

STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT (2015-16)

(SIXTEENTH LOK SABHA)

MINISTRY OF TRIBAL AFFAIRS

Action taken by the Government on the observations/recommendations contained in the Thirteenth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2015-16) of the Ministry of Tribal Affairs

TWENTY-SECOND REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2015/Pausha, 1937 (Saka)

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Presented to Lok Sabha on 22.12.2015

Laid in Rajya Sabha on 22.12.2015



**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2015/Pausha, 1937 (Saka)

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**COMPOSITION OF THE STANDING COMMITTEE ON SOCIAL
JUSTICE AND EMPOWERMENT (2015-2016)**

SHRI RAMESH BAIS - CHAIRPERSON

**MEMBERS
LOK SABHA**

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3. Kunwar Bharatendra Singh
4. Shri Santokh Singh Chaudhary
5. Shri Sher Singh Ghubaya
6. Shri Jhina Hikaka
7. Shri Prakash B. Hukkeri
8. Shri Bhagwant Khuba
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10. Smt. K. Maragatham
11. Shri Kariya Munda
12. Prof. Seetaram Ajmeera Naik
13. Shri Asaduddin Owaisi
14. Sadhvi Savitri Bai Phule
15. Dr. Udit Raj
16. Smt. Satabdi Roy (Banerjee)
17. Prof. Sadhu Singh
18. Smt. Neelam Sonkar
19. Smt. Mamta Thakur
20. Shri Tej Pratap Singh Yadav
21. Vacant

**MEMBERS
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24. Shri Ahamed Hassan
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26. Shri Prabhat Jha
27. Smt. Mohsina Kidwai
28. Shri Praveen Rashtrapal
29. Shri Nand Kumar Sai
30. Smt. Vijila Sathyananth
31. Smt. Wansuk Syiem

LOK SABHA SECRETARIAT

1. Shri Ashok Kumar Singh - Additional Secretary
2. Shri Ashok Sajwan - Director
3. Smt. Mamta Kemwal - Additional Director
4. Shri Yash Pal Sharma - Senior Executive Assistant

INTRODUCTION

I, the Chairperson, Standing Committee on Social Justice and Empowerment (2015-16) having been authorized by the Committee to submit the Report on their behalf, do present this Twenty-second Report on the action taken by the Government on the observations/recommendations contained in the Thirteenth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants – 2015-16 of the Ministry of Tribal Affairs.

2. The Thirteenth Report was presented to Lok Sabha and laid in Rajya Sabha on 28th April, 2015. The Ministry of Tribal Affairs furnished their replies indicating action taken on the recommendations contained in that Report on 23rd July, 2015. The Report was considered and adopted by the Standing Committee on Social Justice and Empowerment at their sitting held on 17th December, 2015.

3. An analysis of the action taken by Government on the recommendations contained in the Thirteenth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) is given in Appendix.

4. For facility of reference observations/recommendations/comments of the Committee have been printed in thick type in the body of the Report.

NEW DELHI;

17 December, 2015
26 Agrahayana, 1937 (Saka)

RAMESH BAIS
Chairperson,
Standing Committee on
Social Justice and
Empowerment

REPORT

CHAPTER I

1.1 This Report deals with the action taken by the Government on the observations/recommendations contained in the Thirteenth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2015-16) of the Ministry of Tribal Affairs.

1.2 The Report was presented to Lok Sabha and laid on the Table of Rajya Sabha on 28th April, 2015. It contained 18 recommendations. Replies of Government in respect of all the recommendations have been examined and are categorized as under:

- (i) Observations/Recommendations, which have been accepted by the Government :

Para Nos. 2.14, 2.15, 2.16, 2.17, 2.19, 2.33, 2.34, 2.44, 2.53, 2.57, 2.65, 2.71, 2.79, 2.86 and 2.93

(Total 15 – Chapter II)

- (ii) Observations/Recommendations which the committee do not desire to pursue in view of the replies of the Government :

Para No. 2.94

(Total 1 – Chapter III)

- (iii) Observations/Recommendations, in respect of which replies of the Government have not been accepted and which require reiteration :

Para Nos. 2.18 and 2.20

(Total 2 - Chapter IV)

- (iv) Observations/Recommendations in respect of which replies of the Government are interim in nature :

(Nil – Chapter V)

1.3 The Committee desire that Action Taken Notes on the recommendations contained in Chapter-I of this Report may be furnished to them at the earliest and in any case not later than three months of the presentation of this Report.

1.4 The Committee will now deal with some of the replies received from the Government which need reiteration or merit comments.

A. Redesigning primary and secondary health services in Scheduled Areas

(Recommendation, Para 2.18)

1.5 Having noted with concern that the disease of Sickle Cell Anaemia is very high among tribal community which is attributable to scant medical facilities in tribal area and negligible awareness among the tribals, the Committee had desired that Research Centres be set up in tribal areas so that counseling could be given at an early stage of the disease. The Committee also desired that the Ministry of Tribal Affairs in coordination with the Ministry of Health and Family Welfare redesign primary and secondary health services in Scheduled Areas.

