

COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(1992-93)

(TENTH LOK SABHA)

TWENTY-SECOND REPORT

WORKING OF INTEGRATED TRIBAL  
DEVELOPMENT PROJECTS IN BIHAR

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Presented to Lok Sabha on 29.4.1993

Laid on the Rajya Sabha on 29.4.1993

LOK SABHA SECRETARIAT  
NEW DELHI

April, 1993/Chaitra, 1915 (Saka)

  
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(K. PRADHAN)  
Chairman  
Committee on the Welfare of  
Scheduled Castes & Scheduled Tribes

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COMPOSITION OF THE COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND SCHEDULED TRIBES (1992-93).

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Shri K. Pradhani - Chairman

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3. Shri Birbal
4. Shri Ram Prakash Chaudhary
5. Shri Anadi Charan Das
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1. Shri G.L. Batra - Additional Secretary
2. Shri S.C. Gupta - Joint Secretary
3. Shri N.M. Jain - Deputy Secretary
4. Shri S.K. Sharma - Assistant Director.

## INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf, present this Twenty-Second Report (Tenth Lok Sabha) on the Working of Integrated Tribal Development Projects in Bihar relating to the Ministry of Welfare.

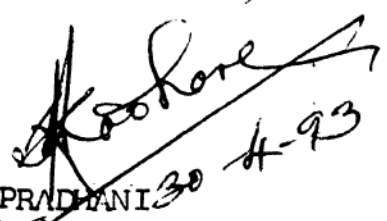
2. The Committee took evidence of the representatives of the Ministry of Welfare and State Government of Bihar on 17 and 18 September, 1992. The Committee wish to express their thanks to the officers of the Ministry of Welfare and State Government of Bihar for placing before the Committee material and information the Committee desired in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on 26 April, 1993.

4. A summary of conclusions/recommendations contained in the Report is appended (Appendix)\*

NEW DELHI

April 26, 1993  
Vaisakha 6, 1915(S)

  
K. PRADHAN 30 4-93  
Chairman  
Committee on the Welfare of  
Scheduled Castes and  
Scheduled Tribes.

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\* Not appended with cyclostyled copies of the Report.



## CHAPTER-I

### INTRODUCTORY

#### A. HISTORICAL DEVELOPMENT

1.1 The Scheduled Tribes constitute 7.8 percent of the total population of this country. They are among the weakest sections of the society. Therefore, the Constitution provides a comprehensive framework for their socio-economic development and for preventing their exploitation by other groups of society without disturbing their socio-cultural heritage. Eight States in the country including Bihar have tribal areas which have been declared 'Scheduled Areas' under the Fifth Schedule to the Constitution. Bihar has Scheduled Tribe population of 58 lakh according to 1981 census which constitute 8.3 percent of the total population of the State. However, major concentration of Scheduled Tribe population is in Tribal Sub-Plan area - 43 lakh, which is spread over 112 blocks of ten districts of South Chhotanagpur and Santhal Parganas divisions of the State. In all, 14 Integrated Tribal Development Projects have been set up in Bihar. Integrated Tribal Development Projects are generally continuous areas of the size of a Sub-Division having concentration of the, tribal population.

B. INTEGRATED TRIBAL DEVELOPMENT PROJECTS (ITDPs)

1.2 Integrated Tribal Development Projects (ITDPs) in Bihar were set up as a part of new strategy in the Fifth Five Year Plan. The main objective of Integrated Tribal Development Projects (ITDPs) is to narrow the gap in development between Scheduled Tribe people and others and to improve their quality of life. In particular, ITDP aims at improving the level of development of the Scheduled Tribe areas with particular focus on Scheduled Tribes. This objective is sought to be achieved through integration in the project area of all developmental activities of Government and semi-Government organisations and financing and credit institutions in the project area through an integrated plan with focus on Scheduled Tribes. Financial resources for the purpose are pooled from the State Plan outlays, Special Central Assistance

of the Ministry of Welfare, Central Sector schemes of Central Ministries/ Departments and Institutional Finance. At the State level, a separate Sub-Plan is prepared depicting the totality of developmental efforts envisaged for Five Year and annual plan periods. Perspective projects plans are drawn up for the Project area which present an integrated view of their problems.

1.3 In a note submitted to the Committee, the State Government have stated that the problems faced by the area are similar in the entire Integrated Tribal Development Project areas in Bihar namely illiteracy, backwardness, infrastructure-weakness, bad communication, problem of land alienation, rural indebtedness, lack of subsidiary occupation, marketing problem of the agricultural/minor forest produce and cottage industries projects, etc. The area has its own potentials different from the potentials available in the non-integrated Tribal Development Projects area in Bihar. The area is rich in mineral deposits, and forest wealth and big/small rivers in undulating trend opening scope for hydroelectric projects.

### C. Relevance for Tribal Development

1.4 For impelmentation of TSP strategy, the ITDPs/ITDAs were conceived during Fifth Five Year Plan. This basically takes into account an area approach keeping in view the separate geographical location of tribal habitations. Subsequently, isolated pockets have also been added to cover dispersed tribals. The TSP strategy, with identified areas has helped in focussing the attention of the planners and implementors on the special needs of the tribal society and tribal areas and on adopting a more integrated approach for their development. The objectives have been two-fold, namely -

- i) Socio-economic development of the Scheduled Tribes; and
- ii) Protection of tribals against exploitation.

1.5 The Committee were informed that right from 1980-81 upto March, 1990, about 28484 schemes were taken up in Bihar and it benefitted

92,935 tribals and 9435 tribal families. In the initial stage, some construction schemes, like school building, link roads, Gram Sabha Bhawan, Culverts, House Constructions and Grain-gola building, were also taken up. But, subsequently, only such schemes were adopted which were family-oriented and were able to generate income to tribals.

