New uses of some forest produce have added to the list of collected items and has also increased their value. However, no special attention has been paid to this aspect in the management of forests. Consequently, collection of minor forest produce continues to be incidental to or at best a minor activity in the general forestry operations. It is only recently that a small beginning has been made in some States for regeneration of tree yielding minor forest produce.

6.20 The collection of minor forest produce by the tribal in the earlier days was primarily for meeting their personal requirements. As a few commodities acquired commercial value, some trade also developed and they became source of cash income to the tribals. The forest departments started the practice of assigning collection of minor forest produce to traders on payment of a lumpsum amount or royalty based on the quantity collected. They got the minor forest produce collected through the tribals and the charges for collection were fixed by the trader or by the department. The collection charges usually are very low and the State also gets only a small royalty. Many malpractices also developed in the trade of minor

forest produce. Therefore, the trade in some of the minor forest produce was nationalised in some States. The States acquired, through suitable legislations, monopoly rights to purchase the items nationalised. They also fixed the charges for collection of minor forest produce. However, the situation did not improve substantially even in nationalised commodities. The States started the practice of advance sale of future collection to the contractors and entered into agreements with them accordingly. Since under the law only State can purchase the nationalised commodities, the collection in some cases is from the tribals directly by the department but in most cases it is done through agents formally or informally. The agents appointed by the State are generally men of the final purchaser because it solves the problems of quality of collection and handling, storage, finances etc., which otherwise would be the responsibility of the Department. The agents purchase the produce formally on behalf of the department but the collection is simultaneously deemed to be handed over to the final purchaser. The State in this arrangement becomes entitled to the margin between the final sale price and the collection charges which may be naturally agreed to. In this arrangement the primary objective of removing the middlemen and passing on the maximum benefit to the primary collector is lost. In many cases, there has been a reversal of the policy of nationalisation and the old system of working through the contractors has been resumed. In some States the collection of some of the minor forest produce under the nationalised scheme and even otherwise is being undertaken through cooperatives of tribals on a monopoly basis. In this way three different practices are in vogue for the collection of minor forest produce viz., through the contractors, cooperatives and departmental agency.

6.21 The other important question is about the policy of fixing the purchase price of the minor forest produce from the primary collectors which is a vexed one. The minor forest produce acquires economic value only when it is picked up by the tribal and brought to the market. Moreover, it also provides for a substantial part of the cash need of an average tribal. Therefore his right to collect minor forest produce was formally recognised. After the collection has been organised by the forest Department, there is a tendency to determine the purchase price of minor forest produce from the tribal with reference to the national labour input in its collection. This cannot be realistically assessed since the collection of minor forest produce is done by the whole family sometimes during odd hours in different seasons. The place of purchase is also a very important factor particularly in the case of bulky commodities. In this case collection from the more inaccessible areas will be taken up only if it is worthwhile for the tribal to undertake collection and bring out the commodity from the deep forest. The law of average in fixing of collection charges makes the wage unremunerative in the more inaccessible areas which are very large in some cases. Therefore, the total collection of minor forest produce is considerably reduced compared to its total potential.

6.22 The only rational consideration in fixing the collection price of minor forest produce can be to ensure maximisation of return for the labour input

of the primary collector and thus enable him to make maximum collection of the minor forest produce which otherwise would be lost to the national economy. Therefore, the purchase price should be fixed with reference to what the market can bear. In some cases, it may be necessary even to subsidise the collection price. There is no case for fixing a lower collection price on considerations like encouragement to setting up of industries in an area. The economy of industrial units must be worked out with reference to the value added by processing and other services which they can perform. The hidden subsidy by supply of raw material at lower price to the industrial units is not in the interest of the national economy. This practice clearly deprives the tribal of due share in the benefits of economic growth in the area.

6.23 A large differential between the market price and the collection price also leads to certain other malpractices. It has to be conceded that a lower price will inevitably result in lower overall collection. When the collection prices are low, the traders do not bring into their formal accounts the entire collection. Sometimes they may even pay penalty for shortfalls in collections in case there are conditions stipulating a minimum collection. The benefit which they got by mopping up the large margin in unrecorded transaction is much more than the penalty. This also leads to corrupt practices. Even when collection may be through cooperatives, in case the rates are low, the tribal may be tempted by even a slightly higher price to sell the produce to unauthorised private parties. Officials of the cooperatives themselves may get involved in malpractices. In such a situation the collection of minor forest produce does not get properly organised and even though the State may get some royalty, there is heavy leakage and bulk of the benefit accrues to the trader. The collection of minor forest produce, therefore, has to be organised as an economic operation taking into account the market forces. It is only when the collection prices and the market prices are almost equal that the temptation for bye-passing the normal system can be curbed. There may be a notional reduction in the royalty of the State but it will be more than fully compensated by many other gains to the State by the fact that the total collection will be duly accounted for.

6.24 The trader and the contractor are primarily interested in maximising their profits from the operations during the period of their lease. This generally leads to over-exploitation of minor forest produce which may even be detrimental to the forest itself. This is particularly relevant in the case of collection of resins. When the workers are brought from outside, as happened in the case of tapping of forests in the U.P. hills, the damage was very serious. Sometimes, even the tribal himself may be tempted to over-exploit if he gets an abnormally high price. The *kosa cocoons* in Baster were over-exploited with the result that sufficient cocoons were not left even for regeneration and there was a serious shortfall in the total production. Introduction of a system of rotation, closing each area for one year in four years has restored the normal production.

6.25 One of the important basic premises in any forest programme is to strengthen the resource-base and establish linkages with the long-term interests of the local economy. This applies equally in the case of minor forest produce. It is, therefore, necessary that a systematic plan of action is worked out for minor forest produce. The middleman in all forms, whether contractor, trader or agent, must be removed from the scene. Minor forest produce should not be treated as a source of revenue to the State. It should provide maximum return to the tribal so that economic interest is created in the maintenance of forests with the possibility of substantial incomes accruing to the individual regularly from its collection. The price of minor forest produce be remunerative and linked to the market price. All leases for collection of minor forest produce should be given exclusively to cooperatives of tribals. The large-sized Multi-purpose Cooperative Societies (LAMPS) have been set up in the tribal area at a considerable cost primarily for organising marketing of minor forest produce in the first phase. Already much time has been lost even after repeated policy decisions at the highest level. The Ministries of Agriculture and Home Affairs together should ensure that the entire trade in minor forest produce is organised through the cooperatives on monopoly basis and this new system is introduced with effect from the next working season. The necessary regulations or other legal support should be provided to make it effective.

6.26 With the collection of minor forest produce through the cooperative system, it should be possible to avoid abnormal low prices usually contrived by the middleman. Nevertheless, there may be some occasions where the national or international market may not behave. A system of announcing support price for minor forest produce, should be introduced so that the tribal may not be suddenly faced with the possibility of erosion of his income in some areas. The purchase of minor forest produce should be taken up by a State level or regional organisation through LAMPS. A risk fund should be built up for meeting the contingency of a sudden slump in the market in one or more commodities. Since the size of operations in each State will be large, this should not create a serious problem. A contribution could also be made from tribal welfare fund for this purpose. If the trend in relation to some minor forest produce is a long term one, it should be possible to plan a gradual shift. The concerned Ministries in the Central Government may support these operations through the net work of LAMPS wherever necessary. The Ministry of Home Affairs should assume the nodal role in guiding the policies and monitoring the progress.

6.27 The tribal should not merely remain a collector of forest produce without any role in the maintenance or augmentation of resources. The extension programme for training of tribals collectors of minor forest produce particularly those engaged in tapping the trees should be taken up. The LAMPS should assume a central role even in the maintenance of forest base. The training programme for maintenance and scientific working of minor forest produce should be organised through the LAMPS. The programme should aim at making the collector aware

the role of the minor forest produce in his economy and about the long-term adverse effects of wrong practices. He should also be given training for acquiring necessary skills so that there is larger income without detriment to the forest base. In case of some forest produce the individual tribals may be given the right to collect from specified areas or trees so that their proper upkeep is ensured and the individual gets interested in their continued maintenance. This practice has been started in Andhra Pradesh for collection of gums from the reserved forests. Similarly the hosts plants are assigned to individuals under tassar programme in some States. This approach should be adopted whenever feasible.

6.28 No significant work has been done for assessing the potential of minor forest produce so far with the result that an item may acquire economic value only by chance discovery. Even use of forest produce by the local tribal communities has not been systematically studied which could give a lead to the possible lines of research and development. For example, the tribals have been using the *sal* seed for extracting oil and also for augmenting their food supply during periods of scarcity. However, *sal* seed acquired economic value only after there was shortage of oils and non-traditional sources were searched by the industry. A comprehensive programme of identifying the various forest produce, assessing their potential and also feasibility of marketing and their alternative use etc. should be formulated. The forest Research Institute should take a lead in this matter and direct suitably its research programme. It should provide guidance to the States in this matter on a continuing basis.

6.29 The minor forest produce provides raw material for a number of important industries. However, since most of these industries are generally located outside the tribal regions, tribal areas are merely suppliers of raw materials. We have already seen that the primary collector of minor forest produce does not get even a reasonable wage. The raw materials are also subject to uncertainty of market. The cost of transportation of heavy materials over long distances before they are processed ultimately results in lower collection price. In this arrangement it is the processing unit which gets maximum advantage from value-added as also of the difference between the market price and the collection price. Once a raw material is processed, the industrial unit acquires added strength and is able to organise the marketing of semi-processed or final product to their best advantage. It is necessary that the first processing of minor forest produce is organised within the tribal area and through the cooperative system. The main objective should be to retain maximum benefit from this activity within the local economy which should accrue to the primary collector.

6.30 The above approach has been accepted at the highest policy level for quite some time. Nevertheless, not much progress has been made so far since the profits accruing to the private sector are very large for the reasons which we have discussed above. For the same reason, cooperativisation of minor forest produce should be accorded a very high priority since this will give immediate additional income to the average

tribal and will also be in the interest of development of the forests themselves. A time bound programme of 2 to 3 years should be prepared for establishing processing units for minor forest produce in the co-operative sector within the tribal area.

Forest plantation and choice of species

6.31 When the natural forests were taken up for scientific management, plantation of selected species like teak, pines etc., was also started in suitable areas. The main consideration was the economic utility of those species as could be established at that time. The Working Plans of forests have continued to be prepared following the principles laid down in the National Forest Policies referred to earlier in the Chapter. So long as the forest resources were plentiful and the pressure of population was low or even moderate, this did not create problem for the local economy. However, as the areas under economic plantation increased while the area under forest decreased and the pressure of population grew, serious imbalances appeared in many areas. Even though the rights of tribal communities have been recognised for "nistar" as also for collection of minor forest produce and their utilisation, in many areas they were no longer significant with the depletion of the forest resource base. The National Commission on Agriculture reviewed the situation in considerable detail and recommended a massive effort for afforestation and tree-culture keeping in view their relevance and utility to the local economy.

6.32 A substantial programme of social forestry has been taken up recently which aims at providing for the needs of local community from the proposed tree-lands outside the reserve forests. These new 'social forests' may be managed by the community after they have got established. They are expected to cater the various needs of the community like fuelwood, timber for housing, agricultural implements etc. The social forestry programme and the tree culture programme as recommended by us earlier will help substantially in restoring the balance. Nevertheless the social forestry programme is still in the early stages and its cost is comparatively high. The social forestry by itself may not fully meet the needs of the tribal economy since the relationship of the tribal economy with the forest is very intimate and far-reaching. It will be necessary to review the population policy in the forest area as well as in a larger frame.

6.33 The investment policy in the forestry programmes has tended to over emphasise the exotic needs of the modern sector disregarding, sometimes even at the cost of the needs of the local economy. The plantation of single species has led to the disappearance of many useful trees which provided sustenance to the tribal community as also were a source of minor forest produce. In some cases the problem of availability of suitable grazing lands has also arisen. The programme of forestry, therefore, should make adequate provision for mixed plantations with the objective of providing the tribal community with their basic requirements and increasing production of minor forest produce which may help them to supplement their

cash incomes. A minimum percentage of useful species in all plantations should be fixed for each area taking into account their potential and the needs of the local economy.

Intensive Forestry Management

6.34 The National Commission on Agriculture had drawn attention to the need for substantial investment in the forestry sector. Forestry in our country has been conservation oriented. Here is, however, a resource base which could be augmented and its utilisation planned on the basis of higher production per unit area. The gestation period for traditional forestry is quite long. The new technology, however, is available which makes financial investment in the sector possible giving a much larger income added from this under-utilised resource-base. A scheme of financing forestry programme, therefore, has been prepared which is supported by the ARDC. The Forestry Development Corporations have been established in many States which are expected to prepare bankable schemes and take up long term plantation programmes with this new sources of financial assistance. The basic objective is that the additional financial investment in these areas should help in augmenting the forest base in the depleted and under stocked areas over a period of time so that available land resources are optimally utilised.

6.35 Now that a new source of financing forestry programmes is available, it should be possible to prepare comprehensive programmes which may not necessarily be limited to single species for meeting the requirements of certain industries only. These programmes could be broad-based which may help in creating a better ecological balance as also keep the needs of the local community in view. The objective should be that the new plantation programme becomes self-sustaining in the long run. The dividend that the region and the State economy will get in diverse forms will fully justify such investments which need not necessarily yield high financial profit.

6.36 Even though substantial financial resources are now available, the Forest Development Corporations have not as yet taken advantage of this source in a significant way. Our attention has also been drawn to the fact that in some cases large scale felling and plantation of single species have been taken up ignoring consideration of ecology and the needs of the local community. This has resulted in local resistance to this programme in some areas. In some cases the Forestry Corporation have adopted the easier alternative. They have picked up rich forest areas under the new programme. Clear felling of the rich forests yields high returns which has become an important source of additional revenue to the States. The investment on replantation is small compared to the total income from these areas. Consequently the Corporations in relation to the new forestry programmes are not able to take advantage of institutional finance. Even if they draw upon the institutional finance, it only improves the ways and means position of the State but does not serve the basic objective of marking additional investment in the forestry sector. The depleted and understocked forest areas are also avoided by the Corporations because many of them are encumbered and it will require considerable

effort to convince the people before the plantation programme can be taken up. Thus, easy resource generation in comparably richer forest area and the absence of any encumbrances result in easy choice being made in favour of better areas. In such a situation the Forestry Corporations just become a costlier model for working of forests without much additional benefit. It is, therefore, necessary that Forestry Corporations concentrate on the poorer areas and ensure investment of substantial additional funds from financial institutions in these areas.

Forest Labour

6.37 Another important aspect of the forests and the tribal economy which needs urgent attention is the method of working of the forests. The tribal communities provide bulk of the manpower for forestry operations. In the sparsely populated areas, there is substantial immigration for meeting the demand of labour. The contractors recruit the labour in groups and bring them from outside. In the earlier days the Forest Department itself established forest villages to meet the need of labour for silvicultural operations and working of forests. However, the forest labour is entirely casual and is also largely seasonal. The employment of forest labourers is generally through contractors. Even where the working of forests is organised through the forest department itself, the working may be assigned to petty contractors who employ the labourers on piece-wage system. In the areas now brought under intensive forestry management scheme, there is comparatively a more sustained demand of labour in limited areas. Although the Forestry Corporations, to some extent, have introduced commercial concepts in the working of forests and also in their own organisational structure but so far as forest labour is concerned, the earlier arrangements continue.

6.38 The forestry operations are not covered in many States by the provisions of minimum wages for agricultural workers. In remote areas, the labourer is at the mercy of the forest contractors, his agents or the petty officials of the department. Even when a better wage employment may be available in some area, the local tribal may still be obliged to work on forestry programmes at the lower wages because he has to live in the area and maintain good relations with the forestry officials. The relationship of the forest labour and the employment agencies, therefore, are to a large extent exploitative, the advantage of which is taken by the middleman or it may get reflected in lower working expenses of the forest department. It is necessary that the forest labourer in these regions should be ensured a reasonable wage taking into account the factors like arduous nature of the job and its casual and seasonal character.

6.39 The need for giving a better deal to the forestry workers has been recognised and accepted at the highest level now for a pretty long time. It has been suggested that the working of forests should be organised through the cooperatives of forest labour. However, it is only in Maharashtra and Gujarat that a sustained movement of forest labourers cooperatives has been built up over the past four decades and a substantial part of forestry operations are now being

organised through the cooperatives of forest labourers. In Maharashtra, there has been some set back in the recent years in areas which have come under the management of Forestry Development Corporation. In other States it appears that no serious effort has been made so far even though in principle it has been accepted that the entire working of forest should be planned through the cooperatives. Neglect of this aspect besides affecting the average tribal adversely, is against the long-term interests of the forests. So long as the individual tribal remains a casual wage earner, he is bound to seek a firm base in agriculture or other activities which may lead ultimately to the denudation of the forest.

6.40 There are two basic issues in relation to the forestry labourers. In the first instance it should be possible to make forestry operations as dependable a source of employment as possible with a remunerative wage. Secondly, the community should have a sense of participation and a stake in the growth of forestry resources through sharing of profit from the forestry activity in the area. In view of the fact that forestry operations have widely fluctuating labour requirements during different seasons, it may be possible to provide regular employment only to a small proportion of total labour force even under intensive forestry management scheme. This inherent problem can be resolved by organising the forestry work through the cooperatives. The working of forests could be so organised that each member of the cooperatives be provided wage employment for a minimum number of days. Once the working of forest has been organised keeping in view the local situation and through the cooperatives it will be possible for the members of the cooperatives themselves to plan their other economic activities to the extent possible with reference to the likely demands of labour in forestry in different seasons in each area. The cooperatives could organise labour teams for working even in the distant regions which may be outside the reach of an individual. This regularity and predictability of wage employment will help in establishing the local economy. The cooperatives should also be in a position to ensure a reasonable wage for their labour.

6.41 The other facet of the problem is the share of the forest labour in the net profit from the working of forests. In Gujarat and Maharashtra the Forest Labour Cooperative Societies are entitled to 20 per cent of the net profit from forestry operations which is arrived at after deducting the actual expenses according to the prescribed scales from the net sale proceeds. The same principle should be extended to all forestry operations in the country. Each member of a Forest Workers Cooperative, who may put in qualifying number of mandays during a year, should be entitled to a share in the net profit. In this way the members of the tribal community will become a partner in the benefit from the developmental programmes in the area. Cooperatives thus, should become a viable alternative to the system of contractors, large and petty, which has become a part of our system. Even in those areas where working is being done through the department or where Forestry Corporations have been established, forestry works should be executed entirely through the Forest Labour Cooperative Societies. The change over to the working

through the cooperatives should be completed within a period of 2 to 3 years. The forest department should assume the responsibility of organising the Forest Labour Cooperatives.

6.42 Although participation in the management of labour has been accepted in principle in all modern economic activities, no organisational form has been evolved for operationalising this concept in the forestry management. In this case it is not only the labourer who is interested in the forestry programme but the entire community has a vital interest in forestry operations. The organisation of forest labour in cooperatives will enable the Department to associate them in the management and working of the forest which will also help in moving towards a more balanced development in these regions. It will thus be possible to re-establish a symbiotic relationship between the forest and the tribal economy. This will help in ending the climate of distrust arising from the ignorance of the other's point of view and lead to harmonious functioning of the system for achieving a common goal.

Forest Villages

6.43 We have referred to the establishment of forest villages by the Forest Department during their early years primarily for meeting the labour needs of forestry operations. The obligation to provide labour even on payment of wage, as a condition for residence in the forest villages has been held *ultra vires* of the Constitution by the Kerala High Court. The Conference of State Ministers in charge of Welfare of Backward Classes held in 1972 had recommended that all the forest villages should be converted into revenue villages. In pursuance of their recommendation, the forest villages have now been declared as revenue villages in most of the States and the obligation of compulsory labour by members of the resident families in these villages has also been discontinued. In most of the States the tribals cultivating lands in the areas of forest village have been given full tenancy rights. However, in some States they still continue to hold lease for a limited period. It will be necessary that all these anomalies are removed without any further loss of time and a programme of development of forest villages is taken up systematically. The forest department will, however, continue to have in many cases a special role in the development of these villages in view of their physical location. Moreover, these villages will still provide them a major part of required labour force for forestry operations. The need for establishing the symbiotic relationship referred to earlier is most urgent in their case. Suitable programmes for development of erstwhile forest villages, therefore, should be prepared urgently and implemented, if necessary under the aegis of the forest department. They should particularly concentrate on tree-based economic activity.

Forest-based Industry

6.44 Establishment of Forest-based Industries can play a crucial role in the development of tribal communities in many areas. As we have noted earlier the basic weakness of the primary producer is that he

has no link with the organised market and the value added is siphoned off by the trader and the industrial sector. If it is possible to have processing or at least semi-processing of all forestry products within the tribal area, much of the profit can be retained in the region. It will give considerable strength to the local economy. The tendency of the industrial units is to dig into the capital gains of forestry products by manipulating their pricing. But the forestry labour continues to work at subsistence level. If instead of exporting logs of wood, small saw mills are established in these regions it will help in diversifying the tribal economy. Moreover, if members of the tribal community are also suitably trained it will also help in upgrading the level of their skills. The industrial units should be set up in the cooperative sector so that there is sharing of net benefit between the forest labour and the persons employed in the processing unit.

6.45 In the highly capital intensive industries like paper, while interests of the State, the entrepreneur and labourer in the organised sector are adequately taken care of, the forest labourer has to be satisfied with casual employment which is generally seasonal in character. Even in this case a fair deal can be given to the forest labourer if a programme for training them for higher skill jobs is taken up. The Forestry Operations in these industries also should be organised through the cooperatives as earlier recommended by us. The leases for supply of raw materials from the forests should be given to the labour cooperatives. This will help in establishing a better balance in favour of the fourth partner.

6.46 The organisation of the forestry activity on the lines suggested in the preceding sections will benefit the local economy in three stages. In the first instance, the labourer will become entitled to a fair wage through his participation in the cooperative system. Secondly, it will be possible to work out a system of sharing of net profit from the forestry operation so that the tribal community becomes a partner in the net addition which accrues to the national economy as a result of higher economic activity in the region. At the third level with the organisation of forest-based industries in the cooperative sector, assigning leases for supply of raw material to the cooperatives and training up of tribals for skilled jobs, it will be possible to diversify his economy and enable him to get a share from the organised industrial activity also in the region.

Shifting Cultivation

6.47 Shifting cultivation is a major problem in the States of Orissa and Andhra Pradesh besides the North Eastern Region. We have considered this question in detail in our report on the development of hill areas. The approach suggested there should broadly be adopted for other areas as well. It may be mentioned here that the programme of agricultural development in the States having settled cultivation as well as shifting cultivation generally by-passes the shifting cultivator groups, who comprise a sizeable population in the tribal communities in these States.

The plans of Integrated Tribal Development Projects in these areas, therefore, are imbalanced and incomplete. Shifting cultivation practices have developed over thousands of years in which the labour input by the individual is meagre. He has learnt through long experiences the use of hardy varieties which can survive the vagaries of nature. Weeds grow in these areas but the local varieties are also able to survive notwithstanding scanty attention by the cultivator. The balance between the resources and the population has been maintained though at a low level of economy, which, however, is now getting disturbed. There are signs of change even amongst the shifting cultivators, who are facing the problem of growing pressure of population and dwindling resources. In these areas if a viable alternative can be given to the tribal, it may be acceptable. The areas where the cycle of shifting cultivation has got reduced below the critical period of 10 years or so should be taken up for tackling this problem on a priority basis. Special comprehensive plans for the concerned regions with problem of shifting cultivators as their focus should be prepared.

6.48 The development of shifting cultivators should primarily be within the area of their traditional habitat. There should be a mixed programme of developing valley lands for permanent cultivation with provision of irrigation wherever possible, horticultural programmes on moderate slopes and forestry plantations on top lands. Animal husbandry, poultry and piggery should be provided as subsidiary occupations. The broad approach of family-based programme should be followed in those areas in which the aim should be to make each individual economically viable with a suitable mix of economic activities and choice of tree crops. Each shifting cultivator group may be accepted as a unit under this approach so that suitable leadership can emerge from within and the programme can become self-sustaining. It may not be possible that the entire group withdraws from shifting cultivation simultaneously but if substantial development programmes within the frames suggested here is taken up which provides wage-employment on a continuing basis as also builds up the resources base for a viable economy of the individual, it should be possible to wean away these groups one by one from shifting cultivation. Andhra Pradesh has already taken up programmes on these lines with encouraging results. The shifting cultivators are taking to fruit cultivation and growing of coilee in certain areas. It will have to be ensured that the lands set free from shifting cultivation are put under alternative use without any time lag so that the individuals in the group are not attracted to resume shifting cultivation at the slightest pretext. If the group itself is engaged in plantation programmes on the vacated lands and is also aware about the accrual of benefit therefrom to the community itself, it will help in the possibility of resumption of shifting cultivation being completely ruled out. Comprehensive micro plan for each group of cultivators should be prepared by inter-disciplinary teams which may be constituted exclusively for this purpose. Necessary funds for implementation of this programme should be the first charge on the resources earmarked for these areas from the relevant sectors under the tribal sub-plans.

Training and Personnel

6.49 An average tribal has a wealth of knowledge about the forests and their produce, wild life etc. The forestry programme should be so organised that full advantage can be taken of these skills. In certain cases it may be necessary to upgrade these skills and give them an understanding of the broader frame so that they can appreciate their role in the new perspective. The base, however, in all these cases should be the native skill of the individual in each area. The programme should be to upgrade their skill rather than superimpose unfamiliar methods which may be difficult for them to master in a short period. The Orissa experiment of extension in horticulture has some useful lessons. Instead of creating a big organisation with a large number of lower functionaries, tribal youths from amongst the beneficiary groups were picked up who were trained in certain essentials about plants, their upkeep and plant protection. This approach has helped in building up these skills within the community. Similar experiment in Tassar cultivation, agriculture and animal husbandry programmes through training of tribal youths has also been quite successful. Creation of functional leadership through transfer of technology, therefore, should be an important aspect of forestry and allied sector activities in the tribal areas. This will help in reducing the cost of overhead in various schemes and solve the problem of managing big organisations in remote regions. Such a programme may perhaps mark the beginning of a new relationship developing between the administrative system and the local communities.

6.50 While these factors may be made administrative organisations have inherent limitations regarding the quality of personnel, their aptitude and sense of participation. A new climate of participation can be better engendered by voluntary organisations who can make a choice of persons for each area or task taking into account the precise requirements particularly on the human relation side. They are likely to adopt a problem solving approach rather than being bound by rules and procedures. There is, however, considerable reluctance to associate voluntary organisations in many States though commenda-

ble work has been done in some pockets where the State and the voluntary organisations have joined as partners in certain programmes. The work done by Bharat Agro Industries Foundation is particularly noteworthy which has become a pace-setter in fodder tree cultivation and improvement of cattle. Special effort should be made to encourage voluntary organisations in specific programmes in the remote forest regions.

6.51 The new approach in the forestry programme will require considerable reorientation of the officers and men of the forest department. These officers do acquire a good knowledge of the area through long association of officers of other departments including even tribal welfare may not have. However, their basic approach to the problems of the tribal people and their association in the forestry programmes is not in consonance with the changing times. A relationship of authority and subservience is underlined and even considered necessary for smooth and efficient functioning of the system. The interests of the tribal community tend to be disregarded. This is one of the important contributing factors for the climate of distrust between the administration and the people in the tribal areas. The reorientation of the forestry personnel is crucial and should be taken up urgently. All officers and men at all levels must appreciate the symbiotic relationship between the forests and the tribal community. One cannot develop at the cost of the other. Nor can the forests be saved against the people. Therefore all officers and men in the forest department should be given a good idea about the tribal life and their economy and inter-dependence between the development of the tribals and the forest. All programmes of training, both at the point of entry and inservice should have Forests and Tribal Development as important item. In courses leading to formal examination, full papers should be introduced on this subject, in other cases capsule programmes, depending on the level and duration of each course may be prepared. A tribal development unit should be established in the Forest Research Institute which should have a full faculty of tribal development comprising disciplines of tribal sociology, tribal economy and tribal administration.

7. LAND AND THE TRIBALS

More than 90% of the tribals are dependent on agriculture and allied activities. Land is also the only tangible asset of a tribal family, other possessions being extremely meagre in the present stage of their economy. There are a number of social and religious rituals connected with land which establish emotional ties between the tribal and his land. Thus, land is much more than merely a source of livelihood to the tribal people. One of the important characteristics of a tribal community is its traditional association with a territory. Initially the community subsisted on food-gathering and hunting in the area under its command. As the pressure of population grew and the community acquired the new skill of agriculture they cleared the forest and brought land under cultivation. The individual tribal considers himself owner of the land he occupies by virtue of his traditional association and his personal effort in making it cultivable. However, pressure from advanced communities in a variety of forms sometimes forces him to leave his land. This did not create a serious problem for him in the early stages or in many areas even as late as the first half of our century when the forests were still plentiful and not fully administered and the pressure of population was not very high with only a moderate rate of population growth. He moved to yet another part of the forest retaining his links with the earlier settlement for some time for ritual purposes and finally settled on the new lands establishing new bonds. The need for additional land for the growing population of the tribal communities themselves was met from the available forests which still provided adequate space for agriculture. This process has continued for centuries.

7.2. The tribal areas remained for a long time outside the land management systems of the advanced areas because of their inaccessibility. The tribal communities, therefore, developed their own tradition for management of land. The land ownership amongst the tribals broadly falls under three categories, viz: community land belonging to the village as a whole, lands belonging to a clan and individual holdings. As the British administration consolidated its position in India, they established three main systems of land revenue and land rights, viz: zamindari, malguzari and ryotwari. Some of the tribal areas also came under one of these new systems depending on the system adopted in the concerned British province. A policy of treating some of the tribal areas excluded or partially excluded, however, helped in the continuance of the traditional tribal system for some time and delayed the extension of the new system. Moreover, many of the tribal areas were parts of the Indian princely states. The situation in these States was mixed—some continued with the traditional management systems, some developed their own system while some others adopted one of the newer systems of British India.

7.3. The position of land records also varies considerably. In a province like Bihar the tribal areas were also covered by regular settlement operations.

In some provinces and many princely States rough and ready records were prepared based on visual estimates without detailed survey. In many areas a system of revenue based on the number of ploughs or family units (number of hearths) was introduced on the presumption that in the context of extensive availability of land in the tribal areas this would be a dependable criterion for determining the quantum of land utilised. Settlement operations or preparation of land records was expected to be undertaken only at long intervals even in advanced areas. In the tribal areas, even where settlements were taken up, they have been less frequent for a variety of reasons. Nevertheless the tribals continued to clear lands for agriculture as noted earlier and there was considerable divergence between the records and the actual position in the field. In the absence of a settlement or up-to-date record of rights the tribals were at the mercy of petty officials of revenue and forest departments and of the landlords where zamindari had been introduced. Even though intermediaries have been abolished, the state of land records in many tribal areas remained unsatisfactory.

7.4. One significant consequence of unsatisfactory state of land records was that the tribal was not legally recognised as owner of the land he cultivated and he could simply occupy it till such time as a superior claim got enforced. Since the new legal system was superseding the traditional custom gradually, the tribal as an individual was unable to stand against the continuing pressure of outsiders. Whenever formal land settlement was introduced for the first time or a new settlement was ordered after a long period it was difficult for the tribal to get his rights recorded. The extent of ownership actually recorded in favour of tribal cultivators in a settlement operation depended largely on the sensitivity of the officer responsible for the operation, the strength of outside interests and consciousness amongst the community about the nature of their operations. In many areas, therefore, dissonance between official records and the field station arose as a result of settlement operations without the tribal even becoming aware about it. Steady dispossession followed these operations in many areas. The tribal moved on to a more inaccessible region and got busy with preparation of fresh lands.

7.5. The alienation of tribal lands for a variety of reasons over a long period in the past has resulted in discontentment and even sporadic revolts and rebellion. The pointed attention of the British administration was drawn to this sensitive issue by about the middle of the last century. Consequently two important lines of action were adopted. Firstly, in some cases the community ownership of land was recognised in contrast to the general system of individual ownership which had got currency in the country as a whole. In this way the effective management of land by the community was restored. Secondly, suitable laws and regulations, particularly for the Agency or excluded and partially excluded areas were enacted which prohibited transfer of land from tribals to non-tribals. In some cases, as in Santhal Parganas, transfer

could be made only in favour of a person who already held land in the village, thus excluding the possibility of migrants acquiring land but allowing mutual transfers within the village community. In some princely States like Bastar and some Agency areas, the migrants, particularly the officials, were prohibited from acquiring lands in the tribal areas. In view of the fact that in some areas considerable lands had already passed from tribal hands, right of pre-emption was also introduced so that the process could also be reversed even though partially.

7.6. A number of important developments after Independence have had far-reaching implications for tribal land and their economy. A substantial area predominantly inhabited by tribals hitherto under the Princely States were merged with the new States. One of the important consequences of this merger was that the laws and the rules, many of which were enforced through administrative fiat of the ruler or by simple administrative orders and conventions became ineffective. The new centres of administrative authority were far away from these areas and it took considerable time before their problems could be appreciated at those levels. The vested interests took advantage of this period of uncertainty and indecision at the cost of the tribal interest in the land. The Constitution envisaged scheduling of tribal areas and making special regulations for protection of tribal lands. The earlier regulations prevalent in the excluded and partially excluded areas continued to operate after those areas were scheduled. However, many predominantly tribal areas, particularly those forming part of erstwhile Princely States, remained outside the schedule and therefore did not get benefit of protective land laws for quite some time. The reorganisation of States also resulted in many changes in the administrative boundaries. Consequently sometimes different regulations were applicable in different regions in the same State without much coordination. Since regulations were enacted at different times for different areas, certain crucial gaps also appeared which adversely affected the tribal interests. The situation settled down gradually after 1956.

7.7. As a determined effort for planned economic development in the country was initiated soon after independence, the tribal areas also received special attention. Some of them began to be opened up gradually. In the meantime the pressure of population in the advanced areas was also growing. It resulted in substantial in-migrations particularly because the tribal areas provided better opportunities in view of their rich natural resources. In a number of areas new industrial and mining complexes were also established which also resulted in acquisition of land for non-agricultural purposes. The reservoirs of many major irrigation projects were located in tribal areas resulting in submergence of extensive lands belonging to tribals. The in-migration of population led to substantial transfer of lands through individual transactions, legal or illegal. The land situation, therefore, continued to deteriorate in the tribal areas.

