

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1995-96)**

(TENTH LOK SABHA)

SIXTY-FOURTH REPORT

**MINISTRY OF WELFARE
(TRIBAL DEVELOPMENT DIVISION)**

**[Action Taken by the Government on the recommendations contained in the
Fifty-First Report of the Committee on the Welfare of Scheduled Castes and
Scheduled Tribes (Tenth Lok Sabha) on the Ministry of Welfare (Tribal
Development Division)—Working of Integrated Tribal Development Projects
(ITDPs) in Maharashtra.]**



*Presented to Lok Sabha on 6-3-1996
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**LOK SABHA SECRETARIAT
NEW DELHI**

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CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
CHAPTER I REPORT	1
CHAPTER II Recommendations/Observations which have been accepted by the Government	17
CHAPTER III Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies	35
CHAPTER IV Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration	38
CHAPTER V Recommendations/Observations in respect of which final replies of the Government have not been received	45
APPENDIX Analysis of the Action Taken by the Government on the Recommendations contained in the Fifty-First Report of the Committee	46

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to finalise and submit the Report on their behalf, present this 64th Report (10th Lok Sabha) on Action Taken by the Government on the recommendations Contained in the Fifty-first Report (10th Lok Sabha). on the Ministry of Welfare (Tribal Development Division) regarding "Working of Integrated Tribal Development Projects (ITDPs) in Maharashtra".

2. The Draft Report was considered and adopted by the Committee on 15th February, 1996.

3. The Report has been divided into the following Chapters:

Chapter I Report.

Chapter II Recommendations/Observations which have been accepted by the Government.

Chapter III Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies.

Chapter IV Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.

Chapter V Recommendations/Observations in respect of which final replies of the Government have not been received.

4. An analysis of the Action Taken by the Government on the recommendations contained in the 51st Report of the Committee is given in the Appendix. It would be observed therefrom that out of 39 recommendations made in the Report, 26 recommendations, i.e., 66.66% have been accepted by the Government. The Committee do not desire to pursue 5 recommendations, i.e. 12.82%. In case of 8 recommendations, i.e., 20.51% in respect of which reply of the Government has not been accepted by the Committee, require further comment.

NEW DELHI;
February, 1996

Phalgun, 1917(S)

PARAS RAM BHARDWAJ
Chairman,
Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.

CHAPTER I

REPORT

1.1 This Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes recommendations contained in the Fifty First Report (Tenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Welfare regarding working of Integrated Tribal Development Projects (ITDPs) in Maharashtra.

1.2 The Fifty-First Report was presented to Lok Sabha on 28.4.1995. It contained 39 recommendations/observations. Action Taken Replies of the Government were received on 6.10.1995. Replies of the Government in respect of these recommendations have been examined and may be categorised as under:—

- (i) Recommendations/observations which have been accepted by the Government: (Sl. Nos. 1.25, 1.26, 1.27, 1.30, 1.31, 1.32, 2.7, 2.19, 2.20, 2.21, 2.27, 2.28, 2.29, 2.30, 3.16, 3.23, 4.12, 4.13, 4.14, 4.22, 4.24, 4.25, 4.32, 4.39, 4.40, 4.44).
- (ii) Recommendations/observations which the Committee do not desire to pursue taking into consideration the replies of the Government: (Sl. Nos. 2.8, 2.9, 3.8, 3.9, 3.10).
- (iii) Recommendations/observations replies to which have not been accepted by the Committee and which need reiteration: (Sl. Nos. 1.28, 1.29, 3.15, 3.17, 3.18, 3.24, 4.23, 4.33).
- (iv) Recommendations/observations in respect of which final replies have not been received: Nil.

1.3 The Committee will now deal with those Action Taken Replies of the Government which need reiteration and comments.

(A) Organisational Set up

Recommendation (Sl. No. 1, Para No. 1.25)

1.4 In para 1.25 of the Fifty-First Report (Tenth Lok Sabha, keeping in view the significance and magnitude of the ITDP programme the Committee had urged the Ministry of Welfare to constitute a separate cell with adequate staff under the Tribal Development Division to exclusively deal with the ITDP Programme in various States.

1.5 In their reply the Ministry of Welfare have stated that the recommendation of the Parliamentary Committee has been taken note of and the issue of setting up a separate cell is being examined.

1.6 The Committee desire that the issue of setting up a separate cell

may be examined expeditiously and they may be apprised of the actual action taken in this regard.

Recommendation (Sl. No. 2, Para No. 1.26)

1.7 In para 1.26 of the Fifty-First Report (Tenth Lok Sabha), the Committee noted that 13 Ministries/Departments have set up cells for dealing with Tribal Problems. The Committee recommended that the Ministry of Welfare should prevail upon the other concerned Ministries and Departments to set up similar cells for effective implementation of Tribal Development Programmes.

1.8 The Ministry of Welfare in their reply have stated that they have been impressing upon Central Ministries/Departments, which have not set up Cells/Units for dealing with tribal problems, to have such a setup.

1.9 The Committee would like to urge the Ministry of Welfare to continue their efforts in this regard till the desired results are achieved and the Committee may be kept informed of the same.

(b) Monitoring and Implementation

Recommendation (Sl. No. 3, Para No. 1.27)

1.10 In para 1.27 of the Fifty-First Report (Tenth Lok Sabha), the Committee opined that the Ministry of Welfare being the nodal Ministry for overall policy, planning and coordination of developmental programmes, has to play a greater role *vis-a-vis* other Ministries/Departments.

1.11 In their reply the Ministry of Welfare have stated that the Tribal Development Division of Ministry of Welfare reviews various programmes for welfare and development of tribals through discussion in meetings generally taken by Joint Secretary in-charge of the Division, on Tribal Sub-plan of the States.

Secretary (Welfare) took a series of meetings with Central Ministries/Departments regarding formulation of Tribal Sub-Plan in their Annual Plans from October-December, 1994. During the meetings, Secretary (Welfare) impressed upon the concerned Departments./Ministries the need for formulation of programmes for tribals and also for inclusion of a chapter on TSP/SCP in the Annual Plans. Besides, the Ministry of Welfare also takes up issues concerning Tribal Development/Welfare in various forums whenever such a need arises.

1.12 The Committee feels that holding meetings with concerned Ministries/Departments without any concrete results are of very little use as the purpose of holding such meetings is not fulfilled unless certain constructive decisions are taken and implemented for the actual benefit of tribal people.

Recommendation (Sl. No. 4, Para No. 1.28)

1.13 In para 1.28 of the Fifty-First Report (Tenth Lok Sabha), the Committee noted that four Additional Commissioners have been appointed at Thane, Nasik, Amravati and Nagpur. The Committee, therefore, had

recommended that the Maharashtra Government should further streamline the process by appointing more such Additional Commissioners at other Regions where Tribal concentration is significant.

14. In their reply the Ministry of Welfare have stated that with a view to bring the field organisation of the Tribal Development Department under a single line of command, the same was reorganised in January, 1992. Accordingly a post of Commissioner of Tribal Development with headquarters at Nasik and 4 Additional Commissioners of Tribal Development with headquarters at Nasik, Nagpur, Thane and Amravati are operating in the field.

Therefore, the State Government does not see any justification/need for increasing the number of Additional Commissioners of Tribal Development.

The jurisdiction of the four Additional Commissioners of Tribal Development is as follows:—

Head Quarter	Revenue Division	Districts
1. Nasik	Nasik	Nasik*, Dhule*, Ahmednagar* and Jalgaon*(4) (Total 2006 villages in TSP)
2. Nagpur	Nagpur	Nagpur*, Bhandara* Wardha, Chandrapur* and Gadchiroli* (5) (Total 2573 villages in TSP)
3. Amravati	Amravati and Aurangabad	Amravati*, Yeotmal*, Akola, Buldana, Aurangabad, Beed, Jalna, Parbhani, Nanded* Usmanabad & Latur (11) (Total 1057 villages in TSP)
4. Thane	Konkan & Pune	Thane*, Raigad*, Ratnagiri, Sindhudurg, Pune*, Solapur, Kolhapur, Satara and Sangli (9) (Total 1326 villages in TSP)

*14 districts having significant tribal concentration.

From the above information it may be seen that the 14 districts of state having tribal concentration are distributed almost equitably among the Additional Tribal Commissioners, Nasik & Nagpur each having 4 and Thane and Amravati each having 3 districts. The number of villages included in the Tribal Sub-Plan area are also evenly distributed. Therefore, the State Government does not see any justification need for increasing the number of Additional Commissioner of Tribal Development.

1.15 After perusing the facts and figures, the Committee find that neither

the districts are equitably distributed nor the villages in the TSP areas are evenly spread among the four Additional Tribal Commissioners as stated in the reply of the Ministry of Welfare. Therefore, the Committee reiterate its earlier recommendation that the Maharashtra Government should further streamline the process by appointing more such Additional Commissioners at Regions where Tribal concentration is significant for more effective implementation of Tribal Development programmes.

Recommendation (Sl. No. 5, Para No. 1.29)

1.16 In para 1.29 of the Fifty-First Report (Tenth Lok Sabha), the Committee had urged the Ministry of Welfare to constitute Central Planning Committees (CPC) in the identified tribal areas, as had been done in the case of Amravati District earlier, so that unforeseen problems in these areas could be tackled successfully.

1.17 In their reply the Ministry of Welfare have stated that the Central Planning Committee was constituted in the wake of reported starvation deaths of tribal children in Amravati district of Maharashtra during September, 1993. The status of the Committee has since been changed to that of a Standing Committee. The Committee monitors measures taken by the States to prevent deaths of children due to starvation in backward and remote tribal areas. The Committee has already identified extreme backward tribal areas in 12 States. Some of the States have already prepared Action Plans of preventive measures and implemented them also. Periodical meetings of the Committee are taken by Secretary (Welfare) with a view to monitor various measures for prevention of such deaths in backward and remote areas.

1.18 The Committee are not satisfied to note that Central Planning Committee constituted by the Ministry of Welfare have already identified extreme backward tribal areas in 12 States and some of the States have already prepared Action Plans of prevented measures and implemented them. The Committee feel that unless more CPCs in the identified tribal areas are constituted the problems of tribals will not be solved. The Committee, therefore, reiterate its earlier recommendation to establish more CPCs in identified Tribal Areas by the Ministry of Welfare.

Recommendation (Sl. No. 6, Para No. 1.30)

1.19 In para 1.30 of the Fifty-First Report (Tenth Lok Sabha), the Committee, had urged upon the Ministry of Welfare to conduct field visits to ITDP areas regularly.

1.20 In their reply the Ministry of Welfare have stated that within the constraints of time and resources, periodical visits will be made by officers of Ministry to ITDP areas from time to time to know field realities.