1.6 From 1980-81 to 1989-90, a sum of Rs.14,72,69,800/- was received as allotment and out of it, Rs.9,99,86,580 was spent over various schemes. So far the period of the Seventh Five Year Plan is concerned, a sum of Rs.9,94,34,000/- was allotted to 11 districts while a sum of Rs. 6,35,95,830/- was spent'.

1.7 The Committee desired to know the number of ST families who have been brought above the poverty line during the Seventh Plan Period. In reply, the State Government in a note have stated as under:-

"The primitive tribes occupy the lowest position among the families who are below the poverty line. In other work, they are the poorest of the poor. No formal survey has been conducted to ascertain how many of such families during the Seventh Five Year Plan period have been able to cross the poverty line. An evaluation study will be conducted to ascertain the facts".

1.8 Bihar has Scheduled Tribe population of 58 lakh as per 1981 census which constitute 8.3 percent of the total population of the State. However, major concentration of ST population is in Tribal Sub-Plan Area - 43 lakh which is spread in 112 blocks of ten districts of South Chhotanagpur and Santhal Parganas divisions of the State. Scheduled Tribes are the most exploited people of our country. Integrated Tribal Development Projects (ITDPs)/ Integrated Tribal Development Agencies (ITDAs) were conceived as a basic tool to implement Tribal Sub-Plan strategy during Fifth Five Year Plan. ITDA/ITDP strategy is basically an area approach keeping in view the separate geographical location of tribal habitations. Subsequently, isolated pockets were also added to cover dispersed tribals. This strategy with identified areas has helped in focussing the attention of planners and implementers on special needs of the tribal society and tribal areas. The objective of the scheme had been socio-economic development

of the Scheduled Tribes and protection of tribals against exploitation. However, the examination of 'Working of Integrated Tribal Development Projects in Bihar' by the Committee reveals that progress made during the last 15 years in formulation, implementation and monitoring of the programme has been tardy and lopsided. This has been amply brought out in the succeeding paragraphs. \*

1.9           The Committee note that right from 1980-81 to March, 1990, 28484 different poverty alleviation and area development programmes/schemes were taken up in Bihar and it benefitted 1,02,388 Scheduled Tribes. This achievement viewed, in the context of the total tribal population of 58 lakhs which is mainly concentrated in Tribal Sub-Plan areas and a few other pockets which are all covered by ITDP schemes cannot be termed satisfying.

1.10           Unsatisfactory performance of the 'Working of Integrated Tribal Development Project' in Bihar can also be judged from the fact that out of the total allotted funds of Rs.14.72 crores during the period 1980-81 to 1989-90, utilisation was less than 10 crores. Again, during the Seventh Plan period a sum of Rs. 6.36 crores was utilised out of the total allocation of Rs.9.94 crores. It is highly deplorable. Evidently, execution of schemes under Integrated Tribal Development Programme has been slow and tardy in Bihar. It is distressing that large amounts allotted for various schemes of tribal development remained unutilised. It speaks poorly about execution of ITDP schemes. The Committee will



like the Ministry of Welfare to analyse reasons for slow progress in utilisation of allotted funds and take remedial measures in consultation with the State Government to give a push to the Programme.

1.11 Although the number of tribal families benefitted under ITDP schemes during eighties is stated to be more than a lakh, yet the State Government is not aware about the number of families who have crossed poverty line. It has been stated that no formal survey has been conducted to ascertain how many of such families have been able to cross the poverty line. The Committee feel that to gauge the impact of ITDP schemes on tribals, such a study is imprative. They note that State Government will conduct an evaluation study to ascertain these facts. The Committee will like to be apprised of the findings of the evaluation study.

## CHAPTER-II

### A.Role of Central Ministries in Tribal Development

2.1 The Committee desired to know the role of Central Ministries in formulation and implementation of Tribal Development Programmes. In reply they were informed that the role of Central Ministries in tribal development has been enunciated in d.o. letter No.280-PMO/80 dated 12 March, 1980 from the then Prime Minister to the Central Ministers. The TSP approach requires Central Ministries/Departments to take the following steps:-

- i) Formulate appropriate need-based programme for tribal areas;
- ii) Suitably adapt all the ongoing programme to suit the specific requirements of STs;
- iii) Quantify funds for tribal areas under Central Ministries' Programmes; and
- iv) Earmark a senior officer exclusively to monitor the progress of implementation of the programmes for the welfare of STs.

2.2 Prior to it, Planning Commission had issued guidelines vide D.O. Letter No.PC/SW/12(1)/88 dated 13 December, 1977 to the Central Ministries detailing the steps they were required to take to formulate programmes, quantify funds and adopt the ongoing programmes to suit the specific requirements of STs.

2.3 The Prime Minister in her note dated 12 March, 1980 had highlighted the fact that "Scheduled Tribes are not only exploited, but live in remote/inaccessible areas which have poor infrastructure so that the fruits of development can not readily reach them. The approach has therefore, been area development, with focus on tribals".

2.4 The Committee were informed that Ministry of Welfare is the nodal organisation for overall policy, planning and coordination of programmes of development of SCs and STs. It also ensures that all concerned authorities have an adequate appreciation of the situation, identify the problems and adopt a methodology to subserve the common objective of protecting the tribal

interests. In regard to sectoral programmes and schemes of development of SCs and STs, policy, planning, monitoring and evaluation etc. as also coordination will be the responsibility of the concerned Central Ministries, State Governments and Union Territory Administration.

2.5           Protection of the tribal communities is a special responsibility of the Tribal Development Departments of the States/ Union Territories. This covers numerous aspects like alienation of land, indebtedness, bonded labour, exploitation in marketing, exploitation resulting from excise policy, hardships caused by forest policy, etc. The Tribal Development Division in the Ministry is responsible for ensuring that these aspects are not overlooked by the concerned authorities and, wherever necessary, suitable directions are given in this regard.