1.6 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:

"The Ministry of Tribal Affairs in collaboration with Indian Council of Medical Research (ICMR) has launched an initiative for control of Sickle Cell Anaemia amongst STs. A simple chemical test has been evolved by ICMR for Sickled haemoglobin. Through training workshops, these tests are demonstrated live for the benefit of Health Officials, Health Workers, Tribal Welfare Officials and Tribal Research Institute officials, of all the States/UTs who is in turn would carry out this test in a span of one year. After 100% screening, each child would be given health card with Sickle Cell Status, which will be used to counsel the parents not to marry one Sickle Cell trait carrying persons with the other.

In collaboration with ICMR, training/workshops on Sickle Cell condition and testing has been already conducted for following States –

- Odisha
- West Bengal
- Gujarat
- Assam
- Manipur
- Mizoram
- Tripura
- Arunachal Pradesh
- Jharkhand
- Madhya Pradesh
- Chhattisgarh
- Karnataka
- Kerala
- Tamil Nadu

In the state of Gujarat, 80% of screening of children has been already completed."

1.7 The Committee are happy to note that the Ministry of Tribal Affairs in collaboration with the Indian Council of Medical Research (ICMR) has launched an initiative for control of Sickle Cell Anaemia amongst STs through training/workshops and testing on Sickle Cell has already been conducted in the States of Odisha, West Bengal, Gujarat, Assam, Manipur, Mizoram, Tripura, Arunachal Pradesh, Jharkhand, Madhya Pradesh, Chhattisgarh, Karnataka, Kerala and Tamil Nadu. The Committee desire that such initiatives should also be taken up by the Ministry in the tribal areas of other States in the country. The Ministry has, however, not said anything on redesigning primary and secondary health services in Scheduled Areas as desired by the Committee. The Committee, therefore, once again reiterate their earlier recommendation and desire that the Ministry in coordination with the Ministry of Health and Family Welfare must redesign primary and secondary health services in Scheduled Areas. The Committee would like to be apprised of the action taken in the matter.

B. Formulation a scheme for identification, counseling, treatment and rehabilitation of tribal addicts.

(Recommendation, Para 2.20)

1.8 The Committee found that consumption of alcohol is a part of social rituals in many tribal communities. At the national level, it is found that about half of Scheduled Tribe men (51 percent) consume some form of alcohol whereas the prevalence of alcohol consumption was found to be much lower among non-Scheduled Tribe men (30 percent). Such a pattern of drinking alcohol particularly country liquor among Scheduled Tribes is bound to have negative effect on their health. The Committee desired the Ministry to formulate a scheme on the lines of Ministry of Social Justice and Empowerment (Department of Social Justice and Empowerment) for identification, counseling, treatment and rehabilitation of tribal addicts.

1.9 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:

"Ministry of Tribal Affairs does not encourage sale of Indian Made Foreign Liquor in tribal Areas. However, brewing and consumption of local alcoholic beverages is part of the tradition/life style amongst many a tribal communities. Ministry of Tribal Affairs can help through existing programmes, if community in particular requires de-addiction through the concerned States/UTs. Ministry is also promoting sports and traditional cultural events to draw youth and wean away from substance abuse etc."

1.10 Having observed that consumption of liquor was high among tribal people, the Committee had desired the Ministry to formulate a scheme on the lines of Ministry of Social Justice and Empowerment (Department of Social Justice and Empowerment) for identification, counseling, treatment and rehabilitation of tribal addicts. The Committee are not happy with the reply of the Ministry stating that they can help through existing programmes, if community in particular requires de-addiction through the concerned States/UTs. Keeping in view the mandate of the Ministry of Tribal Affairs i.e. overall policy, planning and coordination of programmes for development of Scheduled Tribes, the Committee again reiterate that the Ministry should formulate a scheme on the lines of Ministry of Social Justice and Empowerment (Department of Social Justice and Empowerment) for identification, counseling, treatment and rehabilitation of tribal addicts.

C. Empowering of State Tribal Finance and Development Corporations.

(Recommendation, Para 2.79)

1.11 The Committee noted that National Scheduled Tribes Finance and development Corporation (NSTFDC) is an apex organization set up exclusively for economic development of Scheduled Tribes and operates through State Tribal Finance and Development Corporations. The Committee were informed that operations of NSTFDC are affected due to lack of infrastructure and manpower in these corporations besides inadequate staff which too is affecting the recovery at grassroots level leading to mounting over-dues at many Corporations. The Committee desired the Ministry to take strong steps to empower these Corporations by providing adequate funds for infrastructure development so that these Corporations seriously work for the economic development of the Scheduled Tribes. The Committee also desired that the issue of the shortage of staff might also be addressed on priority for smooth functioning of these Corporations.

1.12 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:

"The recommendations of the committee have been noted for further examination as to how the functioning of NSTFDC can be improved."