1.21 The Committee would like to know the periodicity of visits which will be paid by the Officers of Ministry of Welfare to ITDP Areas and

whether objectives of the periodical visits as expressed in the Recommendation are being achieved.

ADMINISTRATIVE MEASURES

(A) Governor Report

Recommendation (Sl. No. 11, Para No. 2.9)

1.22 In para 2.9 of the Fifty-First Report (Tenth Lok Sabha), the Committee had urged upon the Ministry to examine the feasibility of issuing directions to all the State Governments to present the Governor's Report in time and the Committee be apprised of the progress made in this regard expeditiously.

1.23 In their reply the Ministry of Welfare have stated that they remind from time to time the State Governments of their constitutional obligation to furnish a report by the respective Governor to the President of India regarding administration of Scheduled Areas. The latest position regarding receipt of Governors' reports in this regard is indicated below:—

State	Year upto which received
1. Andhra Pradesh	1988-89
2. Bihar	1991-92
3. Gujarat	1992-93
4. Himachal Pradesh	1994-95
5. Maharashtra	1992-93
6. Madhya Pradesh	1991-92
7. Orissa	1993-94
8. Rajasthan	1993-94

1.24 The Committee would like the Ministry to pursue vigorously with those State Governments which are not fulfilling their Constitutional obligation and are lagging behind in furnishing Governor's Report to President regarding administration of Scheduled Areas.

(B) Tribal Advisory Council

Recommendation (Sl. No. 14, Para No. 2.21)

1.25 In para 2.21 of the Fifty-First Report (Tenth Lok Sabha) the Committee had recommended that the State Government should take expeditious action to implement the recommendations of the Tribal Advisory Council, which were under their consideration.

1.26 In their reply the Ministry of Welfare have stated that the State Government of Maharashtra is taking expeditious action on Tribal Advisory Council's recommendations.

1.27 The Committee would like to be apprised of the actual action taken on Tribal Advisory Council's recommendations at the earliest.

(C) Single Line Administration

Recommendation (Sl. No. 15, Para No. 2.27)

1.28 In para 2.27 of the Fifty-First Report (Tenth Lok Sabha), the Committee had urged the State Government to consider giving a second thought towards integrating various administrative Units under one line of command as recommended by the Maheshwar Prasad Group on Administrative Arrangements/Personnel Policy in tribal areas.

1.29 In their reply the Ministry of Welfare have stated that the State Government has considered this recommendation as very valuable. However, with regard to the acceptance in toto of the recommendations of the Maheshwar Prasad Group on Administrative Reforms/Personnel Policy in Tribal Areas, the views of the State Government have already been clarified earlier.

So far as the question of bringing the entire administrative machinery implementing the Tribal Sub Plan Schemes/Programmes in the Integrated Tribal Development Project under a single line of command, the State Government is of the view that if proper coordination is achieved at the local level whereby the benefits intended for the tribals are reached to them, there may not be any necessity of integrating the entire administration into one Unit. The State Government has established a commissionariate of Tribal Development assisted by 4 Regional Additional Commissioners and 24 Project Officers. The entire responsibility of formulation and finalisation of the Tribal Sub Plan is entrusted to this machinery. The State Government has strengthened the project machinery in 11 Projects identified as sensitive and backward and the Project Officer who is drawn from the IAS/IFS cadre is placed in full charge of the administrative and disciplinary control over the machinery operating in the project area. This set up has come up only in January 1992 and in November 1993 and the State Government would like to wait for some time and watch how effective the present set up proves before modifying it.

It may be mentioned for clarification that the State Government has not rejected the Maheshwar Prasad Group recommendations outright and has an open mind so that in future as the need may arise, a further thought can be given to the reorganisation of the present set up. As it is, the Divisional Commissioners and Collectors and Chief Executive Officers of Zilla Parishads are actively associated with the Tribal Sub Plan. In fact the Collectors and Chief Executive Officers have been declared as Ex-officio Additional Commissioners of Tribal Development.

With regard to the other recommendations of the Maheshwar Prasad Group, the recommendation that the services rendered in the Tribal Sub Plan Area should be adequately rewarded has already been accepted by the State Government in that a policy has been adopted that an officer/employee after putting in atleast 3 years good work in Tribal Areas should

be given the next posting of his choice. The State Government has also sanctioned incentive allowances at the rates ranging between Rs. 100 and Rs. 500 depending on the pay drawn by an employee working in Tribal Areas, besides being allowed the facility of retaining the residential accommodation at the previous post of posting on payment of regular rent, rent-free accommodation at the place of posting or in lieu thereof house rent allowance. So far as the Doctors of Primary Health Centres operating in Tribal Sub Plan Areas are concerned, a higher rate of non-practising allowance which is double the normal rate is allowed. Thus, most of the recommendations of the Maheshwar Prasad Group have been given effect to by the Government of Maharashtra.

1.30 The Committee would like to be apprised of the decisive outcome of the constant monitoring of the present system of Administrative set up which came up in January, 92 and in November, 1993.

PROTECTIVE MEASURES

(A) *Excise Policy*

Recommendation (Sl.No. 19, Para No. 3.8)

1.31 In para 3.8 of the Fifty-First Report (Tenth Lok Sabha) the Committee noted that the proposal for prohibition of liquor vending in some other Notified Areas in the Districts of Pune, Jalgaon, Ahmednagar, Nanded, Yeotmal and Chandrapur was under consideration of the State Government. The Committee had earnestly desired the Maharashtra Government to take an early decision in this regard and promptly prohibit commercial vending of liquor in the Notified Areas of the above mentioned districts.

1.32 In their reply the Ministry of Welfare have stated that the matter is under consideration of the Maharashtra Government.

1.33 The Committee desire that the decision in favour of prohibition of commercial vending of liquor in the Notified Areas mentioned in the recommendation should be taken by the State Government expeditiously and they may be apprised of the latest position.

Recommendation (Sl. No. 20, Para No. 3.9)

1.34 In para 3.9 of the Fifty-First Report (Tenth Lok Sabha) the Committee were dissatisfied to note that the Government guidelines for discontinuing commercial vending of liquor were not implemented in the Additional Tribal Sub Plan (ATSP) areas, Modified Areas Development Approach (MADA) areas or Mini MADA areas. They had, therefore, urged upon the State Government to see that commercial vending of liquor is banned also in ATSP, MADA and Mini MADA areas.

1.35 In their reply the Ministry of Welfare have stated that the matter is under consideration of the Maharashtra Government.

1.36 The Committee desire that the Recommendation of the Committee

may be implemented expeditiously and they may be apprised of the latest position.

Recommendation (Sl.No. 21, Para No. 3.10)

1.37 In para 3.10 of the Fifty-First Report (Tenth Lok Sabha) the Committee had noted that the Maharashtra Government had made extensive propaganda campaigns to wean away the tribals from taking alcoholic beverages. The Committee had, therefore, urged the State Government to keep up these activities in future also. They had also recommended that the Ministry of Welfare should persuade other States to resort to similar anti-liquor propaganda campaigns in the tribal areas.

1.38 In the reply of the Government it is stated that the Ministry of Welfare has, in the context of excise policy in tribal areas, issued guidelines wherein it has been emphasized that attempts be made to wean the members of Scheduled Tribes away from the habit of drinking liquor beverages. For this purpose, it has also been suggested to States that officials and non-officials of voluntary organisations be encouraged to take up anti-liquor propaganda campaigns in the tribal areas.

The Conference of Ministers and Secretaries of States/UTs incharge of Tribal Welfare held on 2nd/3rd February, 1995, at Guwahati recommended that the guidelines issued by the Ministry of Welfare on excise policy for tribal areas be scrupulously followed by all States/UT Administrations.

1.39 The Committee are of the opinion that merely recommending or suggesting once in a while to States to follow the guidelines issued by the Ministry of Welfare on excise policy for tribal areas regarding anti-liquor propaganda campaign is hardly enough as it requires serious and persistent efforts to curb the menace of liquor consumption particularly among the tribal people where this vicious habit of liquor consumption is very deep rooted and also proving to be a major deterrent factor in their overall growth and development. Therefore, the Committee hope that the Government will take some concrete steps towards achieving success in this regard.

(B) Land Alienation

Recommendation (Sl.No. 22, Para No. 3.15)

1.40 In para 3.15 of the Fifty-First Report (Tenth Lok Sabha), the Committee had desired the State Government of Maharashtra to expeditiously settle the pending 128 cases of tribal land alienation.

1.41 In their reply the Ministry of Welfare have stated that the necessary instructions have already been issued from time to time to the Collectors to ensure that the cases pending for enquiry with Revenue Officers are disposed of expeditiously.

1.42 The Committee are not satisfied with the casual reply of the Government as the pendency of 128 cases is well over 2 to 3 years now. The

Committee, therefore, reiterate its earlier recommendation that the State Government of Maharashtra should expeditiously settle the remaining 128 cases and the Committee may be informed accordingly.

Recommendation (Sl No. 23, Para No. 3.16)

1.43 In para 3.16 of the Fifty-First Report (Tenth Lok Sabha), the Committee had recommended that henceforth records of land alienation cases be meticulously maintained for a sufficient period with a view to avoiding unnecessary complication as well as to protect the tribal interest.

1.44 In their reply the Ministry of Welfare have stated that the Government of Maharashtra has noted the recommendation and henceforth records of land alienation cases will be maintained for a sufficient period at State level.

The Ministry, however, feel that records of land alienation cases should be maintained to protect the tribals' interests. However, copy of the decision of the court should be invariably given to tribals free of cost. In fact, this should be made compulsory.

1.45 The Committee would like to emphasise here that the Ministry of Welfare being the Nodal Agency for overall policy making and monitoring its implementation in letter and spirit by all the concerned States and Departments is solely responsible for getting the recommendations of the Parliamentary Committee executed. Therefore, casual replies, such as "The Ministry feel that records of land alienation cases should be maintained.... the decision of the court should be invariably given....", need not be presented to the Committee as it seems that the Ministry (Government) are just reiterating the Recommendation of the Committee in their replies and clearly escaping from the responsibility of getting the recommendations of the Committee implemented by concerned States and Departments. The Committee view with serious concern, the practice of giving casual replies.

Recommendation (Sl. No. 24, Para No. 3.17)

1.46 In para 3.17 of the Fifty-First Report (Tenth Lok Sabha), the Committee had urged the State Government of Maharashtra to devise methods for conducting a periodical special survey to find out land alienation cases. The Committee opined that it would help not only in maintaining a methodical record of land alienation cases detected each year but also facilitate expeditious disposal of such cases.

1.47 In their reply the Ministry of Welfare have stated that the Government of Maharashtra has replied that as per the provisions of Maharashtra Land Revenue Code, 1966 and rules made thereunder, there is a system of preparation and maintenance of Record of Rights. Under this system the name of the holder of the land is entered in the Record of Right after detailed enquiry. Every year the land under cultivation is inspected so as to find out what are the crops grown on it, its area and the person who is cultivating it.