2.6           In his letter forwarding the guidelines, the Secretary, Planning Commission, has pointed out that outlay from the Central Ministries'

Plans is one of the important constituents of the Tribal Sub-Plans. Each Central Ministry is expected to quantify the investment which it proposed to make in the Tribal Areas. The exercise carried out by them so far have, however, not yielded much results, except in the case of certain area-specific programmes which have been taken up in the tribal areas. It will be necessary for each Ministry/Department to get a clear idea of the problem of the tribal areas and prepare special programme relating to the concerned sector or adapt the on-going programmes wherever necessary, in consultation with the State Government, keeping in view the special requirements of the tribal areas.

2.7 The Committee desired to know the problems encountered in implementing the above-mentioned measures by the Central Ministries. In reply, the Ministry of Welfare in a note have stated as under:-

1. The Ministry/Department does not consider a TSP to be feasible or necessary in the area of its activity.
2. Though TSPs have been formulated, the quantification of funds and physical targets is worked out purely on notional basis, by applying a percentage to the overall outlays and physical targets/achievements.
3. Though a TSP is formulated and funds/targets quantify these are not disaggregated State-wise or year-wise and consequently, review of achievements is not possible.
4. No guidelines have been issued to States/UTs to ensure that an adequate share in the benefits arising from the activities of the Ministry/Department flow to the ST population and TSP areas.

2.8 In reply to a query from the Committee in this context, the State Government of Bihar in a note have stated that main reasons for shortfall in respect of sectoral programmes have been analysed. On the basis of this analysis, the following steps are called for to achieve the targets of sectoral programme:-

1. Early sanction of schemes and timely release of funds.
2. Sectors are to complete the various formalities to the extent possible so that implementation can begin soon after the release of funds.
3. In respect of certain infrastructures, the sectors are supposed to be ready with plans and estimates as also with other advance action like technical sanction.
4. More effective supervision by divisional and district level functionaries.
5. Regular monitoring of the progress of the scheme at various level both in respect of staff department and lying departments.

2.9 According to the guidelines issued by the Government, Central Ministries are inter-alia required to formulate appropriate need based programmes for tribal areas; suitably adapt all the on-going programmes to suit the specific requirements of Scheduled Tribes; quantify funds for tribal areas and earmark a senior officer exclusively to monitor the progress of implementation of programmes for Welfare of Scheduled Tribes. It is, however distressing to note that Central Ministries/ Departments do not consider TSP to be feasible or necessary in this area of activity. Funds have been quantified and physical targets worked out purely on national basis by applying a percentage to the overall outlays and physical targets. Funds/Targets have not been disaggregated State-wise or year-wise rendering review of achievement impossible. The Central Ministries/Departments have also failed to issue to States/U.Ts, directions as to ensure that an adequate share in the benefits arising from their activities flow to ST population and TSP areas in proportion to



total population in the area. It is highly deplorable as these shortcomings persist even after the ITDP/ITDA programme being in force for more than a decade and despite detailed guidelines issued by the Planning Commission in 1977. The Committee desire the Ministry of Welfare to take up the matter with the Planning Commission and the Ministries/Depts. concerned at the highest level to ensure the implementation of the programme as per the guidelines issued by the Planning Commission.

2.10 The State Government have pleaded that to achieve targets of various schemes undertaken by different departments under ITDP the steps such as early sanction of schemes and timely release of funds; early completion of other formalities to the extent possible; advance planning to plan schemes and prepare estimates and also technical sanction by the concerned sector; more effective supervision and regular monitoring of the implementation of various schemes are called for. In Committee's view these suggestions merit consideration. The Committee therefore, urge the Ministry of Welfare to look into these suggestions and take up the matter with the Planning Commission and other concerned authorities with a view to streamline the procedure.

B. GOVERNORS' REPORT

2.11 Clause 3 of the Fifth Schedule of the Constitution requires the Governor of each State having Scheduled Areas to make a report to the President annually or whenever so required regarding administration of the Scheduled Areas in the State. The Working Group on Development and Welfare of Scheduled Tribes during Eighth Five Year Plan (1990-95) set up by the Ministry of Welfare in its report have pointed out that these reports have been scrutinised. These are submitted late and are only a catalogue of achievements of the State Government in tribal developments. There is no attempt to qualitatively analyse and critically evaluate the problems of Scheduled Area Administration, the efforts of the State Government and the special attention being given for the development of the people and these areas.

2.12 Reports of the Governor of Bihar for the years 1989-90, 1990-91 and 1991-92 have not been furnished by the Government of Bihar. In this

context, the Committee enquired about the reasons for not furnishing these reports regularly. In reply, the Development Commissioner State Government of Bihar stated in evidence:-

"Sir, we will give all the three reports".

2.13 He further clarified in reply to another query from the Committee that these reports are drafted by the Welfare Department of the State Government and then they are sent to Raj Bhavan. However, he expressed his inability to inform the Committee of the date when these reports were submitted to the Governor. Asked about the delay in timely submission of these reports to the President, the witness stated that he was not aware of the circumstances in which the Reports could not be submitted for all these years.

2.14 Subsequently the State Government have informed that Scheduled Area Administrative Reports for the years 1989-90, 1990-91 and 1991-92 have been approved by the Chief Minister

and has been submitted to Hon'ble Governor on 4.11.1992 for submission to the Hon'ble President of India. A copy of the draft Report was also forwarded. A perusal of the Report revealed that it covered a period of 3 years and a brief description of various activities in different sectors was presented in the Report.

2.15 Asked about the views of the State Government to improve quality of these reports, the State Government submitted as under:-

"It is felt that there ought to be a small cell at Governors' Secretariat which would critically analyse the material furnished before giving it a final shape. The report will be more meaningful if the information gathered and impressions formed by the Governor during his tours are also incorporated".