7.8. Before we proceed further to examine the continuing process of land alienation and measures taken by the States for protecting tribal lands in the recent

years, it will be useful to review the present state of land holdings in the tribal areas. As we have seen an average tribal family initially had a sufficiently large land holding for supporting itself reasonably even with their primitive method of cultivation. This stage of large holdings is now generally over and the situation has changed considerably with the increasing pressure of population and growing incidence of land alienation. Nevertheless the *per capita* land holdings for the tribal communities on an average for the country as a whole is comparatively larger than for the general population because of lower pressure of population in the tribal areas as also greater availability of land. The size of holdings, however, varies considerably from one region to another depending on a number of factors like accessibility, quantum of immigration, enforcement of protective laws, etc. The latest comparative figures for holding of tribals and other relate to 1961. According to these figures 29% of the scheduled tribe households had holdings less than 2.4 acres compared to 34.5% in the general population. The percentage of households having land holdings between 2.5 to 4.9 acres was 25.6% amongst scheduled tribes compared to 22.8% amongst the general population. The percentage of households having 10 acres or more was 20.8% amongst scheduled tribes compared to 21.2% in the general population. This shows that not only the land holdings amongst the scheduled tribes were larger but the difference in the size of holdings amongst the members of the scheduled tribes was comparatively smaller than for the general population.

7.9. In the absence of land holding data for the later years, the occupational classifications in the Census can be used to get an idea of the status of land holdings and alienation of lands in the tribal areas. According to 1971 Census there were 84.18 lakh cultivators and 48.32 lakh agricultural labourers amongst the scheduled tribe workers who constitute about nine-tenths of the total working population. Statewise distribution of cultivators and agricultural labourers is given in Annexure XIII. The classification of male workers may give a better idea of the real situation since the response of women workers in the Census enumeration is influenced by their household duties which does not get uniformly recorded. The figures in Annexure VIII show that the tribal communities had by and large lost their lands in the States of Kerala, Karnataka and Goa where less than one-third of them were recorded as cultivators. Even these cultivators may be having small holdings. Most of them have become agricultural labourers. The position was slightly better in Maharashtra, Andhra Pradesh and Tamil Nadu where 40% to 50% of the scheduled tribe workers were cultivators but the number of agricultural labourers had also grown and about 30 to 40% of scheduled tribe workers were agricultural labourers. In Orissa, Madhya Pradesh and Bihar about two-thirds of the tribals were cultivators but the number of agricultural labourers has risen substantially, more than one-fourth of the tribals having lost their lands and becoming agricultural labourers. The state of landlessness in these States is specially noteworthy because they have large compact tribal area comparable in size and population to the tribal majority states and U.Ts in North East and they amongst themselves account for more than 50% of the tribal

population in the country. Therefore, even though in terms of percentage it appears that only 25 to 30% of the scheduled tribes were agricultural labourers, in terms of absolute numbers and quantum of alienated land the problem had assumed a large dimension. In the middle Indian Tribal Scene Rajasthan appears as an exception with more than 80 per cent cultivators and less than 10% agricultural labourers among tribal workers. In the North Eastern States where more than 80 to 90% of scheduled tribes were returned as cultivators, the tribals continue to hold on to the land. The number of landless persons amongst the scheduled tribes in these States is insignificant. The same situation also holds in the hill areas of U.P. and Himachal Pradesh.

7.10. The above analysis gives a broad statewide picture of the tribal land holdings in the country. Within each state itself the situation may vary considerably. In the states having large tribal areas the all India pattern of continuing command over land on the one end and high incidence of landlessness on the other, gets reflected as between different regions. The command over land in the more inaccessible regions continues to be undisturbed though many adverse forces are making their presence felt even in these areas. In many regions with the development of communications and intermixing of population the situation has deteriorated. In some of the advanced areas the members of the tribal communities have been rendered completely landless and they may not own even 5 to 10% of the total land area.

7.11. The attention to the deteriorating land situation in the tribal areas was pointedly drawn by the Dhebar Commission in 1961. They called for a thorough review of the laws relating to land alienation and for adoption of a uniform approach within and outside the scheduled areas. The Shilu AO Committee in 1969 reiterated the observations of the Dhebar Commission, and urged upon the Government to take up vigorous protective measures. A Committee under the Chairmanship of Shri P S Appu again went into the question of land alienation in 1972 when Tribal Development Agencies were established in the wake of agrarian unrest in Andhra Pradesh, Bihar and Madhya Pradesh. Elimination of exploitation and effective protective measures were accepted as an integral part of the strategy for tribal development under the sub-plans and highest priority was accorded to this problem.

7.12. In the fifth five year plan, action was initiated on two important lines; viz: updating and preparation of lands records in the tribal areas and review of laws relating to land. The preparation of land records was taken up as a part of the sub-plan programme in many states although it is generally treated as a non-plan activity. It was at different stages at the end of the Fifth Plan and is a continuing scheme in the Sixth. It, however, appears that adequate preparatory work first to ascertain the local tradition and custom and then to orient the land records staff before undertaking these operations has not been done with the result that dissonance may continue or even may arise between the real situation in the field and the land records which we have discussed earlier. Since much work

still remains to be done the States should undertake the necessary studies and sensitise the personnel. The Tribal Welfare Departments and particularly the Tribal Research Institutes should be associated with these operators intimately without any further loss of time.

7.13. The process of the review of land laws was initiated in the Fifth Plan following the conference of State Ministers incharge of Welfare of Backward Classes in 1973 who resolved that the existing laws relating to transfer of land should be reviewed and a time bound programme should be prepared for identification of lands transferred legally or irregularly within a period of two years. The Ministry of Home Affairs circulated a model draft for land legislation drawing attention to the possible loopholes. The State Govts. have reviewed the land laws and some changes have been made. The position in relation to different states is summarised in Annexures XIV and XV. The review shows that the legal position is not satisfactory even after the various amendments have been made. Moreover in some cases as in Kerala even the law has not been made effective. It is therefore necessary that a time bound programme which had been undertaken in the beginning of the Fifth Plan, now more than seven years back, with the resolution to be completed within two years or so, should now be completed forthwith. In view of the fact that this is a crucial issue for tribal development we will recapitulate some of the important points for action by the States.

7.14. Most of the legislations enacted by the State Governments are intended to ensure that tribal land does not pass on to non-tribal through illegal and fraudulent transactions. However there are many loopholes which have resulted in whittling down significantly the effect of these legislations particularly in view of some rulings of the High Courts. For instance, the Bihar High Court has held that the period of limitation extended to 30 years under the Bihar Scheduled Areas Regulation, 1969 would be operative prospectively and not retrospectively. This means that all cases of adverse possession having matured into title on the expiry of the limitation period of 12 years before these regulations came into being in 1969 must remain unaffected by the protective measures provided in these regulations. This negates the specific constitutional provision in the Fifth Schedule for giving retrospective effect to any change in an existing law.

7.15. The provision of Chotanagpur Tenancy Act and Scheduled Areas Regulation do not apply to municipal areas. This has had the effect of not only legitimising the massive alienation in urban areas but also intensifying the process of further alienation of tribal land. Another serious issue arises from some Court decisions which held that trespass did not amount to transfer. If a non-tribal trespassed into the lands of tribal holders and continued to hold it, the existing provisions which sought to regulate transfer of land by a non-tribal could not be invoked and the aggrieved party would have to seek redressal in a civil court. Many tribals could not avail of this opportunity thereby contributing, albeit involuntarily to legitimisation of trespass.

7.16. The laws relating to land transfers generally regulate transfer of lands from tribals to non-tribals. In some areas unscrupulous elements take advantage of this fact and acquire control over tribal lands through tribal girls in whose names they may get the lands transferred and whom they may just keep or may even formally marry but with a clear intention of grabbing land. Benami transactions in favour of servants is also quite common.

7.17. Attention may also be drawn to the practice prevalent in many areas where the transfer of tribal lands may be effected on the basis of wrong declaration or suppression of the information about the caste of the individual who transfers the land. Once the tribal falls in this trap, it becomes difficult for him to get any relief. In some cases the protection of the law has been denied even by some Courts who have held that this protection cannot be invoked by a party which has failed to invoke it at an earlier stage of the proceedings. For example, the Patna High Court have held (AIR 1962, Pat 72) that the benefit of the provisions of the Bihar Tenancy Act was not available to a party if, having had an opportunity to invoke this benefit at an earlier and appropriate stage of the proceedings, he did not do so. The Orissa High Court has followed this decision (AIR 1977 Ori 16) in a case where the judgment debtor belonged to the Scheduled Tribes and was entitled to the protection under the Orissa Land Reforms Act, 1960, which makes any transfer by raiyat belonging to a scheduled tribe void except where it is in favour of person belonging to a Scheduled Tribe. The Court held that the judgment debtor could have brought the fact of his membership of a scheduled tribe to the notice of the Court at an earlier stage of the proceedings. According to the Court, 'there is no obligation cast on the executing Court to make an enquiry as to whether a judgment debtor before it belongs to any of the Scheduled Tribes or Scheduled Castes for purposes of determining whether such judgment debtor is entitled to protection of the Act. In the absence of any provision, fault cannot be found with the executing court for not having made any such enquiry. After the sale has taken place certain consequences have ensued and the judgment debtor must pay the price of his earlier silence.

7.18. The prolonged litigation in which the tribal becomes a party is generally dragged by the more cunning adversary, thereby, neutralising the effect of the laws. In view of the numerous provisions for appeal and revision, a tribal seeking restoration of his land is sometimes forced to go through three levels of legal battle, involving immense expenditure, harassment and uncertainty. The limited provisions of legal aid from the Government is not of much assistance to him. In the process of mobilising his own resources to fight the case he may be forced to dispose of his assets or borrow from a money-lender. Even so, he may be no match to the resourceful opponent and many find the battle of litigation a losing one particularly in view of the manoeuvrability of the other party to fabricate documents in its favour sometimes in collusion with lower level functionaries. Further, if the tribal wins the final legal battle and the land is restored to him, the delivery of possession is often delayed for a long time in collusion with the other party. Even where the possession has been formally delivered, it is not uncommon that the tribal may have been prevented from cultivating his land under threat from the same opponent. At times false criminal cases are instituted to demoralise him. In such circumstances, most tribals accept defeat and keep quiet rather than fight.

7.19. While action was expected to be taken for plugging the loopholes in the laws and making them effective an equally important task was to identify the illegal and irregular alienation of tribal lands and to take measures for restoration of alienated lands so identified. It is not possible to assess the precise magnitude of land alienation but our analysis in the preceding paragraphs gives the broad dimensions of the problem faced in these areas. Since the present situation is the result of a long process over centuries, the cases in which effective relief can be given will relate to a limited period and they can be identified only by a systematic survey. No such survey has been undertaken in most of the States so far even though the need for such a survey has been accepted and even programmes have been drawn up. The figures given by some of the States of the work done by them for identification and restoration of alienated lands are given below:—

Sl. No.	State	No. of cases registered	Total disposed of	In favour of Tribals	Against tribals	Cases in which land has been registered
1	2	3	4	5	6	7
1.	Andhra Pradesh (April 1980)	49630	46090	..	..	22373
2.	Bihar (upto April 1979)	43335	40416	24430	15973	..
3.	Gujarat (upto April 1980)	17171	8898	8648	250	795
4.	Maharashtra (upto April 1980)	47332	43643	17731	25912	13713

7.20. It is clear that the administrative effort so far has been quite inadequate and in some cases negligible compared to the importance and size of this problem. It is only in Andhra Pradesh that a substantial number of cases have been reported where

lands have been actually restored. The relief given in Gujarat is negligible. In a number of cases the verdict is given against the tribals. It may not be possible for us to draw valid conclusions from the limited data available but as we shall see in our

further discussion we feel that the present state is largely due to indifference shown to the implementation of the law after they have been passed. As we have discussed earlier even the legal situation itself is not entirely satisfactory and the inherent resistance is clear from the fact that even in some cases the law has not been enforced. Whatever may be the law of the land it is the executive action which gives in the required thrust. It is this thrust which is missing in most of the cases and a situation of non-action in relation to land problems continues to exist while the process of alienation of tribal lands continues unabated. The happy situation where this would have meant only his receding back into the forests and clearing some more lands for himself no longer exists; and where it is still happening it is not in the longterm interest of the tribal economy and the economy of the region and the nation as we have discussed while dealing with forests and tribal economy. Consequently the growing pressure is resulting in discontentment and may lead to further agrarian unrest even in areas not affected so far.

7.21. The above review shows that on the formal side various State Governments have taken a number of measures from time to time for protecting tribal lands, particularly in the scheduled areas, some States even altogether prohibiting all transfers of tribal lands. But the total impact of all these measures has not been very significant. Sometimes even progressive measures, like those of land reforms, have adversely affected the tribal communities because those laws did not take into account the special situation in the tribal areas. For example, the lessee of agricultural land in some cases may be a money-lender while the original land owner may be working as agricultural labourer on the land which may be still recorded in his name. The moneylender may acquire the title under the Land Reform Law. Thus the benefit of the new law accrues to an undeserving person. Many a legal provision have had adverse effect because of their faulty application or incongruous interpretation. It is thus clear that the law relating to the transfer of land including reform laws themselves have some critical omissions or defects which make them rather ineffective or even detrimental to tribal interests. All transfers from tribals to non-tribals should be prohibited and prohibited effectively. Where no such law exists, suitable law should be enacted immediately. Consequently, it will be necessary to critically examine the law and suitably chisel it with reference to the clear objectives set up in this regard and keeping in view the inherent limitations arising from the socio-economic situation.

7.22. We may draw attention to one important aspect at this stage. The tribal generally has a high regard for the word and believes that all others also have the same value. Therefore he is prepared to put his thumb impression or sign any paper without any reservation. This psychological make up is taken advantage of by the unscrupulous elements who may create documentary support for even fictitious claims. The articulate people are generally very careful in their dealings and they ensure that the property acquired by them is in accordance with the letter of the law which however may be circumvented in suitable ways. It is, therefore, necessary that oral evidence

is placed on a higher pedestal and the law of evidence is amended so far as it is applicable to the evidence of members of the Scheduled tribes so as to follow oral evidence to be adduced against all forms of documentary evidence including the registered documents. Such a provision existed earlier in the regulations made for agency areas which enabled the administration to take a realistic view rather than only a technical view of the situation and dispense justice to the tribal. In the scheduled areas in case of a dispute about the ownership of land, it should be presumed that the land belongs to the tribal unless proved otherwise. Therefore, the onus of proof that the land has been acquired by the individual in accordance with the provisions of law, should be on the non-tribal holder of the law.

7.23. An important reason for the weakness of the tribals in the new context is that he has to deal with the modern institutions on his own in isolation outside his group without association of those whom he may be able to trust. All documentation in support of money and property transactions is required to be authenticated by witnesses. But the legal provisions in this regard are so permissive that the witnesses can be picked up by the other parties at will from anywhere. Therefore, these provisions are misused and evidence may be created against the tribal without his knowledge. This has been a major cause of the silent discontent in the tribal areas for a long period. The procedure for advancing of loans, execution of agreements, etc. should be prescribed as to require the payment and formalities being completed in the 'open' where members of the village community should be present and attestation by one or more members of the Community depending on the nature of agreement should be made obligatory. Any violation of this rule should have the effect of making the transaction or agreement ab initio null and void. In fact, the procedure adopted at the time of settlement follows this principle. Similarly when Khanapuri is done in the land records, advance notice is given and all possible interested parties and others assemble at the time of the proceedings. The special procedure so adopted for the tribal areas should be widely publicised. Once the broad outlines of a procedure are known to the people and its parameters clear, it will be difficult for any one to take undue advantage of the ignorance of the tribals. These measures will also help in establishing the much needed confidence relationship between the people and the institutions responsible for implementation of the developmental programmes in the tribal areas.

7.24. Much of the trouble in relation to land titles also arises from the fact that the owner of the land has no document with him and the records prepared by the revenue officials is final. In the institution of tribal areas this puts the tribal to great disadvantage and he is at the mercy of the patwari. This situation needs to be corrected. A Pass Book should be prescribed for keeping record of all lands including standing trees owned by a tribal, which should be kept by the tribal himself. It should be made obligatory for the substance of any agreement or other legal formalities creating a charge on his land, directly or indirectly, to be recorded and duly authenticated in this

Pass Book. No liability of any description whatsoever on tribal land should accrue if it is not recorded in the Pass Book. The registration of all land transfers should be subject to prior verification by the registration authorities that the conditions of transfer contained in the law have been strictly complied with.

7.25. While necessary provisions should be made in the law to cover all these aspects it will be equally important to sensitivise the appropriate branches of regular administration. Many a time the spirit of the law is not fully appreciated by those responsible for their implementation. The rules made under these laws tend to emphasise the formal and procedural aspects only which results in their mechanical operation. Therefore, the rules in these important matters should be elaborate which should give a clear idea of the basic objectives of the law and also indicate possible alternatives along with their implications for guidance of the executive officers. Detailed guidelines should also be given besides bare legal provisions and rules made thereunder. As we have noted earlier sometimes rules may not be framed for quite sometime even after a law may have been passed. It is necessary that rules should be framed, which should be exhaustive but in simple language, as soon as a law relating to transfer or partition of land is enacted. Where rules remain to be framed immediate action should be taken. Detailed guidelines should also be issued to ensure that the basic objective of the concerned law is communicated to the officers responsible for their implementation.

7.26. We have seen earlier that the progress of cases relating to tribal lands is not satisfactory. The proceedings in Civil Courts is far too tardy and formal-technical. The law relating to all aspects of tribal lands should be simplified with a view that it is possible to dispense justice to the tribal rather than being satisfied with completing the technical requirements of the law. The jurisdiction of Civil Courts should be barred. In those States where Revenue Courts do not exist, special machinery should be created for this purpose. The procedure for disposal of these cases should be streamlined to enable prompt disposal and early finality. The possibility of prolonging the proceedings by the interested parties should be removed by limiting the number of appeals and also the points in which intervention of higher authorities can be sought. The administration should not appear as an unconcerned onlooker in this important matter. The determination to ensure justice in these cases should get reflected in the administrative system. The officers should not be content with technical disposal of cases, the real facts being treated as inadmissible pieces of evidence. The administration should forcefully appear on the side of the weak because the equations are heavily loaded against him in our present system. There should be a visual demonstration of the capability of law to undo injustice against the tribal. The orders of the revenue court for restoration must be implemented within a time limit the responsibility for all necessary action in this regard being placed on the Project Administrator.

7.27. Continuous vigilance is needed all through, right from the points where the land changes hands to the final disposal of the dispute in the highest court.

In case force is used against the tribal disturbing his possession or preventing him from taking back the rightful possession, administration must intervene, suo moto if necessary, and the other party suitably chastised. Occupation of tribal lands through deceit or use of force should be made a penal offence. Even when lands may have been restored legally, the tribal may still find it difficult to keep continued possession of the restored lands. The trial of cases relating to re-occupation of tribal lands or reoccupation of lands restored should be tried by Executive Magistrates. Such cases should be made penal offence under the law. In case an individual does not vacate the land in pursuance of the law directions of decree of a court or reoccupies it, more stringent punishment should be provided.

7.28. Special legal assistance should be provided to the tribals in all cases relating to their land disputes. There may be instances where the tribal himself may not come forward to seek this assistance, either because he is indifferent, or may be under threat. The Project Administrator should come in the picture and ensure that all cases are brought to the court of law. In all tribal areas, standing counsels should be appointed who should take up, inter alia, all cases of land disputes in which tribal is a party. The number of Standing Counsels may be fixed on the basis of the work load in the District or the Project. A panel of Counsels may be prepared so that in case of sudden increase in work additional Counsels can be drawn from it. The remuneration of the Counsels should be fixed liberally so that leading lawyers can be attracted. A convention should also develop that service of lawyers as Standing Counsels for protection of tribal interests will be taken into account while making selection for Government Pleaders and other assignment in the Judiciary. The Special Counsel should be responsible for bringing to the notice of the Deputy Commissioner and the Project Administrator all cases of judgments in which the spirit of the law might not have been honoured so that immediate corrective measures can be taken. In all such cases the Deputy Commissioner should be responsible for prompt appeals in higher Courts. There should be a constant review of the judicial pronouncements to ensure that no technical flaw is taken advantage of by the interested groups in these proceedings and the corrective measures are immediately taken. As we have discussed while reviewing the Constitutional provisions, wide discretion is available to the Executive. It is only when constant vigilance is exercised as suggested by us, that it can be said that the Executive has risen to the occasion and has deserved the trust reposed in them by the framers of the Constitution.

7.29. The measures suggested above should help in solving the problem of land alienation substantially. However, a discriminating approach may have to be adopted for better results and effectiveness. As we have observed earlier, the incidence of land alienation is not of the same order everywhere. It is very high where the areas are getting opened up, along the main roads, around the growing urban centres and mineral complexes. Here the economy of the average tribal has got disrupted all of a sudden. Therefore, in their case restoration of alienated lands will be

crucial in any scheme of tribal development. While general measures for identification and restoration of alienated land may be taken throughout the tribal region, areas with possible high incidence of land alienation should be organised. Special teams comprising revenue officers and representatives of development administration should be constituted who may take up the task of identification and disposal of cases simultaneously. There should be a time-bound programme for identification of critical areas, assessment of the problem of land alienation and the final disposal of cases. A period of two years should be the outer limit for this programme in view of its crucial importance.

7.30. It may not be practical to reopen all cases of alienation irrespective of the time of their occurrence. The second generation of a settler group generally gains acceptability; considerable mutual adjustment and understanding develops over a long period. Therefore, long-standing relationships need not be disturbed. But effective measures should be taken in respect of alienation during a clearly specified period of which a conscious decision is taken and action within that time frame should not be allowed to be diluted. Taking all the above considerations into account, it would be necessary as also practical that all illegal and irregular transfer in the last forty years or less, i.e. after the year 1940, should be identified and necessary steps taken to restore them to their rightful owners. The law of limitation should be suitably amended for this purpose.

7.31. It is necessary that a determined effort is made to restore all those lands which have been alienated illegally or irregularly. But one of the basic tasks which should be undertaken concurrently is to stabilise the present position in relation to land-ownership and ensure that the process of alienation is effectively stopped. One of the important reasons for this process continuing unabated is that while much has been talked about alienation and restoration, not much attention has been paid to those basic reasons which are forcing the tribal to part with his land notwithstanding his deep attachment to the land and many a legal provision against alienation. The individual tribal is under continuous pressure of a variety of forces which ultimately result in the loss of his only capital-base, the agricultural land. He is neither interested nor in a position to comprehend the significance of individual transactions like transfer of land by him in the total socio-economic dynamics of the community and the areas. He is keen to solve his immediate problem somehow. Therefore, it is necessary that all those forces which individual tribals are facing incessantly are identified, understood and countered suitably, otherwise the legal measures taken by the States will continue to be inadequate and ineffective.

7.32. An individual tribal may be forced to transfer his land because he may already be indebted and under pressure from the money lender or a lending institution for its payment. Finding no way out, merely to avoid the continued botheration, to which he is not accustomed, he may prefer to sell all or a part of his land and seek alternative means of livelihood as a landless labourer or be content with a smaller holding. A Study on 'Problems of Land Alienation Among Tribals of Gujarat' conducted by the Tribal Research and Train-

ing Institute, Ahmedabad, has revealed that major part of the problems of alienation of tribal land is directly related to the indebtedness. It is also noteworthy that most of the land mortgages (68 per cent) are among the tribals themselves. This is a significant sociological phenomenon in so far as a class amongst the tribals themselves has emerged which is taking advantage of the economic vulnerability of weaker sections amongst them as also of the law which enables them to purchase tribal lands. A similar situation may be emerging in other States as well. Only about 28 per cent of the mortgages were by tribals to non-tribals and money lenders and 4 per cent with the co-operative Banks. Many of the mortgages are now continuing for a long period even though the amount of money borrowed is usually very low. In view of the new situation where alienation is now in favour of stronger sections amongst the tribal community, it will be necessary that the transfer of land as between members of the tribal community themselves is also regulated. Suitable law or regulation should be enacted for this purpose.

7.33. The persons who have lost their lands or mortgaged them are those who have already fallen victims of their circumstances. But many more are heading in that direction. They may have a personal or social obligation to discharge or be faced with a sudden economic problem and finding no other support may turn to the money lender or take the last resort of disposing of their lands. In the next category are those people whose lands may be marginal or the size of their holdings may have become too uneconomical for a variety of reasons, like continued alienation, partition, etc. The unit may not be viable to maintain even a pair of bullocks. The tribal, therefore, may prefer to work as a landless labourer. The critical point in relation to land alienation is the tribal's need for consumption credit and discharging his social obligation. A strategy has to be worked out so that he is not forced to borrow at various rates of interest from the money-lender who readily comes to his help since he can finally lay his hand on his land. We would discuss at length the urgent need for making the co-operative credit system through the LAMPS effective without any further delay. The consumption credit linked to marketing of minor forest produce and other economic programme should get the highest priority. It will also be necessary that all existing debts are assessed and scaled down following the principles of *dam dupat*. In most of the cases the net liability of the tribal may be very small since the loans originally taken are themselves small, as is clear from the Gujarat study and he may have already paid substantial amounts. It is the tricky accounting of the money lender which may be responsible for his continuing indebtedness. In many cases he may have mortgaged the land and the usufruct enjoyed by the moneylender from the land should be sufficient to wipe out his debt and to restore the land unencumbered. In some states there are laws to this effect. We have already discussed earlier that it will be necessary to go behind all the documents relating to the original debt, repayments and any deals about lands. If the tribal have a liability, it should be taken over by the LAMPS so that the link between the money lender and the tribal is broken and a new relationship gets established with the Co-operative System. This should be the primary task of Tribal

development Project Authority and all manpower resources of the State should be mustered to complete this task within a period of a year or so. This operation should be organised on a campaign basis so that this issue is solved once for all.

7.34. While the above discussion relate to the people who are already on the precipice, substantial number are in the zone of instable viability for different reasons. Sub-division and the fragmentation of holdings with increasing pressure of population and limited lands is an important factor in some area. We have also noted that much of the land in the tribal areas is marginal and is not able to provide even a reasonable subsistence. Therefore, each person is keen to have a share in better lands and the problem of fragmentation of limited good land is increasing. The migration of co-parceners in search of opportunities elsewhere with their share in the family holdings intact, may be another contributing factor in areas with growing contact with the outside world. The claim to a share in the net income from the land final disposal of their respective shares by these people may result in weakening of the local economy and pauperisation of its individual members. To some enterprising people land may be the only means of acquiring new forms of capital for a different vocation, and so on. Those who want to move to an alternative occupation may be suitably assisted as a part of the general tribal development programme. However it should also be appreciated that the schemes for occupational mobility do not result in unregulated transfer of property guided merely by personal consideration adversely affecting the economy of the community particularly of the weaker sections amongst them.

7.35. It is necessary that the reduction of the size of holdings below viability level is prevented to stabilise the economy of the tribal at the margin both by positive measures of assistance and regulation of fragmentation. The benefits of new technology should be made available to the vulnerable groups and they should be enabled to put their land to optimum use according to its potential. Their programmes will also help in creating a climate for voluntary mutual adjustment of fragmented holdings with a view to take advantage of development programmes. Nevertheless, it may not be possible to go far in working such adjustments purely on a voluntary basis. Therefore, law prohibiting fragmentation of land below viability level should be enacted. Viability levels should be determined keeping in view the quality of land, level of technology and the socio-economic situation in each area. Village committees may be constituted under this Law which should be made responsible for working out mutual adjustments of lands in cases of likely partition for any reason whatsoever. Provision should also be made for assistance for improvement of comparatively unfavourable lands so that those who accept the comparatively poorer lands can take up land improvement programmes simultaneously and are not rendered non-viable. The transfer of lands as between members of the tribal communities themselves should also be regulated with a view to prevent holdings from becoming non-viable. Thus, an element of compulsion will be introduced and the community will be forced to think about the problem which is arising in these areas in the new context.

7.36. A Stage has also reached in many tribal areas where the adverse impact of transfer of capital through sale of land and investment in other sectors needs to be seriously considered. In case a member of the Scheduled Tribes proposes to dispose of his land, because he may wish to migrate from the village or move to an alternative occupation, the co-parceners and other eligible tribal landless labourers and marginal farmers should be given the right of pre-emption. In many a tribal community such a practice is already prevalent and has the sanction of tradition. It will also be necessary to work out a scheme for the temporary management of land on behalf of those persons who may be in distress. This needs to be reinforced in the wake of growing individualism and new opportunities which are becoming available to section of the people as a part of tribal development programmes. Then there may be some tribals who may not be able to cultivate their lands for the time being on account of some problems, personal, social or economic. They should be suitably assisted to regain command of their lands after the obligation is discharged or when they are again in a position to manage their lands.

7.37. The above measures primarily aim at stabilising the tribal economy; they will be equally applicable to the poorer sections amongst the non-tribal population in the tribal areas. One of the major contributing factor to the alienation of tribal lands is the high preference amongst the stronger sections for landed property whose value continues to appreciate and which can be converted into cash with a large profit at any time. This tendency can be countered by regulating the transfer of land amongst the non-tribals also. The right of pre-emption in these cases should be given to the tribal landless and marginal cultivators. Here, an important question arises about a poor man's capacity to purchase land even at a moderate price. Agriculture is one occupation for which a landless person has the requisite skills and which can be confidently taken upon by him provided necessary investments are available. Unless some provision is made, advantage of pre-emption provisions may be taken by the stronger sections of the community. Therefore there should be a scheme for financing purchase of land by landless and marginal tribal land holders, should they have an opportunity in pursuance of the above policy frame. The loan should be soft and returnable in 10 to 15 years depending on the quality of land and the general economic situation in each area. In case a tribal is required to sell his land for unavoidable reasons and no eligible tribal comes forward to purchase it, the state should purchase the land and assign it to other tribals on easy terms.

7.38. The continuing change in the land use as also in the economic base of the people in an area are important factors which will have to be kept in view while planning for stabilising the tribal's economy; its strengthening and further development. In some regions, with the depletion of forest resources, the traditional sources of tribals' subsistence have been adversely affected. The individual is forced to fall back on his limited land holding or to extend cultivation to sub-marginal lands or to move to casual wage employment, collection of fire-wood etc. In many states, substantial areas have been allotted for cultivation

from deforested lands. In many cases, illegally occupied lands have also been settled in favour of encroachers. A cautious and pragmatic policy in this important matter will go a long way to help the tribal economy. All available land should be allotted exclusively to tribal landless labourers and marginal landholders. Only if no eligible tribal is available it should be allotted to other landless agricultural labourers. On no account should bigger land owners be allowed to acquire more lands from deforested lands since it would ultimately lead to transfer of land in some form at some other point. Thus, the last opportunity to provide a responsible economic base to some people at the margin, who may not be ready as yet for any other occupation, may be lost.

7.39. Much of the de-forested land may not be capable of being developed as good agricultural land. Nevertheless, now that appropriate technology is available which can enable an individual becoming viable almost on any piece of land of an acre or so, suitable programmes should be prepared based on specific economic activity like horticulture, tussar rearing or animal husbandry. In case the land is fit for agriculture, suitable assistance should be given for land development, improved agricultural practices, etc. soon after its allotment. It is, therefore, necessary that a scheme of land use in each area is prepared depending on its quality, potential for alternative economic use, available technology and the socio-economic situation. Suitable support should also be provided to enable the members of tribal communities to adopt these practices and programmes. An integrated programme, aimed at stabilising the economy of tribals located at the margin, should be prepared in each area. It should include debt redemption, taking over of liabilities already incurred, provision of credit for consumption and social purposes, wherever necessary. The credit should be a part of a specific production programme for each family so designed as to enable him to discharge the old and the current liability on time and make him economically viable in the long run.

7.40. A reasonable success in this Plan of action presupposes that it will be possible for the community as a whole to be convinced about the urgent need to take action and the usefulness of the new approach. The tribal must come forward willingly to participate in the economic programme. Some of these schemes will be eligible for direct assistance from the State, but many of them will need support of credit by the financing institutions. Therefore, the individual cultivator will be increasingly required to deal with modern institutions when he takes to intensive agriculture with the supporting new technology, irrigation, water harvesting, etc; or horticulture, tussar and animal husbandry. This is a complex system. An important factor responsible for much of the legal but improper alienation of land has been the individual inability to understand the complexity of the modern system. Sometimes even special measures taken to help him may go against his interest because of the malfunctioning of the system. A cautious approach, therefore, should be adopted in the Planning of programmes for the vulnerable group. In the first instance, all schemes should be within an integrated planning frame which should be prepared at the block and project level. Secondly, high cost technology should be avoided in the initial stage. For example, lift irrigation schemes not only

require coordinated action on the part of a number of organisations but the cost of these schemes is also very high. The tribal cultivator takes some time before he can fully adopt and get benefit from irrigated agriculture. The state should come in and assist these programmes in such a way, as has been done in Drought Prone Areas Programmes, that the liability on the tribal is not heavier than under flow irrigation schemes. Thus it will be possible to save him initially from the hazards of possible lower returns compared to high investments. Thirdly, in all these programmes the forward and back-ward linkages as also coordination between the different departments should be worked out very carefully. If there is neglect on the part of any department the state or corporation, it should assume the responsibility for the consequent liability. The availability for payment of interest, etc. should accrue to the tribal only when the scheme has been implemented successfully and the tribal begins to get the desired benefit. For example, in the case of a lift irrigation scheme if water is not available because irrigation pump has not been installed or electricity connection has not been given and the interest charges in respect of the loans taken for construction of well, etc. becomes due the interest should be payable by the state government. Thus once a carefully prepared development programme picks up and the individual begins to get the benefit, a new climate of confidence and hope will be engendered.

7.41. If the above approach is adopted the present phase in tribal economy where it has got delinked from the local resource base will be over. The symbiosis between the tribals and the local resources including the forests will be re-established. The factors which are responsible for disturbing the system can be kept under check by making adequate provision for the consumption needs of the tribals and assisting him through provision of finance, technical support and extension services. This symbiosis will be at a higher level of technology and with a reasonable level of living above the present subsistence levels. This entire package of programme is so important that it should be taken up on the basis of a drive. A comprehensive land use plan should be prepared immediately in all villages where land has been allotted in the recent past or is likely to be allotted in future. A programme of development of land for agriculture or its utilisation for other purpose like Horticulture, tussar, animal husbandry, etc., should be given to the individual as soon as the land is allotted so that he can become economically viable within a reasonable period. The tribal Development Project Administration should take the lead and they should be supported by all the concerned departments including Departments of Revenue and Forest for accomplishing it. Thus identification of alienated land, its restoration and establishment of a new economic frame should be taken up almost simultaneously. The legal framework should also be strengthened to provide a firm base for this action programme. The new economy has to be built on the basis of family-wise programmes. These families have to be organised in viable groups as has been envisaged in the growth centre and cluster approach suggested by us for general adoption for development of backward areas. There should be a continuous review of progress made in the execution of this programme at the Project and the State levels.