1.13 The Committee had desired the Ministry to take strong steps to empower State Tribal Finance and Development Corporations by providing adequate funds for infrastructure development so that these Corporations work seriously for the economic development of the Scheduled Tribes. The Committee had also desired that the issue of the shortage of staff be also addressed on priority for smooth functioning of these Corporations. The Ministry in their reply have simply stated that the recommendations of the Committee have been noted for further examination as to how the functioning of National Scheduled Tribes Finance and development Corporation (NSTFDC) can be improved. The Committee are not satisfied with such reply of the Ministry as there is no mention about the efforts made by them so far in this regard. The Committee, therefore, desire that steps for review of the functioning of NSTFDC be taken up immediately and the Committee be informed.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

(Recommendation, Para 2.14)

2.1 The Committee note that the BE of Rs. 4479 crore of the Ministry of Tribal Affairs for 2014-15 was cut to Rs. 3850 crore (RE) despite the Ministry having met the prescribed expenditure norm which has adversely affected the Special Central Assistance to Tribal Sub-Plan (SCA to TSP), Article 275(1) of the Constitution, Development of Particularly Vulnerable Tribal Groups (PVTGs) and Mechanism for marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of Value Chain for MFP. Agreeing with the Ministry, the Committee urge them to take up the matter with the Ministry of Finance with a plea that a lenient view may be taken and more funds provided at the RE stage so that schemes for the welfare and development of the Scheduled Tribes are not adversely affected.

Reply of the Government

2.2 In past this Ministry has requested the Ministry of Tribal Affairs to allocate additional fund at RE stage or at least restore the original allocation. However, the recommendation of Standing Committee is noted for compliance and the matter will be taken up with Ministry of Finance at appropriate time.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.15)

2.3 The Committee note that the Ministry of Tribal Affairs had requested for allocation of funds amounting to Rs 5513.60 crore during 2015-16 for different schemes but Rs. 4792.19 crore has been allocated by the Ministry of Finance. The Ministry informed the Committee that due to reduction in allocation, major schemes i.e. Special Central Assistance to Tribal Sub-Plan (SCA to TSP), Article 275(1) of the Constitution and Umbrella Scheme for the Education of ST Children would be affected. The Committee would like to exhort the Ministry to ensure that funds made available are prudently and optimally utilized so that they have a strong claim for enhanced allocation for these schemes from the Ministry of Finance at RE stage.

Reply of the Government

2.4 The recommendation of the Committee has been noted. Project Appraisal Committee (PAC) has been constituted under the Chairmanship of Secretary, Ministry of Tribal Affairs during the year 2014-15, which monitor and ensure optimal allocation, release of fund, transparent and utilization in its various meetings in the month of March & April, 2015 under the various Schemes of Ministry of Tribal Affairs. However, in order to ensure full utilization of funds, the Ministry has requested the State Governments/UT Administrations/Institutions to send the complete proposal along with utilization certificate in prescribed format (GFR-19-A) to this Ministry well in time. Under the programmes, Special Central Assistance to Tribal Sub-Plan (SCA to TSP) and grant under Article 275 (1) of the Constitution, the grants-in-aid for 1st quarter of 2015-16 has been released to

the State Governments more than the targets fixed for 1st quarter by Ministry of Finance. Under the Umbrella Scheme for Education of ST Children Rs. 1058.59 crores was released. During 2015-16, the allocation at BE stage is 1136.84 crore.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.16)

2.5 The Committee are concerned to note that utilization certificates for various welfare schemes, amounting to Rs. 1759.95 crore, are still outstanding from State Governments and State Corporations due to which the Ministry is not be able to release funds in time. The Committee, therefore, desire the Government to impress upon State Governments and State Corporations to exercise fiscal prudence and submit utilization certificates in time to ensure uninterrupted flow of Central funds. The Committee also desire that the Ministry explore other ways and means to correct this malady.

Reply of the Government

2.6 The Ministry has constituted a Project Appraisal Committee (PAC) under the Chairmanship of Secretary, Ministry of Tribal Affairs in the Ministry for approval and appraisal of all the project proposals of the State Governments after detailed discussion with all concerned State Governments. During the PAC meetings held with State Governments in the month of March and April, 2015, the Committee stressed upon State Governments to submit the Utilization Certificate in time as per the norms stipulated in the GFR, 2005 to avoid inconvenience in release of funds. In the minutes of the meeting the point of pending UCs has also

been incorporated and Minutes of the meetings have also been sent to Chief Secretaries of the concerned State Governments so that the Tribal Development Department may be stressed upon for furnishing the UCs, in time to break the cycle of late release of funds → late utilization → late release.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.17)

2.7 The Committee in their Third Report of Demands for Grants (2014-15) had recommended the need for early finalizing and implementation of the National Tribal Policy which has so much to offer for the poor tribals of our country. However, the Committee are despondent to note that draft National Tribal Policy formulated in the year 2006 is yet to see light of the day. The Committee, therefore, again urge the Government to take speedy action and finalize the National Tribal Policy so that the tribals could reap its much awaited benefits without waiting endlessly.

Reply of the Government

2.8 Various consultations have consumed a lot of time and the National Tribal Policy is yet to get the final approval. In the mean time the PMO constituted a High Level Committee on 14.8.2013 to prepare a position paper on socio-economic status of STs and to suggest a way forward. As this would have implications for policy formation, the National Tribal Policy can be finalized thereafter only.