At the time of crop inspection as mentioned above, if anybody other than the holder is found cultivating the land, the detailed enquiry is held about the person who is not a legal holder but cultivating the land. If such person is found to be tenant, his name is accordingly entered in Record of Right after enquiry under Tenancy Act. The register of persons about who are cultivating land and who are not legal holder is kept separately at Talathi levels. If the tribal land is found to be alienated, it is also recorded and the necessary action under Restoration Act is taken.

The above mentioned exercise is carried out every year. Hence, it is not correct to say that the present annual inspection of land under cultivation gives secondary importance to detect land alienation cases. In fact 80% of the cases of tribal land alienation have been detected and registered *suo-moto* by the local revenue authority and most of the work pertaining to alienation of tribal land in the State is completed. So it does not appear necessary to devise methods for conducting a periodical special survey to find out land alienation cases.

The Ministry of Welfare, however, is of the view that detection of illegal land alienation by STs to non-tribals is a continuous process and, as such, special drives from time to time to detect such cases are called for.

1.48 From the given reply, the Committee find that present system of Annual inspection of alienation of Tribal Land only covers 80% of such cases. The Committee feel sorry for the remaining 20% undetected tribal land alienation cases, which proves that out of every hundred tribal people, 20 (Twenty) tribal people are bound to suffer and are deprived of justice as they remain undetected by the faulty mechanism of surveying/detection. Moreover, 128 tribal land alienation cases are already pending for the last 5 years and above all, previous 4-5 years land alienation record is also not kept by the State Government which clearly proves the lackadaisical approach of Government in this regard.

The Committee, therefore, reiterate its earlier recommendation that the State Government should devise methods for conducting periodical survey to find out land alienation cases as it will help not only in maintaining a methodical record for land alienation cases but also facilitate expeditious disposal of such cases.

Recommendation (Sl. No. 25, Para No. 3.18)

1.49 In para 3.18 of the Fifty-First Report (Tenth Lok Sabha), the Committee appreciated that the State Government had been circulating pamphlets to all village Panchayats and Social Organisations in order to make the tribals aware of the protection and rights given to them under the two Land Acts of Maharashtra Government. The Committee had suggested that as many Voluntary Organisations as possible be involved in this mission. The Committee had also desired that an intensive propaganda campaign on the pattern of the anti-liquor one may be resorted to by the

State Government so that the innocent tribals do not succumb to unscrupulous elements.

1.50 In their reply the Ministry of Welfare have stated that the Government of Maharashtra has replied that in order to make the tribals aware of the protection and rights given to them under the two Land Acts of Maharashtra Government, a pamphlet has been circulated to all village Panchayats and Social Organisations. Moreover, most of the work pertaining to alienation of tribal land in the State is completed. So it does not appear necessary to resort to an intensive propaganda campaign for this purpose.

The Ministry of Welfare, however, feels that as pointed out in respect of foregoing paragraph, detection of illegal land alienation is a continuous process. Educating the Scheduled Tribes about their rights should also be a continuous process. Non-Governmental Organisations could be involved in this.

1.51 The Committee is not happy with the reply of the Government. It is for the Ministry of Welfare who is the nodal agency to get the recommendations of the Committee implemented by the State Government of Maharashtra.

The Committee, therefore, strongly urge the Ministry of Welfare to direct the State Government to implement the recommendations of the Committee at the earliest and the Committee be informed of the actual action taken in this regard.

(C) Project Affected Tribals

Recommendation (Sl. No. 26, Para No. 3.23)

1.52 In para 3.23 of the Fifty-First Report (Tenth Lok Sabha), the Committee had urged the Government of Maharashtra to rehabilitate the remaining 539 Project Affected Tribals as soon as possible.

1.53 In their reply the Ministry of Welfare have stated that in connection with the above observations of the Committee, it is stated that as per the position of rehabilitation of tribal families obtaining in Maharashtra affected due to major and minor irrigation projects, 622 tribal families remained to be rehabilitated upto September, 1993. Thereafter by the month ending Jan. 1995, 539 families had remained to be rehabilitated. Thereafter 82 tribal families have since been rehabilitated as such 457 families are yet to be rehabilitated by the month ending June, 1995. The rehabilitation of these remained 457 tribal families is being done expeditiously as per time-bound programme.

1.54 The Committee would like to know the details of the time-bound programme mentioned in the reply. The Committee desire that the remaining 457 tribal families should be rehabilitated at the earliest and they may be apprised of the same.

Recommendation (Sl. No. 27, Para No. 3.24)

1.55 In para 3.24 of the Fifty-First Report (Tenth Lok Sabha), the Committee had suggested that besides rehabilitating Tribal Project Affected Persons on top priority basis the Government of Maharashtra should consider the feasibility of giving some special compensation to such tribals.

1.56 In their reply the Ministry of Welfare have stated that the Government of Maharashtra has replied that essential civil amenities are provided to the PAPs as per Section 10 of the Maharashtra Project Affected Persons Rehabilitation Act, 1986. Considering peculiar and vulnerable economic condition of the Tribal PAPs, they are given priority in rehabilitation programme, as per the orders issued in Government Resolution, Revenue and Forests Department No. RPA-1086/CR-3944/R-1, dated 30th May, 1986.

The Ministry of Welfare is, however, of the view that the Government of Maharashtra should consider feasibility of giving special resettlement and rehabilitation package to displaced Scheduled Tribes. Land in lieu of land should be made one of the cardinal provisions in such a package for Scheduled Tribes.

1.57 The Committee are not satisfied with the reply of the Government as nothing has been mentioned about giving some special compensation to tribal project affected persons.

The Committee, therefore, reiterates its earlier recommendation that besides rehabilitating the tribal Project Affected Persons on top priority basis, the Government of Maharashtra should consider the feasibility of giving some special compensation to such tribals. The Committee also urge the Ministry of Welfare to pursue the matter with the State Government of Maharashtra vigorously for implementing the recommendations of the Committee.

Recommendation (Sl. No. 29, Para No. 4.13)

1.58 In para 4.13 of the Fifty-First Report (Tenth Lok Sabha), the Committee had suggested that steps should be taken by the Maharashtra Government to evaluate the impact of the measures introduced by them to check the astounding percentage of drop-outs among tribal students so that prompt, corrective and further action can be taken in this regard.

1.59 In their reply the Ministry of Welfare have stated that the Government of Maharashtra has taken an evaluation study of the Ashram School Scheme. The evaluation of Ashram School scheme has been done by the Centre for Research & Development, Bombay. The recommendations made by study group are under consideration.

1.60 The Committee would like to be apprised of the recommendations

made by the Study Group and the actual action taken on them by the Government.

SECTORAL PROGRAMMES

(A) Health

Recommendation (Sl. No. 32, Para No. 4.23)

1.61 In para 4.23 of the Fifty-First Report (Tenth Lok Sabha), the Committee noted with concern that there was shortage of Medical Officers in Public Health Centres and rural hospitals due to reluctance and hesitation on the part of such officers to work in tribal and hilly areas.

The Committee had, therefore, recommended the State Government to take an early decision in favour of the proposal for increasing the non-practising allowance (NPA) of the Medical Officers at double rates besides continuing the other measures so that more medical officers are encouraged to work in the tribal and hilly areas.

The Committee had also recommended that the State Government should take steps to undertake evaluation studies for observing the repercussion of such measures. The Committee hopes it would enable the State Government to take further action as and when necessary.

1.62 In their reply, the Ministry of Welfare have stated that the Government of Maharashtra has replied that there are about 600 to 700 vacancies of Medical Officers in the State. The Medical Officers are reluctant to join the duties in the Tribal Areas due to lack of basic amenities like education facilities, Marketing Facilities, Accommodation etc. To overcome the problem of vacancies of Medical Officer, following steps are taken up:—

Special Tribal Area allowance is sanctioned at the rate from Rs. 100/- to 500/- according to pay scale.

2. The Medical Officers posted in Tribal Sub-Plan Area are permitted to retain Government Quarters if provided at District Taluka headquarters.

3. Preference is given for the posting as per choice after completion of tenure in Tribal Area.

4. The non-practising allowance of Medical Officers working in inaccessible area from Tribal Sub-Plan is doubled.

5. Generally the Medical Officers possessing M.B.B.S. degree are reluctant to join the Tribal Area. Considering this one post of Medical Officer Class-II is down graded as Class-III at 174 Primary Health Centres and B.A.M.S. candidates are appointed on these posts. So that atleast minimum Health facilities/services can be made available to Tribal community.

6. It is the endeavour of the Department to have atleast one Medical

Officer at Primary Health Centres from Tribal Sub-Plan Area. Medical Officers from non-Tribal Area are deputed to the Tribal Area by rotation.

7. The Interviews for about 1500 posts of Medical Officers Class-II have recently been conducted by M.P.S.C. and posting orders are being issued shortly.

The above measures have been introduced during last 2-3 years, a period of 5 to 10 years will be required for evaluating impact of these measures.

The Ministry of Welfare is of the view that as recommended by the Committee, the Government of Maharashtra should undertake a study to evaluate the impact of measures referred to above on manning of medical posts in the tribal areas.

1.63 The Committee do not agree with the plea of the Government of Maharashtra that 5 to 10 years time will be required for evaluating the consequences of the measures adopted by them 2-3 years back to attract more Medical Officers to work in Tribal Areas.

The Committee, therefore, reiterate that measures adopted by the State Government of Maharashtra to overcome the problem of shortage of Medical Officers in the Public Health Centres and rural hospitals may be evaluated at the earliest.

The Committee opine that if the incentives and other measures adopted to attract Medical Officers and other personnel are properly propagated well through media, Medical Journals and recruitment advertisements, then, better results can be achieved within a much shorter period.

The Committee feel that all that is required is to give this career a new uplift as is being done by the Army and Navy Services, i.e., making the Services as the privileged one. Besides, facility of free rations etc. to the Medical Personnel working in Tribal Areas can also be introduced to motivate them further.

(B) Forestry

Recommendation (Sl. No. 36, Para No. 4.33)

1.64 In para 4.33 of the Fifty-First Report (Tenth Lok Sabha), the Committee noted that a proposal for more central assistance to take up other measures had been sent by the State Government to the Central Government. The Committee desired the Union Government to take an early decision in this regard so that the Maharashtra Government is able to start mobile collection Units of Minor Forest Produce organise training camps for tribal forest produce collectors and open laboratories for assuring quality of produces for its marketability.