8. EDUCATION

Education has always been accepted as an important element in tribal development. However, the pace of educational development has not been satisfactory and in practice education has not always been accorded high priority even though in principle it is always conceded readily. It will, therefore, be necessary for us to clearly spell out the role of education even at the risk of some repetition and examine in detail why such an obvious programme has, time and again, not claimed due attention. We consider that education should be accepted as the first charge on available resources for tribal development—financial, material and personnel since it holds the key to the protection and development of tribal communities during a very critical period of their history.

8.2 We have seen that many tribal areas have rich natural resources. A number of projects had been taken up for exploitation of these resources. Many areas are gradually getting opened up and new industries are being established. However, the tribal community, in many cases, is not as yet ready to participate in the new economic activities at the middle and high levels of the system, sometimes not even as an ordinary wage-earner. This creates serious imbalance since advantage of the new opportunity accrues to the migrant population, the local tribal community being forced to occupy a lower position in the new socio-economic structure. The loss of opportunity may be of a lasting nature. Further, we have seen that even otherwise, the tribal communities are facing a challenge with ever-increasing contact with the outside world. They are at a considerable disadvantage because of their inability to understand and appreciate the functioning of the new system, its modes and conduct being unfamiliar to them. The process of land alienation, deprivation through usurious practices of money-lender, exploitation in marketing are continuing unabated. We have underlined the need for urgent measures to stabilise the command of the tribal communities on their existing resources.

8.3 The administration can ordinarily function only through formal institutions. Therefore, the community must be able to appreciate the functioning of these institutions if it has to receive full advantage of the protective and promotional measures which may be taken by the State. This alone is not enough. It may help the community to barely subsist at the existing level. The benefits of science and new technology must reach them so that the productivity of the resources as also of the man himself increases adding to the wealth of the area and the share of the tribal community therein. All these tasks require a broad base of educational effort. Thus, education in tribal areas is an essential input for providing effective protection to the tribal community during the present transitional phase, for enabling them to take advantage of science and new technology.

8.4 A review of literacy amongst the tribals shows (Annexure VI) that the pace of growth has been rather slow or uneven. While the general level of

literacy moved from 24.03 per cent to 29.34, the level of literacy amongst tribal rose from 8.53 per cent to 11.30 during the period 1961-71. On the one extreme are communities like the Mizo with 60% literacy; on the other extreme are Koyas and Sahariyas with less than 2% literacy. The highest increase amongst the major tribals was recorded amongst the Nagas (9%). The increase among communities like Khonds was less than 1% (Annexure XVII).

8.5 Expansion of educational facilities in the tribal areas and rise in the enrolment of scheduled tribe children has been proceeding at a fast rate since independence. The figures for elementary schools in the entire tribal area in the country are not available. A Koraput study, however, shows that the expansion started slowly after 1947-48 and rose sharply in the early sixties. It normalised thereafter but there was again a sharp rise after the sub-plans were introduced. The growth of middle schools was phenomenal (Annexure XVIII). The analysis of the enrolment of the scheduled tribe children by the Ministry of Education shows that it has broadly followed the above pattern (Annexure XIX & XX). The coefficient of equality of enrolment as between general and tribes at the primary level was 69 in 1960-61, it rose to 77 in 1965-66 but stagnated and recorded a slide back to 75 in 1970-71 and rose to 97 in 1976-77. At the middle school level rise has been very slow from 41 in 1960-61 to 42 in 1965-66 to 47 in 1970-71 which, however, recorded a significant rise to 56 in 1976-77. The enrolment figures for the primary schools, however, are gross figures bulk of which is accounted for by initial enrolment in Class One. Further, the differential between different communities is substantial. The enrolment of tribal children in the age-group 6-11 is about 70% compared to 94% for the general population. However, the variations as between different communities and different areas is very large. Recent studies in Koraput (Annexure XXI to XXIV) and Baster (Annexure XXV to XXVII) bring out that the enrolment in some advanced groups is steady in the elementary classes. In some of the communities like Khonds, Paraja and Saura in some areas, however, it is confined only to lower primary sections and hardly any child moves above grade three. The dropout in the middle school class and further in Higher Secondary Schools is heavy. In a number of communities not more than 5% of those who enter Class One are able to reach Class Five. In some blocks, the enrolment are as low as 15 to 20% with no child in higher classes. The detailed study in Orissa has also brought out that there are a large number of habitations (Annexure XXVIII) which have been provided educational facilities but many tribal communities in these villages have not taken any advantage of these facilities whatsoever. In the advanced areas, the facilities are largely used by the non-tribal groups or some of those tribal communities which are comparatively smaller and articulate. It is note-worthy that some of the major tribal communities like Khonds in Koraput have not taken advantage of the educational system even in those

blocks which have comparatively higher literacy rates. It is possible that the new employment opportunities, scarcity of labour and attraction of higher wages may have led to withdrawal of children from the educational institutions. The Bastar studies bring out that the utilisation of educational facilities by different communities in the same village may be highly uneven.

8.6 The above review shows that the problem of educational development in tribal areas is quite complex. The educational authorities and others sometimes tend to over simplify the issue by partial analysis of the problem and generally conclude the discussion with solutions which may be either too idealistic or too expensive. For example, it is generally suggested that since ordinary primary schools have failed to attract tribal children in many areas, government may concentrate on residential schools. It is not realised that such a scheme will mean accepting that a vast majority of children in these areas would be denied even the facility of an elementary school for a long time to come. Similarly, the absence of teachers from the schools in the interior is taken for granted and it is sought to be rationalised by arguments like non-availability of residential facilities, etc. Whilst necessary facilities and incentives to the personnel working in these areas are necessary lack of facilities cannot be accepted as the only reason. There are areas where even well-equipped institutions may remain unused. For example, it has been observed that even though greater facilities are generally available nearer the urban centres but most of the teachers may be residing in the town and may not attend schools regularly. There are no short cuts to effective administration and a situation of organisational failure cannot be corrected merely by providing higher capital investments. Therefore, it is necessary that comprehensive review of the reasons for the present state of education in the tribal areas is made and a package of schemes for educational development is prepared.

8.7 The reasons for slow progress in education and measures for improvement can be broadly divided in five categories:

- (1) Content of education;
- (2) structural imbalance;
- (3) supporting services;
- (4) quality of personnel; and
- (5) administration of the educational system.

Content of Education

8.8 The educational system in the tribal areas is just an extension of the general educational system in the country which has been getting increasingly oriented to urban areas. Educationalists are unanimous that the learning in the elementary classes should be organised in the form of exploration by the child leading it to higher levels from what he may already have picked up from his home, his community and his environment. But we find that there is increasing uniformity even in the reading material at elementary level with the central production of text books and guidance from higher levels in the form of model curricula, guide books, etc. The text books, therefore, may contain material which may be largely unfamiliar to the child.

Learning in this situation becomes a burden with no relevance to his environment. The problem of language makes the situation still worse. Eventhough it has been accepted that teaching in the early classes should be through the mother tongue of the child, no satisfactory arrangements have been made in most cases. The child learns by rote without much understanding. The child misses the opportunity of developing the faculty of conceptualisation which is essential for learning particularly in mathematics and science.

8.9 As we have noted earlier (Annexure XXII to XXVII) a large majority of children in the elementary schools are not able to proceed beyond the lower primary classes. The defects in the educational system become contributing factors to the differential growth of education amongst different tribes and areas. The more backward communities and areas lag behind while those who are able to negotiate these hurdles either because the community is comparatively advanced or the family is favourably situated, are able to take advantage of the facilities. Some exceptional students in other communities may also be able to move up even under adverse conditions.

8.10 There was considerable enthusiasm about education initially amongst many communities and areas. However, education has served only as an instrument of employment under the government in urban areas. This has created a wrong model in which education has been equated with jobs outside. When educated youth are not able to move out, they find it difficult to adjust. Even though the number of such persons is very small, they create a bad example. Young boys get alienated from their families and traditional occupations. Thus they become maladjusted in their society. This is a national problem but the tribal communities are being required to face it even before a real beginning has been made in education. This has made some of them indifferent even to elementary education and the enrolment continues to be low in class three onwards notwithstanding the spread of educational institutions.

8.11 We have seen that education must assume a key role during the present phase of tribal development and must be conceived in comprehensive terms to cover all aspects of community life where they come in touch with the new system. Educationists have been discussing these aspects in terms of functional literacy, non-formal education, continuing education, life long education and so on. However, so far all that has been done in the teaching of the alphabet which is not of much interest to the common man. The children who have missed the opportunity of normal schooling at the right age cannot hope to get benefit of education in the system as is designed today. The most important aspect of education in tribal areas has to be that the community should be enabled to have a clear perspective of their relationship with the modern system. The tribal should understand the reasons underlying the present situation where a community, which has been managing its affairs successfully for ages, finds itself, helpless against relentless encroachments on their rights and assets by individuals and the system. Some young scientists have undertaken recently a programme in Hoshangabad in Madhya Pradesh to take the message of scientific method to the poor in the rural areas.

The studies clearly show that the people readily come forward for rational analysis of the local situation and are able to identify the basic reasons with a little guidance. They can also be helped to proceed on rational lines for finding solutions to these problems. The Primary Curriculum Renewal Experiment has also got the seeds of the new approach which may be more suitable to the tribal education system.

8.12 The most important aspect of education in the tribal areas, therefore, is the planning of its content and its presentation. It must be meaningful to the people. This was the central theme of basic education in which the children learnt by doing and drew upon the experience in their ordinary life. An impression has been created that in the rural setting this might lead to a poorer quality of education. Quality has nothing to do with what path and methodology are adopted for reaching common goals at the end of different stages in school education. There cannot be a uniform approach for all areas and for all age-groups. Education in the elementary schools should be location specific. A child who may spend eight years in a school should come out better equipped for life in the village. The curriculum should be suitably restructured so as to have elements of agriculture, forestry, animal husbandry, cottage industry, and so on. The teaching of subjects should be relatable to specific problems. They come to the student naturally in his studies of life sciences. The student should get an idea of the various institutions which are relevant to the rural economy. This should be a part of his social study course.

8.13 The choice of subjects at the Middle and High School levels should be provided keeping in view the local needs. The tribal children show a greater promise in agriculture. It will be useful if agriculture and such other subjects are introduced as independent subjects at the high and higher secondary levels. Specialisation however, should not be so narrow as may deter the student from pursuing higher studies in general institutions.

Citizen Education

8.14 We may refer at this stage to the need for a comprehensive educational programme for the community as a whole. As we have referred to earlier, the basic problem in the tribal areas is that two different cultures are coming in contact. They have different traditions and different value systems. This is resulting in a situation of cultural conflict. For example, the tribal is used to a high value for his word and the formal agreements have little significance in his system. The new economic system emphasises higher consumption, acquisition and competition. These are alien to the culture of the community. Further, the tribal community has been used to managing its own affairs. His code of conduct is determined by the tradition rather than the law. The modern administration has tended to supersede this system forcing a new relationship making traditional organisations rather weak. The self-contained economy of the tribal communities is being overtaken by linkages over wider areas and many an institution are being established for the advancement of their economy. However, these communities have not been able to comprehend the nature of the functioning of the institutions. The ways of the money economy are

too complex for the simple tribal society in many areas. The pace of change in some region is slow and it will be possible for the tribal community to assimilate it but gradually. In some areas, however, like the regions around the growing urban centres and industrial complexes, the change is too sudden and the tribal community bewildered by the sheer magnitude of the new forces. Disorganisation sets in these areas as an inevitable consequence.

8.15 Thus the problem in these areas is so complex that a general educational programme may not be of much help to the community. It is only the new generation which may go through the full course of the education system which may be able to assume leadership in due course. There are serious problems even in the normal spread of general education. Initially, it may benefit individuals to join the modern economy but the stage when it can benefit the entire community can be expected to be reached only after a considerable time. The programme of adult education in the country is addressed to those who may have missed the school and is confined largely to literacy even though problems which an adult is likely to face may be taken up as the supporting reading material. The concept is so limited that it may not be of much use in the complex situation which has arisen in the tribal areas. Therefore a programme of citizen education with a comprehensive frame covering the needs of all sections of the tribal population is necessary which should basically aim at protecting the community from a sudden cultural shock and enable it to graduate through the transitional phase without any erosion of their economic base. The tribal communities have a rich cultural heritage but their experience is limited to a small area much of which is losing relevance in the modern context. This wide gulf is to be bridged with understanding so that they are able to appreciate their position in the national life and their sense of pride and self-respect is maintained. The second important aspect would be to acquaint the community about the modern processes particularly in relation to those facets of their social and economic life where they are coming in contact with the new system. This will include administrative organisation, economic institutions and the social system.

8.16 Broadly speaking citizen education should comprise, *inter-alia*, following elements:

- (i) a basic understanding about the heritage of our country;
- (ii) the institutional infra-structure, particularly those institutions, which come in contact with the individual;
- (iii) the rights and duties of a citizen;
- (iv) the important channels for redressal of grievances;
- (v) the expected code of conduct of a citizen in different situation, contrasting it with the traditional spontaneous responses of an individual or the community;
- (vi) a better understanding of the economic process, the regulations about exchange economy and handling of money;

- (vii) the basic difference between the traditional economic frame and the modern frame, particularly the value of the written tradition in contrast to the oral tradition;
- (viii) the role and functioning of co-operative and other financing agencies;
- (ix) an understanding of the agricultural extension services emphasising the approach rather than the content; and
- (x) a greater awareness about the achievements of science and technology with special reference to his own surroundings.

8.17 The precise content of the citizen education programme should be decided taking into account the present stage of each community. The programme should be built around the local tradition and should emerge as an organic whole drawing upon the tribals' own world view and should gradually help him to have a better understanding of the new system. Highest emphasis should be laid on the areas which are of day to day concern to him like the points of contact with the authority and methods of getting relief on various counts.

8.18 Mention may also be made of the new scheme of TRYSEM which basically aims at transfer of skills by the master craftsmen to selected individuals who may be working in the area. The programmes of intensive training of young tribal couples in agriculture, animal husbandry, etc. taken up in many States also are steps in the same direction. Any attempt to standardise the reading material or even the contents at the national level may not be very fruitful. The programmes should be developed on the basis of a good understanding of the local social, religious and economic traditions and systems. The task is a difficult one but it has to be taken up urgently if the progress of changes is to be harmonised and pressed into the service of the weaker sections.

Institutional Structure

8.19 The expansion of school education in the tribal areas is taken up as a part of the general plan programmes. The targets for enrolment for the primary and middle school stages are fixed and the number of schools accordingly are sanctioned on the basis of norms prescribed by the Planning Commission. The number of Primary Schools has increased substantially even in the remote areas though the level of enrolments has not moved up in proportion. The structure of institutional net work at the Middle and Higher Secondary School levels, however, is not very satisfactory. The case of Koraput Orissa presents a typical example (Annexure XXVIII). The establishment of High Schools is generally determined by demand pull from comparatively advanced areas and articulate people. As a result, the distribution of Higher Secondary Schools is uneven. There were five Blocks in Koraput in 1977 which had no Higher Secondary Schools. There is also considerable imbalance at the Middle School level. There are Blocks like Kalimela where there was one middle school for 53 primary schools. Thirty nine out of forty two blocks had one middle school for ten primary schools or more. In some areas

this state may be simply because there may not be sufficient number of students passing out from the primary schools. But in many cases the neglect may be because their case is not properly presented. On the other hand, there may be active demand from other areas which may get major benefit of new institutions. This creates a vicious circle. Since there is no middle school within a reasonable distance, even those who could be moved up are discouraged and the drop out is heavy.

8.20 The most significant feature of the tribal areas is the sparseness of population and or small size of habitations. This factor has not been taken fully into account for educational planning except for the establishment of some Ashram and Lower Primary Schools. The provision of social services of adequate standard require a minimum population threshold and, to that extent, the tribal areas are naturally handicapped. Nevertheless, at the present stage of tribal economy it is the fulfilment of their economic needs which will determine the location of habitations. It will take some time before the pull of social services will begin to influence the distribution of population. In the meantime, planning of educational infrastructure should be adapted to the existing distribution of population with the clear objective of providing universal coverage to children by the school system and also provide an effective citizen education to the community.

8.21 In some states residential schools were established initially to cater to the needs of the sparsely populated areas and the more backward tribal communities. However, since these institutions provided liberal facilities to the children with free board and lodging as also better education, pressure grew for establishing them even in the comparatively advanced areas and admissions were opened to children from more advanced communities. Thus, better-off sections of the population tended to take advantage and problem of the backward areas of the backward communities got ignored notwithstanding the growing number of these institutions. The residential facilities in Ashram Schools (Sevashrams in Orissa) in some states begin with Class One. The schools may be only upto elementary school level. But in some states, the Ashrams go upto higher secondary level. We will be considering separately the question of raising the quality of education and to begin with providing better educational facilities in selected institutions. Here we will limit our discussion to the backward areas and the backward communities. Admission to residential institutions at the level of class one has serious psychological limitations. But it is also necessary that as large a number of children as possible are brought within the educational system at an early age. This dilemma must be resolved. We considered that there should be a local school in all hamlets which may admit children in class one and at the most upto class two. This local school should be a part of the formal educational system. It should have a local person i.e. a person belonging to the hamlet preferably a woman as the teacher. The first problem in the more backward areas will be to find a suitable person for this job. Since the condition that the individual must belong to the hamlet is crucial it is the qualification which should be kept flexible. Any person willing to work as a teacher and who may have the necessary aptitude irrespective

of his own educational qualifications should be selected for this assignment. He would be given necessary training if he may not have formal education so that he can run the school for the children in the age group 5-7. Since the local school will be a part of the larger elementary school complex as we presently discuss, this should not prove a serious constraint to educational development. At the next stage, there should be a lower primary school upto class 3 or 4 with two to three local schools as feeder institutions. This L.P. school may be linked to a Sevashram. The children in these classes will be grown up and may not find it difficult to live as resident scholars. The Sevashram should also cater to the day scholars for those villages in the areas from where children may be able to walk to the institution. The day scholars should also be provided mid-day meals, a pair of school uniform, books, etc. so that there is no pressure for admission to the Sevashram.

8.22. While the structure suggested above will solve the problem of physical coverage to the extent feasible in the context of the present socio-economic situation, the other important aspects related to the sparseness of population and small size of hamlets are the efficiency and administration. The system of Elementary School Complex introduced in M.P. recently attempts to provide a viable model. It is accepted that in view of the small size of habitations single teacher schools may have to be established for some time at least, in many tribal areas. Besides problems of logistics, single teacher schools also present the problem of providing suitable guidance to all children according to their individual aptitudes. A good institution should have persons with background of science, mathematics, fine arts, language, physical education, for providing complete education. It is possible to make provision for all these requirements in bigger institutions having a number of teachers if they are carefully selected. It is simply out of question that a single teacher or even a couple of them can satisfactorily discharge this responsibility. It may, therefore, be useful, even necessary, that a group elementary schools including local schools are treated as a unit for elementary education in the tribal areas. A group of 5 to 6 schools may constitute an Elementary School Complex. One of the schools, preferably a middle school, may be designated as the focal school of the Complex. A Senior teacher may be responsible for the management of all institutions in the Complex. He may be given one extra hand to make day to day arrangements in case of absence of a teacher from his duty. The teachers in the Complex may be selected in such a way that the group may have persons with aptitude in mathematics, science, language, fine arts and physical education. While each teacher may continue to work in his school, he should be in constant touch with other teachers in the Complex and help them maintain a good standard in his special subject. The focal School in the Complex may be specially developed. It may have a small library and a science laboratory.

8.23. Children and teachers from all constituent institutions in the complex may meet once a week in each school by rotation. This day may be used for common academic programme, exchange of notes amongst the teachers, citizen education and sports. This get-together will give an opportunity to the local com-

munity for active participation in the education of their children as also self-education. The Elementary School Complex, thus, can develop as an institution for complete education of the entire community by the family of teachers under a common leadership.

8.24. The establishment of Elementary School Complex will help in removing the structural imbalance between the primary schools and middle schools. However, in the more advanced areas with larger villages, it may be possible to follow the general pattern of primary schools and middle schools. The proportion of middle to primary school should be gradually increased so that the educational facilities to all children up to the age of 14 becomes universal. In the first stage, each group of five primary schools should have one middle school. The schools should also cater to the educational needs of the non-student youth who may have missed the opportunity of attending school.

8.25. The structural imbalance at the higher secondary level should also be corrected gradually. At this stage, however, the strategy will have to be somewhat different. The need for establishing an institution at the higher secondary level would arise only when there are sufficient number of feeder institutions with good strength. This network will take sometime to grow. In the meantime attention should be focussed to augment enrolment of students passing out from middle school in appropriate higher secondary schools which may not be located in the neighbourhood. For each area targets should be fixed in towns of preparing a number of students for admission to higher secondary schools. It will ensure that the students from different middle schools even in the remote areas will not be deprived of the opportunity for higher education simply because there is no high school in that area. Once the strength of students from an area is reasonable, an institution can be established which will help in consolidating the system. In the meantime, however, greater attention should be given to the students passing at the middle school stage and enabling them to join higher secondary schools by providing suitable residential accommodation, scholarship and follow up them to remove other difficulties which students from backward areas and backward communities may face.

Supporting Services

8.26. It is generally accepted that establishment of institutions in tribal areas by itself is not sufficient to attract the children and retain them in the educational system. There are a number of contributing factors for this situation, the most important being their economic condition.

8.27. The State Governments have provided a number of facilities and supporting services as a part of the tribal education programme in the tribal areas. No fees are charged from tribal students at any stage. In many states, reading material is provided free to all tribal children in the primary schools. In some states a modest scholarship is also given to a limited number of students in the primary classes. In case of primitive tribal communities in some states, a system of compensating the family for the opportunity cost by payment of a fixed amount in cash or kind has also

been introduced. However, there is no financial assistance generally at the primary school level. The assistance increases at the middle school level. In some states there is a provision of scholarship to all tribal students for covering the incidental expenses of education. The rate of scholarship for girls is slightly higher. A limited number of students are provided residential facilities in hostels. Similar arrangements also continue at the higher secondary level. The rates of scholarship and stipend are comparatively higher in some states but the coverage is very limited.

8.27. There is a central scheme for award of scholarships to meritorious students from rural areas at the middle and higher secondary levels. In this scheme, two scheduled tribe students are selected in each T.D. Block in addition to general candidates, if any. These students are required to pursue their studies at selected educational institutions. In addition some states also provide merit scholarships at the middle and higher secondary levels. In many states Ashram Schools have been established at the primary, middle and high school levels with full residential facilities particularly in the backward areas and for students belonging to certain backward communities.

8.28 It may not be possible to universalise all assistance programmes for all areas and for all communities on account of financial constraint. Any scheme to liberalise assistance is also likely to be absorbed by those sections who have realised the value of education and who are also keen to invest in education themselves, if necessary. But if assistance is available from the state they will also be the first in the queue. We have seen that the spread of education has been quite uneven and many communities have been left far behind. In the case of some tribal communities, the level of literacy during the 1961-71 has even gone down. It will, therefore, be necessary that in all educational programme, particularly in the award of stipends and provision of hostel facilities, preference is given to students belonging to educationally backward tribal communities. The criteria for award of scholarships, stipends and admission to the hostel should be suitably changed subject to other eligibility conditions like distance of educational institution from student's residence. Once fixed quota of seats are assigned to different communities on the basis of their respective numbers, the students from comparatively advanced communities will get in on the basis of merit while those belonging to the backward communities will get admitted if they satisfy the eligibility conditions. It is, therefore, necessary that the assistance programme in education are now addressed to those groups and areas which have been left far behind. Even though, general assistance may continue for all communities, special schemes on a more liberal scale should be prepared for the more backward areas and more backward communities. Unless a suitable differential is built into the educational assistance scheme the gap will continue to grow and the process of educational spread may not pick up.

8.29 The level of literacy of a community can be taken as the end-result of all social and economic forces and geographical handicaps experienced by the community. The Census gives literacy figures for all areas and for each tribal community. There are many

communities which are still at less than five or even two per cent literacy level. In some cases there is no significant rise in the literacy during 1961-71. The level of literacy of a community and an area, therefore, should be accepted as an important criterion for special assistance programme. The low literacy blocks, and low literacy regions within each block, should be identified. Similarly, the communities at low literacy level should also be identified in each state for special assistance. Those blocks which are at less than half the general literacy level of the state may be treated as backward. Similarly, communities at less than half the level of literacy of tribal communities in that state may be considered backward. The literacy among the women is particularly very low. Therefore, a special programme should be prepared for girls of those communities where the level of literacy amongst women is very low. The assistance in the case of most backward communities should be substantial right from the primary classes. This should continue at the middle school and higher secondary levels.

8.30 The residential institutions also need a second look. In the more sparsely populated areas, the residential institutions like Ashram schools and hostels should be treated as an integral part of the institutional infrastructure for universal coverage. The admission to hostels should be provided on universal basis to students living beyond a specified distance from primary/middle/higher secondary schools so that all those who want to pursue their studies are not denied the opportunity simply because there is no institution in their neighbourhood. This will also be a more economical alternative to opening of institutions in the remote areas where initially the number of students is likely to be small. As the position improves, the policy may be reviewed. In the advanced areas, residential institutions should cater to selected children who are likely to make a grade in higher education.

8.31 The central government is at present providing assistance only for post metric scholarships and girls' hostels. In view of the fact that wide disparities have appeared in education, the Central Government should work out a scheme of assisting the States to cover the entire education programme for tribals including scholarship, stipend, hostels and Ashram Schools with differential and higher assistance for the more backward communities and areas. The assistance for this programme may be provided to help the states to achieve the objective within the next 10 to 15 years.

Quality of Personnel

8.32 One of the important problems in the spread of education is the non-availability of teachers with many qualifications. Teachers are generally recruited from non-tribal areas who join the posts but soon after they begin to try for transfer outside. Many of them do not know the local dialects and also are unaware of the social conditions. With growing unemployment persons with higher qualifications are becoming available even for primary schools, but they become a disgruntled lot. Absenteeism is high and in many areas schools may be run only on paper. Unless these problems are satisfactorily solved, establishment of new institutions by themselves may mean only

additional expenditure without much benefit. We have recommended the establishment of local schools for smaller hamlets with local teachers which would help in solving the problem in the more difficult areas at the lowest elementary levels. Nevertheless as we go higher class 2, when subject study becomes important the problem of recruitment of persons with requisite qualifications becomes important.

8.33 There are two aspects which should be taken care of while prescribing qualifications and making selection. The increasing base of better qualified persons can be used for making good the deficiency in certain subjects by selective recruitment. Mathematics is an important part of elementary education. Science has now been introduced in the curriculum of the primary schools. But suitable arrangements have not been made for their teaching. Teaching in these classes requires greater skills. Therefore, graduates in Science and Mathematics could be specially inducted in the tribal areas through special recruitment. In every Elementary School Complex there should be one teacher each with background in Mathematics and Science. Another important aspect is the teaching of languages. The command of a language is essential for higher education. It is, therefore, necessary that one of the teachers in each Elementary School Complex should be qualified in the local dialect so as to help the student in regional language. Such selective induction of teachers with background in Mathematics, Science and language will help in improving the quality of instruction in the elementary schools and provide a firm base for higher education.

8.34 The problem is that of the medium of instruction. In those tribal areas, which are getting opened up, the regional language is being gradually adopted and easily understood by the children. In the remoter regions and amongst the more backward communities, however, the local dialect may still be the only medium of communication and the child may not understand the regional language at all. We consider that teaching in classes I and II should be through the mother tongue. The text books should be accordingly planned to be suitable transition from the local dialect to the regional language at the stage of Class III. The teaching in the early classes should be so organised that children may get acclimatised to the translation by careful use of the local and regional language together.

The appointment of local teachers in the local schools suggested earlier will meet this particular problem satisfactorily. A policy of recruitment of teachers at other levels also from the local areas will help in this process.

8.35 The policy of recruitment discussed above will gradually help in improving the quality of teachers. However, measures may also be necessary for improving the quality of personnel who are already working in these areas. Many of them are not even trained. Some of them may have been recruited with lower qualifications. In some states, teachers with higher secondary qualifications, have no background of Mathematics and Science. Some of the teachers, particularly those with the background of local dialects only, may be weak in the regional language. On the

other hand, the syllabus and the course content even in the elementary schools has now increased phenomenally since a much higher standard is expected at the end of secondary school. Science has been introduced as a compulsory subject from Class III. The load of social studies has also increased which requires greater proficiency in reading and comprehension at an early age. The selective recruitment suggested by us in the elementary school complexes will gradually improve the competence of teachers but the existing personnel and those who may be recruited locally in the near future will need intensive training to remove these deficiencies in language, science and mathematics. It may not be possible to have a long institution based training programme for such a large number of teachers. Therefore, mixed programme of correspondence course and institution based training during vacation may be organised to cover all teachers in the tribal areas within a period of two to three years or so. Similarly, since the number of un-trained teachers is substantial, a programme should be arranged comprising a correspondence course and institutional training so that all the un-trained teachers are trained within a period of five years as the outer limit.

Vacation and School Timings

8.36 We have seen that one of the distinguishing features of the tribal situation is that the children continue to be active partners in the social and economic activity of the community in contrast to the advanced, particularly the urban areas where that age has become a stage devoted exclusively for preparation for a career. Therefore an average tribal family may not be able to afford the children attending schools during certain busy seasons like sowing and harvesting. Some of the new economic activities like (weaving of tussar) are also family occupation where the children may contribute significantly. Collection of minor forest produce is well spread but there are some peak periods in collection of mahua flower or plucking of tendu leaves. These activities are spread over a long period but may be confined only to a well defined part of the day for example, mahua flowers are collected only early in the morning.

The school system, therefore, needs to be adjusted both in terms of its timing and its vacation. Busy agricultural periods should be declared as holidays. It may be noted that sowing and weeding coincides with the rainy season when schools may not even otherwise function. When the children required for economic activity only for a part of the day, school timings should be suitably adjusted. We are aware that such recommendations have been made earlier also but no significant action has been taken. Therefore, even when certain decisions are taken in principle, they get struck as soon as, the questions of 'where' and 'what' are considered. And no decisions at the state-level become possible and status continuous. The situation changes substantially even with a tribal areas. Therefore, it will not serve much purpose if a system were prescribed at the state level for the entire tribal area where the areas are large. The district or the Project should be accepted as unit for presenting district school timings and vacations. The Project authorities should be given funds for doing so.

Womens' Education

8.37 The level of literacy amongst scheduled tribe women is only 4.85% compared to 17.63% amongst men. The lag in the level of literacy amongst women is a universal phenomenon. The social conditions amongst the tribal communities vary considerably which influence the literacy level amongst the women. There are no social inhibitions amongst a large section of tribal people. In some cases the literacy amongst women like those amongst women of Khasi (26.38%), Kuki (46.49%) and Lushai (47.07%) tribes are keeping pace with that of males in those tribes (31.18%, 57.61% & 65.83% respectively). However, even in the tribal communities, greater family responsibility on girls at an early age results in heavy drop out in the middle schools. The literacy amongst tribal women in Rajasthan (0.49%) is far behind that amongst men (12.03%). These variations in different regions and amongst different communities clearly indicate that the approach to girls education in each case will have to be specially worked out keeping in view their specific situation.

8.38 One of the important reasons for low enrolment of girls in the tribal areas is the lack of relevance of education for their role and responsibility. A boy can be expected to go out and compete or higher places in life for which he may have to go to school and pursue studies for long years. Even here now the tribal is questioning its utility but a girl must ordinarily become a housewife. She also shoulders a substantial responsibility in agriculture and animal husbandry. The use of education in these spheres is not clear. The basic question in the immediate context is whether education for girls can be presented in a form which may appear useful to the tribal.

8.39 A recent study in the rural areas of Madhya Pradesh brings out that a large majority of parents may consider sending their daughters to school if arrangements are made for teaching the girls just sufficient to enable them, to read simple literature and read and write a letter. Perhaps some instruction in child care and house keeping may also attract them. 'Grahini Siksha' (Education for Housewife), as distinct from formal school education in Chotanagpur and Eastern M.P. is quite popular even though it does not lead to a formal certificate. These examples make it clear that if education could be made more relevant to the felt needs of the community and aspirations of the people, the girls attendance may improve and improve substantially. Even though there are no inhibitions in the tribal area to send a girl to a boys' school yet the presence of a lady in an institution can be an added attraction to the girls. If the lady teachers could also give special instruction in useful arts, the attendance may improve. Husband wife teams may be appointed in Sevashram schools on voluntary basis without insisting on the qualifications of the lady teacher. Distance is the most inhibiting factor in the girls' education. A girl may be attracted to a school within the hamlet but if she is required to go out to a distant school it may become a problem particularly in the early stages when there may be only a few girls, even one or two, who may be eligible to join a school. Once the number of girls increases, they may get together and attend even distant institutions.

8.40 The spread of educational institutions itself may help in improving the attendance of girls. The opening of primary institutions with husband-wife teams as suggested above, will also improve the situation.

8.41 In view of the active demand for greater facilities for education, the number of hostels and ashram schools has been substantially increasing in the recent years. The number of girls institutions however, has not increased and their needs have been relegated to a secondary position. For example, the proportion of total number of seats for tribal girls in the residential institutions is less than the proportion of tribal girls amongst total tribal students. Since distance adversely affects girls' enrolment, it is necessary that residential facilities for girls is provided on a more liberal scale than is warranted by their proportion amongst students in general. There should be atleast one girls' hostel in each tribal development block to begin with. It may be in the form of an Ashram school in the more backward blocks in which girls studying in higher classes may also be provided residential accommodation. In blocks, where girls education has picked-up, hostels for senior classes may be established. Even though the general level of literacy amongst the women is low it will be necessary to adopt differential incentives for different communities and areas for girls education. Girls in elementary schools may be provided with a pair of uniforms. The rate of scholarships for girls at all levels should be higher. Special stipends may be given to those coming for training in various institutions, both short term and long term. Arrangement should be made for fine arts, music, etc., in all girls' hostels and atleast one selected High School in each project.