The High Level Committee constituted by the Prime Minister's Office to prepare a report on the socio-economic, health and educational status of the

tribal communities of India has submitted its report to the Ministry. The report was forwarded to PMO who advised to examine the recommendations of the committee with other stakeholder Ministries/Departments. Accordingly, concerned Ministries/Departments of the Central Government as well as Principal Secretary/Commissioner of Tribal Welfare Departments of States have been requested to furnish their views/comments on the recommendations of the Committee. The views/comments of some of the Ministries/Department and Tribal Welfare Departments of some of the States have been received. The remaining Ministries/Departments and the State Governments have been reminded to expedite their views/comments.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.19)

2.9 The Committee have been informed that the Department of Land Resources in the Ministry of Rural Development is the nodal Ministry concerned with all land related matters including its acquisition. The Ministry are also collecting data relating to land acquisition for various developmental projects and Rehabilitation and Resettlement of the people affected by such projects through the National Monitoring Committee constituted under Section 48 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013. The Committee desire the Ministry to pursue with the Department of Land Resources in the Ministry of Rural Development to collect data of all the Ministries/Departments regarding the number of tribal people affected and displaced due to various developmental projects and provide

compensation to all the affected/displaced tribals under “The Right for Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Reply of the Government

2.10 The suggestion of the Committee has been noted and the matter is already being pursued the with Ministry of Rural Development, Department of Land Resources by the Ministry of Tribal Affairs.

[Ministry of Tribal Affairs’ O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.33)

2.11 The Committee note that the ultimate objective of extending SCA to TSP is to boost the demand based income-generation programmes and thus raise the economic and social status of tribals. However, the Committee are concerned to note that the budgetary allocation under SCA to TSP had been slashed down consecutively during the last three years at the RE stage. Against the BE of Rs. 1200 crore during each of the 2012-13, 2013-14 and 2014-15, RE was Rs. 852.54 crore, Rs. 1050 crore and Rs. 1040 crore respectively. The Committee find that due to slashing of the budget, grants could not be released by the Ministry to many States while some States could receive only partial allocation. The Committee deplore such action by which the grant for the tribals was slashed that too without any sound grounds. The Committee desire the Ministry to take up the matter again to Ministry of Finance with concrete reasoning and

also stating that such cuts adversely affect the welfare programmes of the tribals who are already socially and economically deprived.

Reply of the Government

2.12 The concern raised by the Committee has been noted for compliance.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.34)

2.13 The Committee observe that the erstwhile Planning Commission had issued revised Guidelines for implementation of TSP by States /UTs in June 2014 which *inter-alia*, reiterate the resolve of the Government for allocation of funds under TSP out of total Plan Outlays not less than the population proportion of STs in State as per 2011 census. The Guidelines further stipulate for non-diversion of funds meant for tribal areas and comprehensive monitoring framework with well-defined indicators, covering provisioning, service delivery standards as well as outcomes. The Secretary Ministry of Tribal Affairs during evidence admitted that earlier Tribal Sub-Plan was monitored by the erstwhile Planning Commission but now there is no clarity on monitoring issue. However, the Ministry have started monitoring of their own. The Committee recommend the Ministry to enact a legislation to ensure that the TSP funds are not diverted and TSP funds should be made available to the States in proportion to the population of Scheduled Tribes there.

Reply of the Government

2.14 The Ministry has constituted a Project Appraisal Committee (PAC) in the Ministry for approval and appraisal of all the project proposals of the State Governments after detailed discussion with all concerned State Governments. During the PAC meetings held with State Governments in the month of March and April, 2015. The Committee vigorously stressed upon the State Governments that:-

- The Guidelines issued by erstwhile Planning Commission in June 2014 with regard to implementation of Tribal Sub-Plan(TSP) by the State Governments and the Guidelines for formulation, implementation and monitoring of Tribal Sub-Plan and Article 275(1) grants issued by Ministry of Tribal Affairs in March 2014 may be adhered to scrupulously.
- The Committee observed that Tribal Welfare Department (TWD)in the States should be declared as the Nodal Department authorized to administer the process of TSP component under intimation to Ministry of Tribal Affairs and NITI Aayog. TWD should monitor not only the quantitative aspect of fund allocation but see whether the funds are spent for people belonging to Scheduled Tribes and in areas inhabited by such people.
- To set up a dedicated Programme Implementation Cell to monitor the performance of Tribal Development Initiatives in coordination with Tribal Research Institutes (TRI), Integrated Tribal Development Projects (ITDP)/ Integrated Tribal Development Areas (ITDA), District level organizations and Panchayati Raj Institutions (PRIs).

- The allocation of funds under TSP out of total Plan Outlays of the State Government not less than the population proportion of STs in State as per 2011 census. Further, it was stressed upon non-diversion of funds meant for tribal development by the State through comprehensive monitoring framework.
- In order to ensure convergence of resources as envisaged under VanbandhuKalyanYojana (VKY) strategy, the Committee advised to formulate a high level Coordination Committee in the State to facilitate effective planning for holistic development of Tribals in the State with monitorable outcome by way of appropriate convergence of funds / resources available as TSP components of State Plan Schemes and other interventions.