1.65 In their reply the Ministry of Welfare have stated that a sum Rs. 30 lakhs was released to the Maharashtra State TDCC, Nasik during 1994-95 under the Scheme of Grant-in-aid to State TDCCs towards working capital for Minor Forest Produce Operation. Similarly Rs. 24 lakhs and Rs. 53

lakhs were released to State TDCC in 1992-93 and 1993-94 are respectively under the Scheme as contribution towards its Share Capital.

1.66 The Committee find from the reply of the Government that only a sum of Rs. 30 lacs was released to Maharashtra State TDCC, Nasik, during 1994-95 under grant-in-aid while in 1993-94, Rs. 53 lacs were released, which is contrary to the Committees' recommendation as it depicts a 45% cut from the previous year grant rather than increasing the Grants-in-aid.

The Committee, therefore, reiterate its earlier recommendation that the Union Government should take an early decision regarding more Central Assistance to the State Government so that the State Government can take up other measures to improve the functioning and management of Minor Forest Produce operations.

(C) Implementation of various Developmental Schemes

Recommendation (Sl. No. 37, Para No. 4.39)

1.67 In para 4.3) of the Fifty-First Report (Tenth Lok Sabha), the Committee had urged upon the Government to devise some other alternative methods so that the poor tribals do not have to bear the burden of 25 to 50% share in subsidy. The Committee also had recommended that the Government should ensure in future that the administrative approval required for a number of schemes is obtained well in time so that shortfalls in expending the earmarked amount under various developmental sectors are kept at bay.

1.68 In their reply the Ministry of Welfare have stated that the Government of Maharashtra has replied that necessary instructions have been issued to the concerned officers in this respect.

The Ministry feels that wherever feasible labour component of a tribal in a scheme/project for which he takes loan should be computed towards his contribution to margin money. Cash loan burden should be minimum in case of tribals below poverty line.

1.69 The Committee would like to be apprised of the necessary instructions issued to the concerned officers in this respect.

Recommendation (Sl. No. 38, Para No. 4.40)

1.70 In para 4.40 of the Fifty-First Report (Tenth Lok Sabha), the Committee appreciated that all the Project Level Implementing committees have been directed to resort to constant monitoring and review of the schemes included in the TSP. The Committee felt that these are appropriate steps under the circumstances and would like Maharashtra Government to keep these up in future also. The Committee also had suggested that the Ministry of Welfare should impress upon other States, where shortfalls in expanding the earmarked amount under various developmental sectors are also observed, to take up measures on the line of Maharashtra Government.

1.71 In their reply the Ministry of Welfare have stated that the recommendation of the Committee is taken note of and suitable instruction will be issued to the State Government.

1.72 The Committee desire that the Ministry of Welfare should issue suitable instructions to the State Government expeditiously and they may be apprised of the latest position.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 1, Para No. 1.25)

The Committee note that the Ministry of Welfare is the nodal Ministry for overall policy, planning and coordination of programmes relating to the development of Scheduled Castes and Scheduled Tribes. For this purpose the Ministry has a Tribal Development Division headed by a Joint Secretary for dealing with all tribal matters including working of ITDPs. But apart from this Tribal Development Division, there is no distinct machinery in the Ministry of Welfare to oversee the implementation of the working of ITDPs in various States. Keeping in view the significance and magnitude of the ITDP programme the Committee would like the Ministry of Welfare to constitute a separate cell with adequate staff under the Tribal Development Division to exclusively deal with the ITDP Programmes in various States.

Reply of the Government

The recommendation of the Parliamentary Committee has been taken note of and the issue of setting up a separate Cell is being examined.

Comments of the Committee

Please see Para No. 1.6 of Chapter-I.

Recommendation (Sl. No. 2, Para No. 1.26)

The Committee also note that under the Allocations of Business Rules, 1961 as amended from time to time each Central Ministry and Department is the nodal Ministry/Departments concerning its sector towards Tribal Development. In this context 13 Ministries/Departments have set up cells for dealing with Tribal problems. The Committee recommend that the Ministry of Welfare should prevail upon the other concerned Ministries and Departments to set up similar cells for effective implementation of Tribal Development Programmes.

Reply of the Government

Ministry of Welfare has been impressing upon Central Ministries/Depts. which have not set up Cells/Units for dealing with tribal problems, to have such a set-up. Letter issued in this regard is at Annexure.

Annexure

P.K. Mohanty
Tel: 4629320

D.O. No. 17014/7/95-TD (ME)
GOVERNMENT OF INDIA
MINISTRY OF WELFARE
4th Floor, 'B' Wing,
Lok Nayak Bhawan
New Delhi 110 001.
May, 1995.

Dear

As you are aware, the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes (10th Lok Sabha) in its 15th Report *i.e.* Report of Working of I.T.D.Ps in Orissa has recommended that all the central Ministries should set up Monitoring Cells for Tribal Development Programmes. The extract of the recommendation is enclosed.

2. I shall be grateful if the action taken/proposed to be taken to set up a separate Cell for monitoring programmes for tribal development along with the name and designation of Senior Officer who monitors/will monitor progress of the programmes under Tribal Sub-Plan is intimated to this Ministry at the earliest.

With regards,

Yours sincerely,

Sd/-
(P.K. Mohanty)

Secretary
Central Ministries/Departments
(AS PER LIST)

Comments of the Committee

Please See Para No. 1.9 of Chapter-I

Recommendation (Sl. No. 3, Para No 1.27)

The Committee agree with the views of the Secretary, Ministry of Welfare that the responsibility of tribal development is not that of the Ministry of Welfare alone. However, the Committee opine that the Ministry of Welfare being the nodal Ministry for overall policy, planning and coordination of developmental programmes, has to play a greater role *vis-a-vis* other Ministries/Departments.

Reply of the Government

Tribal Development Division of Ministry of Welfare reviews various programmes for welfare and development of tribals through discussions in meetings generally taken by Joint Secretary in-charge of the Division, on Tribal Sub-Plan of the States.

Secretary (Welfare) took a series of meetings with Central Ministries/Depts. regarding formulation of Tribal Sub-Plan in their Annual Plans from October-December 1994. During the meetings, Secretary(Welfare) impressed upon the concerned Depts./Ministries the need for formulation of programmes for tribals and also for inclusion of a chapter on TSP/SCP in the Annual Plans. Besides, the Ministry of Welfare also takes up issues concerning Tribal Development/Welfare in various fora whenever such a need arises.

Comments of the Committee

Please see Para No. 1.12 of Chapter-I.

Recommendation (Sl. No. 6, Para No. 1.30)

The Committee feel that periodical field visits to the ITDP areas is one of the most important monitoring system with the Central Government, because these visits can not only motivate the ground level workers to work with more enthusiasm but also boost the morale of the needy tribals. The Committee, therefore, urge upon the Ministry to conduct field visits to ITDP areas regularly.

Reply of the Government

Within the constraints of time and resources, periodical visits will be made by officers of Ministry to ITDP areas from time to time to know field realities.

Comments of the Committee

Please see Para No. 1.21. of Chapter-I.

Recommendation (Sl. No. 7, Para No. 1.31)

The Committee opine that no amount of amendments in procedure, system or structure would yield results, unless dedicated workers are found to work in the tribal areas. The Committee are happy to note that the Government of Maharashtra is taking a number of steps to ensure that dedicated workers are posted in the Tribal Sub-Plan areas. They are, however, concerned to note that the tendency that when one good officer is posted in the tribal areas he is transferred either on his own request or by the Government itself. The Committee feel that any Government or Institution can ill-afford to lose workers of proven capability and dedication. They, therefore, recommend that the State Government of Maharashtra should take all efforts to ensure that dedicated good workers posted in tribal areas are not transferred every now and then.

Reply of the Government

The recommendation made by the Committee that the Government of Maharashtra should take all efforts to ensure that dedicated good workers posted in tribal areas are not transferred every now and then has already been accepted. The Government of Maharashtra have already issued orders on 29th December, 1993 to all the Mantralaya Departments and Heads of Departments working under them to ensure that the persons posted in tribal areas are continued there for a minimum period of three years. The State Government has also instructed that as far as possible all direct recruit officers are posted in tribal areas in their first posting after completion of their initial training.

Recommendation (Sl. No. 8, Para No. 1.32)

The Committee note that the State Government is involving Non-Governmental Organisations in tribal areas to overcome the difficulty of frequent transfer of experienced workers. The Committee feel that it is a step in the right direction and would like the Maharashtra Government to engage more such NGOs in the development of tribal areas in future also. The Committee also opine that this can be done side by side with the posting of experienced and dedicated workers in tribal areas.

Reply of the Government

The Government of Maharashtra is taking the assistance of some N.G.O's in the development of tribal areas. The number of N.G.O.'s and the activities carried out by them is given in the Annexure-I.

The State Government has also noted the recommendation of the Committee that in future more N.G.O's be involved in the development of tribals.

Annexure-I

Sr. Name of Project/ No. Programme	No. of Districts covered	No. of N.G.Os involved	Activities being carried out by N.G.Os. at present
1. Running of Ashram Schools	21	235	<p>1. Imparting free education to tribal students through the running of basic (1 to 7 std.) post basic A.S. (8 to 10 Std.) mainly in the tribal areas.</p> <p>2. Providing free boarding and lodging facilities to tribal students, also supplying text books, uniforms and writing material.</p>

1	2	3	4	5
2.	Education Complex in low literacy pockets for development of ST women literacy in tribal areas.	1 (Raigad)	1 Gram Bal Shikshan Kendra. 4 in the pipe line	Running of residential education complex upto 5th Class for tribal girls especially in craft/vocational education.
3.	Skill training Programme of 1000 tribal families of Jawahar taluka in Thane District in Maharashtra.	1 (Thane)	1 BAIF (Bharat Agro Industries Foundation)	BAIF has helped tribal families take up plantation of fruit and forestry programmes. Also water resource development, inter-cropping, nursery raising, soil conservation and skill training.
4.	Redrafting of syllabus and the training programme of teachers.	1 (Thane)	Parisar-Asha.	1. Reworking of the primary school curriculum in the ashram schools from the point of the tribal child's environment. 2. Training of Ashram School teachers in about 40 ashram schools in the Thane district through their volunteers.
5.	Programme for the rehabilitation of destitute women (project under consideration for sanction)	1 (Gad-chiroli)	1-Lok Mangal Sanstha	1. Rendering help to the tribal women who have become homeless due to various social reasons such as broken marriages, violence perpetrated by in-laws and husband, conception before marriage, violence perpetrated by relatives. 2. Giving financial help for accommodation and other facilities to continue these services.
6.	Undertaking water shed development work	1 (Poona)	1. Adivasi Arogya Mandal	Undertaking water shed development work in Junnattaluka of Poona district.
7.	Taking up of bamboo cultivation and handicraft marketing.	1 (Yawat-mal)	Centre of Science for Villages	To take up bamboo cultivation and engage in marketing of tribal handicrafts of the Kolan.
8.	Medico Social work in preventive, curative, diagnostic research project and medical education	3 (Thane, Raigad and Nashik)	Family Planning and medical aid trust	1. Preventive, diagnosis, curative medical aid and mass awareness programme in the tribal villages of Thane, Raigad and Nashik districts of Maharashtra. 2. Emphasis on the up-liftment of health, knowledge, aptitude and practice of family welfare methods both intermediate and primary.