Administration

8.42 The administration of educational institutions varies considerably from one state to another. In the states like Gujarat and Maharashtra all elementary educational institutions are run by local bodies or voluntary organisations. The State runs only special institutions like Ashram Schools. In Gujarat, the State has also established Higher Secondary Schools in remote areas where voluntary organisations have not come forward to open institutions. In some state like Madhya Pradesh, Bihar and Orissa all educational institutions are run by Government. The responsibility of running these institutions also varies considerably. In Orissa most of the educational institutions are run by the Education Department. The Tribal Welfare Department runs lower primary schools in more backward areas as also the Ashram and Sevashram Schools. In Madhya Pradesh the position is rather confusing. In some tribal areas the Tribal Welfare Department runs all the educational institutions. In other areas, some of the institutions are run by the Education Department and some by the Tribal Welfare Department. Ashram Schools and hostels are run by the Tribal Welfare Department.

8.43 The above situation has emerged as a result of ad-hoc decisions and actions taken from time to time. A uniform pattern for the entire country is not feasible because the situation in different states differ widely. Nevertheless there are certain basic principles

which should be adopted in all tribal areas. In view of the sparseness of population and poor communications, it is essential that the first supervisory point should be as near the institutions as possible. We have suggested the establishment of Elementary School Complexes with the headmaster of the middle school or the upper primary school, as the case may be, as the head. The Head Master of the School complex, therefore, should be given full responsibility for administration within the area of the jurisdiction of the complex and other isolated institutions if any, outside the complex.

8.44 A distinction may be made between academic supervision and administrative control at the elementary school complex level. As far as possible, only one organisation may be responsible for the administration of all the educational institutions and exercise full control over them. But so far as academic supervision is concerned it must be unequivocally the responsibility of the education department and it should be ensured that this responsibility is properly discharged by them. There is a tendency to neglect the academic supervision of those institutions which are not run by the education department. On the other hand, where education is responsible for running the institutions, they get busy with routine administration and academic supervision gets neglected. With the Elementary School Complex emerging as the first supervisory level, it should be possible for the Education Department to concentrate on their primary duty of maintaining academic standards through effective supervision.

8.45 The preparation of syllabus, its adaptation and preparation of reading material etc., should also be the responsibility of the Education Department. The policies in this regard should be common for the tribal areas with suitable adaptation. It will be necessary that constant watch at the state level is kept on pro-

gress of education in the tribal areas. Since education should be given highest priority in the scheme of tribal development and it should be one of the major responsibility of tribal development administration. There should be a Joint Board for tribal education at the state level with Commissioner, Tribal Development or Secretary, Tribal Welfare as the Chairman and Secretary Education, Director Public Instruction, Director Social Welfare, Director Tribal Welfare as Members. This Board should have the overall responsibility for monitoring progress of education, maintenance of standards, adaptation of programmes and giving guidance for improving the quality and content of instruction and personnel. A closer supervision should be exercised at the district or the project level depending on the conditions of each area. A committee may be constituted comprising Project Administrator, District Education Officer, Tribal Welfare Officer, Panchayat Officer. This committee should report to the Joint Board at the state level.

8.46 The norms of technical and administrative supervision should be clearly spelt out. The Education Department should ensure that each institution is inspected once in six months by the first supervisory officer. There should be a higher level check of the standard of education in each institution the method of teaching, etc., by the Education Department once in three years. The Project-level Committee should prepare a quarterly resume of the inspection at the first supervisory and higher levels and submit it to the State level Joint Board. The Board should ensure that the necessary follow up action is taken in the case of specific problems brought out in the inspections. Any aspect likely to have a wider relevance should also be identified on which action by appropriate organisations should be initiated. In this way monitoring at the state level should become a positive force for continual identification of the problems of the field and state of education in terms of quality, physical facilities etc.

9. CO-OPERATIVES IN TRIBAL AREAS

In tribal areas, even though cooperatives like the Grain Gola Cooperatives, Forest Labour Cooperatives, Multi-purpose societies etc. had been functioning since the First Plan, no significant impact was made on the tribal economy.

9.2 In June 1961, the Government of India in the Ministry of Home Affairs set up a Special Working Group on Cooperation for Backward Classes under the Chairmanship of Shri M.P. Bhargava to identify the factors responsible for the poor performance of cooperatives in tribal areas and to study the progress of backward classes, particularly the Scheduled Tribes and to suggest measures for accelerating the progress. It came to the conclusion that the factors which had led to the slow development of the cooperative movement in tribal areas were structural weaknesses, operational defects, management problems, faulty procedures and adoption of business methods and practices which are not suitable for the tribals. It suggested a separate organisational set up for the promotion of Cooperative movement amongst the tribals so as to provide such services as were being rendered by traders or money-lenders. They recommended the formation of an 'Integrated Service Cooperative' at 'Hat' level to serve all villages covered by the 'Hat'. The service cooperative would have 4 sections viz; (I) Grain Section; (II) Cash Loan Section; (III) Marketing Section; (IV) Consumers' Goods Section. For States with a tribal population exceeding 10 lakhs, the Working Group suggested the establishment of separate regional marketing societies, affiliated to apex marketing societies. For States, with a tribal population below 10 lakhs, they recommended a separate section in the apex marketing societies for marketing the agricultural and forest produce of the tribal areas. It further suggested establishment of separate forest cum-labour societies and setting up a National Cooperation for Cooperative development in tribal areas.

9.3 The recommendations of the Special Working Group on Cooperation for Backward Classes were forwarded by the Ministry of Home Affairs to the State Governments. As a result of this, the Cooperative structure in the tribal areas was strengthened and the State Govts. set up Multi-purpose Cooperatives, Forest Labour Cooperatives etc. Apex organisation in the form of Tribal Development Corporations were set up in the States having sizeable number of tribal population. Corporations were intended to serve the tribals by advancing loans for agricultural produce, exploitation of forest coupes, sale of consumer goods, grant of loans for new occupations, trades etc. Grants were also given to the State Govt. for assisting cooperative societies in the Fourth Plan under the Centrally sponsored programmes in the Backward Classes Sector.

9.4 Subsequently, in 1969, a Study Team on Tribal Development Programmes (Shilu AO) to review the development programmes stated that development programme had made only limited impact due to certain basic problems, one of them being the coope-

ratives having been started without adequate preparation and sufficient orientation of the tribals to the new systems. A special programme of Tribal Development Agency was started on pilot basis during the second half of the Fourth Plan and eight projects for tribal development were established in some States. As provision of credit for various production programmes and arrangements for marketing of agricultural and forest produce on cooperative basis for the benefit of the tribals was considered to be of crucial importance to the tribals development, a Study Team was appointed by the Government of India under the Chairmanship of Shri K. S. Bawa in December, 1971 to examine the working of cooperative organisation in the project areas of these Tribal Development Agencies (TDA) and to give recommendations for strengthening the cooperative structure in these project areas and to examine if, in the interest of speedy and efficient implementation of tribal programmes, some specialised agencies could be set up to channelise credit to the tribals and to link marketing functioning. The Study Team recommended organisation of Large Sized Multi-purpose Cooperative Societies (LAMPS) in tribal areas to provide to the tribal members production as well as consumption credit and to undertake the marketing of agricultural and minor forest produce and to distribute agricultural production requisites and the consumer goods so that the tribal got all the facilities from one source and was not required to approach too many institutions for his needs. The credit for consumption should also include tribals' social needs such as marriage, death, birth and other ceremonies. These LAMPS were to be set up either by converting the existing good working primary agricultural credit societies or by organising new societies. According to the recommendation of the Study Team, LAMPS should generally cover a block and have a number of branches.

9.5 As the Committee was concerned only with the eight TDAs, it made specific recommendation about structural pattern for the organisation of secondary level societies to support, supervise and guide the activities of the societies at primary level, for each area, taking into account the existing level of cooperative development etc. It recommended the Girijan cooperative Corporation for Srikakulam, a Tribal Development Cooperative, Federation for Bastar, Servicing LAMPS by the Central Cooperative Banks in Koraput and Ganjam Districts of Orissa for credit functions and by regional cooperative marketing societies for marketing of agricultural produce and supply of inputs. The regional office of the Orissa State Level Tribal Cooperative Corporation was to serve for marketing of minor forest produce, consumption credit and consumer goods.

9.6 Although the Bawa Committee recommendations were intended for the 8 tribal development agencies, the Government of India decided to adopt this approach as a general approach under the tribal sub-plan programmes started in Fifth Plan. Large

sized multipurpose cooperatives (LAMPS) were to be organised in tribal areas with the object of (i) providing under a single roof all types of credit including those for meeting social obligations and consumer requisites; (ii) technical guidance in the intensification and modernisation of agriculture and (iii) arranging for the marketing of agricultural and minor forest produce, besides the products of other subsidiary occupations of the tribal. These objectives were more relevant in accordance with the Bhargava Working Group.

9.7 In pursuance of the above decision, the State Governments initiated steps to organise integrated credit-cum-marketing cooperatives at the primary level to cater to the credit as well as the other economic needs of the tribal population. Each such society covers on an average, 10,000 to 20,000 people and has set up 3 to 5 branches to effectively cover its area of operation. Although about 2643 such integrated Credit-cum-Marketing Societies are expected to be organised at the primary level, only 2216 have so far been organised as per the latest figures obtained from the Ministry of Home Affairs.

9.8 A Study Team on Marketing, Credit and Cooperation in Tribal Areas was set up in the Ministry of Home Affairs in February 1978 under the Chairmanship of Shri P.R. Dubashi to review inter alia the development of the tribal areas and to suggest a suitable approach for development of marketing, credit and cooperation in Tribal areas. It recommended that (i) majority of the Board of Management of the LAMPS including Chairman and the Vice-Chairman should belong to the tribal communities; (ii) while the decision regarding integration of the credit institutions at all levels may take some time, the integration of credit institutions at the secondary level in the tribal areas should be immediately taken up; (iii) duplication of institutions should be avoided by winding up of primary marketing societies wherever the LAMPS can properly perform the functions. This Team also suggested the reorganisation of primary level integrated credit-cum-marketing societies to be completed by September, 1978.

Appraisal of Progress

9.9 Basic information regarding total number of LAMPS as per norms (Statewise) and number organised, average working capital per LAMPS against norm of Rs. 2.00 lakhs per LAMPS, average tribal membership as per norm and actual tribal membership is given in Annexure XXIX. Annexure XXX gives the total and tribal membership, total share capital, working capital, representation of tribals on Board of Management, activities of LAMPS, amount of credit routed through LAMPS, value procured by LAMPS for minor forest produce and agricultural produce, value of essential articles supplied by LAMPS and linkages established for LAMPS at secondary and apex level.

9.10 The Committee has been greatly handicapped for reviewing the performance of LAMPS as basic data is not available in respect of the States and the necessary components thereof. The Committee, however, has used the Reserve Bank of India Statistics

for 1977-78 (These are the latest available). As per these statistics, the progress is as under:

	1977-78	Average per LAMP (Rs. lakhs)
1. Number of LAMPS	1,424	
2. Membership (in-000)	1,542	1.1
3. Borrowing membership (in 000)	392	0.3
4. Paid up share capital	15.68	1.1
5. Deposits	2.52	0.2
6. Other borrowings	42.39	2.9
7. Loans issued	25.21	1.8
8. Loans outstanding	13.66	3.1
9. Overdues	23.23	1.6

Source : Statistical Statements relating to the Cooperative Movement in India.

Of the total membership at 15.42 lakhs, 56.9 per cent were scheduled tribes and the rest were scheduled castes and other inhabiting the tribal areas. Members who borrowed during 1977-78 formed 25.4 per cent of the total membership. The average membership and effective coverage in terms of borrowing membership per society were 1,082 and 275 respectively. The working capital of the societies amounted to Rs. 80.09 crores as on 30 June, 1978 giving an average of Rs. 5.6 lakhs per society. Loans issued per society were Rs. 1.8 lakhs, preponderantly as short-term credit while medium-term and long-term loans formed only 27 per cent. Recoveries were poor and overdues were mounting up alarmingly. At the end of June, 1978 the quantum of overdues were as high as Rs. 23.23 crores, constituting 53.2 per cent of the outstandings. As many as 519 societies, forming 36.4 per cent of the total number of societies incurred losses in 1977-78.

9.11 The Reserve Bank Committee to review arrangements for institutional credit for agriculture and rural development (CRAFICARD) under the Chairmanship of Shri B. Sivaraman reviewed the working of LAMPS and observed as follows in its report submitted in January, 1981:

"The Large Sized Multi-Purpose Cooperative Societies (LAMPS) organised in tribal areas, numbering 1424, have not been able to make satisfactory progress for reasons such as lack of aggressive investment lending, non-availability of trained and experienced personnel for manning executive positions, frequent increases in royalties payable on forest products, unhealthy competition from private traders, absence of effective marketing organisation and market intelligence, lack of infrastructural arrangements for storage and transportation and inadequacy of agency commission paid to the societies for distribution activities".

9.12 The Committee is in broad agreement with the above findings. A detailed analysis on the basis of whatever data is available reveals further the following:

- (i) Against an average working capital of Rs. 2 lakhs as per norm per LAMPS, the average working capital was very low in the States of

Bihar (Rs. 0.13 lakh), Karnataka (Rs. 0.29 lakh), Kerala (Rs. 0.13 lakh), Manipur (Rs. 0.15 lakh) and Orissa (Rs. 0.77 lakh).

- (ii) The performance of LAMPS lags very much behind the Service Cooperative functioning in the non-tribal areas. Taking the case of Orissa, the loans advanced during 1977-78 in the State as a whole by Primary Credit Societies amounted to Rs. 33.65 crores. Of this, the contribution of LAMPS was only Rs. 6.08 crores. This represents 15% whereas the population of the Tribal Sub-Plan area represents 50% of the total population. Coverage is still inadequate. The tribal members were only 2.41 lakhs. About 36% of tribal families have been covered as against the overall Cooperative coverage of 80% in the State.
- (iii) Average tribal membership in LAMPS as per norms was comparatively favourable in Orissa and Tamil Nadu, whereas it was comparatively lower in other States. It is quite low in Assam, Gujarat, Madhya Pradesh, Manipur and West Bengal.
- (iv) The percentage of the tribal membership varies from State to State. For instance, in Karnataka, Manipur entire membership of the LAMPS comprises of tribals (100%) whereas in Bihar, it is over 50% and in Assam it is less than 25%.
- (v) Average turnover of LAMPS was on lower side in the States of Bihar and Maharashtra where as it was higher than the norms in Madhya Pradesh.
- (vi) The activities of the LAMPS vary from State to State. In most States, LAMPS are reported to be undertaking functions such as credit, marketing and distribution of essential consumer articles. Processing of minor forest produce and agricultural activities like fisheries, piggery, dairy etc. have also been taken by LAMPS in some States.
- (vii) Although, LAMPS have emerged at the primary level, non-LAMPS primary societies (old or new) still continue to exist alongside LAMPS creating confusion. In some other cases, constitution of LAMPS has resulted in withdrawal of existing facilities from the interior areas without equipping the LAMPS to meet all the needs of the tribals thereby affecting accessibility of the tribals in meeting some of their needs from existing societies. This had defeated the very purpose of LAMP in tribal areas.

ROLE OF LAMPS

9.13 A tribal requires a package of services, the main components of which are credit for production as well as consumption, supply of seeds and other agricultural inputs and consumer goods and marketing of produce, both agricultural and minor forest. These activities constitute the major areas of exploitation of the tribals. LAMPS, if they have to be effective, have to be streamlined and restructured to provide for the following services:

- (i) Provision of short, medium and long-term credit for agricultural purposes;

- (ii) Provision of inputs of agriculture like fertiliser, seeds, insecticides, agricultural implements and machinery;
- (iii) Provision of essential domestic requirements like foodgrains, cloth, salt, sugar, vegetable oil, kerosene, matches, tobacco, soap etc. against the member's entitlement under the cash component of the scale of finance or against a limit specifically sanctioned for meeting his consumption needs;
- (iv) Provision of technical advice and guidance needed for modernising agriculture and allied activities;
- (v) Marketing of agricultural produce or products of allied activities like dairying, poultry keeping etc.;
- (vi) Marketing of minor forest produce;
- (vii) Provision of credit for expenses incurred to meet certain social obligations in birth, marriage or death ceremonies;
- (viii) Primary processing of minor forest produce, which will provide employment and additional income to members;
- (ix) Promotion of thrift.

While the society will be organised for the benefit of the tribal population, it will cater to the normal requirements of the others also.

9.14 All these services are necessary, in a package, to relieve the Scheduled Tribe family from the clutches of the money-lender. Lack of any of these services in an effective manner will only keep the family under the clutches of the money-lender and whatever benefit he gets from the various developmental programmes will first be siezed of substantially by the money-lender. The poor of the other families in the tribal sub-plan areas are equally the victims of the money-lender syndrome. They also require the various services including the fair price shops, marketing of their produce at fair prices and marketing of the minor forest produce collected. In addition, they are equally indebted to the money lender like Scheduled Tribe families because of their social obligations. The Committee, therefore, recommends that the entire package of services of the LAMPS should be available in addition to the Scheduled Tribe, every other poor family in the tribal sub-plan area, identified on the basis of normal criterion. The Committee has already recommended that the LAMPS should be the only cooperative organisation in the tribal sub-plan area to handle short, medium and long-term loans for rural development. Their services in the matter of provision of credit should, therefore, be available to all participating members in the cooperative on the same lines as is available elsewhere with primary agricultural cooperatives. The more affluent sections also need the input services for farm husbandry and technical advice and guidance and this should be available to them from the LAMPS. As regards the supplies from the fair price shops, we have explained in paragraph 9.39 that essential domestic requirements should be available in the LAMPS specially for the

benefit of the poorer sections. Sophisticated goods should not be normally maintained in the LAMPS and, if they are, they should be on a commercial basis. If the LAMPS have been given the responsibility for distribution of essential commodities in their area under the general distribution system, the more affluent sections will get such of the commodities as are allowed under the general dispensation. In marketing of agricultural produce and products of allied activities, LAMPS is enabling a fair price to the commodities to the poorer sections. If the more affluent sections want to avail of the services it need not be denied to them. The more affluent sections will certainly not require the help in marketing of minor forest produce or provision of credit for social obligations.

Coverage

9.15 As stated earlier, primary societies (old and new) still continue to exist alongside LAMPS. In some States like Karnataka, LAMPS are performing only one function so far, i.e. procurement of minor forest produce from tribals. In Gujarat, the Farmer Service Societies (FSS) in some cases still co-exist with LAMPS because of the unwillingness of the management to get amalgamated with LAMPS. The programme of the reorganisation of primary agricultural credit societies has not made much headway in the State since the existing legislation does not provide for compulsory amalgamation and liquidation of the existing societies. With a view to ensure viability of cooperative societies, legislation has been drafted by the Gujarat Government and is likely to be introduced in the Assembly. The Maharashtra Government have set up Adivasis Cooperative Societies in the Tribal Sub-Plan areas and the functions of these cooperatives are broadly the same as of LAMPS. Each society serves about 12,000 population spread over in the villages falling within its area of operation. For the convenience of members residing in villages situated at longer distances from Headquarters, each Adivasi Society is expected to open 4 branches so as to serve 3 to 4 thousand population.

9.16 The Bawa Committee had recommended that the jurisdiction of the LAMPS should extend to the whole block and it should have branches in the Block covering a population of 10,000 or 2,000 families. Later, small sized LAMPS were organised on the basis of the recommendations made by various Joint Study Teams sponsored by the Reserve Bank of India to study the working of cooperatives in tribal areas in various States. For instance, in Orissa out of 225 LAMPS organised, 46 are block level LAMPS and 176 are small sized LAMPS. Orissa has stated that Block level LAMPS are more efficient in discharging the functions expected of it than small sized LAMPS.

9.17 The Committee has given careful thought to this process. As a result of the indecision whether LAMPS should cover a whole block or a much smaller area having a population of 10,000, we noticed that nowhere in the country the complete package of services which the LAMPS was supposed to give to the tribal population had been provided. Credit is not a complete package; fair price shops and purchase of

minor forest produce and other surpluses are not complete; technical services have not been laid down. If all the services contemplated under paragraph 9.13 have to be rendered to the population, the organisation must have expertise in credit purveyance, distribution of consumer commodities, marketing of produce and organising of technical services and processing units. The present quality of staff the LAMPS have got and agricultural cooperatives have got at the primary level cannot possibly render all those types of services. Further, no single expert in cooperation can handle all these types of services. This postulates that the organisation at the LAMPS level will have to be multifaceted and with necessary supports at lower levels. The head of this organisation will have to be of a much higher quality and competence and also will have to be paid much higher wages than in a primary society covering a population of 10,000. Any institutional organisation will finally have to be judged on the basis of its viability. Whilst in the teething stage the State can afford to subsidise the system which has been the policy all along, one expects the institution to stand on its own legs within a reasonable period of time. This policy has been followed always in the cooperative movement. The Committee would endorse this policy. If the viability concept is properly analysed, it will be found that it is only a block level organisation which can over time provide the necessary competence in the LAMPS to render all these services. The Committee, therefore, recommends that LAMPS shall be organised only on the basis of one LAMPS per block in the tribal sub-plan area. Necessary action may be taken to introduce this form of LAMPS in all the blocks in the tribal sub-plan area within a reasonable period of time which the Committee suggests may be not more than three years.

9.18 One centre for services at the block level does not meet the requirement of a service centre close to the client in a cooperative movement. The Bawa Committee had specifically recommended that a block-level LAMPS shall have sufficient number of branches in order to cater to the rural families at places close to their place of living. A branch to cover a population of roughly 10,000 to 20,000 has been suggested. The Committee endorses this recommendation. The branch will have to be suitably located taking into consideration both the population and the area of operation and in areas with scattered population, it may have to serve a population of less than 10,000. The staff at the branch level need not have the high-level expertise as at the block level. They will have to carry out instructions from the Head of Office and should be in a position to follow orders and maintain the relative accounts. The number and the type of expertise at the branch level will certainly depend upon the level of business that the branch has to undertake. Broadly, it can be assumed that the Head of Office at the branch would be of the quality and capacity now found in LAMPS of 10,000 population.

Streamlining of organisational and administrative Structures in LAMPS

9.19 The Committee has already recommended that the basic concept underlying LAMPS is sound and tuned to the problems of the clientele they have to

serve. We would, therefore, urge the Centre/State Governments to make vigorous efforts immediately to develop LAMPS on the lines conceived and the recommendations made herein, so that they can fulfil their objectives within a specified time span.

9.20 The Committee sees no convincing justification for any further delay on the part of those State Governments which have not so far reorganised the primary societies. The Committee suggested that the Government of India should prevail upon those State Governments to complete the reorganisation within the next one year at the latest. This, in our view, is the first essential step.

9.21 In planning the future of reorganised societies, when they get merged with LAMPS, the aim should be to transform them into a single compact point in the Block for all types of services envisaged for LAMPS. They should have the capacity to serve all in the Block in respect of their entire range of economic activities and they must diversify their functions and augment the resources and business. The Committee would urge that there should be a time-bound programme supported by technical assistance from the State Governments, and where necessary, by financial aid from the State Cooperative Banks and the State Governments to vitalise and develop LAMPS so that they are in a position to discharge the functions expected of them.

9.22 The Committee endorses the recommendation of the Committee to Review Arrangements for Institutional Credit for Agriculture and Rural Development (CRAFICARD) that

“there should be two categories of membership of societies—one exclusively reserved for the weaker sections distinguished by the lower rate of share capital prescribed for them and the other earmarked for those contributing share capital at the usual rate. Everyone of these two categories of members should be supplied with a pass book in two different colours containing all relevant details. This is to facilitate statistical reporting and analysis, and not to dilute the rights of the members belonging to the weaker sections. The entries in the pass book should conform to the entries in the land register and other books of account of the society and the validity of entries should be ensured by prompt authentication by the concerned official of the society”.

The Committee would only suggest that in the LAMPS the pass books given to the weaker sections may be divided into three classes—A for Scheduled Tribe, B for Scheduled Caste and C for other weaker sections so that statistical analysis in the tribal sub-plan can be done more effectively. Further, the pass books issued for the non-weaker sections may also have a sub-group under classification. A for Scheduled Tribe of the more affluent. This is necessary for proper analysis of the benefits given to Scheduled Tribes as a class. These sub-divisions should be maintained in the LAMPS registers.

9.23 Under the cooperative policy recommended by the Reserve Bank of India, members of the weaker sections need contribute only 5% of their credit limit

as share capital. This will be followed in the LAMPS. In the tribal sub-plan, it has been provided that all members of Scheduled Tribes will be entitled to get 50% of the share capital as grant-in-aid and 50% as loan from the sub-plan funds. The Committee would recommend that for the other weaker sections also 50% of the share capital should be given in the form of grant-in-aid and 50% as loan from the sub-plan funds.

9.24 The recommendation of the CRAFTICARD on the entries in the pass book are limited to the credit functions of a cooperative. LAMPS have multifarious functions and services to render to their clientele. The pass book should reflect all these services and the limits to which the member would get these services from the LAMPS. The pass book in LAMPS should, therefore, include in addition to the credit entries and the credit limits allotted to the member under this head, the limits allotted for consumption credit (whenever applicable) along with the necessary entries of amount given and repaid. It should also include a statement of minor forest produce and other produce which the member would deliver to the LAMPS during the year indicating the programme of supply and the quantities decided with the credit limits. Against these entries, the quantities actually delivered should be indicated to ensure that deliveries are properly maintained and monitored. It is also necessary to have limits of supplies from the fair price shops and supplies made thereunder either on credit or for cash so that check can be made of the services rendered under this classification. Obviously there will have to be relevant columns in the ledger of the member reflecting all these entries in the pass book.

9.25 The LAMPS have to discharge a large number of functions as enumerated in paragraph 9.13. We have already explained that for performing these functions, it is necessary to have a large-sized LAMPS at block level with sufficient number of branches. The staff will also have to be of a quality and high-level competence which necessitates a level of remuneration to attract the necessary quality. LAMPS cannot meet the expenditure on this staff system unless it reaches an overall level of business under the various heads which will enable them to earn the necessary profits. As the entire new system of LAMPS will have to start almost from scratch, it will take a few years for the LAMPS to develop sufficient business to pay for their own staff. On the other hand, a certain minimum staff will be necessary in each LAMPS to see that the multifarious types of services are rendered without difficulty. The Committee would recommend that for the first five years the cost of the organisation both at the headquarters of the LAMPS and in the branches shall be paid for by the sub-plan funds, on a telescopic scale. The Committee is well aware that this policy will mean a reasonable allocation of funds from the sub-plan provisions; but considering the importance of this service in bringing the tribals and the poorer sections out of the clutches of exploitative forces, this expenditure is basic for further development of tribal areas. The situation may be reviewed after five years and if, in particular backward areas where population is scarce and distances large, need for continuing the contribution on

a tapering scale exists and the problem may be examined by the Tribal Welfare Department of the State and remedies developed.

9.26 The general practice at present in LAMPS has been to have a Chairman of the Board from the non-officials. We have already pointed out elsewhere that in many areas the Scheduled Tribes have not yet acclimatised themselves to the requirements of the new economic system. The LAMPS as envisaged by us require a high level of technical competence and management ability to set the scheme working. The Committee, therefore, recommends that for the first five years when the sub-plan allocations provided the necessary funds for management expenditure in order to ensure proper performance and development of the area, it is desirable that the project officer of the I.T.D.P. will be the Chairman in the block under his project. This will enable a suitable tie-up between the technical services and the credit services and also enable a suitable orientation of area programmes to lead to greater productivity in the area and larger business to the LAMPS. The situation may be examined after a period of five years to see whether non-official Chairman can be inducted at that stage. Even when a non-official chairman is inducted, it is desirable that the head of the management (Managing Director) of LAMPS is given the same status as in a Farmers Service Society so that his financial discretion is suitably protected.

9.27 Training of the non-officials to take charge of the cooperative system in due course, has to be an essential part of the development of tribal sub-plan areas. The cooperative movement had initiated a training programme for the inculcation of cooperative principles to aspiring members of cooperative and local leadership and it will be necessary to have a similar training programmes suitably adopted for the tribal areas, particularly to train the Scheduled Tribe members and leaders in the cooperative and other principles embodied in the LAMPS and how this is to benefit the population. Further, as our ultimate objective is to have a non-official chairman for the cooperative movement, the Committee recommends that a suitable member of the Scheduled Tribe (non-official) be nominated as the vice-chairman of the LAMPS and in order to train him in the working he should be given some specific sectors of the LAMPS operations. In the training courses for non-officials, such vice-chairman should be given intensive training.

9.28 Mere provision of the top supervisory officers is not enough. LAMPS have to be assisted by a number of experts in various disciplines and also competent accounts and clerical staff. One of the difficulties experienced in the working of LAMPS has been the non-availability of suitably qualified officers and staff in the LAMPS. In most States, the practice is to get officers and staff on deputation from the Cooperative Department. The Departmental staff have not shown much interest in developing the LAMPS as they have no stake in the success or failure of the LAMPS knowing fully well that they would go back to their Department on the expiry of their term. This is not a satisfactory situation as the officers and staff are going to be the key to the

success of the functioning of LAMPS. Various alternatives have been suggested. One alternative which has found general favour is the creation of a separate cadre. The Committee is aware that a separate cadre is not a panacea for all the ills. At the same time, this would appear to be a better proposition than the existing situation. The Committee would, therefore, urge that a separate cadre should be organised in each State for proper administration of the LAMPS which should draw its personnel, to start with, from the concerned Departments. It is not necessary to have all of them from the Cooperative Department. An attempt should be made to locate young enthusiastic and willing officers and staff from other Departments cadre and then second to this cadre for a period of 5-7 years. This is being suggested deliberately as the Committee is aware that, in due course, problems of stagnation can arise in a cadre having such limited field. After this period of seven years, they should be given option to go back to their cadre/department. While they are in this cadre and are serving in the tribal areas, they should be given all the incentives recommended by the Committee.

9.29 Simultaneously with the induction of officers and staff, on a limited deputation basis, from the various departmental cadres, there should be a conscious attempt to make direct recruitment to this cadre so that in course of time the cadre stands on its own feet. The problem of stagnation would also arise even in the case of those recruited directly. A solution would have to be found for this problem by opening avenues of promotion for them in the higher organisations relating to their field of work.

9.30 A proper exercise should be carried out by Project authority as to the requirements of the officers and staff in the LAMPS and its branches keeping in view its work load and the functions. All the staff and officers should be provided on the lines recommended earlier.

9.31 Attempt should also be made to recruit at the lower levels suitably qualified tribal people. This would be an important step towards enthusing the tribals.

9.32 The Board of Directors of the LAMPS should have other important official functionaries connected with the various organisations related with the work as well as an adequate representation of non-officials. Two third of the non-officials representation should be from the Scheduled Tribes.

Debt Redemption

9.33 The Committee has already recommended that in the LAMPS area, all primary cooperatives should be amalgamated in the LAMPS and no other cooperative organisation with similar functions should be allowed to work in that area. This necessarily means that the members of the various primaries already existing in the area who have used the cooperative system will have to be served by the LAMPS. Some provision will have to be made for the realisation of the loans already due from the old members. The Committee has also pointed out that the objective of introducing a comprehensive service system like

LAMP is to take out the Scheduled Tribe members and other weaker sections of the area, from the clutches of the money lender. All the services now being rendered by the money lender are being looked after by the LAMPS. If no action is taken to see that dues if any legitimately due to the money lender from the member of the LAMP is suitably paid off, any development that takes place in the economy of the member will only result in the money lender maintaining the clutches and taking away all the profit. Some method will have to be found for absorbing debts due from the member to the money lender.

9.34 As regards the quantum of dues to a cooperative, there can be no dispute. As regards the quantum of due to a money lender, there is always a big gap between what is claimed by the money lender and what is given in money or kind to the borrower. Various debt redemption laws have been passed by the various States to free the weaker sections and particularly Scheduled Tribes from the clutches of the money lender, particularly in the matter of extortionate claims as against actuals given. There is the provision for courts at local level to initiate debt redemption processes and after taking evidence bring down the claims to what is decided as legitimate. For effective relief, there has to be two conditions—(a) the courts will have to be local and it will be necessary to bring back the old revenue courts which dealt with these problems. It is also necessary to keep the civil courts out of this jurisdiction. (b) Oral evidence will have to be allowed against any documentary evidence as was the practice in the old agency areas of the Madras province. Both these may require drastic changes in the debt redemption and debt regulation Acts of the various States. The Committee will recommend that immediately the relevant laws should be examined in order to amend them suitably to make these two recommendations valid. Having done this, it is necessary to carry out an operation on a war-footing to bring down the debts to reasonable levels of all the members of the weaker sections under the LAMPS. Having done this, the debt should be taken over by the LAMPS under its account and the money lender paid off. Similarly, the cooperative loans should be paid off and brought within the LAMPS account. For the funds required for both provision, will be made under the sub-plan funds. When the cooperative movement in the TDA was originally examined, certain experiments were done in such take over of existing debts. Studies made in the Dhudi area under the Banawasi Sewa Ashram in Mirzapur, UP has shown that normally these debts are of very small amount for a family. Yet, their extortionate power is tremendous when in the hands of the money lender. The Committee would, therefore, suggest that if necessary action is taken for debt redemption the amount required for take over will not be very substantial.

9.35 The LAMPS after take over of the liabilities of its members will have to initiate suitable programme of development for its members to enable them not only to re-pay the debt taken over by the LAMPS in suitable instalments but also repay the production loans that will be necessary to the member for increasing his productivity. This postulates a suitable programming of development and involvement of the families of the weaker sections and in-

cluding Scheduled Tribes in such a programme which will push up the productivity per unit of capital either land or animal or water available with the family. Simultaneously, with the debt regulation there has to be aggressive development programme involving the families of the weaker sections. This necessitates that the project authority should simultaneously prepare the programme of action and see that it is implemented. The project officer/Director being the Chairman of both the LAMPS and the project should take up this work as a priority issue.