2.16 Under Clause 3 of the Fifth Schedule to the Constitution, special responsibility is cast on Government of each state having Tribal Areas to report to the President through Governor's Report on administration of Scheduled Area. It is disturbing to note that this function is not performed in right earnest by the State Government of Bihar. The Reports for the years 1989-90, 1990-91 and 1991-92 have not been presented to the President so far. It was stated that these reports were drafted by the Welfare Department of the State Government and sent to Governor. It is pity that representatives of the State Government were not aware as to when Welfare Department submitted these Reports to the Governor of the State and what are the reasons for delay. The Committee take a serious view of the inordinate delay on the part of the State Government in submitting these reports. The Committee would like, the procedure in this regard to be streamlined.

2.17 It is distressing to note that generally these reports are only a catalogue of achievements of State Government in tribal development. There

is no attempt to qualitatively analyse and critically evaluate the problems of Scheduled Area Administration. The Committee would like the Ministry of Welfare to frame guidelines in this regard and lay emphasis on the State Government concerned to furnish qualitative analysis and critical evaluation with a view to make Governor's Report a useful document.

2.18 The Committee observe from the draft Annual Administrative Report that the State Government intend to furnish one such report covering 3 years period namely 1989-90, 1990-91 and 1991-92 which has been approved recently and has been submitted to the State Governor for approval and onward submission to the President. It is a moot point whether the draft Report was discussed and approved by the Tribal Advisory Council as no meeting of the Council has taken place since 5 April, 1991. It is also perturbing to note that Report contain only a brief description on the activities of various departments of the State Government. No serious attempt appears to have been made to analyse the problems in detail and take

appropriate remedial action in the light of local conditions. The Committee will like that Annual Report on administration of Sub-Plan areas should be drafted in time, discussed and approved by the Tribal Advisory Council before its submission to the Governor of the State for onward submission to the President. The stipulated time-frame in this regard should invariably be adhered to. At the same time the Committee would like to emphasis that quality of the report should be improved upon and detail of the problems faced and steps taken to encounter them alongwith sectoral targets and achievements both physical and financial with reasons for shortfall if any should invariably be included in the Report.

2.19 In this context, the Committee feel that State Governments' suggestion to set up a small cell at Governors' Secretariat to critically analyse the material furnished by the State Government before giving a final shap and also to include Governors' impressions formed during his tours in the report merit consideration and acceptance. They hope that a critical analysis and impression gathered by the Government shall find a place in the next Annual Report.

C. Tribal Advisory Council (TAC)

2.20 The Tribal Advisory Council under the Fifth Schedule of the Constitution is a Constitutional device for consultation with tribal representatives. The Council is required to advise on all such matters pertaining to the welfare and development of STs as may be referred to it by the Governor. The Tribal Advisory Council reviews the implementation of schemes for STs under ITDP from time to time and advises the Government for its smooth implementation. In Bihar, it is stated, the forum of Council has been utilised for reviewing important programmes of the State for the STs. It also advised on introduction and exclusion of the laws in and from the Scheduled Areas.

2.21 The Committee desired to know the procedure followed to give effect to the proposal passed by the Tribal Advisory Council particularly amendments proposed by the Council in the Excise Act and Money-lenders' Act with a view to empower executive magistrate to try cases under these Acts in place of judicial magistrate in Sub-Plan Area. In reply, the Development Commissioner, Bihar stated in evidence :

"I personally feel that it would depend upon the resolution of the TAC. About the example that you gave about excise cases, this, in my opinion, would require an amendment of the Cr. P.C. because at the moment we are having separation of the Executive and the Judiciary. Unless there are some exceptions provided in the Act, it will be tried by the judicial courts or in some cases by the Executive Magistrate to whom power is vested by the High Court."

2.22 Elaborating the point further, Secretary, Revenue Department, Bihar, stated as under :-

"One of the decisions of TAC was that if some non-tribal alienates the land of a tribal then the executive magistrates should be given the power of judiciary to prosecute him. This was the resolution passed by the TAC. This was sent to the

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Law Department by the Revenue Department. And the Law Department differed with that and said that right from 1974 the Executive has been separated from the Judiciary and hence the executive magistrates can not be given judicial powers. Now we are in a fix as to what to do."

2.23 The Committee enquired from the witness the procedure to be followed if Cr. P.C. was to be amended to give effect to a resolution of the TAC. In reply, the witness explained :

"When it relates to a particular Department, the matter is sent to that Department for examination, to take steps accordingly. In course of time, several such resolutions were sent to us, in the Revenue Department. We had sent them to the Law Department and the Law Department agreed with the resolution of the TAC in certain cases and in some other cases the Law Department did not agree."

2.24 Clarifying the position in this regard, the Secretary, Ministry of Welfare stated as under :-

"In the law applicable to Scheduled Areas, Clause 4 reads like this :

'All regulations made under this paragraph shall be submitted forthwith to the President and until assented by him shall have no effect.'

This means whatever resolution have been passed by the TAC and the Governor, they should be sent to the President for his assent and await his decision. If they have any problem with their law Ministry, they can refer all those cases to us. We will get it clarified."

2.25 Reacting to it, the Development Commissioner, Bihar stated :

"In one particular case, the Law Department has said, but as Shri Murthy (Welfare Secretary) said, we shall refer all these cases to the Government of India. We shall follow the procedure."

.....Contd.