1	2	3	4	5
9.	Self help housing project for 2 tribal hamlets (Indira Awas Yojana)	1 (Raigad)	TISS	1. To involve the community members in the planning and construction of their own houses. 2. To maintain the durability of the houses, while maintaining the cultural nuance. 3. To strengthen the possibility of pursuing income generation activities.
10.	Evaluation study of ashram schools.	All	Centre for research and development	Evaluation of ashram shala system as an effective education system for adivasis.
11.	Scheme of grant in aid to voluntary organisations working for the welfare of STs.	1 (Thane)	1	Running of balwadis.

Recommendation (Sl. No. 9, Para No. 2.7)

The Committee are unhappy to note that after 1989-90 the Governor's Report relating to the administration of the Scheduled Areas in Maharashtra has not been presented to the President of India. Compilation of data from various sources and agencies undoubtedly takes time, but the extent of delay that has occurred in case of Maharashtra Government in presenting this important document is hardly justified. The Committee, therefore, recommend that the State Government of Maharashtra should take immediate steps to present the pending Governor's Report to the President of India. The Committee would also like the Government of Maharashtra to ensure that in future the compilation and presentation of the Governor's Report to the President do not take inordinate long time. The Committee hope that the entrusting of the job to the Tribal Commissioner in place of the Tribal Research Institute would be helpful.

Reply of the Government

Reports for the year 1990-91, 1991-92 and 1992-93 are under final printing and same will be presented to the President of India through Governor shortly.

Government has entrusted this work to the Commissioner, Tribal Development from the year 1993-94 and instructed that preparation work of the reports for the years 1993-94 and 1994-95 should be completed in prescribed time and submitted to Government immediately.

Recommendation (Sl. No. 12, Para No. 2.19)

The Committee are unhappy to note that the Tribal Advisory Council has met only once each in 1989, 1990, 1992 and 1993 although the "Maharashtra Tribal Advisory Council Rules, 1960" provide that the Council shall ordinarily meet once in every six months. The reason given by the State Government that conducting Council meetings is a time-

consuming procedure and that the Government felt no urgency in conducting the second meeting of the TAC during the aforesaid years is hardly convincing. The Committee feel that meetings of the TAC are significant instrument which can substantially contribute towards better tribal administration. They, therefore, advise the State Government to realise the urgency of conducting such meetings and strongly recommend that henceforth the TAC meetings should be conducted at least twice in a year as per the provisions laid down in the State Government Rules.

Reply of the Government

As per the provision laid down in the Tribal Advisory Council Rules, 1960 henceforth the Tribal Advisory Council meetings will be conducted twice in a year.

Recommendation (Sl. No. 13, Para No. 2.20)

The Committee are extremely disappointed to note that no meeting of the TAC could be held during 1991 due to "unavoidable circumstances and heavy schedule of the Chief Minister". That being so the deposition of the representatives of the Maharashtra Government about the manner in which the Tribal Development Minister avoided the TAC meeting during 1991 is quite intriguing. The Committee, therefore, desire that in future if the Chief Minister for unavoidable reasons, is not in a position to conduct the TAC meetings, then at least the Tribal Development Minister can do the needful.

Reply of the Government

The Govt. of Maharashtra has replied that in future if the Chief Minister is not available the Tribal Advisory Council meeting will be organised under the Chairmanship of the Minister for Tribal Development.

However, the Minister of Welfare would submit that Chief Minister should invariably preside over the Meetings of the T.A.C. to make the discussion/decision meaningful and fruitful. It should be possible for the State Government to convene the T.A.C. Meetings at required intervals under the chairmanship of the Chief Minister in the interests of S.Ts. who are at the bottom rung of the society.

Recommendation (Sl. No. 14, Para No. 2.21)

The Committee also recommend that the State Government should take expeditious action to implement the recommendations of the TAC, which are under their consideration.

Reply of the Government

State Government is taking expeditious action on Tribal Advisory Council's recommendations.

Comments of the Committee

Please see Para No. 1.27 of Chapter-I.

Recommendation (Sl. No. 15, Para No. 2.27)

The Committee note that the State Government of Maharashtra has brought the field machinery of the Tribal Development Department under a single line of command. the Committee further note that the State Government are not in favour of integration of various administrative Units in the ITDP areas as in their opinion various administrative Units with an independent existence function efficiently and effectively. However, they would like the State Government to consider giving a second thought towards integrating various administrative Units under one line of command as recommended by the Maheshwar Prasad Group on Administrative Arrangements/Personnel Policy in tribal areas.

Reply of the Government

The State Government has considered this recommendation as very valuable. However, with regard to the acceptance in toto of the recommendations of the Maheshwar Prasad Group on Administrative Reforms/Personnel Policy in Tribal Areas, the views of the State Government have already been clarified earlier.

So far as the question of bringing the entire administrative machinery implementing the Tribal Sub Plan schemes/programmes in the Integrated Tribal Development Project under a single line of command, the State Government is of the view that if proper coordination is achieved at the local level whereby the benefits intended for the tribals reached them, there may not be any necessity of integrating the entire administration into one Unit. The State Government has established a Commissionarate of Tribal Development assisted by 4 Regional Additional Commissioners and 24 Projects Officers. The entire responsibility of formulation and finalisation of the Tribal Sub Plan is entrusted to this machinery. The State Government has strengthened the project machinery in 11 Projects identified as sensitive and backward and the Project Officer who is drawn from the IAS/IFS cadre is placed in full charge of the administrative and disciplinary control over the machinery operating in the project area. This set up has come up only in January 1992 and in November 1993 and the State Government would like to wait for some time and watch how effective the present set up proves before modifying it.

It may be mentioned for clarification that the State Government has not rejected the Maheshwar Prasad Group recommendations outright and has an open mind so that in future as the need may arise, a further thought can be given to the reorganisation of the present set up. As it is, the Divisional Commissioners and Collectors and Chief Executive officers of Zilla Parishads are actively associated with the Tribal Sub Plan. In fact the Collectors and Chief Executive Officers have been declared as Ex-officio Additional Commissioners of Tribal Development.

With regard to the other recommendations of the Maheshwar Prasad Group, the recommendation that the services rendered in the Tribal Sub Plan Area should be adequately rewarded has already been accepted by the State Government in that a policy has been adopted that an officer/employee after putting in atleast 3 years good work in Tribal areas should be given the next posting of his choice. The State Government has also sanctioned incentive allowances at the rates ranging between Rs. 100 and Rs. 500 depending on the pay drawn by an employee working in Tribal Areas, besides, being allowed the facility of retaining the residential accommodation at the previous post of posting on payment of regular rent, rent-free accommodation at the place of posting or in lieu thereof house rent allowance. So far as the Doctors of Primary Health Centres operating in Tribal Sub Plan Area are concerned, a higher rate of non-practising allowance which is double the normal rate is allowed. Thus most of the recommendations of the Maheshwar Prasad Group have been given effect to by the Government of Maharashtra.

Comments of the Committee

Please see Para No. 1.30 of Chapter-I.

Recommendation (Sl. No. 16, Para No. 2.28)

The Committee appreciably note that the State Government has strengthened the administrative machinery in 11 selected ITDP areas by appointing IASIFS Officers as Project Officers who exercise both administrative and monitoring control over the staff stationed in the ITDP areas. The Committee considered it a step towards effective implementation of tribal development programme and recommended that the administrative machinery in other ITDP areas of Maharashtra should also be strengthened on similar pattern.

Reply of the Government

At present 11 sensitive and backward Integrated Tribal Development Projects have been selected for strengthening the administration. The State Government would like to wait for some time to watch how these projects progress in the matter of reaching the benefits to the tribals and then consider whether to replicate this pattern to other Projects. This issue has also to be viewed from the personnel angle. It may not obviously be possible to make available adequate number of IASIFS Officers to be posted as Project Officers of strengthened projects. Even in the case the existing 11 projects under strengthening the State Government has been able to make available such officers for only 9 Project so far. Also it is necessary to take into consideration the service prospects of the officers of the Maharashtra Tribal Development Service which is a developing cadre and the interests of these offices will have to be properly and adequately safeguarded. The State Government would like to consider the recommendation at a later stage after giving full thought the various

aspects involved. Efforts are being made to appoint IAS/IFS Cadre Officers as Project Officers in selected ITDP areas.

Recommendation (Sl. No. 17, Para No. 2.29)

The Committee fail to appreciate that when the Project Officer has been made the Executive Officer of the Zilla Parishad why Block Development Officer who is a part and parcel of the Zilla Parishad functions independently in Maharashtra. The Committee, therefore, recommend that the BDO whose contribution towards tribal development can never be undermined should be brought under the control and supervision of the concerned Project Officer.

Reply of the Government

Action taken vide Ministry of Tribal Development O.M. No. Astha. 1093/P.K. 20293/K-15 dated 9th November, 1993.

As per above mentioned orders, Zilla Parishad and Block level administration has been brought under the control of Project Officer, I.T.D.P. However, Block Development Officer's appointed in tribal areas have to execute various other schemes and taken care of other development/non-development functions. However, to enable the Project Officer to exercise effective powers, it is provided that they would write the confidential reports of the Block Development Officers.

Recommendation (Sl. No. 18, Para No. 2.30)

The Committee are happy to note that the other useful recommendations of the Maheshwar Prasad Group viz. adequate tribal representation in favour of planning and implementation etc. have been accepted and implemented by the Maharashtra Government. The Committee would like the State Government to maintain that spirit in future also.

Reply of the Government

The State Government has noted the recommendation of the Committee.

Recommendation (Sl. No. 23, Para No. 3.16)

The Committee are dissatisfied to note that land alienation cases detected each year during the last five years are not available with the State Government. They request to note that old records relating to land alienation cases have been destroyed at State level for which the District Collectors have been asked to furnish the requisite information. The Committee opine that it is not a healthy practice to destroy such important documents more so when these are not too old. The Committee, therefore, recommend that henceforth records of land alienation cases be meticulously maintained for a sufficient period with a view to avoiding unnecessary complication as well as to protect the tribal interest.

Reply of the Government

The Government of Maharashtra has replied that the recommendation is noted and henceforth records of land alienation cases be maintained for a sufficient period at State level.

The Ministry, however, feel that records of land alienation cases should be maintained to protect the tribals' interests. Moreover, copy of the decision of the court should be invariably given to tribals free of cost. In fact, this should be made compulsory.