Consumption Credit

9.36 The Sivaraman Committee (1976) has already pointed out that the net liability of an average tribal in predominantly tribal area is considerably lower than that in the relatively advanced area. This postulates that his requirement of consumption credit for various purposes is really much lower than that of an average weaker section family in the other areas. Yet, it is the experience of all those working in the tribal areas that with these small amounts of loans the money lender has been able to make the tribal family almost bonded labour. The tribals annual income system comprises of return from agriculture, sometimes return from shifting cultivation, collection of fruits, tamarind, etc. and collection of other minor forest produce. He ekes out his livelihood from the grain that he produces, various minor forest produce that he collects and what he buys from the market. Certain essential commodities he requires for his general requirements like kerosene, salt, cloth etc. at any one time, he may not have the resources to pay for the requirements. Yet taken as a whole over the year, it is more than possible that he would have sufficient resources to pay back for what he requires during the year at various times provided the produce he offers for sale is taken at fair price and the produce that he buys is sold at a fair price to him. Now that the LAMPS have been given the responsibility for performing both the functions of purchases at fair price and sales at fair price, the creditworthiness of the Scheduled Tribe member of the LAMPS is substantially enhanced. The system can be made to balance suitably with the necessary service charges if it is taken on an annual amount. As regards the requirements for social purposes, as the Committee on Consumption Credit has pointed out, these are only a few times in the life a Scheduled Tribe family and if there can be provision to give the loan when required and take it back in instalments suitably fixed, the tribal will escape the clutches of the money lender in one of the sectors where he is most exploited. The consumption credit system must provide for a running account during the year where he gets his requirements on credit and pays back with produce as and when he collects the same. As regards the social purpose loan, it can be similarly paid back by his produce provided a suitable time frame is fixed for the return. The Committee would point out that calling this system a consumption credit pervenance is not strictly correct if the modalities of the system are examined closely. The tribal requires the credit during the year in order to keep him active. In looking after his consumption needs, it is ensured that he can actively pursue his activity and produce the necessary product either in

minor forest produce or agricultural produce for discharging his liabilities. In a way, as the Committee on Consumption Credit has pointed out, this can be treated as production credit though it may be stretching the cord a little. Whatever be the nuances of the definition, the Committee is firm in its recommendation that the LAMPS must provide for this type of credit to the Scheduled Tribe and work it off during the year by a suitably decided terms of repayment for the year. It has been pointed out to the Committee that if the LAMPS undertake the service in the magnitude as required, it will have to get this fund from somewhere. Treating this as consumption credit and as outside its field by the Reserve Bank of India in the Agriculture Credit Division these funds are not available to the cooperative system except where the Central Cooperative Bank or the apex bank is in a position to find funds out of its own funds. As such own funds are rarely available as has been elaborately pointed out by the report of the CRAFTCARD, it is necessary that the lender of last resort for rural development takes over this responsibility in the LAMPS as a necessary part of their credit coverage for rural development. There will be no difficulty when NABARD takes over the responsibility which the Agriculture Credit Department of the Reserve Bank of India at present is charged with. The CRAFTCARD has recommended that till NABARD takes over the policies of the Agriculture Credit Department should be suitably reoriented to meet what would be the responsibility of NABARD. The Committee would recommend an immediate examination of this position by the Reserve Bank of India and due provision for supporting the LAMPS with the necessary funds for discharging their liabilities under consumption credit.

9.37 LAMPS will have to fix annual limits for each of its members for consumption credit for his annual consumption requirements and his social purposes requirements. As the intention is that the consumption requirements of the family during the year will be repaid to the LAMPS by bringing minor forest produce and other produce and the like to the LAMPS, an estimate should be made at the beginning of each year for each member as to what would be his consumption credit requirements and what would be his repayment capacity. Normally the repayment capacity should be taken as about 1/3 to 1/2 of the amount of minor forest produce that the family is expected to gather and other produce which he may be bringing to the market. Time of delivery for the same should be fixed and suitable pressures brought to ensure that he does not delay payments or avoid payments. As regards the consumption credit for social purposes, an overall limit should be fixed for each social performance in the area and that limit should not be exceeded for any reason. The limits may not be as high as those suggested by the Committee on Consumption Credit for general purposes. Whatever it be, these limits will have to be decided preferably for the project area by the project authority and followed by the LAMPS. The repayment of this loan should be distributed over a period of years as may be found convenient in the area keeping in view the possible surpluses of minor forest produce and other products which the families would be able to get, provided fair price is given.

9.38 The Committee would emphasise that the need for a NABARD type of operation for rural development having been accepted in the national scheme, till such an organisation comes into being, the recommendation of the CRAFTCARD that methods must be found by the Reserve Bank of India for meeting the responsibilities of NABARD till it comes into operation, should be accepted by the Reserve Bank of India and necessary action taken to fill this gap in the credit requirements for the LAMPS. If it happens that this will need any statutory amendment and there will be a time lag, the Committee recommends that till the Reserve Bank of India takes over, funds must be found from the sub-plan allocation. What the Committee would strongly emphasise is that the so-called consumption credit requirements of the Scheduled Tribes and the other weaker sections in the tribal sub-plan areas, is the main field which has led to such a strong control of the money lender and his extortionate operations leading almost to a bonded labour system. All our other arrangements for production credit and investment credit will have no meaning unless the initial and basic requirement of consumption credit of the tribal and the weaker sections in the tribal sub-plan areas is suitably made. This challenge is there before whoever takes responsibility for credit for rural development.

Distribution of essential commodities at fair prices

9.39 This is one of the objectives of the LAMPS. The needs of the tribals have to be made available to them at a fair price so that they have not to go to the private traders and middlemen for their requirements. In the course of our visits to tribal areas, we found that so far LAMPS have not been properly geared to fulfil these objectives. For instance, kerosene, being an essential item, was not available. It was observed that some LAMPS get more of such items of consumer goods as are needed mostly by the non-tribals. A conscious effort should be made by the LAMPS management to see that only such essential items as are mostly needed by the tribals and the poorer section of the community are handled by them on priority basis and only after these needs have been met, they may undertake distribution of non-essential items to tribals and other members provided it is economical. The Committee would like to make it clear that in recommending this approach, it is not the intention of the Committee that non-tribal members should not be provided their requirements. All that it is emphasising is that a judicious approach should be brought about in the stocking of consumer goods and the priority should be for such goods as are needed mostly by the tribal and other weaker sections of the population.

Marketing and price support

9.40 It is essential if the tribals are to be saved from the clutches of the traders and middlemen that LAMPS adequately discharge their responsibility for buying their produce at a fair price. As it is envisaged, that there should be diversification of production activities in the tribal sub-plan areas, the LAMPS will have to buy from its members not only the traditional produce e.g. minor forest produce, agricultural produce, etc. but also purchase products of such other activities

which may be initiated in pursuance of the diversification approach. It is only when LAMPS give tribal a reasonable price for his produce that he would be enthused and have the necessary confidence in LAMPS and would be induced to sell his surplus produce to the LAMPS. It is equally essential for the LAMPS in their own interest to provide this facility as this is one source which would enable the tribals to repay the various types of loans which LAMPS would be advancing to them.

9.41 During our visit to Kunduli and Nandapur LAMPS in Koraput District of Orissa and our discussions with the concerned authorities of the State Governments in December, 1979, it was observed that only 10 out of 56 LAMPS in the District had taken an initiative for collection of forest produce. The other LAMPS in the area acted as agent of the lessee LAMPS. The agency commission paid to them was not sufficient to cover losses, damages and cost of staff employed on work. The monopoly enjoyed by LAMPS for collection of all minor forest produce was not enforced effectively. The Sahukars purchased the produce at low prices and smuggled out the produce. Government was slack in enforcing the monopoly.

9.42 The Committee during local discussions were informed that because of the extremely low prices that the LAMPS were paying for the tamarind, the traders and middlemen were siphoning the bulk of the tamarind in the market by offering slightly higher prices. It is clear that whatever be the cost of transport and handling of tamarind from Koraput to Madras market, the margin of Rs. 6.50 per kg. is extortionate. It is also clear that the price paid by the LAMPS had no relation to what the market can pay. The entire credit system of the LAMPS for consumption credit, credit for social services and for development is based on the Scheduled Tribe member and his family and the members of other weaker sections bringing all their minor forest produce collection and their agricultural produce to the LAMPS in repayment of their dues. The first essential is that the LAMPS pay a purchase price which is reasonable and which cannot be overbid by the average private trader and middlemen now operating in the area. When it is pointed out that the trader and middleman is exploiting the tribal, it obviously means that the private trader is under-paying for the produce. The profit motive is behind this. Our expectation is that LAMPS or the Government purchase system should not have any profit motive but only service motive on the basis of covering its costs. Therefore, theoretically the LAMPS or the Government system will always be at an advantage over the trader in offering a suitable price to the Scheduled Tribe member and other weaker sections. That this advantage has not been utilised so far by the LAMPS or the Government purchase system is obvious from the overall statistics of minor forest produce passing through the LAMPS system in monopoly areas and what can be gathered from the area according to forest department's statistics. There is a tendency of the Government systems to cover their inefficiencies by pushing the responsibility to the buyer or the seller. The trader has the advantage of efficiency. The Committee would, therefore, emphasise that if the entire system of credit and development is to be properly worked in

the sub-plan areas, fixing of a fair price for commodities brought to the LAMPS by its members, is the most essential part of the operation. This price should be such that a trader or middleman with a profit motive will not be able to overbid. At the same time, it is necessary that the organisation improves its handling and checks its leakages so that by paying such a price it does not lose in the market. The attempt to cover inefficiency by mulching the buyer or the seller must stop. Otherwise, the system will collapse.

Linkages at secondary and apex levels

9.43 We have already dealt with the discharge of functions by the LAMPS at the Block level. Broadly speaking, these consist of credit of all types, supply of inputs, technical services, essential goods and purchase of produce from the members.

9.44 We have now to see the linkages which would be established at the secondary and the apex levels in respect of the various functions entrusted to the LAMPS.

Credit

9.45 The Committee does not recommend any change in the existing linkage of the LAMPS for credit purpose and the present practice of linking them either to the District Cooperative Banks or with the Lead Commercial Banks should continue. These institutions would, however, have to ensure adequate and smooth flow of funds to LAMPS and provide the necessary guidance, supervision and also do the monitoring, etc.

9.46 The Committee has pointed out that short, medium and long term credit should be available to the members of the LAMPS at one point. This necessitates that the long term funds are available to it from the cooperate system. The CRAFTCARD has recommended in paragraph 5.30 of its report that:

"the Committee strongly urges that in the matter of dispensing long term credit, PACs should act as agents of the LDBs".

This Committee recommends that LAMPS should be made the agents of the LDBs of that area invariably to survey long term credit in the LAMPS area of operation. No parallel primary land development banks should be allowed to have any operation in the same area.

Inputs

9.47 The Project Authority should assess the requirements of inputs of various LAMPS under its jurisdiction and pass them on to the District or the Sub-district agency which handle supply of these inputs. As stated earlier, the inputs should be made available to the LAMPS for distribution to its members on a consignment and commission basis and all expenses incurred thereon, whether transportation, storage etc. must be borne by the supply agency. Un-sold stocks should also be taken over by the supply agency. 'Consignment supplies' pre-supposes such an arrangement.

Technical Services

9.48 It would be the duty of the Project Authority and the Block Development Agency to provide the technical and extension support to all the programmes undertaken therein. There would have to be a complete liaison between the Block Development Agency and the LAMPS in this regard. The Committee is not in favour of recommending separate extension and technical staff in the LAMPS.

Purchase of Produce

9.49 We have already stated that the main items to be purchased from the tribals would be the minor forest and agricultural produce. There are a number of apex organisations in most States dealing with these items, e.g. State Tribal Development Corporation, State Forest Development Corporation, State Agricultural Produce and Marketing Federation etc. The Committee would recommend that whichever be the apex organisation for a particular item of produce and which is entrusted with this responsibility, the State must undertake to lift all the goods purchased by LAMPS at the price fixed by it on the lines indicated earlier. Which agency should be entrusted with which item would be a matter which the Tribal Development Department at the State level must decide consistently with the concerned agencies and issue formal orders. LAMPS should not be burdened with any of the produce and they should function here also purely as commission agents on behalf of the concerned State/apex organisations.

9.50 A market intelligence cell must be set up in each of these State level bodies not only to fix a reasonable price for produce but also to enable it to market the produce, where needed. This apex body should also assess the local needs in respect of the produce which may be surplus in the production season but may later be required by the local population for its own consumption. It should move out only such produce as would be surplus to the needs of the local population, it being however, understood that the charges for storage, interest, working capital etc. would all be the responsibility of the concerned apex organisation.

9.51 It would not be possible for the LAMPS to establish direct contact either with the secondary or the apex level organisations. It would be the responsibility of the Project Authority to establish these linkages and ensure that these arrangements work smoothly.

Infra-structural support to marketing and role of National cooperative Development Corporation

9.52 In order to provide a sound base to the marketing operations by cooperatives in tribal areas, it is necessary to have: (i) satisfactory transport system; (ii) adequate storage and (iii) a network of processing units. The National Cooperative Development Corporation (N.C.D.C.) had sanctioned a total financial assistance of Rs. 1127 lakhs upto 31-3-1979 to tribal

cooperatives in the various States for strengthening the share capital base, establishment of processing units, construction of godowns, purchase of transport vehicles and margin money to the State level I.D.C.s. Against this, the utilisation had been of the order of Rs. 607 lakhs (Annexure III). This has to be improved and full advantage taken thereof.

Transport

9.53 The State/District level Agencies would require adequate transportation facilities for sending stocks of agricultural inputs and consumer goods to LAMPS and for collection of agricultural and minor forest produce procured by them for marketing in the internal and external markets. The number of vehicles required by these agencies would depend upon its turnover. Movement within the block should be by bullock carts which are quite suitable for the purpose. This would save heavy cost of transportation as well as provide employment to the tribals. The Committee would particularly like to draw attention to the practice of providing trucks etc. direct to the LAMPS. This is neither here nor there. LAMPS are not in a position to maintain these trucks. These are also not essential in view of what has been explained here. The Committee would, therefore, strongly urge that any assistance in regard to transportation should only be to the secondary and apex level organisations for collecting produce from LAMPS and for supplying requirements of the LAMPS. As soon as these reach the Block Headquarter, internal distribution within the Block should be done by bullock carts etc.

Storage Godowns

9.54 Adequate storage capacity is a prerequisite for the operational efficiency of LAMPS as well as secondary/State level agencies in the marketing of agricultural and minor forest produce and distribution of agricultural production requisites and consumer articles. Branches of LAMPS require godown facilities. Depending upon the area of operation, the capacity of the godown to be constructed may vary. The branches of LAMPS could have a small godown whereas LAMPS should have a sufficiently big godown.

Review Committee

9.55 The project Review Committee comprising the Project Director, representatives of cooperative, agriculture and other relevant departments should review the problems of LAMPS in the project area. The review should be carried out once in three months and immediate steps should be taken to solve the problems. The Committee suggests that at the State level a Review and Implementation Committee should be set up under the Chairmanship of Tribal Commissioner and consisting of representatives of all concerned organisations at the State level to take stock of progress made in implementation of various schemes and providing further directions.

10. ORGANISATION OF ADMINISTRATIVE & FINANCIAL STRUCTURES

10.1 The report of the National Committee on the Organisation of Administrative and Financial Structures for backward areas development covers all the aspects so far as tribal area is concerned as these would get classified as "backward".

10.2 In that report, the National Committee has recommended an integrated development project approach (corresponding to the ITDP approach at present advocated in tribal areas) for the project area comprising 2 to 3 blocks in backward areas. The Committee would reiterate that the project approach, with the recommended administrative and financial autonomy, should be adopted in the Sub-Plan areas.

10.3 In this Chapter, the Committee is confining itself only to the special characteristics of the tribal areas, which do not generally exist in the non-tribal backward areas and the Committee's recommendations in the succeeding paragraphs would be supplement to what has already been recommended in the main report on the "Organisation of Administrative and Financial Structures".

Financing and Budgeting

10.4 The National Committee has already dealt with in its report, referred to above, the methodology of plan allocations between the Centre and the States. The National Committee has recommended a special central assistance of Rs. 5 lakhs per year for each Block in a Project area for the Plan period as a special additive in addition to the present grant-in-aid being given by the Central Government. The Committee therein has suggested a phased approach.

10.5 In addition, the Committee has also dealt with in the relevant chapter (Chapter 8) of the report on Organisation of Administrative and Financial Structures, the methodology of plan allocations to backward areas, including tribal areas, budget provisions, special project fund for local planning, placing of funds with the Project authorities, delegation of adequate powers re-allocating unused funds, etc. All these will be observed in the Tribal Sub-Plan Areas.

10.6 Consequent upon the introduction of the Sub-Plan methodology, the allocation of special central assistance is as follows:—

	(Rs. in crores) Allocation of Special Central Assistance
1974-75	5.00
1975-76	20.00
1976-77	40.00
1977-78	55.00
1978-79	70.00
1979-80	70.00
1980-81	70.00

It would be seen from the above that the special assistance during 1979-80 and 1980-81 was of the same order. The Committee would suggest that the special Central assistance for the tribal areas should gradually increase till all the elements envisaged in the approach get fully operationalised.

10.7 Good administration of tribal areas is the key to success in tribal development, particularly during the transitional phase, when the economy may undergo structural change and the community may face enormous challenges. The Committee has dealt with, at length, Constitutional provisions under which the development and administration of tribal areas is the special responsibility of the Union Government. The Committee has made certain recommendations in that Chapter to enable the Central Government to discharge its responsibilities, enjoined upon it under the Constitution, in regard to administration and development of the areas.

10.8 The Committee would urge strongly that the level of administration in the Sub-Plan Areas should be assessed and the Centre should provide adequate assistance for raising the level of administration of tribal areas to that of other areas within a reasonable time. The Committee has already recommended in its main report on Organisation of Administrative and Financial Structures certain incentives to be given to the personnel posted in the backward areas and some more are suggested in this Chapter so far as Sub-Plan areas are concerned.

10.9 Article 280 of the Constitution deals with the appointment of a Finance Commission whose duty is to make recommendation to the President about the distribution between Union and the States of the net proceeds and the principles which should govern the grants-in-aid of the revenues of the States out of the Consolidated Fund of India. Article 280(3) (c) provides for reference of any other matter to the Commission by the President in the interests of sound finance.

10.10 So far no specific reference has been made to the Finance Commission to enable the President to discharge the obligations imposed on the Union Government under Article 275 relating to the development and good administration of tribal areas. At the time of the appointment of the Seventh Finance Commission, the Ministry of Home Affairs had submitted a memorandum on administration of scheduled areas and development of tribal communities. The Finance Commission was pleased to recommend certain grant-in-aid for a few specified items which did not cover the entire requirements. The Committee would strongly urge that Finance Commission may be specifically asked to go into the question of grant-in-aid to the States for good administration of scheduled areas and development of tribal communities. Pending the

availability of the findings of the Finance Commission, as and when such a reference is made, the Committee would urge that:

- (i) Special Central Assistance for the tribal areas should gradually increase till all the elements envisaged in the Plan get fully operationalised;
- (ii) The cost of incentives to be given to the personnel posted in the tribal areas recommended by the Committee as also any other strengthening of the administration to bring it to a minimum norm should be given by the Government of India as a part of its annual grant-in-aid to the State Governments.
- (iii) Assistance to the States for tribal welfare programme in the State Plan sector, which is being separately shown in the Central Grant under Gadgil formula, should be specifically assessed and made non-divertible.

Personnel Policies

10.11 No administrative structure, however, perfect it may be, can deliver the goods unless it is properly manned. Experience all over the country has shown that a large number of posts are lying vacant, particularly, in Tribal Areas, thereby jeopardising the developmental efforts. Time has come when serious thought has to be given to remedy this situation. It has to be admitted that tribal areas suffer from certain disabilities like lack of housing, educational, medical facilities, etc. Consequently, there is strong disinclination on the part of Government officials to serve in these areas. The National Committee has dealt with the personnel aspects in Chapter 7 of its report on Organisation of Administrative and Financial Structures. The Seminar on Tribal Development in Bhubaneswar also went into this question in great detail, and recommended the following measures to attract suitable personnel to serve in the tribal areas:—

- (i) The places of posting in tribal areas should be graded on the basis of accessibility, availability of social services, etc. and suitable special pay should be given to persons posted there.

- (ii) Scholarships to enable children of such persons as are posted in places without a Middle School or a High School should be given, subject to a maximum of two children.
- (iii) Free-housing should be provided to all personnel working in the Tribal areas. In case, residential accommodation is not available, suitable compensatory allowance should be given.
- (iv) Long term benefit should be given to persons rendering satisfactory service of 5 years or more in the Tribal areas in the shape of higher pension and gratuity on retirement.
- (v) Preference should be given to the personnel who have worked in the tribal areas in the selections for foreign assignments/training abroad and awards of fellowships, etc.
- (vi) All personnel of the State and the All India Services should be obliged to serve in the Tribal areas within five years of their initial entry into services.
- (vii) Personnel serving in the tribal areas should be encouraged to learn recognised tribal dialects for which training facilities should be provided. Those who undergo such training and attain required proficiency should be given lump-sum monetary rewards.
- (viii) Special care should be taken for selecting the right type of personnel for service in the tribal areas particularly at the level of Block Development Officers, Project technical heads and Project Director. Their tenure in a Project should be for a minimum period of 3 years and it would be fair to give them postings at good places on completion of such tenure in Tribal areas.
- (ix) The Central Government should provide special funds under Article 275 (i) of the Constitution for raising the level of Administration in the Tribal areas and the measures suggested above should qualify for such assistance.

10.12 The Committee is in full agreement with the above recommendations and would strongly urge their acceptance by the Union/State Governments.

11. ACKNOWLEDGEMENTS

The Committee wishes to place on record its appreciation of the work done by Members of the Working Group on Tribal Sub-Plan. The Committee also takes this opportunity of thanking the State Governments and the Ministry of Home Affairs for their valuable suggestions and the basic data which they supplied as well as for the papers contributed by the individual officers of the State Govts. and Central Ministries in their personal capacity.

2. The Committee was greatly benefited from the Seminar on Developmental Aspects of Tribal Areas organised by the Tribal and Harijan Research-cum-Training Institute at Bhubaneswar from November 11-13, 1980. The Committee would like to thank the State Government of Orissa for its active participation and help in organising the Seminar. In particular, the Committee would like to place on record its gratitude to the Tribal Development Commissioner and the Director, Tribal and Harijan Research-cum-Training Institute and other officers of the Department and the Institute who organised the Seminar. The Committee would also like to thank the State Governments and institutions who sent their representatives for participation in the Seminar. Our thanks are also due to the Ministry of Home Affairs for making available a grant-in-aid to the Tribal and

Harijan Research-cum-Training Institute, to meet a part of the expenditure on the Seminar.

3. We also wish to record our appreciation of the valuable services rendered by Shri Hit Prakash, Consultant, Planning Commission for preparing and finalising the draft of the report. We would also like to make a special mention of the great personal contribution made by Dr. B.D. Sharma, Adviser, North-Eastern Council, to the discussions and drafting some of the chapters of the Report.

4. The Committee would also like to record its appreciation of the invaluable efforts put in by Shri G.P. Bharal, Senior Research Officer, in the extensive compilation of informations from secondary sources and in collecting, collating and analysing the data as well as in drafting of various chapters. Our thanks also are due to the excellent secretarial support provided by the Members of the staff of the Committee.

NEW DELHI

June 11, 1981

(Sd.) B. SIVARAMAN
Chairman.

ANNEXURE I

Total Population, Scheduled Tribes population and Areas under Tribal Sub-Plan

(Population in lakh, Areas in sq. kms.)

S. No.	State/UTs	Total Population	Scheduled Tribes Population* (1971 Census)		Percentage of ST Population to total population	
			Pre-revised	Revised	Pre-revised	Revised
1	2	3	4	5	6	7
1.	Andhra Pradesh	435.03	16.58	22.26	3.87	5.12
2.	Assam	141.70**	13.44**	13.44**	9.48	9.48
3.	Bihar	563.53	49.33	49.33	8.75	8.75
4.	Gujarat	266.97	37.34	37.57	13.99	14.07
5.	Himachal Pradesh	34.60	1.42	1.42	4.10	4.10
6.	Karnataka	292.99	2.31	2.62	0.79	0.89
7.	Kerala	213.47	2.69	1.93	1.26	0.90
8.	Madhya Pradesh	416.54	83.87	98.15	20.13	23.56
9.	Maharashtra	504.12	29.54	38.41	5.86	7.62
10.	Manipur	10.73	3.34	3.34	31.13	31.13
11.	Orissa	219.45	50.72	50.72	23.11	23.13
12.	Rajasthan	257.66	31.26	31.35	12.13	12.17
13.	Tamil Nadu	411.99	3.12	4.50	0.76	1.09
14.	Tripura	15.66	4.51	4.51	28.98	28.98
15.	Uttar Pradesh	883.41	1.99	1.99	0.23	0.23
16.	West Bengal	443.12	25.33	26.03	5.72	5.87
17.	Sikkim	2.10	..	0.52	..	24.76
18.	A & N Islands	1.15	0.18	0.18	15.65	15.65
19.	Goa, Daman & Diu	8.58	0.07	0.07	0.82	0.82
GRAND TOTAL		5122.70	357.04	388.37	6.97	7.58

Note : * List of Scheduled Tribes was amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976. Col. 4 gives the original population, 1971 Census (Pre-revised) and Col. 5 gives the revised estimated population of Scheduled Tribes.

**Excludes figures for North Cachar and Mikir (Karbianglong) under Hill Area Development.

Revised population of Scheduled Tribes covered under Tribal Sub-Plan areas is not available. Therefore, pre-revised population as per Census, 1971 is given in Col. 9.

ANNEXURE I (Contd.)

(Population in lakh, Area in Sq. Kms.)

S. No.	State/UTs	Sub-Plan Area				Total geographical area of State	Total geographical area under Sub-Plan	%age of Area Covered under Sub-plan
		Total Population	ST Population (Pre-revised)	%age of ST total population	%age of ST population under Sub-plan to ST Popn. (Pre-revised in State)			
1	2	8	9	10	11	12	13	14
1.	Andhra Pradesh	17.88	9.11	50.95	54.85	276754	30294	10.95
2.	Assam	17.67	9.67	54.73	71.95	63301**	9467	14.96
3.	Bihar	74.93	37.86	50.53	76.75	173876	43603	25.08
4.	Gujarat	39.23	27.04	69.93	72.43	195984	24420	12.46
5.	Himachal Pradesh	1.14	0.84	73.68	59.15	55673	23954	43.03
6.	Karnataka	21.25	1.00	4.71	44.29	191773	15781	8.23
7.	Kerala	1.15	0.74	64.35	27.51	38864	6128	15.77
8.	Madhya Pradesh	105.85	62.72	59.25	74.78	442841	163938	17.02
9.	Maharashtra	29.96	18.47	61.65	62.53	307762	38654	12.56
10.	Manipur	3.48	3.13	89.94	93.71	22356	20126	90.03
11.	Orissa	62.25	34.17	56.74	69.41	155842	69785	44.78
12.	Rajasthan	20.93	13.55	65.22	42.67	342214	19571	5.72
13.	Tamil Nadu	2.17	1.45	66.82	46.47	130069	4919	3.78
14.	Tripura	4.92	3.44	69.92	76.27	10477	6699	63.75
15.	Uttar Pradesh	0.16	0.15	93.75	7.56	294413	92	0.03
16.	West Bengal	14.89	10.42	69.98	41.14	87853	4952	5.64
17.	Sikkim	0.13	0.12	92.31	23.08	7000	4444	63.49
18.	A & N Islands	0.22	0.18	71.82	100.00	8293	1953	23.55
19.	Goa, Daman & Diu	0.39	0.07	17.95	100.00	3813	72	1.89
GRAND TOTAL		418.60	234.76	56.08	67.75	2809158	488832	17.40

NOTE : *List of Scheduled Tribes was amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976, Col. 4 gives the original population, 1971 Census, (Pre-revised) and Col. 5 gives the revised estimated population of Scheduled Tribes.

**Excludes figures for North Cachar and Mikir (Karbianglong) under Hill Area Development.

Revised population of Scheduled Tribes covered under Tribal Sub-Plan area is not available. Therefore, pre-revised population as per Census 1971 is given in Col. 9.

ANNEXURE II

Tribal Development Projects — Fifth Plan

Sl. No.	State/UTs	Integrated Tribal Development Projects		Sl. No.	State/UTs	Integrated Tribal Development Projects	
		Total	No. proposed			Total	No. proposed
1	2	3	4	1	2	3	4
1.	Andhra Pradesh	7	7	10.	Manipur	5	..
2.	Assam	19	1	11.	Orissa	23*	19
3.	Bihar	14	10	12.	Rajasthan	5	4
4.	Gujarat	9	8	13.	Tamil Nadu	9	9
5.	Himachal Pradesh	3	3	14.	Tripura	3	1
6.	Karnataka	5	3	15.	Uttar Pradesh	2*	1
7.	Kerala	5	3	16.	West Bengal	12	6
8.	Madhya Pradesh	42	40	17.	A. & N. Islands	1	..
9.	Maharashtra	15	15	18.	Goa, Daman & Diu	1	..
Total						180	129

*The number of ITDPs in Orissa and Uttar Pradesh was later reduced to 22 and 1 respectively. The total number of ITDPs in 1980 is 178 excluding Sikkim.

ANNEXURE III

Working Group on Tribal Sub-Plan

The Planning Commission had set up a National Committee on the Development of Backward Areas to formulate appropriate strategy or strategies for effectively tackling the problems of backward areas vide Resolution No. PC(P)17/NCDB/78-MLP dated 30th November, 1978. The Committee constituted a Working Group on Tribal Sub-Plan, its composition and terms of reference was as follows:

2. COMPOSITION

1. Shri K. K. Srivastava, Adviser (PC), Planning Commission.
2. Shri Bhupinder Singh, Joint Secretary, Ministry of Home Affairs.
3. Shri M. Bhattacharya, Secretary, Scheduled Caste and Scheduled Tribe Welfare Department Government of West Bengal, Calcutta.
4. Shri S. K. Mukerji, Regional Development Commissioner, Government of Bihar, Andrey House, Raj Bhavan, Compound, Ranchi, Bihar.
5. Shri Vijay Verma, Tribal Area Development Commissioner, Government of Rajasthan, Jaipur.
6. Dr. B. D. Sharma, Tribal Development Commissioner, Government of Madhya Pradesh, Bhopal.
7. Shri Ramakant Mishra, Revenue Secretary, Government of Orissa, Bhubaneshwar.
8. Shri T.N.R. Rao, Secretary, Department of Employment and Social Welfare Government of Andhra Pradesh, Hyderabad.
9. Shri P. V. Bhat, Secretary-cum-Development Commissioner, Education, Labour, Social Welfare and Tribal Department, Government of Gujarat, Gandhinagar.
10. Shri D. K. Gangopadhyaya, Secretary, Tribal Area and Welfare of Backward Classes Department, Government of Assam, Dispur, Gauhati.

11. Shri S. Jambunathan, Secretary and Tribal Development Commissioner, Sports and Social Welfare Department, Government of Maharashtra, Bombay.
12. Shri A. S. Ahulwalia, Secretary-cum-Commissioner, Social Welfare Department, Government of Tamil Nadu, Madras.
13. Shri Nitin Desai, Planning Commission.
14. Shri Hit Prakash, Planning Commission.

3. TERMS OF REFERENCE

- (a) To review the on-going programmes under Tribal Sub-Plans.
- (b) To review the actual allocation of resources by the State/Central Governments for Sub-Plan and sub-allocation to different projects within a State.
- (c) To review the Planning methodology for sub-plans, as a whole, and for micro-regions, with particular reference to the social constraints, levels of development of different tribal areas, involvement of the local community, and adaptation of general sectoral programmes.
- (d) To examine the administrative arrangements for implementation of the tribal sub-plans.
- (e) To review protective measures adopted for ensuring that the tribal communities retain command over resources and,
- (f) To assess the credit availability and marketing structure; and,
- (g) To recommend programmes and policy measures for streamlining development of the tribal areas.

ANNEXURE IV

*Questionnaire for Tribal sub-plan**1. Demography and Perspective*

1. Please give the area, population and extent of tribal coverage under tribal sub-plans prepared during the 5th Five Year Plan period and additions made thereto during the 6th Plan under the modified area development approach.

2. It has often been pointed out that there is confrontation of adverse economy with the opening of tribal areas. Please identify items for action.

3. The Fifth Plan has recommended an integrated area approach. Would legal cover be necessary for identifying areas for tribal development outside the Scheduled areas. This would also bring in the question as to what should be the tribal areas. The main characteristics of a backward area is the presence of socially and economically backward people; this being so both Scheduled Caste and Scheduled Tribe population becomes relevant. Will this be a correct approach? Please give your ideas.

4. If 50% of the population in a compact area comprising Scheduled Tribes and Scheduled Castes together is taken as a criterion for selecting a backward area for special development, would the present map of integrated Tribal development change. Please prepare map of the identified areas on the above basis taking block as the first approximation.

5. At present agriculture and allied subjects, water and power development, seem to be relevant in the tribal areas. Is it possible to take a perspective beyond 10 years and identify any additional field?

6. What is the experience in the State about the equation between minor irrigation development and high-yielding varieties for agricultural development?

7. Has the State a clear perspective for bridging the gap in the level of development between the tribal areas and rest of the States? If so, has any strategy in terms of overall levels of investment, or investments in different sectors has been outlined?

2. Financial Outlays

1. Please give the financial outlays for the State Plan, Sub-Plan as also the special Central Assistance, sector-wise for the Fifth Plan as also for the 6th Plan.

2. Please indicate the factors taken into account for arriving at the total Sub-Plan outlay during the 5th Plan. What items were treated as non-divisible for computing the share from the State Plan financial outlay for Tribal Sub-Plan?

3. In 6th Plan, it was envisaged that the overall size of the Tribal Sub-Plan may be related to the accelerated pace of development of tribal areas as compared to the rest of the State to be decided in the beginning instead of following the process of sectoral dis-aggregation and final summation as had to be done during the Fifth Plan. To what extent has this been possible and what changes, if any, have been made in the methodology of determining the Sub-Plan size?

4. (a) How the outlays for individual Integrated Tribal Development projects have been decided? Please give the factors taken into account for this purpose.

(b) What investments in the tribal sub-plan are treated as indivisible as between different ITDPs. Please give the details.

(c) Please give outlays for the tribal sub-plan as a whole and their project wise distribution indicating the indivisible outlays separately for the years 1978-79 and 1979-80.

5. Please give the overall outlays and expenditure sector-wise for the Tribal Sub-Plans of your State since the beginning of the sub-plan. To what extent the State has been able to qualify for special central assistance.

6. Has any analysis been made of the structure of investment in the tribal sub-Plan? Please give analysis of the investment for one year (1978-79 or 1979-80) indicating clearly the quantum of funds where benefit will accrue directly to the individual.

7. It was envisaged that the Central Ministries will set apart a part of their outlay for tribal areas. Please give the investment actually made by the Ministry in the tribal areas during 1978-79 and 1979-80.

8. Institutional finance is an important component of the tribal sub-plan. What is the extent of flow of institutional finance in the tribal areas in the last two years 1977-78 and 1978-79 and what is the target for 1979-80? Please give separately the flow of benefits under D.R.I. What difficulties, if any, are being experienced and what corrective measures being taken?

9. Special Central Assistance has been envisaged as supplemental and gap-filler in the context of field situation without regard to formal classifications. To what extent and how has the special central assistance been used to this end? Are there any gaps in the investments for tribal areas which could not be filled on some formal considerations?