The copies of the minutes of PAC meetings have been sent to the Chief Secretary of the concerned State. This Ministry is pursuing with the State Governments for submission of compliance report of the PAC directions.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.44)

2.15 The Committee note that out of 197 sanctioned Eklavya Model Residential Schools (EMRSs) 128 with the capacity of 480 students in each school have been set up in the States/ UTs under the programme of Article 275(1) of the Constitution of India on the pattern of Rajkiya Pratibha Vikas Vidyalayas (RPVVs), Jawahar Navodaya Vidyalayas, the Kasturba Gandhi Balika Vidyalayas and the Kendriya Vidyalayas to provide quality middle and high level education to

Scheduled Tribe (ST) students in remote areas, not only to enable them to avail of reservation in high and professional educational courses and get jobs in government and public and private sectors, but also to have access to the best opportunities in education at par with the non ST population. The Committee are concerned about the poor maintenance of these schools/hostels besides the quality of food served there. The Committee desire the Ministry to ensure good maintenance of schools/hostels besides checking and improving the quality of food being given to the students. The Committee also desire that the tribal teachers especially from the same community be appointed in EMRS and ST youths be encouraged to take up teaching in EMRS. The Committee further desire that remaining 69 EMRS especially the one in Bahraich be completed and made functional at the earliest.

Reply of the Government

2.16 During the PAC meetings held with State Governments in the month March and April, 2015 it was emphasized upon all the State Governments to complete all the remaining EMRSs immediately as well as to ensure the proper maintenance of school/hostel including providing of good quality of food etc. In all the EMRSs already functioning an amount of Rs. 42000/- per student per year is provided to the State Governments for running EMRSs. Ministry would follow up with States to make these EMRSs fully functional .

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.53)

2.17 The Committee note that Particularly Vulnerable Tribal Groups (PVTGs) are among the most vulnerable sections of our society, are few in numbers, have not attained any significant level of social and economic development and generally inhabit remote localities having poor infrastructure and administrative support. 75 such groups in 18 States and one UT have been indentified and categorized as Particularly Vulnerable Tribal Groups (PVTGs). The Committee are unhappy over less release of funds to States during 2014-15 vis-a-vis 2013-14 whereas no funds were released to Bihar, Jharkhand, Karnataka, Uttarakhand and Uttar Pradesh during 2013- 14 and 2014-15 and also to Tamil Nadu, West Bengal and Andaman & Nicobar island during 2014-15. The reasons attributed by the Ministry are stated to be lack of complete proposals from State Governments/UT. Though, the Committee have not been informed about the efforts made by the Ministry to pursue these states to forward complete proposals, the Committee desire that the Ministry to remind the States/UT to fulfill their obligations and commitment towards STs and send complete proposals in all respects that too well in time.

Reply of the Government

2.18 Funds are considered for release to the State Governments/UTs on the basis of the complete proposals along with utilization certificate of previous grant and physical progress report received from them and on the basis of availability of the fund. In case of all the States/UTs listed above the Ministry was unable to

release funds on account of Non-Submission of UCs/Physical Progress Report/ other requisite documents, in respect of funds released to them in previous years under the scheme of “Development of Particularly Vulnerable Tribal Groups” (PVTGs), despite repeated requests by the Ministry. Moreover, in addition to this, the States of Bihar and Uttar Pradesh have not so far submitted the revised CCD Plan as directed by them by the Expert Committee during February, 2013 or the Project Appraisal Committee in 2014 and 15. The Ministry has been making concerted efforts to obtain the deficient documents from the concerned State Government through letters and reminders. During 2014-15 the Ministry held meetings of the Project Appraisal Committee under the Chairpersonship of Secretary(TA) with each of the States individually to discuss and consider their proposals. In these meetings detailed discussions of the proposals were undertaken and directions given to each State regarding action to be taken and pending documents to be submitted by them to enable release of funds to them. This was followed by written and telephonic reminders, to the States. Meetings of the Project Appraisal Committee under the Chairpersonship of Secretary(TA) with the States were again held by this Ministry during March/ April 2015 to discuss proposals for 2015-16. During these meetings also, directions were given to these States, not only about activities to be undertaken under the scheme during 2015-16 but also about submission of pending UCs/Physical Progress Report/ other documents, in respect of funds released to them in previous years and revised proposals where felt necessary. This has again been followed up by reminders both written and telephonic.

[Ministry of Tribal Affairs’ O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.57)

2.19 The Committee note that the objective of the National Overseas Scholar Scheme is to provide financial assistance to students selected for pursuing higher studies abroad for Post-Graduation, PhD and Post-Doctoral research programmes. The Committee are deeply concerned to note that under the scheme during 2012-13 and 2013-14 against the target of 15 students, the achievement was 13 and 9 students respectively which was due to non-availability of suitable candidates. Further, the Ministry informed the Committee that in order to attract more candidates, they are issuing advertisements in vernacular press as well as the national media and are planning to give wider publicity for the extended selection year, 2014-15. The Committee while commending the efforts of the Ministry to attract more students and achieve the target, exhort them that besides giving wide publicity, they should also provide appropriate guidance/coaching to the ST students in getting admission in foreign Universities so that more and more students are able to avail the benefits of the scheme which is solely meant for them.