Comments of the Committee

Please see Para No. 1.45 of Chapter-I.

Recommendation (Sl. No. 26, Para No. 3.23)

The Committee note that during the last five years 6023 families belonging to Scheduled Tribes have been affected in Maharashtra due to major and minor irrigation projects. The Committee also note that till date 5484 tribal families have been resettled and rehabilitated in accordance with the policy of the State. The Committee would like the Government of Maharashtra to rehabilitate the remaining 539 Project Affected tribals as soon as possible.

Reply of the Government

In connection with the above observations of the Committee, it is stated that as per the position of rehabilitation of tribal families obtaining in Maharashtra affected due to major and minor irrigation projects, 622 tribal families had remain to be rehabilitated upto September, 1993. Thereafter by the month ending January, 1995, 539 families had remain to be rehabilitated. Thereafter, 82 tribal families have since been rehabilitated, as such 457 families are yet to be rehabilitated by the month ending June, 1995. The rehabilitation of these remained 457 tribal families is being done expeditiously, as per time-bound programme framed by this Department.

Comments of the Committee

Please see Para No. 1.54 of Chapter-I.

Recommendation (Sl. No. 28, Para No. 4.12)

The Committee are pained to observe the astounding percentage of drop-outs among tribal students at different standards due to poverty, socio-cultural attitude, language barrier and apathetic and indifferent attitude of tribal students as well as those of non-tribal teachers. The Committee, however, note that the State Government is taking a number of steps and proposing to take additional measures to check higher rate of drop-outs among tribal students. The Committee recommend that immediate and vigorous efforts be made to appoint local lady-teachers and to introduce innovative measures besides carrying out an intensive and decentralised administration to curb drop-out percentage. The Committee would also like the State Government to encourage NGOs/

Voluntary organisations in propagating the value of education among the illiterate tribals.

Reply of the Government

The State Government has taken a policy decision to relax the general norm of 200 population and 1.5 Km. distance for opening a primary school in respect of remote and hilly area and decided to open primary school for 100 population and 1 Km. distance.

It has been experienced that trained teachers from other areas are reluctant to work in remote, hilly and tribal area. The Government has, therefore, taken a decision to appoint local primary teacher in the primary school and if even local trained teacher is not available untrained H.S.C. local teacher is appointed with the condition that he should pass D Ed. examination within the period of 5 years from his appointment.

As per the State Action Plan, it is proposed to launch TLC in the major tribal districts of Thane, Dhule, Bhandara, Chandrapur and Gadchiroli during the year 1995-96. The total project cost of these districts comes to Rs. 598.65 lakhs. As per the financial pattern for non-Tribal area and tribal area prescribed by The Government of India, the Government of India's share comes to Rs. 478.92 lakhs and State Government's share is Rs. 119.72 lakhs.

The project proposals of these districts are being prepared and will be submitted to Project Approval Committee of the National Literacy Mission Authority, Government of India.

Recommendation (Sl. No. 29, Para No. 4.13)

The Committee note that the State Government has not conducted any systematic study to find out whether drop out rates have been decreased as a result of the introduction by then of a number of measures in this regard. At the same time the State Government is of the view that an in-depth study is necessary in this regard. The Committee, therefore, suggest that steps should be taken by the Maharashtra Government to evaluate the impact of the measures introduced by them so that prompt, corrective and further action can be taken in this regard.

Reply of the Government

The Government of Maharashtra has taken an evaluation study of the Ashram School Scheme. The evaluation of Ashram School scheme has been done by the Centre for Research & Development, Bombay. The recommendations made by study group are under consideration.

Comments of the Committee

Please see Para No. 1.60 of Chapter-I.

Recommendation (Sl. No. 30, Para No. 4.14)

The Committee note that only for Nanded the State Government is

getting assistance from the Union Government under the National Literacy Programme. They also note that a proposal for assistance under the National Literacy Programme in the other areas of Maharashtra as well will soon be sent to the Central Government. The Committee desire that the proposal may be sent to the Union Government at an early date and hope that the Central Government would take a favourable decision in this regard.

Reply of the Government

The State Government has taken a policy decision on 4.11.1991 to implement TLC in all the districts of the State in a phased manner. So far TLC has been completed in the districts having tribal area namely Pune, Nanded and Amravati. Out of these 3 districts in Nanded and Pune PLC has already been started. The financial pattern prescribed in tribal areas has been received in January, 1995. Therefore, the expenditure on tribal component was not shown in the project proposals for TLC/PLC in these 3 districts.

As per the normal financial pattern Government of India gives 2/3rd grant and the State Government shares 1/3rd grant required for the implementation of TLC/PLC project in a district. The financial pattern for a tribal area is 80:20. As per this revised financial pattern for tribal area the proposals made thereafter include expenditure for tribal area separately. Accordingly, the project proposal of Nasik district has been prepared and Government of India have sanctioned expenditure as per this revised financial pattern.

The State Government has also introduced a scheme of Attendance allowance, under which attendance allowance @ Rs. 1/- per day is paid to all the girls students from tribal areas and SC/ST girls students from non-tribal area.

The Government has decided to construct primary school building in tribal area by spending @ Rs. 78,200/- compared to Rs. 71,650/- in non-tribal area.

Free Text books are provided to primary students belonging to SC/ST community. Two sets of school uniforms and writing material are provided free of cost to primary students of SC/ST Community.

There is a general policy to recruit 50% lady teachers. Accordingly, instructions have been issued to all District Selection Committees to give priority to female candidates in the selection of primary teachers.

Recommendation (Sl. No. 31, Para No. 4.22)

The Committee note that the State Government has fallen short of the target in opening Public Health Centres and Sub-centres in T.D.P. area during the VII plan period, although they have

exceeded the target in opening Community Health Centres. The Committee desire that the Maharashtra Committee should ensure to meet the target in opening Health Centres during the VIII Plan Period.

Reply of the Government

The Rural Population of the Maharashtra State as per 1991 Census is 483.95 lakhs. The Population of Tribal Sub-Plan is about 54.44 lakhs. The information of Institutions required and established by 1994-95 is as under:—

Sr. No.	Institution	Number required	Number sanctioned by 7th Plan to 1994-95	Addition during 1990-91 on 31-3-95	Number sanction 31-3-95
1.	2	3	4	5	6
1.	Sub Centres	1815	1627	245	1872
2.	Primary Health Centres	272	262	23	285
3.	Community Health Centres	68 (in the ratio of 1 CHCs. for PHCs.) (50% of 68 = 34)	49	4	53

In addition to this Primary Health Units (Mini PHCs) and Mobile Health Units are also established in uncovered pockets from Hilly and inaccessible areas. Where Primary Health Centres cannot be established. A Comparative information by the end of 7th Plan and as on 31.3.95 is as under:—

Sr. No.	Institution	No. by end of 7th Plan	No. as on 31.3.95	Addition after 7th Plan
1.	Primary Health Units (Primary Health Centres)	8	91	83
2.	Mobile Health Units	17	53	36

Recommendation (Sl. No. 33, Para No. 4.24)

The Committee agree that dedication or sincerity to work in tribal areas has to come from within and cannot be forced by means of facilities or incentives. Side by side the Committee are of the opinion that those who

are dedicated and sincere to their duties will work in any adverse situation but there are also average workers who can be allured through monetary and non-monetary incentives to put their best efforts. The Committee, therefore, desire the State Government not to minimise the importance of incentives both in cash and in kind, in motivating medical officers to work in tribal areas.

Reply of the Government

The Government of Maharashtra has replied that efforts are continuously made to motivate the Medical Officers to work in Tribal areas by giving monetary and non-monetary benefits.

The Ministry is of the opinion that in addition to the efforts being made by the State Government for motivating Medical Officers to work in tribal areas, local tribal youth should be given requisite training and appointed as para-medical workers. Traditional indigenous medicines could also occupy important place in treatment of tribals.

Recommendation (Sl. No. 34, Para No. 4.25)

The Committee are concerned to note that as many as 679 Health Sub-Centres are likely to be connected by all weather roads. They are dissatisfied with the casual reply of the State Government that a definite time limit cannot be given for connecting the above mentioned health centres with all weather roads. The Committee feel that lack of proper communication is one of the most important reasons for deterring the medical officers to work in tribal areas and the State Government can little afford to compromise on this issue. The Committee, therefore, urge upon the Government to frame a definite time limit to connect the health centres with all weather roads and accomplish the job within the stipulated time.

Reply of the Government

The Government of Maharashtra has decided to specifically take up the work of connecting the health centres/sub-centres in the State by all weather roads and a provision of Rs. 41.69 lakh has been proposed in the State Budget for 1995-96. As recommended by the Committee, a definite time limit to connect the health centres with all weather roads, will be laid-down. But it is necessary to ascertain the position regarding the number of health centres and sub-centres connected, so far, and number of health centres to be connected including probable expenditure for the same. This position is now being ascertained and thereafter final decision regarding the time bound programme will be taken and the Committee will be informed accordingly.

Recommendation (Sl. No. 35, Para No. 4.32)

The Committee note that the Maharashtra State Co-operative Tribal Development Corporation has been appointed as the Chief Agent for implementing the Monopoly Procurement Scheme for the surplus

agricultural produce and Minor Forest Produce collected by the tribals. With a view to improving the functioning of the State Institutions engaged in collection and marketing of Minor Forest Produce the Maharashtra Government is taking a number of steps, *i.e.*, a nominal rate of royalty at Rs. 5/- per quintal of Minor Forest Produce, reimbursement of losses incurred by the Tribal Development Corporation, construction of godowns in interior areas etc. The Committee feel that if these steps are taken uninterruptedly under continuous monitoring, it will go a long way in enabling the poor tribals to realise a fair price for the Minor Forest Produce collected by them. The Committee would, therefore, like the Maharashtra Government to carry on their efforts towards ameliorating the economic condition of teeming tribals. The Committee also suggest that the Ministry of Welfare should prevail upon other States to abolish royalty on Minor Forest Produce, construct godowns at interior tribal areas, enhance the share capital base of the State Corporations and take other similar measures as have been resorted to by the Maharashtra Government.

Reply of the Government

Ministry of Welfare has already taken up the issue of abolition of royalty on Minor Forest Produce (M.F.P.) through a D.O. letter from the Welfare Minister to the Chief Ministers of all concerned States. The matter is being pursued.

As regards construction of godowns in interior tribal areas, enhancement of Share Capital base of State Tribal Development Corporations, etc. Ministry already has under implementation a scheme of giving *Grant-in-aid* to State Tribal Development/Cooperative Corporation/Forest Development Corporation, etc., for taking up activities for increasing operations relating to Minor Forest Produce. Grants are released under this scheme as contribution towards the Share Capital of the Corporations for construction of godowns, taking up Research and Development activities on M.F.P., increasing M.F.P. operation, etc.