3. Planning Methodology

1. The tribal Sub-Plan has been designed as a frame for planning from below with reference to the specific requirement of each area. What methodology has been adopted for preparation of plans at the block and project level? How the block/project plans are aggregated in the form of a Sub-Plan and incorporated in the State Plan draft. What difficulties, if any, are being faced in changing the present process of disaggregation in favour of aggregation. Please give details.

2. Please indicate whether any special sub-regions have been carved out in the Integrated Tribal Development Project keeping in view the special problems of such areas like the zone of influence of industrial complexes, urban areas, primitive pockets or some other characteristics. If Yes, please give the details.

3. The ITDP is an umbrella concept. To what extent it has been possible for the State Govt. to integrate the various sectoral programmes at the project level so that they appear as an organic whole to the individual? Please illustrate the steps taken with concrete examples.

4. Have any surveys been made to determine the difference in the levels in the tribal areas and other areas. Please give the comparative indicators of two regions, if available.

5. The Tribal Research Institutes were expected to provide for the sociological dimensions in the matter to planning and implementation of tribal development programmes. To what extent has the Institute performed these functions? Please give the structure of the Tribal Research Institute and its role in planning, evaluation, etc.

6. Has it been possible to work out a systematic reporting system for the tribal sub-plan programmes? Please furnish the details of the system, if any, and the difficulties which the State may have encountered.

7. What is the organisation for monitoring of Tribal Sub-Plan programmes at the State level?

8. Planning methodology for tribal areas has many distinctive features. What organisation has been developed for planning at the state level and for micro planning in the field? What is its relationship with general planning organisation in the State, if any?

4. Primitive Communities

1. Please give the list of primitive communities identified by the State so far and a brief outline of the programmes envisaged bringing out clearly the general programmes and special programmes.

5. Sectoral Programmes

1. Please give a brief resume of achievements in various sectors in the tribal sub-plan area during 1974-75.

2. Whether some programmes in various sectors have been specially adapted for tribal areas keeping in view their special problems? If yes, please give some important examples.

3. (a) Are there any examples where the State may not have been able to implement successfully any programme because of non-acceptance by the tribal communities in general or in any particular area? Has any study been made for the reasons of such non-acceptance?

(b) Have some programmes or a group of programmes singularly failed in any area?

(b) Are there any important success stories of special programmes accepted by the tribals on a substantial scale?

4. Special norms were allowed for minimum need programmes for tribal areas during the Fifth Plan. Please indicate the extent of adoption of these norms by the State and give the achievements as also a resume of your experience with suggestions for improvement.

6. Credit and Marketing

1. What is the credit and marketing structure in the tribal areas. Has it been fully rationalised or there are still overlapping organisations. Give the experience of functioning of the new system.

2. What has been the progress in the enrolment of tribal members, advance of credit for production and consumption purposes after the LAMPS have been organised. Please give details.

3. What is the marketing programme in the sub-plan area? Please give details.

4. Has the state taken any special measures for regulation and development of weekly markets? Please give details.

5. Old cooperatives are being allowed to continue along with LAMPS. What prevents merging and unified handling under LAMPS. Staffing is stated to be on ad-hoc basis. Does this mean untrained and unqualified persons?

6. The Reserve Bank of India in the Banking Operations Division had made tribal cooperatives a channel of flow of credit under the DRI. Has this led to effective transfer of DRI funds to the LAMPS?

7. Forest Policy

1. Please give a brief resume of the forest policy of the State. In particular, indicate clearly the steps taken to reorient forest policy with a view to reinforce local tribal economy.

2. (a) What is the policy about the rights of the tribals on minor forest produce.

(b) Has the State accepted the tribal as a right to get the full market price or he can merely expect to get wages for collection of the minor forest produce. Or, does the state accept some intermediate position? Clearly indicate the principles adopted in determining the price in general or in specific cases giving illustrations, if any.

3. (a) Has the State accepted the policy that the first processing of minor forest produce should be handled by the cooperatives of tribals so that maximum can be ploughed back to the primary collector?

(b) Please give a list of processing units established in the last five years based on minor forest produce in the State.

4. Forestry is said to be the biggest organised activity with maximum casual employment. What measures, if any, have been taken for participation of forest labourers and the community in the management of the forests?

5. To what extent is the working of forests through Forest Labour Cooperative Societies? What are the targets for the Sixth Plan.

6. What is the gross and net income from forest in the Tribal areas in respect of (a) the major forestry products (b) minor forest produce.

7. Please give a detailed note about the necessity for induction of outside labour for forest maintenance and exploitation. They may also indicate why the programme of Forest Department could not be adjusted to the agricultural seasons and the minor forest produce collection season.

8. What is the position about the payment of wages by forest labour cooperative societies? Do workers get only daily wages or do they get profits also?

8. Protective Measures

1. What specific measures have been taken to identify alienated land and its restoration? Please give the results of these measures, if any, in the last five years.

2. Retrospective legislation to extend limitation has been admitted by many States. Has there any litigation on this and, if so, with what result? What is the present thinking about retrospective legislation on limitation and its effect on up-setting commitments legally entered into?

3. What has been the incidence of land alienation in the State? Is it true that it is comparatively less in the more backward areas?

4. For a quick programme of action, identification of high incidence areas and concentrated effort to take back illegally alienated lands had been proposed. What is the present position in the State?

5. The urban and semi-urban growths in the tribal areas are generally non-tribal enclaves. Has any study been made by the State in this regard? Have any steps been taken to induce in-migration of tribals in these areas?

9. Administration

1. It was envisaged that there will be a single line of command for implementation of programmes from the State to the field level. To what extent this has been achieved. Please give the administrative structure as also the details of arrangement for coordination at the State and the project level. In particular please give the role, responsibilities and powers specially conferred on the Tribal Development Commissioner at the State level and the Project Administrator at the Project level.

2. Please give the composition, powers and a resume of the functioning of the State level Committee(s) for tribal sub-plan.

3. Please give the scheme of delegation of financial and the administrative powers at the Block, Project and other level.

4. The organisational structure for State has grown in response to the needs of advanced areas which has generally been extended in the same form to the tribal areas. Some special organisations have also been set up in these areas. This is responsible for functional overlapping as also over-specialisation resulting in considerable confusion. Please give the steps, if any, taken to meet the situation and to bring about rationalisation.

5. The tribal Welfare Department is now expected to assume leadership role for comprehensive development for tribal areas and effective protection of tribal communities as distinguished from the earlier role of a functional department. What functions and powers have been assigned to the Tribal Welfare Department in relation to the various sectoral authorities in general and other nodal organisations like Planning, Finance, General Administration, etc. in particular?

6. Has it been accepted by the State that the various procedures—administrative and financial—as also some norms need to be adapted for tribal areas. If yes, please give some important decisions in this regard.

10. People's Participation

1. In what way have the peoples representatives been associated in decision making at the Project or other levels?

2. Have the leaders of the local community at the village or group of villages level been assigned any responsibility in any of the programmes? Give details.

3. In what way and to what extent have the voluntary organisation been associated in tribal development programmes?

4. Has it been ensured that implementation remains unequivocally the responsibility of the administration?

11. Personnel

1. The Tribal areas are taken to be punishment postings. What concrete measures, besides issuing general guidelines, have been taken to ensure that right type of persons are posted to these areas. Has any assessment been made of the quality of personnel in the tribal areas. If yes, give the details.

2. Please give the details of the financial and non-financial incentives to the personnel working in the tribal areas. Do you think they are adequate? What further measures would you suggest?

3. Are there any special rewards for good work in the tribal areas by way of recognition or otherwise? Similarly, are there any built in disincentives for poor performance in tribal areas? Please furnish details.

4. What special measures have been taken to induce greater recruitment from local communities in departments having direct touch with the tribals like police, forest, revenue, and education. What is the proportion of tribals at the grass-root levels (class III and class IV) in these services?

5. Have qualifications been relaxed for tribals for recruitment to any post or category of posts in the tribal areas with a view to their greater induction in the services? If yes, please give details.

6. Training and orientation of personnel sent to the tribal areas is crucial for successful implementation of tribal development programmes. What arrangements exist in the State for training and reorientation of personnel at various levels?

12. Constitutional Provisions

1. The Governor has been given special responsibility for 'good government' of the tribal areas. Has the state ever attempted to define the ingredients of 'good government' and a mechanism for ensuring good administration? If yes, please give details.

2. (a) What role, if any, has the Governor played in the administration of tribal areas?

(a) If the view is that the governor should act entirely on the advice of the Council of Ministers, has it been considered that a special provision may be made in the Rules of Business of the Government to discharge this special constitutional responsibility of the Cabinet?

3. Special provisions for enactment of regulation and State laws have been made under the Fifth Schedule for tribal areas. Has at any stage the need for adaptation of general laws in their application to the tribal areas been considered? If so, give a list of adaptation of state and Central laws made so far under clause (v) of the Fifth Schedule.

4. Please furnish a list of regulations framed by the State so far under the Fifth Schedule. Has the State considered any special law (Other than a Regulation) being framed for good government or development of tribal areas.

5. The executive power of the Union Government extends to giving all directions to the States for good government of the scheduled areas and for development of the tribal communities. Whether the Central Govt., at any point of time, considered giving such a direction generally or in any specific case?

6. Do the Central Government envisage any special responsibility of the Governor in discharge of this specific constitutional responsibility of the Union Government?

7. Please give (a) brief resume of the functioning of the Tribes Advisory Councils.

(b) Please indicate whether any important policy issues referred to this Council in the last three years?

(c) Please indicate if the Tribes Advisory Council made any recommendations of Policy matters to the Government in the last three years?

ANNEXURE V

MAIN CONCLUSIONS AND RECOMMENDATIONS OF THE SEMINAR ON DEVELOPMENT ASPECTS OF TRIBAL AREAS HELD AT BHUBANESWAR FROM NOVEMBER 11-13, 1980.

I. *Cultural and Historical Background of Selected Tribes*

(1) In view of the present day need for rapid development of tribal areas for all-round development of our country, emphasis should be made on the enhancement of the quality of life and life chances of the tribal groups through economic and educational development and better sanitation and health, (a) without destroying their moral order of concepts of 'good life', but (b) by building on their concepts and values on 'prosperous life', still (c) coming to an adjustment with their concepts of 'happy life', their *joie de vivre*.

(2) In tune with the prevailing traditional practice of co-operation among the different social groups of tribal societies, formalized co-operatives like service cooperatives, credit cooperatives, production cooperatives need to be based on these traditional forms of cooperation in order to achieve greater success and credibility.

(3) The age-old ties based on inter-village organisations through new organisations of Panchayat system could be reinforced so that involvement and participation in development of their "own" area could be ensured by utilising the age-tested channels of inter-action, communication and co-operation.

(4) As there are differentiated sections of the same ethnic group in different levels of education and articulation with the greater society and as their problems of identity as well as problems of defining and perceiving good life, happy life and prosperous life may be very complex and yet significantly different from one another. This should be given emphasis in policy formulation and implementation.

(5) Due to land alienation by outsiders and deprivation of forest rights, there is growing tribal unrest. In this respect there is not so much lack of policy, but the lack of political and administrative will to implement the policy. Therefore, a study of the frequency and major causes of tribal unrest at comparative level would help suggest the administrators and planners to take measures for effective administration.

(6) As in many parts of India the educated tribal elite start an organisation to re-orient the lives and ways of their people in consonance with modern times and requirements, these voluntary organisations symbolizing movements for higher social status, or identity reinforcement or culture renewal, should be patronised by the Government and political parties in the interest of rapid development of these tribal areas for educational, economic and social advancement.

(7) Most often, it is found that the voluntary organisations play an important role along with the Government machinery for the welfare of the tribals. Dedicated workers of voluntary organisations can exercise a healthy influence on the bureaucratic set up, and therefore, growth of self-less voluntary organisations.

(8) For proper planning, implementation and evaluation of tribal development programmes the knowledge, experience and participation of professional expert, in the field of administration, anthropology, sociology and other related disciplines should be brought in. Therefore, steps should be taken for an inter-disciplinary approach in a meaningful way.

(9) Considering the food value of the various indigenous crops of the tribals, introduction of new varieties of crops in place of the indigenous ones should not be undertaken before a nutritional analysis of the indigenous crops and the probable effects of substitution of food on the health of the people concerned are properly investigated. Similarly scientific and experimental studies on herbal medicines in relation to health and nutrition of the tribal and other people of a region should be undertaken.

(10) In view of the excriminal tribes requiring special treatment, the following recommendations may be considered:

- (i) The rehabilitation programme should continue for them with other requisite follow up schemes.
- (ii) In the area of their rehabilitation, other neighbouring groups or scheduled castes are also to be given the same benefits in order to preclude jealousy and tension.
- (iii) The children should be taught at residential schools like Ashram schools along with children belonging to neighbouring tribes or castes so that they may be easily integrated with the greater society from childhood.
- (iv) Micro-growth Centre or model colonies should be developed in collaboration with viable voluntary organisations.
- (v) Social scientists should be entrusted with the assessment of the nature and extent of change and progress from time to time.

(11) Social forestry should be done popularization of plantations of lemons, papaya, drumsticks etc. for their economic betterment.

(12) A survey of health, nutrition and sanitation on regional basis with a team consisting of medical doctors, social anthropologists, human ecologist and nutritionalists should be undertaken to adapt the system of modern medicine to the local and regional standard of health and nutrition.

(13) The right of the tribal people on the forests adjoining their villages and their ownership right, where traditionally recognised, over the forest lands should be restored and recognized so that their participation in raising and maintaining the forests can be ensured.

(14) In view of several serious tribal unrests having occurred among the Munda of Chhotanagpur, the Chhotanagpur Munda habitat deserves to be recognised as a separate administrative unit in order to establish closer rapport with the Munda people.

II. *Forest Policy and its implementation which virtually affects tribal people.*

(1) The problem of shifting cultivation is global in occurrence and its harmful effect should be explained to the tribals, in particular and the people in general, through adequate propaganda and extension methods.

(2) The exact area of shifting cultivation should be assessed from the data obtained from pre-investment survey, aerial photography and ground survey methods. The diverse agricultural practices by different types of podu cultivating adivasis may be studied and appropriate cultivation techniques and cropping patterns for different agro-climatic zones may be recommended after proper research.

(3) Diversification of welfare activities touching upon special agencies like SFDA/MFAL/CAD/DPAP selecting suitable beneficiaries are to be carried out in those areas for their speedy, progressive and sustained economic development.

(4) The development structure in the tribal areas should be suitably designed on the basis of available technology best suited to the area and to the liking of the tribals.

(5) For efficient marketing of the commodities collected by the tribal cooperatives, an inter-state marketing corporation should function as an apex body to coordinate marketing efforts and thus eliminate the stronghold of merchant's monopoly in such trade.

(6) Traditional leadership should be created and voluntary agencies may come forward for the implementation of developmental policies and programmes for the benefit of the tribals.

(7) Control of shifting cultivation should be kept as a core sector in the Sixth Five Year Plan to tackle the problem effectively specifically through a centrally sponsored scheme for which adequate funding may be made.

(8) The forest policy should be suitably amended so as to serve the interest of tribals better. Edible and commercial fruit and oil seed bearing trees and fodder species may be planted admixtures in all plantation programmes in the vicinity of villages. In traditionally Tussar rearing areas, plantation of Assan and Arjun trees may be taken up to serve tribal interests for promoting Sericulture.

(9) To guard against exploitation of tribals in the hands of unscrupulous traders, a legislation as per Madhya Pradesh pattern could be adopted by other States so that traders may not purchase timbers from tribal holdings at throw away prices.

(10) Integrated development of the tribal areas should be carried out in an intensive manner studying the structure of the soil, terrain, agro-practice, agro-botany, socio-economic and political structure of the particular areas. The entire gamut of tribal development should be a package deal. Its planning and implementation should be carried out at a faster rate with a multi-disciplinary approach.

III. Ownership pattern of land and land reforms measures affecting the tribal people.

(1) In all the States, special legal provisions exist either in the Land Reforms Act, Tenancy legislation or in the Regulations applicable to scheduled areas which enjoin obtaining prior approval from the competent authority if tribal land is to be transferred to non-tribal. Government of Andhra Pradesh have gone a step further and under the relevant regulation, transfer of land by all residents of the scheduled areas including non-tribals is subject to prior approval by the competent authority if the transfer was to be made in favour of the non-tribals. This may act as a check on further immigration of tribals into non-tribal areas and facilitate transfer of lands previously settled with non-tribals by ex-intermediaries to tribals.

(2) Apart from the lands obtained through transfer, non-tribals own large parts of land which have been given to them by the ex-intermediaries. Provision of interest free loan to tribals for acquiring such non-tribal lands will also help. In Gujarat interest is subsidised in respect of loans given to tribals for purchasing occupancy rights over lands transferred to them.

(3) There are existing loop-holes in the various legislations. In Orissa, for instance, the period between 1950 to 1956 was not covered in scheduled area, 1949-65 in non-scheduled areas excluding merged state and 1962 to 1965 in non-scheduled areas in merged States. The only way to reopen cases relating to these periods will be to extend the period of limitation to 30 years and to make the same retrospective.

(4) The Regulation is circumvented by collusive title suits filed before Civil Courts. In Bihar, it has been provided that in all civil suits involving tribal lands, the Deputy Commissioner should be made a party and he can give evidence in rebuttal. Mere admission of the tribal will not be adequate in respect of the land transaction and corroborative evidence will have to be taken. Such a provision should be made in all the States.

(5) Despite the instructions issued to the registering authorities, the registration is taking place in respect of tribal lands even in the absence of permission of the competent authority in respect of such transfer. The registering authority should be asked to conduct an enquiry in such cases and take evidence in the scheduled areas.

(6) The trial of cases get prolonged both in the revenue courts as well as in the judicial courts. Adoption of summary procedure should be provided for. Legal practitioners may be debarred from appearing in cases relating to illegal land alienation since the issue involved is quite simple and there is no possibility of failure of justice.

(7) In the context of the recent amendment to C.R.C. there should be no objection to vesting of powers on Executive Magistrates for trial of cases relating to forcible reoccupation of the lands in respect of which possession had been delivered to the original tribal owner.

(8) Deterrent penalty is necessary in cases involving illegal transfer of land. Any person found to be in possession of illegal transfer of lands, should be liable to pay Rs. 2,000/- as fine.

(9) The names of all sub-tribes are not mentioned in the presidential order. Illegal transfers have been effected by using the name of a sub-tribe or a synonym for a tribe not mentioned specifically in the presidential order. For instance, the recent judgement of the Orissa High Court as well as the Supreme Court have clarified the position and sub-tribes are also to be included in the main tribes while enforcing the law relating to alienation of tribal land. Detailed list of sub-tribes and synonym should be made available to all registering authorities and authorities in charge of enforcing the protective legislation in respect of tribals. The documents in respect of sales, transfers which have been declared invalid, should be impounded so that they cannot be used for getting loans.

(10) There should be provision for second appeal. Besides, the State Government should have suo-moto powers to set aside transfers within a period of 30 years if the consent from the competent authority for transfer of land is found to have been obtained fraudulently. Such a provision exists in Bihar, but the period has been limited to 12 years. Persons who are found to be in enjoyment of land be liable to fine and imprisonment as has been done in Bihar.

(11) Some of the improvements need to be made to the existing legislation. Like in Maharashtra, a law has been enacted in 1974 under which even legally transferred lands can be given back to tribals on payment of compensation. Such a provision will be helpful in any case where no land is available or where the more fertile lands belonging to tribals have gone into the hands of non-tribals.

(12) In the vicinity of mining and industrial complex, big buildings have been put up in illegally transferred tribal lands. In Bihar, there is provision for demolition of such buildings and restoring vacant possession of land. This may be difficult to implement, when very valuable buildings are involved. It suggested that in such cases, the tribal may be given land whose value was equal to the current market value of the land in which buildings have been erected.

(13) Tribal lands are sold for realisation of cooperative dues and Government dues. Such lands should be managed by Government/Cooperatives and their ownership transferred to tribals by making provision for payment of premium in easy instalments.

(14) The jurisdiction of Civil Courts should be removed with a view to avoid protracted litigation.

(15) It was very often found that the tribal to whom the land was restored, was not in a position to cultivate the land. In such cases, there should be a scheme for provision of inputs free of cost for a period of three years.

(16) Enforcement of the legislation regarding money lenders should receive equal attention for preventing land alienation since indebtedness was the root cause of alienation of lands by tribals.

(17) The protective legislation for safeguarding the rights of tribals were trying to find legal solution for the economic problem. While effective implementation of the

legislations may help the permanent solution to the problem will lie in building up of the necessary economic infrastructure which will reduce the compulsions in respect of alienation of land by tribals. The strengthening of the co-operative structure, liberalisation of loan procedures, provision of consumption credit and liberal financial support for land development schemes under tribal sub-plans are some of the measures which need urgent consideration.

(18) It has been the experience in many states that the implementation of the protective legislations has not been very effective. It is necessary to have a regular machinery for detection of cases and for processing them till they are finally disposed of. Such a machinery can take a detailed survey of the lands which have been transferred during the last 30 years. Studies undertaken in Bihar indicates that during a period of 30 years, about 2 to 3% of tribals lands have been transferred. The extent of transfer has been very high near about industrial and mining areas. It will not, therefore, be difficult to take up a systematic check of all the tribal lands which have been transferred during the last 30 years. Special cells have been set up at Sub-Division & Tehsil levels for enquiring cases of illegal transfer of lands. In Andhra Pradesh Special Tahsildars, Additional Tahsildars of Revenue Inspections have been appointed to detect cases of illegal alienation.

(19) Adequate arrangements should be made for provision of legal aid to tribals for defending their rights. In areas of tribal concentration, lawyers should be specially retained for defending cases involving tribals relating to protective legislation. They may be paid permanent retainer and daily fees or fees based on the number of cases dealt with.

(20) In West Bengal 'Operation Barga' has succeeded in recurring 1.26 lacs Scheduled Tribe Bargadars till March, 1980. The tenancy legislation in many of the States do not recognise share-croppers in law though in practice tenancy continues. By wishing away the question of tenancy, the reality in the field is ignored and no proper protection is given to the share-croppers. This is a general issue which relates not only to tribals but also to other classes of the community.

IV. Evaluation of on-going programmes and existing potential for development.

(1) Any monitoring and evaluation of the on-going programmes would serve only limited ends, therefore we may discover where the fault lies—whether that is in the nature of the scheme itself or whether it is on account of faulty implementation. The more important point to consider is whether a total change in approach is not required with the existing power structure and the social set up; not much can be achieved. Sometimes we even discover lack of strong political will to push through a really beneficial programme. Sometimes even the existing laws are not implemented in right spirit and backward and poorer tribals continue to suffer. It is therefore necessary that we should have a new look at programmes of tribal development and evolve suitable strategy which really benefit them.

(2) However even in the existing set up monitoring and evaluation is extremely essential, for this purpose machinery should be evolved in the tribal welfare department. It is, however, questionable whether a machinery functioning under the department itself would be in a position to provide bold and unbiased evaluation. But for monitoring itself the departmental machinery can be made use of and suitably strengthened. For this purpose the Government of India may be approached for financial assistance. For evaluation it will be useful to associate independent agencies who have experience in the field.

V. Administrative Infra structure position

(1) The financial outlays in the State Plan are now being determined at the stage of preparation of the Five Year Plan and the Annual Plans for the entire tribal sub-plan area. The linkage between the Plan allocation and provision in the budget is however not uniform. The States are at present showing Sub-Plan outlays in respect of each

major functional head under separate sub-heads for tribal sub-plan. In the State of Gujarat, Maharashtra, Rajasthan, Madhya Pradesh and Himachal Pradesh, all outlays under the various major functional heads for the tribal sub-plan areas are being pooled under one Area Demand for the tribal sub-plan. This picture had given sufficient flexibility to the Tribal Development Departments for utilisation of funds and their re-appropriation from one sector to another during the course of the year after the budget is passed. The practice is that the outlays under each major functional heads are placed at the disposal of the concerned Heads of the Departments who are responsible for executing the programmes as in the other areas. The Tribal Welfare Department does the overall coordination at the State level. It is therefore recommended that this practice may be accepted in other states also.

(2) According to the concept of the sub-plan, the State level plan for the tribal areas comprises the project plans prepared at that level. In many states this planning exercises from below has not been fully implemented and different Departments are merely allotting funds to the various projects on an ad-hoc basis. It will be necessary that Planning at the project level and the Block level should begin and at least broad picture of different programmes, project-wise should be available before the final Annual Plan is prepared at the State level.

(3) The sub-plan scheme also envisages delegation of substantial financial and administrative powers to the project level. This again largely remains to be implemented in many States. The Project authorities should be given powers for sanctioning individual schemes upto Rs. 5 lakhs. This should apply to schemes included in the Budget after due pre-budget scrutiny.

(4) While the above provisions are expected to take care of major programmes in different Sectors in the project it will be necessary to provide a nucleus funds for items of local development to meet unforeseen requirements or tackling a problem special to the area of the tribal community. An amount equivalent to 5% of the total annual sub-plan outlay for the project may be given to the project authority for utilisation according to the general guidelines that may be issued by the State Government. This arrangement is already in vogue in Gujarat and Madhya Pradesh.

(5) Keeping the above financial arrangements in view the administration for tribal development has to be suitably organised. At the State level the Tribal Welfare Department is headed by the Tribal Development Commissioner. In some States the Tribal Development Commissioner is a field officer and there is a separate officer to function as Secretary of Department. The better arrangement should be to combine both the field and secretariat functions at the state level, with adequate extra staff support to the commissioner for field supervision work. This will help in speeding up the work and ensure better coordination of field and secretariat functions.

(6) The Administrative structure for planning and implementation of Tribal Development Programme will have to be organised on the basis of the concept of area development with focus on development of tribal communities. The Block is accepted as the smallest unit for planning and implementation. A group of Blocks, two or more, may comprise a Tribal Development Project. The size of such a Project in each case may depend on the local situation. This Project may, as far as possible conform to the administrative boundaries prevalent in different states like sub-divisions in Bihar and Orissa so that the existing administrative structure is not disturbed but is fully taken advantage of.

(7) There should be a Project authority for each Project area comprising the District Collector as the Chairman, Project Administrator as Vice-Chairman and district heads of technical departments as Members. The Project Administrator should be of the rank of the Additional District Magistrate. In case the Project is co-terminous with a sub-division, the S.D.O. may be designated as Project Administrator and the post should be up-graded to the level

of Additional District Magistrate. He should be given suitable additional support for carrying on the normal duties of S.D.O. The Project Authority should be responsible for planning and overseeing implementation of the total developmental programme of the Project area. The implementation of these programmes will, however, remain the responsibility of the concerned technical departments. The Project Administrator should be the leader of the team and should be given powers to write confidential reports of all the project level developmental officers working in the project areas.

(8) As already mentioned earlier, the Block is the unit of planning and implementation in the field. Therefore, the B.D.O. should work directly under the overall supervision, control and guidance of the Project Administrator.

(9) At the district level the administrative arrangements are already well defined. However, adequate staff support have to be provided for various programmes in the district. In the administrative structure envisaged above the collector has specific responsibility for planning, implementation, monitoring and evaluation of all the programmes in the project area falling within his district. He should be provided adequate staff support to enable him to discharge his above responsibilities for the project areas.

(10) The administrative structure below the project level should be as simple as possible and over specialisation should be avoided. For example, each project area need not be provided with separate engineering personal for roads and buildings. Similarly in the veterinary field there need not be separate officers for minute specialities. All related technical personnel should work under the leadership of the senior most officer in the related departments at the project level.

(11) No administrative structure however perfect it may be, can deliver the goods unless it is properly manned. Experience all over the country has shown that a large number of posts are lying vacant particularly in the Tribal areas thereby jeopardising the developmental efforts. Time has come when serious thought has to be given to remedy this situation. It has to be admitted that Tribal areas suffer from certain disabilities like lack of housing, educational and medical facilities etc. Consequently there is strong disinclination on the part of Government officials to serve in these areas.

Therefore to attract suitable personnel to serve in the Tribal areas, the following measures are recommended:

- (i) The place of posting in Tribal areas should be graded on the basis of accessibility, availability of social services etc. and suitable special pay should be given to persons posted there.
- (ii) Scholarships to enable children of such person as are posted in places without a Middle School or a High School should be given subject to a maximum of two children.
- (iii) Free-housing should be provided to all personnel working in the Tribal areas. In case residential accommodation is not available, suitable compensatory allowance should be given.
- (iv) Long term benefit should also be given to persons rendering satisfactory service of 5 years or more in the Tribal areas in the shape of higher pension and gratuity on retirement.
- (v) Preference should be given to the personnel who have worked in the Tribal areas in the selections for foreign assignment/training abroad and award of fellowships etc.
- (vi) All personnel of the State and the All India Services should be obliged to serve in the Tribal areas within three years of their initial entry into service.
- (vii) Personnel serving in the Tribal areas should be encouraged to learn recognised tribal dialects for which training facilities should be provided. Those who undergo such training and attain required proficiency should be given lump-sum-monetary rewards.
- (viii) Special care should be taken for selecting right type of personnel for service in the Tribal areas particularly at the level of Block Development Officers, Project Technical heads and Project Directors. Their tenure in a Project should be for a minimum period of 3 years and it would be fair to give them postings at good places on completion of such tenure in Tribal areas.
- (ix) The Central Government should provide special funds under Article 275(i) of the Constitution for raising the level of administration in the Tribal areas and the measures suggested above should, qualify for such assistance.

ANNEXURE VI

State-wise Population of Scheduled Tribes

(in lakhs)

Sl. No.	State/UTs	Total population	Scheduled Tribes Population			
			As per 1971 Census	%age to total population (Col. 4 to 3)	Revised as per the Constitution SC ST Order Amendment Act, 1976	Percentage to total population (Col. 6 to 3)
1	2	3	4	5	6	7
1.	Andhra Pradesh	435.03	16.58	3.81	22.26	5.12
2.	Assam	146.25	16.07	10.99	16.07	10.98
3.	Bihar	563.53	49.33	8.75	49.33	8.75
4.	Gujarat	266.97	37.34	13.99	37.57	14.07
5.	Haryana	100.37	..	..	..	..
6.	Himachal Pradesh	34.60	1.42	4.10	1.42	4.10
7.	Jammu & Kashmir	46.17	..	..	..	..
8.	Karnataka	292.99	2.31	0.79	2.62	0.89
9.	Kerala	213.47	2.69	1.26	1.93	0.90
10.	Madhya Pradesh	416.54	83.87	20.13	98.15	23.56
11.	Maharashtra	504.12	29.54	5.86	38.41	7.56
12.	Manipur	10.73	3.34	31.13	3.34	31.13
13.	Meghalaya	10.12	8.14	80.43	8.14	80.43
14.	Nagaland	5.16	4.58	88.76	4.58	88.76
15.	Orissa	219.45	50.72	23.11	50.75	23.13
16.	Punjab	135.51	..	..	..	..
17.	Rajasthan	257.66	31.26	12.13	31.35	12.17
18.	Sikkim	2.10	..	..	0.52	24.76
19.	Tamil Nadu	412.00	3.12	0.76	4.50	1.09
20.	Tripura	15.56	4.51	28.98	4.51	28.98
21.	Uttar Pradesh	883.41	1.99	0.23	1.99	0.23
22.	West Bengal	443.12	25.33	5.72	26.03	5.87
23.	A. & N. Islands	1.15	0.18	15.65	0.18	15.65
24.	Arunachal Pradesh	4.68	3.69	78.85	3.69	78.85
25.	Chandigarh	2.57	..	..	..	..
26.	Dadra & Nagar Haveli	0.74	0.64	86.49	0.64	86.49
27.	Delhi	40.66	..	..	..	..
28.	Goa, Daman & Diu	8.58	0.07	0.82	0.07	0.82
29.	Lakshadweep	0.32	0.30	93.75	0.30	93.75
30.	Mizoram	3.32	3.13	94.28	3.13	94.28
31.	Pondicherry	4.72	..	..	..	..
	TOTAL	5481.60	380.15	6.94	411.48	7.51

ANNEXURE VII

Percentage of Literacy among Scheduled Tribes

Sl. No.	State/UTs	Percentage of literacy in 1971					
		Total Population including Scheduled Tribes			Schedule Tribes		
		Total	Male	Female	Total	Male	Female
1	2	3	4	5	6	7	8
INDIA	.	29.45	30.45	18.70	11.30	17.63	4.85
State/UTs							
1. Andhra Pradesh	.	24.57	33.18	15.75	5.34	8.47	2.13
2. Assam*	.	28.72	37.19	19.27	26.03	34.62	17.16
3. Bihar	.	19.94	30.64	8.72	11.64	18.45	4.85
4. Gujarat	.	35.79	46.11	24.75	14.12	21.83	6.15
5. Haryana	.	26.89	37.29	14.89	..	..	..
6. Himachal Pradesh	.	31.96	43.19	20.23	15.89	26.25	5.53
7. Jammu and Kashmir	.	18.59	26.75	9.28	..	..	..
8. Kerala	.	60.42	66.62	54.31	25.72	32.01	19.40
9. Karnataka	.	31.52	41.62	20.97	14.85	21.71	7.67
10. Madhya Pradesh	.	22.14	32.70	10.92	7.62	13.05	2.18
11. Maharashtra	.	39.18	51.04	26.43	11.74	19.06	4.21
12. Manipur	.	32.91	46.04	19.53	28.71	38.64	18.87
13. Meghalaya	.	29.49	34.12	24.56	26.45	30.11	22.79
14. Nagaland	.	27.40	35.02	18.65	24.01	30.17	17.68
15. Orissa	.	26.18	38.29	13.92	9.86	16.38	2.58
16. Punjab	.	33.67	40.38	25.90	..	..	..
17. Rajasthan	.	19.07	28.74	8.46	6.47	12.03	0.49
18. Tamil Nadu	.	39.46	51.78	26.86	9.02	13.34	4.48
19. Tripura	.	30.98	40.20	21.19	15.03	23.60	6.04
20. Uttar Pradesh	.	21.70	31.50	10.55	4.59	11.51	5.58
21. West Bengal	.	33.20	42.81	22.42	8.92	14.49	3.09
22. A. & N. Islands	.	43.59	51.64	31.11	17.85	24.14	11.17
23. Arunachal Pradesh	.	11.29	17.82	3.71	5.20	8.72	1.70
24. Chandigarh	.	61.56	66.97	54.35	..	..	..
25. Dadra & Nagar Haveli	.	14.97	22.15	7.84	8.90	15.30	2.59
26. Delhi	.	55.61	63.71	47.75	..	..	..
27. Goa, Daman & Diu	.	44.75	54.31	35.09	12.73	20.33	5.08
28. Lakshadweep	.	43.66	56.48	30.56	41.37	54.06	28.94
29. Pondicherry	.	46.02	57.29	34.62	..	..	..