2.26 The Committee were further informed that during the last three years, Tribal Advisory Council has held 5 meetings as detailed below :-

1. 16 December, 1988
2. 19 May, 1989
3. 24 June, 1989
4. 25 August, 1989 and
5. 5 April, 1991

2.27 The Tribal Advisory Council in its meeting held on 5 April, 1991 had made the following recommendations/proposals :-

1. Not to provide Adivasis' lands to Housing Construction Societies in the name of public purposes.
2. To get right to those tribals who are residing inside the forest area.
3. To settle Mela, Hat, Bazars and Sairats with the traditional tribal social societies in the T.S.P. area.
4. To complete ban on liquor in the tribal areas.
5. To grant mining lease to Scheduled Tribes.
6. Reservation for tribals in settlement of foreign liquor shops in the tribal areas.
7. To include Manjhi, Puran, Khetia, Tati etc. in the list of Scheduled Tribes.
8. Land restoration of Churhari, Dari, Ketari, Mahto, Kanhai and Mehnai.
9. To cancel the Personnel & Administrative Department letter No.11/10040/77-Welfare/106 dated 3.3.1979 regarding giving facilities to off-spring of Hindu father and Scheduled Tribe's mother.
10. To include chick/Barsik/Lohra and Lohar in Chotanagpur Scheduled List.
11. To declare Kumhar Pahariya residing in Santhal Parganas Division as Scheduled Tribes.

.....Contd.

12. To involve as much as possible the non government organisations for the execution of tribal schemes.
13. To establish a separate self-sufficient Autonomous Authority for Santhal Parganas Division.
14. At Dumka there should be a separate language-literature centre for Santhalis.
15. To include research facilities alongwith Santhali language literature study in the proposed Sidhu Kanu University at Dumka.
16. To submit a Bill in Vidhan Sabha concerning social and economic subjects of Santhalis.
17. According to Personnel & Administrative Reforms Department the off-springs of Tribal/Non-Tribal father are getting facilities from mother side. This shows that Adivasi's society is maternal but it is not the fact. Tribal societies are never maternal but they are paternal. Therefore, the order issued from Personnel Department may be cancelled in this regard.

2.28 Asked about the action taken on these recommendations, it has been stated :

"A perusal of the recommendations should show that important legal and other issues are involved in it for which the concerned departments are looking into this, the details of which are presently not available in this office."

.....contd.

2.29 Tribal Advisory Council under Fifth Schedule of the Constitution is a constitutional device for consultation with the representatives of tribals on such matters pertaining to the welfare and advancement of scheduled tribes in the State as may be referred to them by the Governor. Progress of various schemes taken up for execution under Integrated Tribal Development Projects is often reviewed by the Council and useful suggestions are made for their smooth functioning. The Council also advises on introduction/exclusion of various laws in Scheduled Areas for Welfare and Development of tribals.

2.30 The Committee are concerned to note that the meetings of TAC have not been taking place at regular intervals in Bihar. Since December, 1988, only five meetings have been held though the rules provide that it should meet twice a year. They are of the view that all the problems of tribal areas cannot be discussed fruitfully when meetings are held at such long intervals and only for a few hours. The Committee sincerely hope that Tribal Advisory Council shall meet more frequently and for longer time.

2.31 The note that in the meeting of the Tribal Advisory Council held on 5 April, 1991 a number of proposals were submitted by the members. Some of the more important proposals were not to provide Adivasis' land to Housing Construction Societies in the name of public purpose; conferring right on tribals residing inside the forest area; ban <sup>on</sup> sale of liquor in tribal areas completely; grant of mining lease to STs; to establish a separate self sufficient Autonomous Authority for Santhal

.....Contd..

Parganas Division and to withdraw facilities given to offspring of Hindu father and Scheduled Tribes mother. It was stated that these proposals involve important legal and other issues and these were being looked by the concerned departments. The Committee find that proposals were submitted more than 2 years back and the unusual delay in their examination/perusal is required to be looked into. It is urged that concerned departments of the State Government should be prevailed upon to expedite their examination.

2.32 The Committee find that the procedure followed in Bihar State to give effect to the proposals/recommendations of the TAC particularly those concerning amendments of important laws viz; Excise Act and Money Lending Act to empower executive magistrates to try offences under such Acts, so far as their operation in Tribal Sub-Plan areas are concerned has not been in conformity with the Constitutional provisions. The State Government held the view that such proposals required amendment of respective Acts by the State Legislature. For this reason, important recommendations made by the Tribal Advisory Council to amend Excise Act, Land Alienation Act and such other Acts to empower Executive Magistrate to try offences under these Acts as mentioned in the preceding paragraph could not be given effect to for years together. The Committee understand that Constitutional provision in the case of laws applicable to Scheduled Areas has been that all regulations made under para 5(2) of the Fifth Schedule of the Constitution shall be submitted forthwith to the President and until assented to by him, shall have no effect. In other words, whatever resolution has been

passed by the TAC and the Governor, they should be sent to the President for his assent and his decision should be awaited. The Secretary, Ministry of Welfare has clarified that if the State Government has any problem with their Law Department, they can refer all those cases to him and he will get it clarified. The Committee, therefore, urge that recommendations made by the TAC should be examined in right perspective and in case of any doubt about legal provisions, the matter should invariably be referred to Union Ministry of Welfare for seeking legal advice. The recommendations made by the TAC should be given effect promptly as it relates to development of poor tribals who have been exploited over the years.

ADMINISTRATION IN TRIBAL AREAS

2.33 In Bihar, it was stated that the Department of Welfare has been the nodal Department at the State level which coordinates the policies and programmes of the various departments. relating to the Integrated Tribal Development Areas. At the level of the Branch Secretariat, the Regional Development Commissioner is the Principal Secretary of each of the 29 Departments dealing with tribal development. Adequate power have been delegated to him to ensure speedy sanction of scheme and their timely execution. At the project levels there is a Project Advisory Committee for each project in which the officials and non-officials are the members. The Committee advise on the selection of the schemes and reviews the progress of the implementation. At the district level, there is stated to be a Project Implementation Committee of which Deputy Commissioner has been the Chairman. At the project level, an officer of the rank of A.D.M. has been posted as Project Officer who is assisted by an Assistant Project Officer of S.D.O. rank and an Assistant Engineer.

2.34 Asked about the responsibilities assigned to ITDPs in respect of formulation, implementation and monitoring of various schemes executed by it, it was stated that 'unit of planning in Tribal Sub-Plan area is the district. Small schemes not covered by any of the Deptts. are taken by ITDPs for which funds are provided from the State Plan or from the S.C.A.