Recommendation (Sl. No. 37, Para No. 4.39)

The Committee note with concern that there are shortfalls in expending the approved TSP amounts towards various developmental schemes. The two most important reasons, *i.e.*, sharing of the subsidy burden upto 25% to 50% by the poor tribals and lack of administrative approval in time, as has been explained by the State Government for falling short of the target, are quite impracticable and irresponsible. The Committee, therefore, urge upon the Government to devise some other alternative methods so that the poor tribals do not have to bear the burden of 25% to 50% share in the subsidy. The Committee also recommend that the Government should ensure in future that the administrative approval required for a number of schemes is obtained well in time so that shortfalls in expending the earmarked amount under various developmental sectors are kept at bay.

Reply of the Government

The Government of Maharashtra has replied that necessary instructions have been issued to the concerned officers in this respect.

The Ministry feels that wherever feasible labour component of a tribal in a scheme/project for which he takes loan should be computed towards his contribution to margin money. Cash loan burden should be minimum in case of tribals below poverty line.

Comments of the Committee

Please see Para No. 1.69 of Chapter I.

Recommendation (Sl. No. 38, Para No. 4.40)

The Committee note that the State Government has issued detailed instructions to the Commissioner of Tribal Development, all Additional Tribal Commissioners and Project Officers to conduct periodical meetings of various Departmental Heads and implementing Officers so that remedial measures for proper and full utilisation of the outlays under TSP are traced. The Committee also appreciate to note that all the Project Level Implementing Committees have been directed to resort to constant monitoring and review of the schemes included in the TSP. The Committee feel that these are appropriate steps under the circumstances and would like Maharashtra Government to keep these up in future also. The Committee also suggest that the Ministry of Welfare should impress upon other States, where shortfalls in expending the earmarked amount under various developmental sectors are also observed, to take up measures on the line of Maharashtra Government.

Reply of the Government

The recommendation of the Committee is taken note of and suitable instruction will be issued to the State Governments.

Comments of the Committee

Please see Para No. 1.72 of Chapter I.

Recommendation (Sl. No. 39, Para No. 4.44)

The Committee note that out of total number of 11866 employees in various categories of posts working in ITDP areas, 1623 belong to SC category and 4986 to ST category thereby giving representation to SCs and STs at 13.67% and 42.01% respectively. The Committee also note that out of the 24 Project Officers working in the tribal areas of the State only two belong to ST community. The Committee opine that the overall representation of SC/ST people in various cadres in the ITDP areas of Maharashtra is not bad. They, however, would like to recommend that the Maharashtra Government should make efforts to increase the representation of persons belonging to SCST category in

various categories of posts in the ITDP areas. Special attention in this regard ought to be paid in the appointment of Project Officers.

Reply of the Government

The State Government has always given representation taking into consideration the exigencies of administration as per the reservation norms belonging to SC/ST and other B.C. category in the ITDP area. So far as the posts of Project Officers are concerned, these Officer's are drawn from the IAS/IFS in respect of the strengthened ITDPs and elsewhere from the Officers of the Maharashtra Tribal Development Service Class-I. In Maharashtra State the 50 or 100 point roster system is applied to promotion and nomination respectively. Therefore, recruitment to post of Project Officers have to be made in accordance with the reservation point in the roster. Therefore, there will always be some limitation on the number of personnel belonging to STs being appointed as project officers. Besides, the State Government feels that it would not be a prudent policy from the administrative point of view to appoint only tribals as Project Officers to work in the Tribal Area.

CHAPTER III

RECOMMENDATIONS / OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE TAKING INTO CONSIDERATION REPLIES OF THE GOVERNMENT

Recommendation (Sl. Nos. 10 & 11, Para Nos. 2.8 & 2.9)

The Committee are surprised over the casual approach of the Ministry of Welfare in compilation and presentation of the Government's Report. Although communications were sent to the State Governments in this regard from the Welfare Minister and the Secretary no mandatory directions under clause 3 of the Fifth Schedule of the Constitution have ever been issued to any State Government.

The Committee, therefore, urge upon the Ministry to examine the feasibility of issuing directions to all the State Governments to present the Governor's Report in time. The Committee may be apprised to the progress made in this regard expeditiously.

Reply of the Government

Ministry of Welfare reminds from time to time the State Governments of their constitutional obligation to furnish a report by the respective Governor to the President of India regarding administration of Scheduled Areas. The latest position regarding receipt of Governors' reports in this regard is indicated below:—

<i>State</i>	<i>Year upto which received</i>
1. Andhra Pradesh	1988-89
2. Bihar	1991-92
3. Gujarat	1992-93
4. Himachal Pradesh	1994-95
5. Maharashtra	1992-93
6. Madhya Pradesh	1991-92
7. Orissa	1993-94
8. Rajasthan	1993-94

Comments of the Committee

Please see Para No. 1.24 of Chapter I.

Recommendation (Sl. No. 19, Para No. 3.8)

The Committee note that the Maharashtra Government has banned commercial vending of liquor in the Notified areas of Thane, Nasik, Dhule, Amravati and Gadchiroli as per the guidelines issued by the erstwhile Ministry of Social Welfare and reiterated by the Ministry of Home Affairs. The Committee also note that the proposal for prohibition

of liquor vending in some other Notified Areas in the districts of Pune, Jalgaon, Ahmednagar, Nanded, Yeotmal and Chandrapur is under consideration of the State Government. The Committee earnestly desire the Maharashtra Government to take an early decision in this regard and promptly prohibit commercial vending of liquor in the notified areas of the above mentioned districts.

Reply of the Government

The matter is under consideration of the Maharashtra Government.

Comments of the Committee

Please see Para No. 1.33 of Chapter I.

Recommendation (Sl. No. 20, Para No. 3.9)

The Committee are dissatisfied to note that the Government guidelines for discontinuing commercial vending of liquor are being implemented in only Tribal Sub-Plan (TSP) areas and no such arrangement has been made in the Additional Tribal Sub-Plan (ATSP) areas, Modified Areas Development Approach (MADA) areas or Mini MADA areas. The Committee opine that prohibition of liquor vending is as desirable in ATSP, MADA or Mini MADA areas as in the TSP areas. They, therefore, urge upon the State Government of Maharashtra to make immediate arrangements to see that commercial vending of liquor is banned also in ATSP, MADA and Mini MADA areas.

Reply of the Government

The matter is under consideration of the Maharashtra Government.

Comments of the Committee

Please see Para No. 1.36 of Chapter I.

Recommendation (Sl. No. 21, Para No. 3.10)

The Committee are happy to note that the Maharashtra Government has made extensive propaganda campaigns to wean away the tribals from taking alcoholic beverages. The Committee would like the State Government to keep up these activities in future also. They also recommend that the Ministry of Welfare should persuade other States to resort to similar anti-liquor propaganda campaigns in the tribal areas.

Reply of the Government

Ministry of Welfare has, in the context of excise policy in tribal areas, issued guidelines wherein it has been emphasized that attempts be made to wean the members of Scheduled Tribes away from the habit of drinking liquor beverages. For this purpose, it has also been suggested to States that officials and non-officials of voluntary organisations be encouraged to take up anti-liquor propaganda campaigns in the tribal areas.

The Conference of Ministers and Secretaries of States/UTs incharge of Tribal Welfare held on 2nd/3rd February, 1995, at Guwahati re-

commended that the guidelines issued by the Ministry of Welfare on excise policy for tribal areas be scrupulously followed by all States/UTs Administrations.

Comments of the Committee

Please see Para No. 1.39 of Chapter I.

CHAPTER IV **RECOMMENDATIONS / OBSERVATIONS REPLIES TO WHICH** **HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH** **NEED REITERATION**

Recommendation (Sl. No. 4, Para No. 1.28)

The Committee note that the Government of Maharashtra has developed a three tier administrative set up at State Level, Regional Level and Project Level for smooth implementation of Tribal Development Programmes. In the system at the regional level, four Additional Commissioners have been appointed at Thane, Nasik, Amravati and Nagpur. The Committee recommend that the Maharashtra Government should further streamline the process by appointing more such Additional Commissioners at other Regions where Tribal concentration is significant.

Reply of the Government

With a view to bring the field organisation of the Tribal Development Department under a single line of command, the same was reorganised in January, 1992. Accordingly, a post of Commissioner of Tribal Development with head quarters at Nasik & 4 additional commissioners of Tribal Development with headquarters at Nasik, Nagpur, Thane & Amravati are operating in the field.

The jurisdiction of the four additional commissioners of Tribal Development is as follows:—

Head Quarter	Revenue Division	Districts
1. Nasik	Nasik	Nasik*, Dhule*, Ahmednagar* and Jalgaon* (4) (Total 2006 villages in TSP)
2. Nagpur	Nagpur	Nagpur*, Bhandara* Wardha, Chandrapur* and Gadchiroli* (5) (Total 2573 villages in TSP)
3. Amravati	Amravati and Aurangabad	Amravati*, Yeotmal*, Akola, Buldana, Aurangabad, Beed, Jalna, Parbhani, Nanded*, Usmanabad & Latur (11) (Total 1057 villages in TSP)

1	2	3	4
4. Thane	Konkan & Pune	Thane*, Raigad*, Ratnagiri, Sindhudurg, Pune*, Solapur Kolhapur, Satara and Sangli(a)	(Total 1326 villages in TSP)

* 14 districts having significant tribal concentration.

From the above information it may be seen that the 14 districts of State having tribal concentration are distributed almost equitably among the Additonal Tribal Commissioners, Nasik & Nagpur each having 4 and Thane and Amravati each having 3 districts. The number of villages included in the Tribal Sub-Plan area are also evenly distributed. Therefore, the State Government does not see any justification need for increasing the number of Additional Commissioners of Tribal Development.

Comments of the Committee

Please see Para No. 1.15 of Chapter I.

Recommendation (Sl. No. 5, Para No. 1.29)

The Committee observe from the statement of the representative of Maharashtra Government that the interaction between the State Government and the Ministry of Welfare is quite adequate so far as formulation and implementation of Tribal Development programme is concerned. The Committee also note that two State level Committees have been constituted to oversee the working of ITDPs in Maharashtra. But the State Government is not in favour of the constitution of any Central Standing Committee as in their view it would be less effective and more time consuming. The Committee, however, would like the Ministry of Welfare to constitute Central Planning Committees in the identified tribal areas, as has been done in the case of Amravati District earlier, so that unforeseen problems in these areas are tackled successfully.