*Includes Mizo District now constituted as Union Territory.

ANNEXURE VIII

Year-wise outlay and Expenditure during Fifth Plan and 1978-79 under Tribal Sub-Plan

(Rs. in lakhs)

Year	OUTLAY			EXPENDITURE		
	State Plan	Special Central Assistance	Total	State Plan	Special Central Assistance	Total
1	2	3	4	5	6	7
1974-75	2337.47	430.50	2767.97	2524.91	308.93	2833.84
1975-76	7206.73	2000.00	9206.73	6056.86	1459.87	7516.75
1976-77	18073.41	4000.00	22073.41	16109.18	2368.27	18477.45
1977-78	24746.06	5499.40	30245.46	22292.39	5148.70	27441.09
1978-79	33244.32	6745.81	39990.13	28961.08	6496.50	35457.58
Total (1974—79)	85607.99	18675.71	104283.70	75944.44	16782.27	91726.71

Source : Ministry of Home Affairs.

ANNEXURE IX

Sector-wise Expenditure — Tribal Sub-Plan during 1974-79

(Rs. in lakhs)

Sector	Expenditure 1974—79	Percentage
1	2	3
1. Agriculture and Allied Services Sectors	26533	28.92
2. Cooperation	4770	5.20
3. Water & Power Development	25048	27.31
4. Industries and Minerals	3409	3.72
5. Transport and Communications	9643	10.51
6. Social and Community Services	19940	21.74
7. Economic & General Services	2384	2.60
Total	91727	100.00

Source : Ministry of Home Affairs.

ANNEXURE X
Tribal Sub-Plan — Outlay and Expenditure—1974-79

(Rs. in lakhs)

Sl. No.	State/UTs	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	4452.54	895.00	5347.54	4048.93	803.13	4852.06
2.	Assam	2439.00	909.00	3348.00	2310.31	721.51	3031.82
3.	Bihar	17717.00	2472.00	20459.00	15087.00	2742.00	17829.00
4.	Gujarat	8000.00	1639.00	9639.00	7151.19	1629.00	8780.19
5.	Himachal Pradesh	1459.15	3377.42	1836.57	1304.52	288.62	1593.14
6.	Karnataka	436.50	84.50	521.00	149.21	68.00	217.21
7.	Kerala	208.47	86.50	294.97	181.60	98.64	280.24
8.	Madhya Pradesh	16590.00	5080.25	21670.25	11726.00	3801.81	15527.81
9.	Maharashtra	10703.00	1240.25	11943.25	9716.49	1006.25	10722.74
10.	Manipur	3071.43	438.00	3509.43	3403.91	4418.06	3821.97
11.	Orissa	9627.47	2717.15	12344.62	9695.07	1907.95	11603.02
12.	Rajasthan	4420.00	1081.35	5301.35	5107.04	1045.65	6152.69
13.	Tamil Nadu	430.72	152.50	583.22	376.38	150.00	526.38
14.	Tripura	1614.13	326.40	1940.53	1556.92	289.27	1846.19
15.	Uttar Pradesh	95.64	46.25	141.89	67.12	26.85	93.97
16.	West Bengal	4313.00	734.00	5047.00	3876.00	704.00	4580.00
17.	A & N Islands	135.87	85.14	221.01	111.40	48.95	160.35
18.	Goa, Daman & Diu	94.07	41.00	135.07	75.35	32.58	107.93
	Grand Total	85607.99	18675.71	104283.70	75944.44	15782.27	91726.71

Source: Ministry of Home Affairs.

S. P.—State Plans :

S. C. A.—Special Central Assistance.

ANNEXURE XI

Selected Physical Achievements under Tribal Sub-Plan 1974-79

I. Additional Area brought under Minor Irrigation		Hectares	V. Villages provided with water supply		Number
Andhra Pradesh	.	60,768	Andhra Pradesh	.	340
Assam	.	21,585	Himachal Pradesh	.	21
Bihar	.	45,000	Karnataka	.	1,987
Manipur	.	600	Orissa	.	5,792
Orissa	.	1,03,400	Uttar Pradesh	.	20
Tripura	.	432	A. & N. Islands	.	6
			Gujarat	.	300
			Rajasthan	.	278
II. Additional Area brought under Soil Conservation			VI. Alienated Land restored to Tribals		In Hectares approx
Andhra Pradesh	.	6,804	Andhra Pradesh	.	20,000
Assam	.	8,564	Bihar	.	8,960
Bihar	.	62,940	Gujarat	.	7,085
Gujarat	.	46,608	Maharashtra	.	7,920
Himachal Pradesh	.	280	Orissa	.	6,250
Manipur	.	649	Tripura	.	550
Orissa	.	32,970	Madhya Pradesh	.	1,200
Rajasthan	.	3,315			
Tripura	.	427			
West Bengal	.	2,061			
III. Villages Electrified		Number	VII. Enrolment of Tribal children (1977-78)		Percentage
Andhra Pradesh	.	926			6-11 years
Bihar	.	2,342			11-14 years
Gujarat	.	95	Andhra Pradesh	.	49.4
Maharashtra	.	1,78	Assam	.	79.0
Orissa	.	1,119	Bihar	.	68.13
Rajasthan	.	652	Himachal Pradesh	.	78.0
Tripura	.	41	Madhya Pradesh	.	41.5
			Maharashtra	.	72.0
			Orissa	.	62.2
			Rajasthan	.	35.6
			Tamil Nadu	.	50.9
			Uttar Pradesh	.	55.0
			West Bengal	.	52.24
IV. Area under Horticulture		Hectares			
Andhra Pradesh	.	12,082			
Bihar	.	50,000			
Himachal Pradesh	.	2,661			
Karnataka	.	46			
Orissa	.	14,000			
Rajasthan	.	930			

Source : Ministry of Home Affairs.

ANNEXURE XII

State-wise and sector-wise expenditure in Tribal Sub-Plan areas during 1974-78 from State Plan funds and Special Central assistance

(Rs. in lakhs)

Sl. No.	State/UTs	Sectors	AGRICULTURE AND ALLIED PROGRAMMES			COOPERATION		
			Source	State Plan	Special Central Assistance	Total	State Plan	Special Central Assistance	Total
1	2		3	4	5	6	7	8
1.	Andhra Pradesh		303.61	388.42	692.03	6.54	14.64	325.25
2.	Assam		542.21	120.19	662.40	93.31	94.20	21.18
3.	Bihar*		2045.20	777.00	2822.20	119.68	116.78	187.51
4.	Gujarat@				2016.47			236.46
5.	Himachal Pradesh		195.87	86.65	282.52	11.28	13.39	24.67
6.	Karnataka* @				18.69			4.72
7.	Kerala* @				21.42			2.18
8.	Madhya Pradesh*		2749.92	1465.64	4215.56	480.21	297.18	777.39
9.	Maharashtra@				1479.45			549.46
10.	Manipur		245.28	114.05	368.33	88.16	23.95	112.11
11.	Orissa		1411.49	716.56	2128.05	201.71	363.26	564.97
12.	Rajasthan		461.18	498.07	958.25	73.96	108.23	182.19
13.	Tamil Nadu* @				57.19			30.00
14.	Tripura		393.61	13.13	406.74	6.80	21.70	28.50
15.	Uttar Pradesh* @				11.10			6.65
16.	West Bengal		499.70	70.14	569.84	..	..	..
17.	A. & N. Islands				Not Available			
18.	Goa, Daman & Diu		15.03	13.60	28.63	6.00	3.00	9.00
		11 States	8845.93	4262.45	13108.38	1087.65	1056.33	2143.98
	Grand Total	6 States@			3604.32			918.26
		Total			16712.70			3062.24

*Information relates to the years 1976-77 and 1977-78 only.

@Sector-wise State Plan and S.C.A. components (of Expenditure) in respect of these six States is not available.

£ Sector-wise Information relating to A & N Islands is not available.

ANNEXURE XII (Contd.)

(Rs. in Lakhs)

Sl. No.	State/UTs	Sectors Source	Water and Power Development			Industries and Minerals		
			State Plan	Special Central Assistance	Total	State Plan	Special Central Assistance	Total
1	2		3	4	5	6	7	8
1.	Andhra Pradesh		934.95	0.61	935.56	5.44	20.51	25.95
2.	Assam		50.24	..	50.24	55.45	65.57	121.02
3.	Bihar		2583.00	..	2583.00	459.08	135.32	594.40
4.	Gujarat				592.32			178.59
5.	Himachal Pradesh		196.33	..	196.33	8.07	9.10	17.17
6.	Karnataka				1.19			7.07
7.	Kerala				..			..
8.	Madhya Pradesh		1508.29	..	1508.29	114.07	43.64	157.71
9.	Maharashtra				1369.94			13.69
10.	Manipur		..	..	..	455.60	20.66	476.26
11.	Orissa		4055.31	..	4055.31	329.97	53.01	382.98
12.	Rajasthan		3938.27	..	3938.27	16.07	13.95	30.02
13.	Tamil Nadu				10.00			1.78
14.	Tripura		29.28	..	29.28	34.14	3.58	37.72
15.	Uttar Pradesh				2.40			
16.	West Bengal		857.50	..	857.50	76.19	6.26	82.45
17.	A. & N. Islands				— NOT AVAILABLE —			
18.	Goa, Daman & Diu		3.30	..	3.30		1.57	4.75
		11 States	14156.47	0.61	14157.08	1557.26	373.17	1930.43
		6 States			1975.85			201.13
		Total			16132.93			2131.56

ANNEXURE XII (Contd.)

(Rs. in lakhs)

Sl. No.	State/UTs	Sectors Source	Transport and Communication			Social and Community Services		
			State Plan	Special Central assistance	Total	State Plan	Special Central Assistance	Total
1	2		3	4	5	6	7	8
1.	Andhra Pradesh		311·87	24·66	336·53	733·05	58·70	791·75
2.	Assam		169·77	..	169·77	304·01	11·00	315·01
3.	Bihar		598·28	84·00	682·28	2054·69	168·18	2222·87
4.	Gujarat				828·19			1623·95*
5.	Himachal Pradesh		204·05	..	204·05	180·85	16·97	197·82
6.	Karnataka				5·05			61·97
7.	Kerala				20·68			32·93
8.	Madhya Pradesh		625·95	173·00	798·95	1413·61	619·29	2032·90
9.	Maharashtra				1360·77			1289·93
10.	Manipur		..	..	..	460·21	30·55	490·76
11.	Orissa		708·32	81·32	789·64	2036·70	121·41	2158·11
12.	Rajasthan		492·49	..	492·49	498·56	45·77	544·33
13.	Tamil Nadu				95·00			44·03
14.	Tripura		212·87	..	212·87	279·28	135·83	415·11
15.	Uttar Pradesh				25·84			8·51
16.	West Bengal		368·90	19·40	388·30	540·75	22·08	562·83
17.	A. & N. Islands		--- NOT AVAILABLE ---					
18.	Goa, Daman & Diu		3·47	..	3·47	18·78	..	18·78
		11 States	3715·47	382·38	4097·85	8503·70	1229·78	9733·48
		6 States			2335·53			3061·32
		Total			6433·38			12794·80

*Includes Rs. 81 lakhs for scarcity work.

ANNEXURE XII (Contd.)

(Rs. in lakhs)

Sl. No.	State/UTs	Sectors Source	Economic and General Services			Grand Total		
			State Plan	Special Central Assistance	Total	State Plan	Special Central Assistance	Total
1	2		3	4	5	6	7	8
1.	Andhra Pradesh		..	33.54	33.54	2295.46	541.08	2836.54
2.	Assam		..	3.76	3.76	1214.99	294.72	1509.71
3.	Bihar		20.81	43.99	64.50	7874.03	1324.97	9199.00
4.	Gujarat				155.19	4686.96@	1033.00*	5719.96
5.	Himachal Pradesh		16.97	6.29	23.26	813.42	132.40	945.82
6.	Karnataka		..	..	..	61.59@	37.10*	98.69
7.	Kerala			45.91*	45.91	77.21	45.91*	123.12
8.	Madhya Pradesh		..	..	..	6892.05	2598.75	9490.80
9.	Maharashtra				1112.16	6435.47@	739.93*	7175.40
10.	Manipur		..	..	..	1258.25	189.21	1447.46
11.	Orissa		..	64.90	64.90	8743.50	1400.46	10143.96
12.	Rajasthan		0.85	25.96	26.81	5481.38	690.98	6172.36
13.	Tamil Nadu		..	..	..	145.00@	93.00*	238.00
14.	Tripura		6.04	..	6.04	962.02	174.24	1136.26
15.	Uttar Pradesh				2.00	40.41@	16.09*	56.50
16.	West Bengal		..	..	..	2343.04	117.88	2460.92
17.	A. & N. Islands					94.93**	17.82	112.75
18.	Goa, Daman & Diu					49.76	18.17	67.93
		11 States	44.67	178.14	222.81	37927.90	7482.86	45410.76
Grand Total		6 States@		45.91*	1315.26	11541.57	1982.85*	13524.42
		Total		224.05	1538.07	49469.47	9465.71	58935.18

As on 30-7-79 @Sector-wise State Plan and SCA components (of Expenditure) in respect of these six States is not available. State-Plan figures have been estimated after deducting antd. SCA expr. from Totals.

§ Sector-wise break-up of expenditure during 1974-78 is not available. Therefore, figures are given in Grand Total Columns.

*These figures relate to anticipated expr. from Spl. Central Assistance in Sub-Plan areas upto 1977-78 and were obtained from the State Govt. Sector-wise break-up of this expr. is not available. These have been, therefore, given in total column and used for estimating State Plan Expenditure upto 1977-78.

Source: Ministry of Home Affairs.

ANNEXURE XIII

Percentage of Cultivators and Agricultural Labourers amongst Scheduled Tribes Workers in States/UTs — 1971

Sl. No.	State/UTs	Male Workers		Female Workers		Total	
		Cul.	Agri. Lab.	Cul.	Agri. Lab.	Cul.	Agri. Lab.
1	2	3	4	5	6	7	8
	INDIA	63.0	27.3	42.7	49.0	57.6	33.0
	<i>States</i>						
1.	Andhra Pradesh	43.4	40.3	22.0	55.9	36.1	49.1
2.	Assam	86.8	5.7	88.2	3.9	87.0	5.4
3.	Bihar	67.5	22.4	39.3	50.9	61.9	28.1
4.	Gujarat	54.0	35.0	35.1	59.4	48.3	42.3
5.	Himachal Pradesh	77.7	2.6	89.8	3.8	82.5	3.1
6.	Kerala	25.1	54.2	4.9	77.2	17.7	62.6
7.	Madhya Pradesh	69.5	25.5	44.1	52.4	62.2	32.2
8.	Maharashtra	46.3	45.0	32.0	64.1	41.2	51.9
9.	Manipur	82.8	0.5	97.0	0.3	89.6	0.4
10.	Meghalaya	76.6	9.3	80.8	9.9	78.4	9.6
11.	Mysore	31.5	40.5	15.6	54.2	26.3	45.0
12.	Nagaland	82.7	1.0	97.1	1.0	89.6	1.0
13.	Orissa	58.0	32.5	22.5	59.3	52.4	36.7
14.	Rajasthan	85.0	8.4	61.3	30.2	81.7	11.5
15.	Tamil Nadu	50.6	32.9	29.6	49.1	44.9	37.3
16.	Tripura	77.2	18.7	64.6	28.3	75.4	20.1
17.	Uttar Pradesh	77.5	8.9	81.8	7.1	78.5	8.4
18.	West Bengal	39.1	42.5	8.4	67.3	31.2	49.0
	<i>Union Territories</i>						
19.	A. & N. Islands	0.1	0.1	..	..	..	0.1
20.	Arunachal Pradesh	92.1	1.3	97.6	1.7	94.8	1.5
21.	Dadra & Nagar Haveli	77.9	15.3	75.6	22.2	76.9	18.5
22.	Goa, Daman & Diu	22.1	37.6	13.3	66.0	19.2	47.5
23.	Lakshadweep	..	..	..	..	..	..

ANNEXURE XIV

State covered under Tribal Sub-Plan Area	Act Regulation	Main Provision
1	2	3
1. Andhra Pradesh	The Andhra Pradesh (Scheduled Areas) Land Transfer (Amendment Regulation, 1970.	Prohibits transfer of land to non-tribals whether the owner is tribal or non-tribal Authorises Govt. to acquire land in case a tribal purchaser is not available.
2. Assam	The Assam Land and Revenue Regulations, 1886.	Prohibits alienation of land in tribal blocks.
3. Bihar Outside Chottanagapur & Santhal Parganas	Chhotanagpur Tenancy Act, 1908 Santhal Pargana Tenancy (Supplementary Provisions) Act, Scheduled Area Regulations, 1969. Bihar Tenancy Act, 1885.	Prohibits alienation of land of tribals and provides for restoration of alienated land.
4. Gujarat	Bombay Land Revenue Code, 1979	Do.
5. Himachal Pradesh	The Himachal Pradesh Transfer of Land (Regulation) Act, 1968.	Do.
6. Karnataka	The Karnataka Scheduled Castses and Scheduled Tribes (Prohibition of Transfer of certain lands) Act, 1978.	Prohibits transfer of certain lands granted to persons belonging to scheduled Tribes.
7. Kerala (Not yet enforced)	The Kerala Scheduled Tribes (Restriction of Transfer of Land and Restoration of Alienated Lands). Act, 1975.	Do.
8. Madhya Pradesh	Madhya Pradesh Land Revenue Code, 1959	Prohibits alienation of land.
9. Manipur	Manipur Land Revenue and Land Reforms Act, 1960.	No transfer of land by a member of Scheduled Tribes to a non-member is valid without the permission of the Deputy Commissioner and District Council.
10. Maharashtra	Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974 The Maharashtra (Restoration of lands to Scheduled Tribes Act, 1974).	Prohibits alienation of land and provides for restoration of alienated land.
11. Orissa (within Scheduled Area) (Outside Scheduled Area)	The Orissa Scheduled Area Transfer of Immoveable property (Scheduled Tribes Regulation, 1956). The Orissa Land Reforms Act, 1960.	Do.
12. [Rajasthan	The Rajasthan Tenancy Act, 1955. The Registration (Rajasthan Amendment Act, 1976)	Do.
13. Tamil Nadu	The Board's Standing Orders.	Land assigned to specified Hill Tribals shall not be transferred to persons not belonging to the same class without permission of Divisional Officer.
14. Tripura	The Tripura Land Revenue and Land Reforms Act, 1974.	Prohibits alienation of land and provides for restoration of alienated land.
15. Uttar Pradesh	Uttar Pradesh Zamindars' Alienation of land.	Imposed restriction on transfer of land by Scheduled Tribes to non-Scheduled Tribes without permission of the Collector.
16. West Bengal	The West Bengal Land Reforms Act	Prohibits alienation of land.

ANNEXURE-XV

The position in the States/Union Territories in regard to Act/Regulation for prevention of land alienation is given below.

ANDHRA PRADESH

The Andhra Pradesh Scheduled Areas Land Transfer Regulation 1959, originally stood for prohibiting alienation of lands by tribals in favour of non-tribals without the prior permission of the competent authority. In 1970, this Regulation was amended and the Andhra Pradesh (Scheduled Areas) Land Transfer (Amendment) Regulation, 1970 prohibits absolutely the transfer of immoveable property in the Scheduled Areas in favour of any non-tribal. Exceptions were however made in cases of partition of devolution by succession. The burden of proof was on the non-tribal in occupation of the land that his occupation was valid and did not attract the provisions of the Regulation. This legislation also provides that where a person was unable to sell any land to a tribal, he may offer it to Government, who will take over the land on payment of reasonable compensation. With a view to ensuring that the restrictions imposed do not impede the flow of credit to tribals in the Scheduled Areas, an amendment has been made during 1971 providing for mortgage of land without possession in the Scheduled Areas to the Land Mortgage Banks and other financial institutions approved by Government, subject to the condition that in case of default, the land so mortgaged shall be sold only to tribals or a co-operative society consisting solely of tribals.

ASSAM

It was the Assam Land and Revenue Regulation Act, 1964, which for the first time made sincere beginning to restrict alienation of land belonging to the scheduled tribes in areas constituted into Tribal Belts and Tribal Blocks. In the hill areas there are two autonomous districts: (a) Karbi Anglong District, and (b) North Cachar Hill District to which the provision of Sixth Schedule is applicable. The District Council of these Districts have exclusive power under para (3) of the Sixth Schedule of the Constitution to make laws in respect of land and on other specified matters. The interests of the tribals in lands in the hill districts are adequately safeguarded. Although legislative measures have been taken by the Assam Government to stop the practice of transfer of Tribal land to non-tribals, they do not seem to work well. For instance, in Dhekia Juli, Anchalik panchayat of Tejur Sub-Division and in areas adjoining Bhutan borders in Mangaldai Sub-Division, the Scheduled Castes and Scheduled Tribes were found to have transferred their lands to Bangla Desh refugees and the Nepalees. Even areas within tribal belts and blocks were being encroached upon in the recent past.

BIHAR

Section 46 of the Chhotanagpur Tenancy Act, 1908 prohibits the transfer by raiyats of the rights of in land. It permits the tribal raiyats of the Chhotanagpur region to transfer his right on land by sale, exchange, gift or will to another resident tribal only with the previous sanction of the Deputy Commissioner. The Santhal Parganas Tenancy (Supplementary Provisions) Act, 1949 contains far more restrictive provisions in respect of transfers of land by a raiyat tribal on non-tribal and that too only in favour of another tribal who is resident of the same Pargana. The Scheduled Areas Regulation 1969, empowers the Deputy Commissioner to suo-moto enquire into any case of illegal alienation having taken place within 30 years (as compared to the Limitation Act period of 12 years), set it aside and restore the land to the original raiyat even without payment of compensation. It also contains penal provisions against the transfer in cases of illegal alienation of land and provides that the Deputy Commissioner should be a necessary party to all proceedings relating to the illegal alienation of tribal lands. The incidence of land alienation in the State is greater around urban and industrial complexes.

In the recent past, the Bihar Scheduled Areas Regulation 1969 was enacted to make certain provisions and to amend certain laws in their application to the Scheduled Areas in the State of Bihar. Section 71-A provides for restoration of possession to members of Scheduled Tribes over land unlawfully transferred. It also provides that if the transferee has constructed a substantial building or structure on land before the coming into force of the Regulation, the transfer shall be validated where the transferee either makes available to the transferor an alternative holding or portion thereof as the case may be of the equivalent value in the vicinity or pays adequate compensation for rehabilitation of the transferor. Section 71-B provides for imprisonment and or fine for such unlawful transfers. It is also provided that in case of continuing offence a further fine not exceeding Rs. 50/- for each day shall be inflicted.

GUJARAT

In Gujarat, under the Bombay Land Revenue Code 1879, transfer of land from tribal to non-tribal has been prohibited without the permission of the District Collector, and is applicable to the Scheduled Areas of the State in which the survey and settlement under the said Code has not been introduced. Now that most of the Scheduled Areas have been surveyed, the State Government propose to amend the Land Revenue Code 1879 to impose restrictions on transferability of occupancy held by tribals. In the meantime, the State Government have constituted six teams to detect cases of alienation of lands from village to village and also to restore them to the tribals.

HIMACHAL PRADESH

The Himachal Pradesh Transfer of Land (Regulation) Act 1968, has been enacted for the tribals of the State. Under Section 3 of this Act, no transfer of land belonging to a tribal to the non-tribal can take place without written permission of the Deputy Commissioner concerned. Any transfer in violation of the provision of the Act is void. Transfer is permissible in favour of the Government, Cooperative Societies, Land Mortgage Banks for securing credit.

KARNATAKA

The problem of alienation of tribal land was no doubt known to the State Government, but legislative measures were not taken to provide special protection to tribals until 1960. The areas which have been transferred from Bombay to Karnataka (formerly Mysore State) have been governed by the Bombay Tenancy and Agricultural Lands Act, 1948. The Act has restricted the transfer of land in general from agriculturists to non-agriculturists. In areas, transferred to Karnataka from erstwhile Hyderabad State, the Hyderabad Tenancy and Agricultural Land Act, 1950 provides security of land tenure to all varieties of agricultural tenants including Scheduled Castes and Scheduled Tribes. In Coorg area, security has been provided through executive measures to transfer land permanently to Scheduled Castes and Scheduled Tribes tenants, if they have been in the occupation of the same land for 12 years. In case some objections are raised by the owners of such land, the same are acquired by the State Governments at its own cost and allotted to Scheduled castes and Scheduled Tribes persons. The State have imposed restrictions prohibiting the alienation of lands allotted to the Scheduled Castes and Scheduled Tribes for a period of 35 years without the prior permission of the State Government. Mysore Land Revenue (Amendment) Rule 1960 has made special provision to assign land to members of scheduled castes and scheduled tribes and the land so assigned under this rule, cannot be alienated for a period of 15 years from the date of possession taken by the grantee. Such land however could be alienated with the previous permission of the State Government, subject to such condition as the Government may specify.

KERALA

Under Section 18(4) of the Kerala Land Reforms Act 1963, no land in possession of tenant who is a member of scheduled caste or scheduled tribe shall be resumed. The Kerala Scheduled Tribes (Restriction of Transfer of land and restoration of alienation lands) Act 1975, received the assent of the President on 11-11-1975. Under the Act, transfer of immoveable property possessed, enjoyed or owned by a member of scheduled tribe to a person other than a member of scheduled tribe, effected on or after 1-1-1960 and before the commencement of the act is deemed to be invalid. In such cases, possession is to be restored on application of the person entitled to possession or any person authorised on his behalf to the Revenue Divisional Officer, within one year from the date of commencement of the Act or such further period as may be specified by Government by notification in the gazette.

MADHYA PRADESH

Under Section 165(6) of the M.P.L.P. Code 1959, no member of scheduled tribes can transfer his rights to a non-tribal without the permission of the Collector. Section 168(1) of the said Code mentions that "except in cases provided in holding for more than one year during any consecutive period of three years". Again, Section 169 states that "if a Bhumiswami leases out for any period whatsoever any land comprised in his holding in contravention of Section 168, the right of an occupancy tenant shall there upon accrue to the lessee in such land". The tribals used to lease their lands to non-tribals when they were short of money or inputs or implements. Thus the effect was that the non-tribals had the opportunities to acquire Bhumiswami rights of lands of tribals leased to them without being required to obtain the Collector's permission.

MAHARASHTRA

The Maharashtra Land Revenue Code and Tenancy Law (Amendment) Act 1974, had been brought into force with effect from 6th July, 1974. This Act provides for restoration to the Tribal his land alienated to non-tribal prior to 6th July, 1974 in contravention of the provisions of the Land Revenue Code or any other law for the time being in force. The Act also imposes stricter restriction on future alienation of Tribal land to non-tribal. A non-tribal cannot now acquire tribal's land without the prior permission of the Collector. Where the transfer is by way of sale, gift or lease or mortgage of more than 5 years duration, prior approval of State Government is required to be taken before Collector grants permission for such a transfer.

WEST BENGAL

The West Bengal Land reforms Act relating to alienation of tribal lands is in force. The revenue officers of the Districts are required to refer all cases of land alienation to the Director of Scheduled Castes and Scheduled Tribes welfare for necessary orders. The State Government has also drawn up a programme of purchasing lands of tribals by Government which are required to be sold out for meeting some emergent needs of the tribal owners and where tribal purchasers are not available.

ORISSA

The Orissa Scheduled Areas "Transfer of Immoveable Property Regulation" was issued by the Government to control and check transfer of immoveable property in the Scheduled Areas by the Scheduled Tribes. This Regulation led to the repeal of (i) Agency Tracts Interest and Transfers Act, 1917, (ii) Orissa Merged States Laws Act, 1950 and (iii) Central

Provinces Tenancy Act 1898. The Regulation makes null and void any transfer of immoveable property by a member of Scheduled Tribe to a non-tribal without the previous consent in writing of a competent authority. There is also a provision of restoration of transferred property made in contravention of the provisions of the Regulation to the transferor or to his heirs if it is found practicable, or if not found so, the property vests in the *Gramsabha*. The Regulation could not be brought into operation before 1959 as rules under it were framed only in 1959. In respect of non-scheduled areas, similar provisions prohibiting transfer of immoveable properties from a tribal to a non-tribal without the prior permission of a competent authority were made under Section 22 and 23 of the Orissa Land Reforms Act, 1960. Regulation II of 1956 has been amended with effect from 19-12-1975 with a view to safeguarding the interest of tribals more effectively. The amended Regulation provides for (1) enhancing limitation from 12 years to 30 years for restoration, (2) getting institutional finances for agriculture, (3) ignoring admission of Scheduled Tribe person in the courts against his own interest (4) rigorous imprisonment and fine for unauthorised occupation, (5) summary eviction of a non-tribal transferee (6) not refunding the consideration money paid by the transferee to the transferor for the invalid transfer.

RAJASTHAN

The State passed the Rajasthan Tenancy Act 1955 and under Amendment Act 1956, provision was made that no land belonging to persons of Scheduled Tribe can be transferred to non-tribals without the permission of competent authority. However, the legislative measures cease to work when the tribals yield out to non-tribals. The transfer of lands are neither recorded nor declared in the legal terms in such private transactions. Tribals' lands were being alienated by the ingenious methods like purchasing land in the name of a tribal working under a non-tribal creditor or under some other obligation. Also, the cases of sale of the tribal land to another tribal for appropriation of the sale proceeds for repayment of debt and interest to the creditor, purchase of tribal land by well to do tribals, etc. were not prohibited under the law. In 1971, a provision was made for raising the period of limitation from 3 years to 12 years for filing an application for illegal transfers.

TAMIL NADU

All the acts benefit scheduled tribes in a general way in so far as their protection of rights in land as tenants and owners are concerned. The Madras Cultivating Tenants Protection Act 1955, provides that no cultivating tenant should be evicted from his land except on the prescribed conditions. Further, a tenant who was in possession of any land on 1st December, 1953 and was evicted subsequently should be restored to the land subject to certain conditions.

WEST BENGAL

As to prevention of alienation of lands, Chapter II-A of the West Bengal Land Reforms Act 1955 provides for restriction of alienation of land by Scheduled Tribes. Any transfer by a raiyat belonging to the Scheduled Tribe of his holding or part thereof, shall be void. The chapter also empowers Revenue Office to cancel invalid transfers and evict transfers from the holding transferred after making necessary enquiry, in case it is found that permission for transfer was obtained by misrepresentation or fraud. There is a provision in the Act to eject the transferee from such holding or part thereof, provided he has not been in continuous possession for 12 years under the transfer made in contravention of the Act, or in the case of a complete usufructuary mortgage entered into with a Scheduled Tribe person for a period not exceeding seven years for 12 years from the expiry of the period of 7 years.

ANNEXURE XVI

State-wise Literacy Rates among General Population and Scheduled Tribes by Sex
Percentage of Literacy in 1961 and 1971

Sl. No.	State/UTs	TOTAL POPULATION					
		Persons		Males		Females	
		1961	1971	1961	1971	1961	1971
1	2	3	4	5	6	7	8
	INDIA	24.03	29.34	34.45	39.51	12.95	18.44
1.	Andhra Pradesh	21.19	24.56	30.19	33.27	12.03	15.65
2.	Assam	29.19	28.81	39.71	37.74	17.11	18.91
3.	Bihar	18.40	19.79	29.83	30.60	6.90	8.49
4.	Gujarat	30.45	35.72	41.13	46.17	19.10	24.56
5.	Himachal Pradesh	21.26	31.32	32.31	42.30	9.49	20.04
6.	Kerala	46.85	60.16	54.97	66.54	38.90	53.90
7.	Karnataka	25.40	31.54	36.15	41.87	14.19	20.76
8.	Madhya Pradesh	17.13	22.12	27.03	32.76	6.73	10.84
9.	Maharashtra	29.82	39.08	42.04	51.30	16.76	25.97
10.	Manipur	30.42	32.80	45.12	46.16	15.93	19.22
11.	Meghalaya	18.47	28.48	21.44	32.94	15.36	23.70
12.	Nagaland	17.91	27.33	24.04	34.42	11.34	19.21
13.	Orissa	21.66	26.12	34.68	38.35	8.65	13.75
14.	Rajasthan	15.21	18.79	23.71	28.42	5.84	8.26
15.	Tamil Nadu	31.41	39.39	44.54	51.68	18.17	26.83
16.	Tripura	20.24	30.87	29.61	40.56	19.10	20.55
17.	Uttar Pradesh	17.65	21.64	27.30	31.76	7.02	10.18
18.	West Bengal	29.28	33.05	40.08	42.84	16.98	22.08
19.	A. & N. Islands	33.63	43.48	42.43	51.54	19.37	30.96
20.	Arunachal Pradesh	7.13	9.34	12.25	14.60	1.42	3.54
21.	Dadra & Nagar Haveli	9.48	14.85	14.71	22.00	4.05	7.77
22.	Goa, Daman & Diu	30.75	44.53	39.04	54.45	23.02	34.48
23.	Lakshadweep	23.27	43.44	35.80	56.26	10.98	30.36
24.	Mizoram						
				Included in Assam			

ANNEXURE XVI (Contd.)

Sl. No.	State/UTs	SCHEDULED TRIBES					
		Persons		Males		Females	
		1961	1971	1961	1971	1961	1971
1	2	9	10	11	12	13	14
	INDIA	8.53	11.30	13.83	17.63	3.16	4.85
1.	Andhra Pradesh	4.41	5.34	7.26	8.47	1.48	2.13
2.	Assam	23.58	26.03	31.09	34.62	15.72	17.16
3.	Bihar	9.16	11.64	15.22	18.45	3.18	4.85
4.	Gujarat	11.69	14.12	19.06	21.83	4.09	6.15
5.	Himachal Pradesh	8.63	15.89	15.37	26.25	1.74	5.53
6.	Kerala	17.26	25.72	22.63	32.01	11.92	19.40
7.	Karnataka	8.15	14.85	13.24	21.71	2.81	7.67
8.	Madhya Pradesh	5.10	7.62	9.25	13.05	0.97	2.18
9.	Maharashtra	7.21	11.74	12.55	19.06	1.75	4.21
10.	Manipur	27.25	28.71	37.03	38.64	17.67	18.87
11.	Meghalaya		26.45		30.11		22.79
12.	Nagaland	14.76	24.01	18.99	30.17	10.57	17.68
13.	Orissa	7.36	9.46	13.04	16.38	1.77	2.58
14.	Rajasthan	3.97	6.47	7.39	12.03	0.28	0.49
15.	Tamil Nadu	5.91	9.02	8.93	13.34	2.73	4.48
16.	Tripura	10.01	15.03	17.37	23.60	2.31	6.04
17.	Uttar Pradesh		14.59		22.51		5.58
18.	West Bengal	6.55	8.92	11.20	14.49	1.76	3.09
19.	A. & N. Islands	11.10	17.85	15.56	24.14	6.81	11.17
20.	Arunachal Pradesh	29.09	5.20	38.81	8.72	8.47	1.70
21.	Dadra & Nagar Haveli	4.40	8.90	8.28	15.30	0.41	2.59
22.	Goa, Daman & Diu		12.73		20.33		5.08
23.	Lakshadweep	22.27	41.37	34.40	54.06	10.61	28.94
24.	Mizoram						

—Included in Assam—

ANNEXURE XVI (Contd.)