2.35 It was further stated that since the ITDP has a skeleton set up, limited number of schemes have been implemented through them.

2.36 The Committee were informed in reply to another query that ITDPs in Bihar are functioning in a manner different from Andhra Pradesh, Orissa and Gujarat because of historical reasons. The machinery of the district administration has been found to be really effective. It has been stated that :-

"The ITDPs at present, have not been delegated with sufficient powers to have effective control over implementation of the schemes of different departments. As a result, some special schemes for the economic development of the tribals are being implemented through the ITDPs."

2.37 It was further submitted that :-

"There is a need to strengthen these ITDPs and to delegate more powers, if they have to function effectively."

2.38 The Committee were further informed that even though the project officer is of the rank of ADM, he does not carry as much weight as the local SDO, who is the administrative head of the sub-division and most of the important functionaries report to him. MESOs (ITDPs) have not been provided with sufficient infrastructure and man-power. The Project Officer has to depend on other officers for execution of schemes having no direct control over them.



Moreover, some new-sub-divisions are being created and the territorial jurisdiction of many MESOs overlapped those of the sub-division and even the districts, hence coordination has become very weak.

2.39 It was further suggested in the note that it would be better if MESOs/ITDPs are set up at district level as a separate wing of DRDA for Integrated Planning execution and monitoring of different schemes.

2.40 The Committee learnt that Commissioner for SCs and STs had conducted a field study on implementation of some important schemes in the ITDP Simdega in Ranchi District and had observed that there was lack of coordination among different technical heads in the administration at the level of the SDO and the Project Officer. The Project Officer stated that he was one of the senior officers in the Sub-Division but the SDO who was junior to him was holding all the administrative control of the schemes in the sub-division. Out of nine sanctioned posts, two were lying vacant. There was no co-ordination between the formulation of the schemes and the actual allotment and implementation thereof through various Departments.

2.41 In this context, the Committee enquired how ITDPs could function effectively when Project Officer/Administrator has not been delegated enough powers and that his junior was enjoying more powers. In reply the Development Commissioner, Bihar stated in evidence as under :-

/which

"At the time when the ITDP came into existence in 70s, we had already an organisation for developmental activities. Apart from that we had also a very strong people's participation in that. At the block level, we had the block development Committee/is responsible for approving all the developmental schemes in the area. Similarly at the district level. Similarly at the district level we have the DRDA system where all the Pramukhs are there. These are still continuing even today a very strong organisational set up at the block and district levels for doing all the developmental activities. We also have very strong participation of the local leaders at the block and district level.

"When the ITDP came into existence in the 70s, they had to be fitted into this organisation. What happened was that while getting fitted into, the ITDP could not become as strong as the Government of India desired it to become. The developmental activities to a large extent are still being carried out by the block and the district level agencies."

2.42 He further added :

"SDO controls almost all the developmental activities that are carried out through the blocks within the sub-division. He also looks after certain other activities. So the SDO in fact happens to be more powerful as compared to the Project Officer. What we have done is that the SDO has been made the Additional Project Officer of the ITDP; but still probably the Project Officer is not as important as the SDO in the present set up."

2.4. The Committee pointed out that Programme Evaluation Organisation of the Planning Commission had recommended in their study of ITDPs that there should be administrative integration at the ITDP level under which there should be a clear cut and distinctly direct line of command; all the officers at the project/district level working in ITDPs should be placed under the direct charge of the Project Officer for all administrative and related purposes regardless of whatever they may belong to; they should report to him for all the departmental activities planned and executed by them and should be answerable to him. It was also recommended that BDOs who are directly responsible for implementation of all developmental programmes/schemes in ITDPs should be under the direct control of the Project Officer.

2.44 In this context, the Committee enquired why revenue and executive powers have not been delegated to Project Officers. In reply, the Secretary, Ministry of Welfare stated in evidence :-

"In Andhra Pradesh, PO, ITDA is practically the sole representative of the Government. Practically all the Deptts. are under his control. He transfers persons, sanctions their increment, granting TA, etc., writing the ACKs. This has brought a lot of uniformity; and they need not go to BDO or SDO. So, they report to the Heads of the Deptts. through the Project Officer."

2.45 He further added :

"I am planning to discuss it with all the Ministers of Welfare in the States. The Project Officer must be made an independent officer, directly to report to the District Magistrate and to the Secretary, Welfare. If this can be done by all the States, with whatever adjustments to be made, then, we can achieve much better results."

2.46 The Development Commissioner, Bihar added to this as under :-

"We will take it up with the TAC. We shall try to abide by all the guidelines, directions of the Government of India."

2.47 The witness further confirmed of having received the abovesaid recommendations of the Planning Commission. Clarifying another query from the Committee in this regard, the Development Commissioner stated in evidence :-

"In the district or in the field as such, the departments of the Government tend to go in more or less, in an independent manner in the sense that at the district level or at the sub-divisional level or at the divisional level, the control of the Collector of District Magistrate or Deputy Commissioner or the SDO or Divisional Commissioner is not as strong as it ought to be. I have mentioned that the Collector or the Deputy Commissioner does not have the powers of suspending officers of even the lower grade staff of other Deptts. To that extent the authority of the Collector is not there and coordination work has been suffering to that extent. I do feel that coordination ought to be in a better manner."

"So far as the Project Officer is concerned, he has to be given more functions and some more authority. In that context, the guidelines have been circulated by the Home Minister recently. We shall consider that. We will see that a Project Officer is given more and more powers so that he can effectively coordinate and monitor the development activities in the field."

2.48 In a note furnished to the Committee subsequently the State Government of Bihar have stated :-

"..... real problem is of coordination between different departments, who are expected to execute the schemes. Presently, Officers of A.D.M. rank are posted as MESO Project Officer. It is suggested that senior scale I.A.S. Officers/ Super Time Scales A.D.M. could be posted as MESO Project Officer to streamline the formulation and execution of the schemes in a coordinate manner."