Reply of the Government

2.20 The recommendation of the Committee has been noted. At present, no such provision for guidance/coaching/counseling for getting admission in foreign University under the Scheme is mentioned. Norm-9 of National Overseas Scholarship Scheme indicates that 'the finally selected candidates shall obtain admission and join an accredited university/institution abroad within three years

from the date of communication of selection. On expiry of this specified period of time, the award will automatically get cancelled and come to an end. No request for extension of time for availing the award is permissible under the scheme. The candidates are required to seek admission and join accredited Universities/Institutions only. However, brief guidance for getting admission in foreign Universities / Institutions is given by Selection Committee during selection / interview procedure.

Wider Publicity and twice advertisement in regional newspaper for selection year 2014-15 has been under taken and period for receiving application was also extended. All these efforts have yielded better results with total 41 applications under National Overseas Scholarship Scheme received during 2014-15.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.65)

2.21 The Committee observe that the objective of the Scheme of Top Class Education for ST Students is to encourage meritorious ST students for pursuing studies at degree and post degree level in any of the selected list of institutes. The Committee find that the target under the scheme during the year 2012-13, 2013-14 and 2014-15 was 625 students each year and the achievement only 450, 550 and 407 students respectively. The reason for shortfall is stated to be non-receipt of complete proposals from selected institutions. The Ministry have further clarified that online E-scholarship portal is also being developed which will simplify the application process and scholarship will be disbursed under the DBT

mode directly into the bank accounts of the Institutes and students. The Committee desire the Ministry to develop online scholarship portal without any delay so that targets set under the scheme are fully achieved and maximum number of ST students avail benefit under the Scheme.

Reply of the Government

2.22 The recommendation of the Committee has been noted. The implementation of E-Scholarship Portal is under trial and will be implemented during 2015-16, which will ensure optimal utilization of fund under the Scheme and achieving maximum number of ST beneficiaries.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.71)

2.23 The Committee find that the Ministry of Tribal Affairs have been releasing grants in aid to Tribal Research Institutes (TRIs) and these Institutes provide planning inputs to the State Governments, conducting research and evaluation studies, collection of data, identify challenges in the field of socio-economic development of tribals and understanding, promoting and preserving their culture. However, the Committee are shocked to note that out of 18 TRIs funds were not released to six Institutes set up in the States of Himachal Pradesh, Maharashtra, Rajasthan, Tamil Nadu, West Bengal and Uttar Pradesh during the last three years, the reason being non-receipt of complete proposals from States/TRIs. The Committee recommend that the Ministry should take concrete measures to minimize procedural delays and streamline its delivery mechanism

for effective implementation of the scheme besides keeping in constant touch with the States/TRIs and following up with them at regular intervals. The Committee also desire that the Ministry should make serious efforts to protect and develop tribals' folk culture, preserve their languages and scripts as well.

Reply of the Government

2.24 To minimize procedural delays, proposals of the States are being examined now by the PAC in the beginning of the financial year. The States have been asked to submit the UCs, physical progress reports etc. at various fora including meetings letters. Due to this effort, funds were released to 17 TRIs during 2014-15. Ministry is making concrete efforts to protect and develop tribals' folk culture, preserve their languages and scripts. Some of the measures taken are as follows:-

- (i) Organization of VANAJ (National Tribal Festival) held first time in February 2015 and decided to continue every year where States can showcase their art, culture, dances, traditional foods, traditional products, medicines etc.
- (ii) Strengthening at TRIs. The Budget allocation under the scheme has been increased to Rs.28.50 crore during 2015-16 against the BE of Rs.8.50 crore during 2014-15.
- (iii) Development of primers in local dialects and State language.
- (iv) Documentation of tribal traditional practices/medicines.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.79)

2.25 The Committee note that National Scheduled Tribes Finance and development Corporation (NSTFDC) is an apex organization set up exclusively for economic development of Scheduled Tribes and operates through State Tribal Finance and Development Corporations. The Committee were informed that operations of NSTFDC are affected due to lack of infrastructure and manpower in these corporations besides inadequate staff which too is affecting the recovery at grassroots level leading to mounting over-dues at many Corporations. The Committee desire the Ministry to take strong steps to empower these Corporations by providing adequate funds for infrastructure development so that these Corporations seriously work for the economic development of the Scheduled Tribes. The Committee also desire that the issue of the shortage of staff may also be addressed on priority for smooth functioning of these Corporations.

Reply of the Government

2.26 The recommendations of the committee have been noted for further examination as to how the functioning of NSTFDC can be improved.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

Comments of the Committee

(Please see Para 1.13 of Chapter-I of the Report)

(Recommendation, Para 2.86)

2.27 The Committee observe that the objective of the Rajiv Gandhi National Fellowship scheme for ST students is to provide fellowships in the form of financial assistance to students belonging to the Scheduled Tribes to pursue M.Phil and Ph.D. The Committee note that the BE for 2013-14 was Rs. 90.00 crore which went down to Rs. 10.00 crore at RE stage while the AE was nil. Similarly, the BE for 2014-15 was again Rs. 90.00 crore, but no amount was allocated at RE stage. The Ministry apprised the Committee that since the utilization certificates furnished by the UGC indicated that a sizeable amount of funds was available with them, no funds were released to UGC by the Ministry. The Ministry further informed that from 2015-16 the administration & implementation of the Scheme will be done by them directly. Since the Scheme will now be administered and implemented directly by the Ministry, the Committee are quite optimist that there will be no glitches in implementation of the Scheme henceforth and not only more tribal students will benefit from the Scheme but the funds will also be spent optimally.