Reply of the Government

The Central Planning Committee was constituted in the wake of reported starvation deaths of tribal children in Amravati district of Maharashtra during September, 1993. The status of the Committee has since been changed to that of a Standing Committee. The Committee monitors measures taken by the States to prevent deaths of children due to starvation in backward and remote tribal areas. The Committee has already identified extreme backward tribal areas in 12 States. Some of the States have already prepared Action Plans of preventive measures and

implemented them also. Periodical meetings of the Committee are taken by Secretary (Welfare) with a view to monitor various measures for prevention of such deaths in backward and remote areas.

Comments of the Committee

Please see Para No. 1.18 of Chapter I.

Recommendation (Sl. No. 22, Para No. 3.15)

The Committee note that till the end of March 1993, 45,628 cases of land alienation have been registered under the Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974 and the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974. Out of these 45,628 cases, 45,500 cases have been disposed of so far. The Committee desire the State Government of Maharashtra to expeditiously settle the remaining 128 cases.

Reply of the Government

Necessary instructions have already been issued from time to time to the Collectors to ensure that the cases pending for enquiry with Revenue Officers are disposed of expeditiously.

Comments of the Committee

Please see Para No. 1.42 of Chapter-I.

Recommendation (Sl. No. 24, Para No. 3.17)

The Committee note that the State Government is preparing and maintaining a Record of Rights to enter the name of the holder of land in it. The Committee also note that land under cultivation is inspected every year by the State Government to find out the crops grown on it, its area and the person cultivating it. But the Committee do not agree with the views of the State Government that a special survey to detect land alienation cases is not necessary as they have a well organised land record system. The Committee are of the view that the present annual inspection of land under cultivation gives secondary importance to detect land alienation cases. The Committee, therefore, urged the State Government to devise methods for conducting a periodical special survey to find out land alienation cases. In the opinion of the Committee it will help not only in maintaining a methodical record of land alienation cases detected each year but also facilitate expeditious disposal of such cases.

Reply of the Government

The Government of Maharashtra has replied that as per the provisions of Maharashtra Land Revenue Code, 1966 and rules made thereunder, there is a system of preparation and maintenance of Record of Rights. Under this system the name of the holder of the land is enter in the Record of Right after detailed enquiry. Every year the lands under cultivation are inspected so as to find out what are the crops grown on it, its area and the person who is cultivating it.

At the time of crop inspection as mentioned above, if anybody other than the holder is found cultivating the land, the detailed enquiry is held about the person who is not a legal holder but cultivating the land. If such person is found to be tenant his name is accordingly entered in Record of Right after enquiry under Tenancy Act. The register of persons about who are cultivating land and who are not legal holder is kept separately at Talathi levels. If the tribal land is found to be alienated, it is also recorded and the necessary action under Restoration Act is taken.

The above mentioned exercise is carried out every year. Hence it is not correct to say that the present annual inspection of land under cultivation gives secondary importance to detect land alienation cases. In fact 80% of the cases of tribal land alienation have been detected and registered *suo-moto* by the local revenue authority and most of the work pertaining to alienation of tribal land in the State is completed. So it does not appear necessary to devise methods for conducting a periodical special survey to find out land alienation cases.

The Ministry of Welfare, however, is of the view that detection of illegal land alienation by STs to non-tribals is a continuous process and, as such, special drives from time to time to detect such cases are called for.

Comments of the Committee

Please see Para No. 1.48 of Chapter-I.

Recommendation (Sl. No. 25, Para No. 3.18)

The Committee appreciate to note that the State Government has been circulating pamphlets to all village Panchayats and Social Organisations in order to make the tribals aware of the protection and rights given to them under the two Land Acts of Maharashtra Government. The Committee suggest that as many Voluntary Organisations as possible be involved in this mission. The Committee also desire that an intensive propaganda campaign on the pattern of the anti-liquor one may be resorted to by the State Government so that the innocent tribals do not succumb to unscrupulous elements.

Reply of the Government

The Government of Maharashtra has replied that in order to make the tribals aware of the protection and rights given to them under the two Land Acts of Maharashtra Government a pamphlet has been circulated to all Village Panchayats and Social Organisations. Moreover, most of the work pertaining to alienation of tribal land in the State is completed. So it does not appear necessary to resort an intensive propaganda campaign for this purpose.

The Ministry of Welfare, however, feels that as pointed out in respect

of foregoing paragraph, detection of illegal land alienation is a continuous process. Educating the S.Ts. about their rights should also be a continuous process. N.G.Os. could be involved in this.

Comments of the Committee

Please see Para No. 1.51 of Chapter-I.

Recommendation (Sl. No. 27, Para No. 3.24)

The Committee further note that the facilities given by the State Government to the Project Affected People are common to all irrespective of their caste and creed. The Committee also note that as per a policy decision of the Maharashtra Government Tribal PAPs are resettled and rehabilitated on or top priority basis. The Committee would, however, like to suggest that besides rehabilitating the tribal PAPs on top priority basis the Government of Maharashtra should consider the feasibility of giving some special compensation to such tribals.

Reply of the Government

The Government of Maharashtra has replied that essential civic amenities are provided to the PAPs as per Section 10 of the Maharashtra Project Affected Persons Rehabilitation Act, 1986. Considering peculiar and vulnerable economic condition of the Tribal PAPs, they are given priority in rehabilitation programme, as per the orders issued in Government Resolution, Revenue and Forests Department No. RPA-1086/CR-3944/R-1, dated 30th May, 1986.

The Ministry of Welfare is, however, of the view that the Government of Maharashtra should consider feasibility of giving special resettlement and rehabilitation package to displaced S.Ts. Land in lieu of land should be made one of the cardinal provisions in such a package for STs.

Comments of the Committee

Please see Para No. 1.57 of Chapter-I.

Recommendation (Sl. No. 32, Para No. 4.23)

The Committee note with concern that there is shortage of Medical Officers in Public Health Centres and rural hospitals due to reluctance and hesitation on the part of such officers to work in tribal and hilly areas. The Committee also note that in order to attract and encourage the Medical Officers towards tribal areas the Maharashtra Government, is taking a number of steps, i.e., Special Tribal Area Allowance at Rs. 500/- per month, permission to retain Government accommodation, preference posting etc. One such measure, i.e., increasing the non-practising allowance (NPA) at double rates is under consideration of the Government. The Committee recommend the State Government, to take an early decision in favour of the proposal for increasing the NPA of the Medical Officers at double rates besides continuing the other aforesaid measures so that more medical officers are encouraged to work in the

tribal and hilly areas. The Committee are surprised to note that the monetary and non-monetary incentives to Medical Officers have been given only recently. The Committee opine that these measures should have been taken long back as the tendency of the reluctance on the part of the medical officers to work in tribal areas must have been noticed from the outset. However, now that the measures have been introduced the Committee recommend that the State Government, should take steps to take evaluation studies for observing the repercussion of such measures. The Committee hope it will enable the State Government to take further action as and when necessary.

Reply of the Government

The Government of Maharashtra has replied that there are about 600 to 700 vacancies of Medical Officers in the State. The Medical Officers are reluctant to join the duties in the Tribal Area due to lack of basic amenities like education facilities, Marketing Facilities, Accomodation etc. To overcome the problem of vacancies of Medical Officer following steps are taken up:—

1. Special Tribal Area allowance is sanctioned at the rate from Rs. 100/- to 500/- according to pay scale.
2. The Medical Officers posted in Tribal Sub-Plan Area are permitted to retain Government Quarters, if provided at District/Taluka Head Quarters.
3. Preference is given for the posting as per choice after completion of tenure in Tribal Area.
4. The non-practising allowance of Medical Officers working in inaccessible area from Tribal Sub-Plan are doubled.
5. Generally the Medical Officers possessing M.B.B.S. degree are reluctant to join the Tribal area. Considering this one post of Medical Officer Class-II is down graded as Class-III at 174 Primary Health Centres and B.A.M.S. candidates are appointed on these posts. So that atleast minimum Health facilities/services can be made available to Tribal community.
6. It is the endeavour of the Department to have atleast one Medical Officer at Primary Health Centres from Tribal Sub-Plan Area. Medical Officers from non-Tribal area are deputed to the Tribal area by rotation.
7. The Interviews for about 1500 post of Medical Officers Class-II have recently been conducted by M.P.S.C. and posting ordres are being issued shortly.

The above measures are introduced during last 2-3 years. A period of 5 to 10 years will be required for evaluating impact of these measures.

The Ministry of Welfare is of the view that as recommended by the

Committee, the Government of Maharashtra should undertake a study to evaluate the impact of measures referred to above on manning of medical posts in the tribal areas.

Comments of the Committee

Please see Para No. 1.63 of Chapter-I.

Recommendation (Sl. No. 36, Para No. 4.33)

The Committee note that a proposal for more Central assistance to take up other measures has been sent by the State Government to the Central Government. The Committee desire the Union Government to take an early decision in this regard so that the Maharashtra Government is able to start mobile collection Units of Minor Forest Produce, organise training camps for tribal forest produce collectors and open laboratories for assuring quality of produces for its marketability.

Reply of the Government

A sum of Rs. 30 lakhs was released to the Maharashtra State TDCC, Nasik during 1994-95 under the Scheme of Grant-in-aid to State TDCCs towards working capital for Minor Forest Produce Operation. Similarly Rs. 53 lakhs and Rs. 24 lakhs were released to State TDCC in 1993-94 and 1992-93 respectively under the Scheme as contribution towards its Share Capital.

Comments of the Committee

Please see Para No. 1.66 of Chapter-I.

CHAPTER V

RECOMMENDATIONS AND OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE GOVERNMENT HAVE NOT BEEN RECEIVED

—NIL—

PARAS RAM BHARDWAJ,
*Chairman,
Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.*

NEW DELHI;
February, 1996

Phalguna, 1917(S)

APPENDIX

(Vide para 4 of the Introduction)

Analysis of the Action Taken by the Government on the recommendations contained in the Fifty-First Report (Tenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

1.	Total number of recommendations	39
2.	Recommendations/observations which have been accepted by the Government: (Sl. Nos. 1.25, 1.26, 1.27, 1.30, 1.31, 1.32, 2.7, 2.19, 2.20, 2.21, 2.27, 2.28, 2.29, 2.30, 3.16, 3.23, 4.12, 4.13, 4.14, 4.22, 4.24, 4.25, 4.32, 4.39, 4.40, 4.44)	26
	Percentage to Total	66.66%
3.	Recommendations/observations which the Committee do not desire to pursue taking into consideration the replies of the Government: (Sl. Nos. 2.8, 2.9, 3.8, 3.9, 3.10)	5
	Percentage to Total	12.82%
4.	Recommendations/observations replies to which have not been accepted by the Committee and which need reiteration: (Sl. Nos. 1.28, 1.29, 3.15, 3.17, 3.18, 3.24, 4.23, 4.33)	8
	Percentage to Total	20.51%
5.	Recommendations/observations in respect of which final replies have not been received.	NIL
	Percentage to Total	NIL