Compensatory Allowance

2.49 The Maheshwar Dayal Group on Administrative Arrangements/Personnel Policy in Tribal Areas had made a series of recommendations for improving the quality of administration in tribal areas. These included inter-alia grant of monetary and non-monetary incentive. In this context, the Committee enquired about the incentive given to the officials posted in tribal areas. The Development Commissioner, Bihar stated in evidence as under :-

"The VIII Finance Commission has recommended Rs. 3000.72 lakhs to the State Government for giving to the employees who work in interior areas. During VII Five Year Plan, the money had been spent on giving allowance to the people who were posted in interior areas. After the money had been exhausted, the payment of the allowance has been discontinued. The Scheme is not continuing at present."

2.50 The Committee drew attention of the witness to the fact that the State Government has been advised by the Ministry of Welfare to continue payment of compensatory allowance to the officers/staff posted in tribal areas and that IX Finance Commission had also recommended continuation of this scheme during Eighth Plan and the allocation on this account were included in the Plan assistance, though not shown separately. To this, the Development Commissioner replied :-

"About IX Finance Commission recommendation on this subject, we have not yet started paying such a thing."

2.51 The Committee learnt that the Union Minister of State for Finance in reply to Question No. 828 on 10 August, 1992 and Minister of Welfare on 29 August, 1990 in reply to Question No. 3498 had stated in Lok Sabha that during 6th and 7th Plan a sum of Rs. 30 crores was allotted for staff quarters and compensatory allowance to State Government employees posted in tribal areas in the country. But during the 8th Plan separate allocation for compensatory allowance has been discontinued and the 9th Finance Commission has stated to have allotted funds for the compensatory allowance with the Devolving Funds of the State.

2.52 The discontinuance of compensatory allowance to employees of the State Government posted in tribal areas has resulted in discontentment among employees posted there and the number of posts remaining vacant increased during this period..

2.53 Maheshwar Prasad Committee had also recommended that cadre should be created for tribal areas and local people should be recruited with relaxed qualification to improve the standard of work. The State Government, though accepted the recommendation, have not implemented it so far.

2.54 The Committee were informed that VIII Finance Commission had recommended construction of 1651 additional quarters in tribal areas and the amount allocated was Rs. 669.40 lakhs. Out of these, the State Government constructed only 1046 quarters and the amount expended was Rs. 537 lakhs upto 31 March, 1991.

2.55 The Committee enquired whether medical and para-medical staff posted in tribal areas have been provided residential accommodation. In reply it was stated that 'State Government has not got quarters in all the hospitals..... The Quarters are yet to be built in Public Health Centres, PSCs and additional PSCs.'

2.56 The Committee asked how the State Government expect the doctors and para-medical staff and other offices to serve in tribal areas when it has failed to provide them even residential accommodation which is bare minimum necessity and whether the State could construct such residential accommodation out of the untied funds. In reply, Secretary, Planning, Bihar replied :-

"We can make arrangements from the Special Central Assistance."



2.57 Integrated Tribal Development Projects have been conceived as operational units with a view to achieving administrative, organisational and financial integration of the areas and programmes for speedier development of Scheduled Tribes. The Committee find that this integration has not been realised in Bihar on account of the fact that there has been little devolution of powers and authority to the Project Officer/Administrator. In Bihar, unit of planning in Tribal Sub-Plan area is district. Small schemes not covered by any of the various departments connected with tribal development are taken by ITDPs for which funds are provided from the State Plan or from the Special Central Assistance (S.C.A.). Since ITDPs have been provided only a skeleton set up, limited number of schemes have been implemented through them. The Committee were given to understand that in Bihar ITDPs are functioning in a manner different from Andhra Pradesh, Orissa and Gujarat because of historical reasons. It was stated that ITDPs have not been delegated sufficient powers to have effective control over implementation of various schemes by different departments.

According to one Study, there was lack of coordination also among different technical heads and administration at the level of Sub-Divisional Officer (SDO) and the Project Officer SDO, though a junior officer to Project Officer enjoyed all the administrative powers to control the schemes in the Sub-Division, Further, there was no correlation between formulation of schemes and actual allotment and implementation thereof through various departments. This is a sad commentary on Working of ITDPs in Bihar. It is highly deplorable. The Development Commissioner of the State had admitted that 'even though SDO has been made Additional Project Officer of ITDP, still the Project Officer is not as important as the SDO in the present set-up. The Committee urge that this anomaly may be rectified early with a view to streamline Working of the ITDPs which will accelerate process of tribal development.

2.58 In Andhra Pradesh, the Project Officer or Administrator has been entrusted with the task of planning and implementation of development programmes in the Sub-Plan areas under his

control and this single-line administrative set-up has been considered the model by the Working Group on tribal Development and Welfare during VIII Plan. As the Project Officer under single-line administrative set-up is a very important functionary entrusted with the powers to transfer persons, sanction increment, writing of Annual Confidential Reports of all the Officers even of the line departments upto the sub-division level, he wields considerable influence to get the schemes properly implemented. In the prevailing administrative set up in Bihar, all the powers are enjoyed by district collectors and project officers are outside the official hierarchy. The Committee feel that district Collectors have to perform a varieties of other <sup>also</sup> functions ~~and~~ often do not find sufficient time to look into formulation, implementation and monitoring of various developmental schemes. It would thus be appropriate if his additional burden is shared by Project Officer at ITDP level. Of course, district Collector will continue to supervise working of ITDPs at district level, being Chairman of various Committees/agencies dealing with formulation and implementation of

of various schemes and project officer will report to him. The Committee will like the Ministry of Welfare to impress upon the State Government to rectify the position in regard to single-line of administration in the light of experience gained in Bihar as well as in other States like Andhra Pradesh with a view to achieving better results.