Reply of the Government

2.28 The scheme of Rajiv Gandhi National Fellowship and Top Class Education of ST students has been merged into “National Fellowship and Scholarship for higher Education of ST Students” with the approval of competent authority. The merged scheme will be implemented during 2015-16 by this Ministry through National Scholarship Portal and the Scholarship amount will be

credited directly into beneficiaries' Bank Account which will ensure accurate and optimal utilization of fund under the scheme.

UGC through the accredited bankers the Canara Bank had released / spent Rs.27.19 crore in 2013-14 and Rs.39.05 crore in 2014 from the unspent balance of earlier years.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

(Recommendation, Para 2.93)

2.29 The Committee regret to find the slow progress with regard to distribution of title deeds under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as against 36, 61, 194 claims only 15,62,453 titles have been distributed so far while 41,243 are ready for distribution and the total claims rejected are 17,29,051. The Committee also note with serious concern that the implementation of Act has not progressed in the State of Tamil Nadu while in Uttarakhand, out of 182 claims only one title deed has been distributed. The Committee take a very serious view of the large scale rejection of claims which is certainly against the interest of the tribals. The Committee recommend that the Ministry must review all the rejected cases, so that no genuine claimant is denied of his rightful claim besides disposing the pending claims in a time bound manner.

Reply of the Government

2.30 As on 30.4.2015 out of 43,54,298 claims 16,85,907 titles have been distributed so far and 18,68,663 claims have been rejected. In Tamil Nadu, High

Court had granted stay on the implementation of FRA, which has not been vacated so far. Currently, the case has been transferred to the Supreme Court of India. In Uttarakhand, there is no progress.

The Hon'ble Prime Minister held a review meeting on 22.4.2015, in which he emphasized the implementation of FRA in Campaign mode. As per item No.8 of the minutes of the meeting held on 22.4.2015, MoTA and State Governments are required to work in a campaign mode to cover those still deprived of their rights. In pursuance of the said meeting, MoTA has already recommended to Chief Secretaries of all States that extensive training programme for officials, Ward Members, Gram Sabha Members, Panchayat Secretaries, Field Officials of forest, Tribal Welfare and Land Administrative Departments and Sub-Divisional Level Committee (SDLC) and District Level Committee (DLC) Members may be taken up on priority basis and emphasis has also been laid on hand-on training enabling people to make bonafide representations for getting forest rights. It has also been recommended for Geo-reference database of vesting of forest rights with maps in order to ensure proper implementation of Forest Rights Act.

This Ministry has also very recently drawn up a suggestive roadmap for implementation of FRA in a time bound manner and has communicated the same to the 9 States (West Bengal, Uttarakhand, Uttar Pradesh, Kerala, Karnataka, Jharkhand, Himachal Pradesh, Bihar and Telangana) where progress is slow, with the request to address the specific issues related to FRA implementation in those States. Suggestive time lines have also been indicated for carrying out the various activities. They have also been requested to draw up milestones and timelines required to implement FRA in a time bound manner.

On the similar lines, State specific issues have also been taken up by this Ministry with 7 more States (Andhra Pradesh, Chhattisgarh, Gujarat, Madhya Pradesh, Maharashtra, Odisha and Rajasthan) where progress is satisfactory. In all the States, on the instruction of this Ministry, rejected claims, as reported are being reviewed.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

CHAPTER III

OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES OF THE GOVERNMENT

(Recommendation, Para 2.94)

3.1 The Committee have been informed that complaints are received from time to time regarding implementation of the Forest Rights Act, 2006. The Ministry have also maintained that as the onus of implementation of the Act lies with the concerned State Governments/UT Administrations, these complaints are referred to the respective State Governments/UT Administrations for taking necessary action whereas the Ministry constantly follows up with the concerned States/UTs and provides support by holding consultations in different parts of the country and clarifies doubts whenever required. The Secretary during evidence also stated that the Ministry of Environment and Forests are now bringing a law in which the Ministry have made a point that no person should be displaced from the forest unless the forest rights have been determined and if he had a forest right, then he should be compensated. The Committee desire the Ministry to pursue with the Ministry of Environment and Forests for early enacting of the said legislation, which will ultimately protect the forest rights of the tribals.

Reply of the Government

3.2 Secretary's submission was with regard to section 4(5) of the Forest Right Act. 2006 that provides that no forest dwelling Scheduled Tribes or other traditional forest dwellers shall be evicted or removed from forest land till

recognition and verification procedure is complete. Hence no follow up would be required.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

CHAPTER IV

OBSERVATIONS/RECOMMENDATIONS, IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAVE NOT BEEN ACCEPTED AND WHICH REQUIRE REITERATION

(Recommendation, Para 2.18)

4.1 The Committee note with concern that the disease of Sickle Cell Anaemia is very high among tribal community which is attributable to scant medical facilities in tribal area and negligible awareness among the tribals. The Committee desire that Research Centres be set up in tribal areas so that counseling could be given at an early stage of the disease. The Committee also desire that the Ministry of Tribal Affairs in coordination with the Ministry of Health and Family Welfare redesign primary and secondary health services in Scheduled Areas.

