

## **CHAPTER I**

### **INTRODUCTION**

The Constitution of India, Article 366 (25) defines Scheduled Tribes as "such tribes or tribal communities or part of or groups within such tribes or tribal communities as are deemed under Article 342 to be the scheduled Tribes (STs) for the purposes of this Constitution". In the Article 342, procedure to be followed for specification of Scheduled tribe is prescribed. However, it does not contain the criterion for the specification of any community as scheduled tribe. A well-established criterion being followed is based on certain attributes such as:-

- Geographical isolation - They live in cloister, exclusive remote and inhospitable areas like hills, forests,
- Backwardness- Livelihood based on primitive agriculture, low cost closed economy based on low level of technology which leads to their poverty. They have a low level of literacy and health.
- Distinctive culture, language and religion - They have developed community wise their own distinctive culture, language and religion.
- Shyness of contact – they have margin degree of contact with other cultures and people.

As per census 2001, they constitute 8.2 per cent of total population of the country (Annexure 1). The urban population constitutes 8.3 per cent of the total Scheduled Tribe population. Out of 593 districts in the country, in 50 districts (Punjab, Haryana, Delhi, Chandigarh, Pondicherry where no Scheduled Tribe is notified) there is no Scheduled Tribe population whereas in 75 districts, the Scheduled Tribe population equal to or more than 50 per cent as shown in the table below.

### Concentration of Scheduled Tribe Population across Districts.

Sl. No.	Percentage of Scheduled Tribe population.	No. of Districts.
1	>=50	7 5
2	35-50	23
3	20-35	42
4	5-20	124
5	1-5	106
6	<1	173
7	Nil	50
	<b>Total</b>	<b>593</b>

As mentioned above, 8.3 per cent of the Scheduled Tribe population i.e. 69,77,078 constitutes as urban population. The work participation rate (WPR) as percentage of total workers to total population is the highest among Scheduled Tribes i.e. 49.1 per cent at all India level but in the states of Chattisgarh, Madhya Pradesh, Orissa, Maharashtra and Gujarat the WPR is 50 per cent or more. According to the quite often quoted old estimates of 1990, 85 lakh of Scheduled Tribes (Walter Fernandes, 1994) have been displaced for various reasons such as.

Sl. No.	Reasons for displacement of Scheduled Tribes.	No. of Displaced Scheduled Tribes. ( Lakhs)	Percentage of Total Displaced persons.
1	Dams	63.21	NA
2	Mines	13.30	NA
3	Sanctuaries	4.50	NA
4	Industries	3.13	NA
5	Others	1.25	NA
		85.31	55.16

Of all the displaced Scheduled Tribes, 64.23 per cent are yet to be rehabilitated. From the above data, it can logically be concluded that a majority or even all the Industrial Scheduled Tribes workers and their household are displaced people and among the total displaced people, they form 55 per cent whereas their population is 8.2 per cent in the total population of the country. It was perhaps due to this reason that this segment of Indian population which was clearly having the profile of impediments and further suggested the major onslaught of displacement depriving them of their most loved land and ecology that the surveys were planned to study their working and living condition in the new environment of industrial life along with their coping mechanism.

Historically, the scheduled tribes people called 'Adivasi' or indigenous people and 'Girijan' by Mahatma Gandhi have lived in hilly, mountaineous and forest areas. According to Anthropologists, Scientists of Oxford, human living first originated in Africa 120,000 years ago and about 2000 generations ago ( i.e. 50000 years) the very first migrant from Africa were Indians who perhaps be the indigenous people of our country. A Scientist of Oxford University Dr. Spencer Wells stated that all human beings are African and inferiority-superiority are mindset problems.

Land and forest acted as umbilical cord for them sustaining their life. They have deified them and call them 'Dehta' as in Himachal Pradesh. They perceived their sylvan surroundings as generator, operator and destroyer and developed symbiotic relationship with them. They not only protected nature but also worshipped it. In return, nature protected them through the phenomenon of natural selection in their red corpuscles are sickle-shaped which provide them immunity against malaria, Even before Tsunami could strike the Indian costal region, the tribal inhabiting those areas perceived reached at the safer places and survived the disaster.