Sl. No.	State/UTs	Extent of variation in Literacy rates between General Population and total population					
		Persons		Males		Females	
		1961	1971	1961	1971	1961	1971
1	2	15	16	17	18	19	20
	INDIA	15.50	18.04	20.62	21.88	9.79	13.59
1.	Andhra Pradesh	16.78	19.22	22.93	24.80	10.55	13.52
2.	Assam	5.61	2.78	8.62	3.12	1.39	1.75
3.	Bihar	9.24	8.15	14.61	12.15	3.72	3.64
4.	Gujarat	18.76	21.60	22.07	24.34	15.01	18.41
5.	Himachal Pradesh	12.63	15.43	16.94	16.05	7.75	14.51
6.	Kerala	29.59	34.44	32.34	34.53	26.98	34.50
7.	Karnataka	17.25	16.69	22.91	20.16	11.38	13.09
8.	Madhya Pradesh	12.03	14.50	17.78	19.71	5.76	8.66
9.	Maharashtra	22.61	27.34	29.49	32.24	15.01	21.76
10.	Manipur	3.17	4.09	8.09	7.52		
11.	Meghalaya						
12.	Nagaland	3.15	3.32	5.05	4.25	0.77	1.53
13.	Orissa	14.30	16.66	21.64	21.97	6.88	11.17
14.	Rajasthan	11.24	12.32	16.32	16.39	5.56	7.77
15.	Tamil Nadu	25.43	30.37	35.61	38.38	15.44	22.35
16.	Tripura	10.23	15.84	12.24	16.96	16.79	14.51
17.	Uttar Pradesh						
18.	West Bengal	22.73	24.13	28.88	28.35	15.22	18.99
19.	A. & N. Islands	22.53	25.63	26.87	27.40	13.06	19.79
20.	Andhra Pradesh	21.96	4.14	26.56	5.88	7.05	1.84
21.	Dadra, & Nagar Haveli	5.08	5.96	6.43	13.72		
22.	Goa, Daman & Diu						
23.	Lakshadweep	1.00	2.07	1.00	21.86	0.37	1.42
24.	Mizoram						

Included in Assam

ANNEXURE XVII

Growth of Literacy amongst Major Tribal Communities 1961-71

Tribe	Male	Female	Total	Male	Female	Total	Male	Female	Total
1	2	3	4	5	6	7	8	9	10
1. Bhil	8.96	1.16	5.12	12.02	1.81	6.98	3.06	0.65	1.86
2. Gond	12.04	1.19	6.57	15.87	2.59	9.20	3.83	1.40	2.63
3. Ho	17.32	1.89	9.34	22.14	3.24	12.51	4.82	1.35	3.17
4. Khond	12.94	1.20	6.99	13.99	1.52	7.73	1.05	0.32	0.74
5. Mina	9.56	0.28	5.16	15.32	0.57	8.30	5.76	0.29	2.14
6. Munda	18.13	4.88	11.45	20.99	7.57	14.33	2.86	2.67	2.68
7. Naga	18.50	10.35	14.43	29.74	17.39	23.64	11.24	7.04	9.21
8. Oraon	16.17	4.99	10.58	22.43	8.56	15.49	6.26	3.57	4.91
9. Santhal	10.58	1.22	5.92	13.65	2.03	7.87	3.07	0.81	1.95

ANNEXURE XVIII

Growth of Schools in Koraput

Year	Primary	Middle	High
1947-48	482	13	5
1953-54	504	12	6
1958-59	926	18	10
1963-64	2,178	20	26
1968-69	2,478	126	52
1973-74	3,768	162	60
1977-78	3,923	290	81

ANNEXURE XIX

Total Enrolment at all levels from 1964-65 to 1976-77

Year	(in 000's)		
	All Communities	Scheduled Tribes	%age to total enrolment
1	2	3	4
1964-65	6,74,17	28,10	4.2
1965-66	7,05,55	29,79	4.2
1966-67	7,37,00	30,60	4.2
1967-68	7,65,82	31,50	4.1
1968-69	8,29,94	32,41	3.9
1969-70	8,10,27	33,53	4.1
1970-71	8,24,03	33,52	4.1
1971-72	8,45,69	35,47	4.2
1972-73	8,91,30	40,16	4.5
1973-74	Not Published		
1974-75	9,36,65	42,73	4.6
1975-76	9,52,86	44,43	4.7
1976-77	9,97,21	48,56	4.9

Source : Progress of Education of Scheduled Castes and Scheduled Tribes, 1976-77, Ministry of Education and Culture p. 2.

ANNEXURE XX

Co-efficient of Equality of Enrolment

Sl. No.	Type of Institutes	Co-efficient of Equality*			
		1960-61	1965-66	1970-71	1976-77
1	2	3	4	5	6
1. Pre-Primary		29.9	42.5	45.4	97.5
2. Primary/Jr. Basic		69.0	77.0	75.2	96.8
3. Middle/Sr. Basic		41.4	42.5	47.0	56.1
4. High/Higher Secondary		14.9	19.5	24.0	29.4
5. General Higher Education		11.5	13.8	14.6	26.7
6. All Institutions		54.0	57.5	54.7	65.4

*Co-efficient of Equality

*Let us assume that the Scheduled Tribes population is 'B' and that the enrolment of scheduled tribe students in educational institutions is 'A'. Let us further assume that the population of other communities is 'D' and that their enrolment is 'C'. Then the "Co-efficient of equality" is defined as follows:

$$\frac{\text{Proportion of Scheduled Tribe enrolment to their population}}{\text{Proportion of enrolment from other communities to the total population of such communities}} = \frac{A/B}{C/D} \times 100$$

If equality of educational opportunity were to be provided to scheduled tribes it is clear that the proportion of their enrolment in any given category of educational institutions to their total population would be the same as that of the the enrolment of other communities in the same category of educational institutions to the total population of other communities. In other words, the coefficient of equality as defined above, should be 100. In practice, however, this coefficient will either be more than 100 or less than 100. If it is more than 100, we may infer that, in this particular type of education, the scheduled tribes are ahead of the other communities. On the other hand, where the coefficient of the equality is less than 100, it can be inferred that the scheduled tribes are lagging behind the other communities.

ANNEXURE XXI

Enrolment figures for Classes VI—XI as per cent of Class I Enrolment—Koraput

St. No.	Category	Class I	Class								
			III	V	VI	VII	VIII	IX	X	XI	
1	2	3	4	5	6	7	8	9	10	11	
1.	Rural	Boys	100	27	5	2.89	2.37	1.37	1.19	0.83	0.72
2.		Girls	100	17	4	1.74	1.21	0.43	0.32	0.25	0.22
3.		Total	100	23	5	2.52	2.00	1.07	0.91	0.64	0.56
4.	Urban	Boys]	100	61	41	38.77	31.19	36.79	37.48	25	22
										74	95
5.		Girls	100	54	36	29.17	23.07	23.60	17.83	13	11
										77	65
6.		Total	100	58	39	34.64	27.69	31.10	26.17	20	18
										61	
7.	Total	Boys	100	28	7	4.70	3.83	3.17	2.77	2.10	1.85
8.		Girls	100	20	6	3.90	2.93	2.26	1.70	1.31	1.12
9.		Total	100	25	7	4.44	3.53	2.87	2.42	1.84	1.81

ANNEXURE XXII

Enrolment Position amongst KANDHA

St. No.	Name of the Block	Child Population 6—11	Enrolment in Classes					Total	%age to 6—11 child population
			I	II	III	IV	V		
1	2	3	4	5	6	7	8	9	10
1.	Koraput	341	73	130	101	2	2	308	90.3
2.	Semiliguda	697	280	110	129	6	3	528	75.8
3.	Pottangi	1161	547	305	188	36	17	1091	94.0
4.	Nandapur	691	153	107	63	55	27	405	58.6
5.	Dasmanthapur	722	280	267	99	23	8	657	90.0
6.	Laxmipur	2801	398	400	532	150	76	1556	54.01
7.	Narayanpatna	3172	545	893	655	73	42	2210	69.7
8.	Bandhugam	2873	749	885	618	87	48	2387	83.1
9.	Khoiraput	326	37	83	52	..	..	172	52.8
10.	Kudumulugumma	735	160	89	45	1	..	295	40.1
11.	Kundra	422	89	68	26	1	1	185	43.8
12.	Rayagada	6240	1045	921	587	288	25	2266	47.5
13.	Kashipur	5551	900	757	768	153	53	2631	47.4
14.	K. Singhpur	4758	327	854	538	82	77	1878	39.5
15.	Kolnara	6685	1035	1018	799	159	82	3093	46.3
16.	Gunupur	507	81	127	105	17	6	336	66.3
17.	Gudari	1285	247	322	161	30	10	770	59.9
18.	Ramanaguda	636	130	153	93	12	4	392	61.6
19.	Padmapur	677	191	192	178	19	2	582	86.0
20.	Chandrapur	2551	620	528	421	57	26	1652	64.8
21.	B. Cuttack	5893	1551	1029	627	76	64	3307	56.1
22.	Muniguda	2098	492	268	152	16	9	936	44.6

ANNEXURE XXIII

Enrolment amongst PARAJA

Sl. No.	Name of the Block	Child population 6—11	Enrolment in Classes					Total	% ge child Population to 6—11
			I	II	III	IV	V		
1	2	3	4	5	6	7	8	9	10
1.	Koraput	1955	572	545	478	47	27	1669	85.37
2.	Semilliguda	1744	536	367	130	8	8	1047	60.03
3.	Pottangi	904	427	241	166	25	14	873	96.57
4.	Nandapur	2376	965	575	340	69	43	1992	83.84
5.	Lamtaput	550	522	235	116	63	41	977	93.05
6.	Dasmanthpur	2572	874	371	286	40	19	1590	67.09
7.	Laxmipur	860	184	200	366	50	48	848	98.60
8.	Malkangiri	416	142	51	52	10	11	266	63.94
9.	Kundumulugumma	986	371	186	149	19	10	735	74.77
10.	Jeypore	1556	446	258	168	6	9	887	47.23
11.	Boipariguda	525	229	115	70	1	4	419	80.58
12.	Kundra	707	244	138	58	6	1	447	63.22
13.	Borigumma	2169	390	401	173	58	15	1037	38.28
14.	Nowrangpur	1162	244	176	164	108	80	772	58.75
15.	Nandahandi	735	72	103	92	19	6	292	39.95
16.	Tentulikhunti	1514	221	282	209	21	14	747	49.35
17.	Papadahandi	1312	361	195	115	16	13	700	53.35
18.	Dabugam	344	120	62	46	19	1	248	72.09
19.	Chandahandi	1251	214	199	220	49	25	707	56.51
20.	Kashipur	1344	325	284	172	44	27	852	63.77

ANNEXURE XXIV

Enrolment amongst KOYA

Sl. No.	Name of the Block	Child population 6—11	Enrolment in classes					Total	Percentage to child population
			I	II	III	IV	V		
1	2	3	4	5	6	7	8	9	10
1.	Malkangiri	1514	527	282	130	18	5	962	63.5
2.	Korukonda	4515	1332	1032	728	75	39	3205	71.0
3.	Kalimela	7610	1569	653	256	28	8	2514	33.0
4.	Podia	2593	1149	589	325	59	35	2167	83.6
5.	Mathili	310	86	78	17	31	15	227	73.2
Total		16641	4663	2635	1456	211	102	9096	54.7

ANNEXURE XXV

Enrolment amongst certain tribes in Sindhwa Block of 1980

Tribes—Sub-Caste	CLASSES											
	I			II			III			IV		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Bailala	785	170	955	720	150	870	412	97	509	282	67	49
			100			91.1			53.3			36.5
2. Bhil	72	12	84	37	7	44	23	6	29	1	2	3
			100			52.4			34.5			3.6
3. Barela	39	0	39	..	..	..	..	..	..	..	..	..
			100									
4. Patalia	20	..	20	8	..	8	8	..	8	8	..	15
			100			40			40			
5. Scheduled Caste and others	36	7	43	28	11	39	22	15	37	13	6	19
			100			90.7			86.0	..		44.2

ANNEXURE XXV (Contd.)

Tribes—Sub-Caste	CLASSES											
	V			VI			VII			VIII		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	14	15	16	17	18	19	20	21	22	23	24	25
1. Bailala	147	..	154	67	3	70	2	..	2	34	3	37
			16.1			7.3			0.21			3.6
2. Bhil	..	..	..	1	..	1	2	1	3	1	..	1
						1.4			4.2			12
3. Barela	..	..	..	..	..	..	..	..	..	..	..	..
4. Patalia	1	..	1	..	..	..	..	..	..	..	..	..
			5									
5. Scheduled Caste and others	7	6	13	10	2	12	3	..	3	1	1	2
			30.2			33.3			8.3			5.5

ANNEXURE XXV (Concl'd.)

Tribes—Sub-Caste	CLASSES									
	IX			X			XI			
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	
1	26	27	28	29	30	31	32	33	34	
1. Bailala	29	..	29	11	..	11	3	..	3	
			3.0			1.1			0.2	
2. Bhil	..	..	..	..	..	..	..	..	..
3. Barela	..	..	..	..	..	..	..	..	..
4. Patalia	..	..	..	..	..	..	..	..	..
5. Scheduled Caste and Others	3	..	3	..	..	..	1	..	..
			8.3						2.1	

ANNEXURE XXVII

Enrolment of Children of different tribes of Bajaj Block, Mandla (1980)

Tribes—Sub-Caste	CLASSES											
	I			II			III			IV		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Gond	493	226	719	369	137	506	292	112	404	255	83	338
			100			70.4			56.2			47.0
2. Baiga	70	49	119	55	30	85	63	16	79	62	12	74
			100			71.4			66.4			62.2
3. Pardhan	15	15	30	12	9	21	9	11	20	16	22	38
			100			70			66.6			126.6
4. Kol	49	20	69	36	7	43	12	9	21	27	7	34
5. Bharia	2	..	2	..	1	1	..	1	1	..	..	..
			100			50			50			..
6. Ageria	1	2	3	2	..	2	1	1	2	..	..	..
			100			66.6			66.6			..
7. Uranva	..	2	2	..	..	..	..	..	..	..	..	..
			100			..			..			..
8. Scheduled Caste	62	23	85	44	7	51	38	5	43	21	2	23
			100			60			50.6			27.1
9. Others	277	168	445	249	135	384	236	122	358	139	84	243
			100			86.3			73.7			54.6

ANNEXURE XXVII (Contd.)

Tribes—Sub-Caste	CLASSES											
	V			VI			VII			VIII		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	14	15	16	17	18	19	20	21	22	23	24	25
1. Gond	149	56	205	169	35	204	111	25	136	90	20	110
			28.5			28.4			18.9			15.3
2. Baiga	33	..	33	22	..	22	2	..	2	4	..	4
			27.7			18.5			1.7			3.4
3. Pardhan	7	10	17	16	9	25	8	11	19	14	24	38
			56.6			83.3			63.3			126.6
4. Kol	10	1	11	15	1	16	4	1	5	5	..	5
5. Bharia	..	..	..	2	..	2	1	..	1	1	..	1
6. Ageria	1	..	1	..	..	..	..	..	..	..	..	..
			33.6			..			..			..
7. Uranva	..	..	..	1	1	2	..	..	..	..	..	..
8. Scheduled Caste	20	8	28	24	8	32	13	2	15	13	2	15
			32.9			37.6			17.6			17.6
9. Others	110	62	172	105	41	146	73	27	100	53	12	65
			38.6			32.8			22.4			14.6

ANNEXURE XXVII (Concl'd.)

Tribes—Sub-Caste	CLASSES								
	IX			X			XI		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	26	27	28	29	30	31	32	33	34
1. Gond	52	13	65	37	8	45	48	6	54
			9.0			6.3			7.5
2. Baiga	..	..	..	1	..	1	..	..	..
						0.8			
3. Pardhan	14	3	17	11	3	14	8	11	19
			56.6			46.6			63.3
4. Kol	2	..	2	5	..	5	..	1	1
5. Bhabia	..	..	..	..	..	..	..	..	..
6. Ageria	..	..	..	..	..	..	..	..	..
7. Urana	..	..	..	..	..	..	..	..	..
8. Scheduled Caste	5	1	6	5	1	6	6	..	6
			7.0			7.0			7.0
9. Others	27	9	36	19	10	29	29	2	31
			8.1			6.5			6.7

ANNEXURE XXVIII

Block-wise distribution of Schools in Koraput, Orissa in 1977

Name of the Block	Primary Schools	Middle Schools	Ratio of Primary School to middle school	High School	Ratio of High school to middle school
1	2	3	4	5	6
1. Bondhugam	73	3	24	..	00
2. B. Cuttack	115	11	10	2	5
3. Beipatiguda	74	5	15	1	5
4. Borigumma	132	13	10	3	4.3
5. Chandahandi	58	2	8	1	7
6. Chandrapur	56	4	28	1	2
7. D. bugam	59	4	15	1	4
8. Dasmanthapur	108	9	12	1	3
9. Gudari	73	5	15	1	5
10. Gunupur	113	11	10	2+2*	5.5/2.75*
11. Jeypore	95	7	13	5	1.4
12. Jhorigam	84	7	12	1	7
13. K. Singpur	97	8	12	1	8
14. Kalimela	107	2	53	1	2
15. Kashipur	139	11	13	2	5.5
16. Kolnara	101	6	17	2	3
17. Koraput	89	5	18	2+2*	2.5/1.25*
18. Korukonda	83	5	17	2	2.5
19. Kosagummada	110	9	12	1	9
20. Kotpad	83	6	14	2	3
21. Khoirapur	57	4	14	..	0
22. Kudumulugumma	58	4	14	..	0
23. Kundra	72	5	14	1	5
24. Lampatapur	87	5	17	1	5
25. Laxmipur	74	7	11	2	3.5
26. Malkangiri	63	10	6	2	5
27. Mathili	108	6	18	..	0
28. Muniguda	94	7	13	2	3.5
29. Nandahandi	60	6	10	..	0
30. Nandapur	121	7	17	2	3.5
31. Narayanasapatna	72	5	14	1	5
32. Nowrangapur	73	6	12	1+3*	6/2
33. Papadahandi	106	8	13	2	4
34. Padmapur	87	11	8	3	3.6
35. Podia	53	3	18	1	3
36. Pottangi	111	6	19	1	6
37. Ramonaguda	99	6	17	2	3
38. Raighar	123	7	18	1	7
39. Rayagada	122	7	17	2+4*	3.5/1.2*
40. Semiliguda	76	4	19	3	1.3
41. Tentulikunti	80	8	10	3	2
42. Umerket	115	8	14	1	
Total	3759	276		63+11	

ANNEXURE XXIX

Statewise position in respect of average membership, working capital and turnover of LAMPS against prescribed norms

Sl. No.	State/UTs	Number of LAMPS as per norm	Number of L. MPS organised	Average working capital per LAMP, against norm of Rs. 2.00 lakhs per LAMP	Average tribal membership (Number)		Average turnover of LAMPS	
					As per norm	Actual	As per norm	Actual
1	2	3	4	5	6	7	8	9
1.	Andhra Pradesh	119	..	..	1530	..	..	..
2.	Assam	123	22	1.47	1620	64	4.41	4.72
3.	Bihar	500	447	0.13	1510	490	0.39	0.07
4.	Gujarat	262	54	2.46	2060	447	7.38	2.12
5.	Himachal Pradesh	8	109	N.A.	210	N.A.	..	..
6.	Karnataka	N.A.	5	0.29	N.A.	928	N.A.	23.26
7.	Kerala	8	39	0.13	1850	N.A.	0.39	N.A.
8.	Madhya Pradesh	693	689	0.69	1800	473	2.07	3.03
9.	Maharashtra	200	258	7.50	1840	903	22.50	3.62
10.	Manipur	23	52	0.15	2720	754	0.45	N.A.
11.	Orissa	415	223	0.77	1670	1350	2.31	1.98
12.	Rajasthan	138	224	N.A.	1970	N.A.	..	N.A.
13.	Tamil Nadu	15	9	N.A.	1330	1579	..	N.A.
14.	Tripura	33	39	N.A.	2080	692	..	N.A.
15.	Uttar Pradesh	2	3	N.A.	2500	N.A.	..	N.A.
16.	West Bengal	100	43	1.60	2080	583	4.98	N.A.
17.	A. & N. Islands	2	N.A.	N.A.	1800	N.A.	..	N.A.
18.	Goa, Daman & Diu	2	N.A.	N.A.	700	N.A.	..	N.A.
Total Sub-Plan Area		2643	2216	2.12	1770	1139	0.96	2.25

ANNEXURE XXX

Lamps, Cooperatives in States

Name of the State	No. of LAMPS to be formed	No. of LAMPS organised	Membership		Total share capital	Working capital		Managerial subsidy
			Total	Tribal		Loan	Grants	
1	2	3	4	5	6	7	8	9
1. Andhra Pradesh*	119	..	N.A.	N.A.	N.A.	Rs. 202.78 lakhs	N.A.	N.A.
2. Assam . . .	123	22	6800	1407	Rs. 51.53 lakhs	..	Rs. 32.25 lakhs	Rs. 2.925 lakhs
3. Bihar . . .	500	447	408000	219000	Rs. 105.40 lakhs	Rs. 60 lakhs	N.A.	Rs. 32.75 lakhs (1977-38)
4. Gujarat . . .	262	54	72200	24150	Rs. 27.14 lakhs	..	Rs. 133 lakhs	Rs. 14.550 Three Societies
5. Karnataka . . .	N.A.	25	4639	4639	Rs. 75,000 (Govt.) Rs. 16,355 (Members)	Rs. 1,45,111/-		Rs. 1,45,000
6. Kerala . . .	8	39	8573	N.A.	Rs. 2.35 lakhs	Rs. 5.19 lakhs		N.A.
7. Madhya Pradesh . . .	693	689	615000	326000	Rs. 1114.38 Lakhs	Rs. 466.84 Lakhs	Rs. 10.75 Lakhs	Rs. 34.99 Lakhs
8. Maharashtra . . .	200	258	3.64 lakhs	2.33 lakhs	Rs. 483.86 lakhs	Rs. 7.50 lakhs (p.r society)		Rs. 82.79 lakhs
9. Manipur . . .	23	52	0.392 lakhs	0.392 lakhs	Rs. 15.48 lakhs	Rs. 3.00 lakhs	Rs. 4.85 lakhs	Rs. 0.92 lakhs
10. Orissa . . .	415	223	4.99 lakhs	3.01 lakhs	Rs. 262 lakhs	Rs. 172.00 lakhs	Rs. 17.36 lakhs	Rs. 0.20 lakh
11. Tripura . . .	33	39	31,901	26,971	Rs. 18.12 lakhs	Nil		Rs. 5.15 lakhs
12. West Bengal . . .	100	43	30,745	25,075	Rs. 31.03 lakhs	Rs. 66.20 lakhs	Rs. 5.27 lakhs	Rs. 5.34 lakhs (Co-op. Budget)

*In respect of Girijan Corporation

ANNEXURE XXX (Contd.)

Name of the State	Whether adopted model bye-laws	Representation of Tribals in Board of Management	Activities of LAMPS	Amount of credit routed through LAMPS			Has DRI scheme reached the Tribals
				Consumption	Short Term	Medium Term	
1	10	11	12	13	14	15	16
1. Andhra Pradesh	Yes	N.A.	1. Agriculture operation 2. Collection and Processing of Minor Forest Produce. 3. Agriculture activities i.e. fisheries, piggery, dairy etc. 4. Labour contract work 5. Distribution of essential commodities and consumer articles. 6. Advance loans for agriculture and allied activities.	-----	N.A.	-----	Yes
2. Assam	Yes	2/3 Tribal members in the Board of Management	Undertaking credit, marketing and distribution of essential consumer articles	30.06 (1977-78) 177.17 (1978-79)	934.75 ..	109.50 ..	Not clear
3. Bihar	Yes	N.A.	1. Public distribution of essential commodities having 75 branches at present. 2. Marketing of Hill products 3. Paddy procurement 4. Agricultural Finance 5. Supply of Agr. Implements etc. 6. Processing activities : (a) Rice milling & (b) Oil ghanies	..	Rs. 3.08 lakhs	Rs. 0.08 lakhs	No
4. Gujarat	NA		1. Provide marketing facilities 2. Provide Credit requirements 3. Provide Consumption credit	..	Rs. 68.92 lakhs	Rs. 0.92 lakhs	N.A.
5. Karnataka	Yes	2/3 Tribals in the board of management	1. Credit short term and medium term 2. Distribution of consumer goods 3. Collection and marketing of minor forest produce 4. Animal husbandry programme 5. Community minor irrigation Scheme. 6. Distribution of agricultural production requisites	Rs. 26.86 lakhs	Rs. 20.40 lakhs (Consumption)	Rs. 6.46 lakhs	On LAMP in Purulia District
6. Kerala	Yes	N.A.	1. Distribution of crop loan and medium term loan 2. Distribution of essential commodities. 3. Marketing of Agriculture produce like jute, paddy and rice.	Rs. 15.18 lakhs	Rs. 15.33 lakhs	Rs. 1.66 lakhs	No
7. Madhya Pradesh	No	Reservation	1. Providing short and medium term loans for Agriculture and Allied purposes. 2. Consumption Credit. 3. Distribution of essential commodities. 4. Collection and marketing of agriculture produce and minor forest produce. 5. Undertaking minor forest contract.		Rs. 5.19 lakhs (1977-78)		No
8. Maharashtra	N.A.		1. Purchase of Agriculture produce minor forest produce 2. Sale of domestic requirements 3. Providing credit	N.A.	N.A.	N.A.	N.A.

ANNEXURE XXX (Contd.)

1	10	11	12	13	14	15	16
9. Manipur	Yes	NA	1. Providing medium term production and consumption credit 2. Processing and marketing of agricultural forest produce 3. Supply of daily necessities	Rs. 10.00 lakhs	Rs. 16.04 lakhs	Rs. 2.20 lakhs	
10. Orissa	Yes	9 Tribals out of 11 members of Managing Committee	1. Disbursement of Agriculture credit and consumption finance 2. Procurement, marketing of Agriculture and Minor forest produce. 3. Supply of essential consumer goods/Agriculture inputs 4. Provision of storage facility 5. Development of Cottage industries 6. To provide employment to Members	Rs. 176.93 lakhs	Rs. 391.47 lakhs	N.A.	No
11. Tripura	Yes	5 Tribals (2.3) in Management Committees	1. ALL LAMPS are multifunctional. They are dealing with agriculture Credit in Short term and Medium term as well as consumption centre. 2. Procurement of Agriculture produce and Minor forest produce and their marketing, supply of seeds, fertilisers and pesticides. Sale of controlled cloth and consumer goods under public distribution system.	N.A.	Rs. 646 lakhs (from 1975 to 1979)	Rs. 391 lakhs	No
12. West Bengal	Yes	All Tribals	1. Providing Credit 2. Supply of consumer goods 3. Distribution of fertiliser and other agriculture inputs.	Nil	N.A.	N.A.	Yes

ANNEXURE XXX (Contd.)

Name of the State	Forest Labourers Cooperative Societies		Minor Forest Produce/Agricultural Produce				Value of essential articles supplied by LAMPS
	Numbers	Total Membership	Estimated Sale	Value procured by LAMPS	Estimated Sale	Value procured by LAMPS	
1	17	18	19	20	21	22	23
1. Andhra Pradesh	47	5199	N.A.	Rs. 28,768	N.A.	Rs. 4,90,000	
2. Assam	137	7070	Rs. 10 crores	Rs. 83.75 lakhs	Rs. 200 crores	Rs. 2.00 crores	Rs. 450 lakhs
3. Bihar	N.A.	N.A.	N.A.	Rs. 8.17 lakhs	N.A.	Rs. 15.36 lakhs	Rs. 78.61 lakh
4. Gujarat	108	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
5. Karnataka	N.A.	1800	N.A.	Rs. 78.29 lakhs	N.A.	Rs. 1.52 lakhs	Rs. 36.48 lakhs
6. Kerala	3	284	N.A.	N.A.	N.A.	N.A.	Rs. 20.06 lakhs
7. Madhya Pradesh	33	7842	N.A.	N.A.	N.A.	N.A.	N.A.
8. Maharashtra	N.A.	N.A.	N.A.	Rs. 130.52 lakhs	N.A.	Rs. 10.48 lakhs	N.A.
9. Manipur	127	66661	N.A.	60%	N.A.	Rs. 28.89 lakhs	Rs. 48.90 lakhs
10. Orissa	397	N.A.	N.A.	Rs. 36.74 lakhs	N.A.	Rs. 725.73 lakhs	Rs. 173.08 lakhs
11. Tripura	N.A.	N.A.	N.A.	Rs. 99.09 lakhs	N.A.	Rs. 82.20 lakhs	Rs. 260 lakhs
12. West Bengal	45	2800	N.A.	Nil	N.A.	Nil	Rs. 5 lakhs (approximate)

ANNEXURE XXX (Contd.)

Name of the State	Linkages established for LAMPS at secondary and apex level
1	24
1. Andhra Pradesh	
2. Assam	Affiliated to the Central Co-operative Banks for purposes of short term and medium term credit, both of them are functioning separately. Marketing and consumer activities of LAMPS will be looked after by the M.P. State Marketing through its branches.
3. Bihar	LAMPS are multipurpose primary Societies. No secondary societies and apex societies for LAMPS. For credit it takes loan from Assam Co-operative Apex Banks, consumers goods—from State Marketing and Consumers Federation and NCCF.
4. Gujarat	LAMPS affiliated to the State level Tribal Co-operative Development Corporation and State Marketing & Supply Federation for getting support in the marketing, supply and distribution activities.
5. Karnataka	LAMPS have been linked with District Central Co-operative Banks for obtaining credit with District Wholesale Consumer Society for supply of Consumer goods and with Marketing Societies for supply of fertilisers. For other assistance, they are linked with Tribal Development Corporation at the State level.
6. Kerala	Two tier system both in case of credit and non-credit functions is in vogue in the State
7. Madhya Pradesh	N.A.
8. Maharashtra	N.A.
9. Manipur	All have become members of District Co-operative Bank and Tribal Purchase & Sale union.
10. Orissa	LAMPS are members of concerned District Central Co-operative Bank which is the financing agency for short/medium term loans. All LAMPS are being affiliated to Maharashtra State Co-operative Tribal Development Corporation. With regard to non-credit activities, LAMPS have to establish link with Taluka Co-operative Marketing Societies for supply of inputs, consumer goods etc. The Tribal Development Corporation is also acting as a chief procuring agency for collection of agriculture and minor forest produce and LAMPS are as sub-agents.
11. Tripura	LAMPS are affiliated with concerned Central Co-operative Bank. So far credit function, the LAMPS are linked with concerned Central Co-operative Banks at the secondary level and with Orissa State Co-operative Bank at apex level.
12. West Bengal	Two tier system is adopted. LAMPS are directly affiliated to Apex Bank for credit. Apex marketing for fertiliser and other agriculture inputs and Manipur wholesale consumers society for consumer articles.

ANNEXURE XXXI

Statewise details of financial assistance sanctioned and released by the NCDC under different heads for development of cooperative in tribal areas upto 31st March, 1979

(Rs. lakhs)

Sl. No.	State UTs	Financial assistance sanctioned upto 31st March, 1979							
		Margin money	Share capital	Godowns	Transport vehicles	Processing Units	T & P Cells	Total sanctions	Total release
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	100.00	..	69.32	31.45	31.19	0.775	232.735	183.305
2.	Assam	..	0.40	..	..	9.95	..	9.35	..
3.	Bihar	10.00	0.85	156.285	1.295	9.60	..	178.710	41.287
4.	Gujarat	..	..	4.805	2.25	28.61	..	35.665	24.502
5.	Himachal Pradesh	..	0.50	4.837	2.66	..	..	7.997	3.535
6.	Karnataka	..	0.80	..	..	9.40	..	10.20	0.29
7.	Maharashtra	5.00	..	2.44	..	3.17	..	10.61	5.00
8.	Madhya Pradesh	..	8.75	51.48	..	94.75	..	154.98	44.700
9.	Manipur	..	0.40	..	..	..	..	0.40	0.400
10.	Meghalaya	30.00	1.40	14.98	7.497	..	..	53.877	45.190
11.	Nagaland	5.00	..	..	..	..	..	5.00	5.00
12.	Orissa	25.00	14.38	84.28	32.395	59.875	..	215.93	124.398
13.	Rajasthan	15.00	5.35	30.04	9.20	12.15	0.199	71.939	39.200
14.	Tripura	..	..	..	0.94	5.80	..	6.74	0.937
15.	West Bengal	..	1.00	7.125	..	74.48	..	82.605	59.329
16.	Arunachal Pradesh	15.00	..	..	4.69	..	..	19.69	19.690
17.	Andaman & Nicobar Islands	..	..	..	1.00	..	..	1.09	1.090
18.	Lakshadweep	..	..	8.40	11.17	..	..	29.57	9.140
TOTAL		205.00	33.83	443.992	105.317	337.975	0.974	1127.088	696.99

ANNEXURE XXXI

Statewise details of financial assistance sanctioned and released by the NCDC under different heads for development of cooperative in tribal areas upto 31st March, 1979

(Rs. lakhs)

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5.	Himachal Pradesh	..	0.50	4.837	2.66	7.997	3.535
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15.	West Bengal	..	1.00	7.125	..	74.48	..	82.605	59.329
16.	Arunachal Pradesh	15.00	4.69	19.69	19.690
17.	Andaman & Nicobar Islands	1.00	1.09	1.090
18.	Lakshadweep	8.40	11.17	29.57	9.140
TOTAL		205.00	33.83	443.992	105.317	337.975	0.974	1127.088	606.99