Reply of the Government

4.2 The Ministry of Tribal Affairs in collaboration with Indian Council of Medical Research (ICMR) has launched an initiative for control of Sickle Cell Anaemia amongst STs. A simple chemical test has been evolved by ICMR for Sickled haemoglobin. Through training workshops, these tests are demonstrated live for the benefit of Health Officials, Health Workers, Tribal Welfare Officials and Tribal Research Institute officials, of all the States/UTs who is in turn would carry out this test in a span of one year. After 100% screening, each child would be given health card with Sickle Cell status, which will be used to counsel the parents not to marry one Sickle Cell trait carrying persons with the other.

In collaboration with ICMR, training/workshops on Sickle Cell condition and testing has been already conducted for following States –

- Odisha
- West Bengal
- Gujarat
- Assam
- Manipur
- Mizoram
- Tripura
- Arunachal Pradesh
- Jharkhand
- Madhya Pradesh
- Chhattisgarh
- Karnataka
- Kerala
- Tamil Nadu

In the state of Gujarat, 80% of screening of children has been already completed.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

Comments of the Committee

(Please see Para 1.7 of Chapter-I of the Report)

(Recommendation, Para 2.20)

4.3 The Committee find that consumption of alcohol is a part of social rituals in many tribal communities. At the national level, it is found that about half of Scheduled Tribe men (51 percent) consume some form of alcohol whereas the prevalence of alcohol consumption was found to be much lower among non-Scheduled Tribe men (30 percent). Such a pattern of drinking alcohol particularly country liquor among Scheduled Tribes is bound to have negative effect on their health. The Committee desire the Ministry to formulate a scheme on the lines of Ministry of Social Justice and Empowerment (Department of Social Justice and Empowerment) for identification, counseling, treatment and rehabilitation of tribal addicts.

Reply of the Government

4.4 Ministry of Tribal Affairs does not encourage sale of Indian Made Foreign Liquor in tribal Areas. However, brewing and consumption of local alcoholic beverages is part of the tradition/life style amongst many a tribal communities. Ministry of Tribal Affairs can help through existing programmes, if community in particular requires de-addiction through the concerned States/UTs. Ministry is also promoting sports and traditional cultural events to draw youth and wean away from substance abuse etc.

[Ministry of Tribal Affairs' O.M. No. 16015/05/2015-PC&V dated 23.7.2015]

Comments of the Committee

(Please see Para 1.10 of Chapter-I of the Report)

CHAPTER V

OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT ARE INTERIM IN NATURE

-NIL-

**New Delhi;
17 December 2015
26 Agrahayana, 1937 (Saka)**

**RAMESH BAIS,
Chairperson,
Standing Committee on Social
Justice and Empowerment.**

ANNEXURE - I

MINUTES OF THE FIFTH SITTING OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT HELD ON THURSDAY, 17th DECEMBER, 2015

The Committee met from 1030 hrs. to 1100 hrs. in Chairperson's Chamber, Room No. 116, Parliament House Annexe, New Delhi.

PRESENT

SHRI RAMESH BAIS - CHAIRPERSON

MEMBERS LOK SABHA

2. Shri Jasvantsinh Sumanbhai Bhabhor
3. Shri Sher Singh Ghubaya
4. Shri Sadashiv Lokhande
5. Smt. K. Maragatham
6. Prof. Seetaram Ajmeera Naik
7. Sadhvi Savitri Bai Phule
8. Smt. Mamta Thakur
9. Shri Tej Pratap Singh Yadav

RAJYA SABHA

10. Smt. Jharna Das Baidya
11. Smt. Vijila Sathyananth
12. Smt. Wansuk Syiem

LOK SABHA SECRETARIAT

1. Shri Ashok Sajwan - Director
2. Smt. Mamta Kemwal - Additional Director

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee.

3. The Committee then took up for consideration the following draft Reports of the Committee :-

- (i) *****
- (ii) Twenty-second Action Taken Report on Thirteenth Report of the Committee on Demands for Grants (2015-16) of the Ministry of Tribal Affairs.
- (iii) *****
- (iv) *****
- (v) *****

4. The Chairperson then requested the Members to give their suggestions on the draft Reports. The Reports were adopted by the Committee without any change. The Committee authorized the Chairperson to finalize these draft Reports and present the same to both the Houses.

The Committee then adjourned.

* Matter not related to this Report.

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE THIRTEENTH REPORT OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT (SIXTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	18	
II. Observations/Recommendations, which have been accepted by the Government (Paragraph Nos. 2.14, 2.15, 2.16, 2.17, 2.19, 2.33, 2.34, 2.44, 2.53, 2.57, 2.65, 2.71, 2.79, 2.86 and 2.93)	15	83.33
III. Observations/Recommendations which the committee do not desire to pursue in view of the replies of the Government (Paragraph No. 2.94)	1	5.56
IV. Observations/Recommendations, in respect of which replies of the Government have not been accepted and which require reiteration (Paragraph Nos. 2.18 and 2.20)	2	11.11
V. Observations/Recommendations in respect of which replies of the Government are interim in nature (Nil)	0	0