Before independence, the British rulers driven by increasing demand for timber and other forest products and minerals due to impulses of industrialization

in their own country, dispossessed the tribals of their rights on land and community rights on forest products by enactment of laws like Land Acquisition Act, 1894 and the Forest Act, 1927. The tribes people who love 'peace' perceived it an attack on their socio-economic and political systems, rose in rebellion against the alien domination through revolts in 1820, 1832, 1855-57 and 1890 by the Ho, Oraon, Kol and Santhals. Even after independence, their exploitation did not cease, their rights continued eroding, their command over land, forest, air, water continued losing, their Human Development Index and infrastructural indices Tables continued plummeting. The Forests Conservation Act, 1980, Procedure of Reservation of Forests, the Coal Bearing Area (Acquisition and Development) Act, 1957, the National Minerals Policy 1993 enhanced their deprivation.

It does not mean that sincere efforts were not made after independence. The constitution provided for provisions for Fifth Schedule, Sixth Schedule, reservations and provisions for infrastructure development in Schedules in Article 275 (1) the protection of Civil rights Act, 1955, the Lokar Commission, Schedules in Article 275 (I). Debar Commission (1961) SC/ST (Prevention of Atrocities) Act, 1989, issue of Sardar dam 18th sept, 1990 by Ministry of Environment and Forest, Bhuria Committee (1955), Provision of the panchayat (Extension of Scheduled Areas) Act, 1996, Bhuria Commission (2004). In Samantha case V/s. State of Andhra Pradesh. Supreme Court decided that the State is also a 'person' and therefore cannot alienate lands in the scheduled areas to non-tribals or private industries. The Tribal sub plan (TSP) strategy was evolved in Fifth Five Year Plan under which 195 ITDPS/ ITDAS, 259 MADA pockets, 82 Clusters and 75 Primitive Tribal Groups (PTG) are being financed. Special Central Assistance to Tribal Sub Plan (SCA to TSP) is also being provided by the Planning Commission. From 7th Finance Commission (1979-84) onwards, funds have also devolved on improvement of administration of scheduled areas. The Ministry of Tribal Affairs, Ministry for Development of Northeast Areas, National Commission for Scheduled Tribes and Northeast Council have been created. The State Governments have

also enacted Land Alienation laws, Money Lending Regulation and Debt redemption Laws.

“Notwithstanding the patently pro-tribal cum legislative- cum constitutional frames adopted by the State from time to time, the measures have been kin-deep, without the will to implement and enforce them. By and large, the planned development process has not achieved its objectives. Since many decades and particularly in the recent past, apart from socio-economic deprivation, the rising tempo of general development (i.e. Planned development process across all sections of the people ) has caused steady erosion of tribal rights as well as command over the basic livelihood resources. i.e. Land, forest, water, air etc. (Para II, page 22, Report of Working Group on Empowerment of Scheduled Tribes for the 11<sup>th</sup> five year plan, Planning Commission, January 2007).

“India is said to be on the fast track to economic growth. But estimated by 300 millions people survive on “ less then a dollar a day”. The other India, the India of tribal people is at the subsistence level, that is, at very bottom of the 300 millions. The tribal scenario is desolate with increasing deprivation of every sort. There are situations where tribal drinking-water sources like flowing streams and springs have been polluted on account of mining, industrial etc. activities or just tapped away from their use, while they have had to watch helplessly on the sidelines. Livelihood and economic resources have been expropriated. For bolstering the general economy, tribal families have been ejected from their habitation, house and hearths, their total life support systems, traumatizing them. Unemployment has been in rise not on a few occasions, but tribal men, women and children have been subject to physical and sexual assaults on flimsy and untenable excuses, even by their official protectors. On the one hand, the rule of law has been taken on wings and on the other, the victims have been dehumanised through economic, physical emotional and economic insecurity. Their spirit is being broken. It is in this context that the desperate tribal, particularly the youth, succumb to violent ideologies like Naxalism, Maoism,

seeking to overturn their fortune through the power of the Gun.” (para 14 page 23-24 ibid)

“The State should be toasted for its unique disparities towards tribal people revealed by its laudable constitutional legal policy framework. But that has been no guarantee of its machinery translating its pious intents into field reality. The tribes people themselves have hardly had the capacity to seize on the measures. The present is the opportunitive to ponder over their own empowerment.” (para 15,page 24, ibid)

Even the Honorable Supreme Court of India have recently called upon the Chattisgarh Govt. to do away with Salwa Jaudum, self-defense groups created by tribal people against the Naxal attacks. The State should look at the problem from socio-economic and humane angle and solve it with deepening of democracy, more participation of tribals in administration and better policing instead of implementing laws like Chattisgarh Special Public Security Act.

It is in the light of the background given above, the survey research design and its implementation have been discussed in the ensuing chapters of the report.