2.29 Another glaring lapse of laxity and lack of coordination which came to their notice in the course of examination of working of Integrated Tribal Development Projects in Bihar by the Committee is that the departments of the Government tend to go in, more or less, in an independent manner in the sense that at the district and lower levels, control of the Collector and his subordinate officers is not as strong as it ought to be. The Collector has no powers to suspend even the lower grade staff of other department. Thus, the authority of the Collector is not there and to that extent, coordination work has suffered and it ought to be in a better manner. In contrast, the position prevailing in State like Andhra Pradesh is altogether different. The Committee are distressed to take note of it. The Development Commissioner Bihar has assured the Committee that 'Project Officer will be given more powers so that he can effectively coordinate and monitor the development activities in the field.

The Committee ~~expect~~ expeditious action and will also like to be apprised of the action taken in this regard.

2.60 The Committee understand that the Maheshwar Dayal Group on Administrative Arrangements/Personnel Policy in Tribal Sub-Plan areas had recommended a series of measures for improving the quality of administration in tribal areas. These interalia include grant of monetary and non-monetary incentives; creation of cadre for tribal areas and recruitment of local people with relaxed qualification to improve standard of works. During VI and VII Plan a sum of Rs.30 crores each was allocated for staff quarters and compensatory allowance separately altogether making a total of Rs.120 crores to the staff of the State Governments posted in Tribal Areas. In the case of Bihar, Eighth Finance Commission had recommended Rs.375 lakh for payment of compensatory allowance to transferable Government employees posted in tribal areas. However, during VIII Plan compensatory allowance has been discontinued though the Ninth Finance Commission is stated to have allocated funds for the compensatory allowance under the devolved funds of the State. The Committee are surprised to find that State Government of Bihar has discontinued payment of compensatory allowance

to its staff posted in tribal areas which are comparatively more backward, lack communication network and have under-developed infrastructure. In the absence of these incentives staff is often reluctant to serve in those areas without being adequately compensated.

2.61 The Committee will also like to be apprised of the action taken by the State Government on other recommendations of the Maheshwar Dayal Group like creation of cadre for tribal areas and recruitment of local persons with relaxed qualification in order to improve standard of work, which have been accepted by the State Government.

PROTECTIVE AND ANTI-EXPLOITATIVE MEASURES

A. Excise Policy

3.1 Forces of exploitation have long been entering the Scheduled Areas through the process of contractual system of liquor vending. Liquor has acted as an important conduit through which the willy forces of exploitation have long been entering tribal areas. In pursuance of the provision of Article 339 of the Constitution which required the President to appoint a Commission on the expiry of 10 years from the commencement of the Constitution, a Scheduled Areas and ST Commission was appointed under the Chairmanship of Shri U.N. Dhebar to report to the Govt. regarding the problems of STs and to recommend measures to solve them. During its tenure, the Commission visited many tribal areas of the country. The Commission in its Report presented in 1961 had inter-alia recommended :

- "(a) The Parchoniya or smuggled liquor must be put down with a strong hand. Traffic in it should be made a penal offence with severe punishment.
- (b) The sale and use of distilled liquors should also be discontinued forthwith. And offenders should be punished severely. Pending the adoption of this policy the grant of licence to sell distilled liquors in the weekly markets should be immediately discontinued.
- (c) We would not like at this stage to interfere with the use of the normal beverage that the tribals are accustomed to take. We are hopeful that by and by with the spread of education and with the realisation that rice and other articles that they use for the purpose of beverage, can be more suitably utilised, the tribals will also give up this habit."

3.2 The contention behind these recommendations was that the distilled/country liquor and smuggled liquor were not only hazardous to the health of the tribals but also affected their economy and reduced them to destitution and indebtedness. It resulted in greater exploitation as the liquor vendors not only sold liquor but also lend money. Therefore, the Commission suggested that the sale of distilled liquor should be banned in tribal areas and the offenders should be severely punished. The tribals, who are accustomed to take home-made fermented liquor should be allowed to brew this liquor for their consumption during ceremonial occasions and not for sale.

3.3 Later on a large number of tribal MPs submitted a memorandum to the then Prime Minister in support of the recommendation of Dhebar Commission and wanted the country/distilled liquor to be banned in tribal areas in the interests of the tribals.

3.4 The Central Advisory Board on prohibition held a meeting of all the Excise Minister of the States and endorsed the recommendation of Dhebar Commission. On 19.6.74 Smt. Indira Gandhi, the then Prime Minister addressed minutes to the Home Minister stating, inter-alia that though the Advisory Board on Prohibition



comprising Excise Ministers of States have agreed to the recommendation of Dhebar Commission and these have been accepted by the State Government, it was not implemented by them. Since the matter was gone into in detail she wanted to take a decision on the new Excise Policy without further delay. On 25.1.75 the Department of Social Welfare issued guidelines to all the Chief Secretaries of the State Government/ Union Territories. Again in September, 1981 the following guidelines were issued for Excise Policy in tribal areas :-

- (1) Commercial vending of alcoholic beverages should be discontinued in the tribal areas.
- (2) Scheduled Tribes should be permitted to brew their traditional beverages for consumption at home for consumption at home for religious and special occasions.
- (3) Attempts may be made to wean the Scheduled Tribes away from the habit of drinking alcoholic beverages and for this purpose official and non-official voluntary organisations may be encouraged to take up work in tribal areas.

3.5 In pursuance of these guidelines, State Government of Bihar, since 1976 has reported to have reduced the number of liquor outlets in areas mostly inhabited by tribal population (Santhal Pargana and Chhotanagpur Divisions of the State) as a measure for weaning the tribals away from the evils of drinking.

3.6 The steps which are still in force include :-

- (a) In Blocks or Gram Panchayats having 50 percent or more tribal population all types of liquor shops have been abolished.
- (b) Tribals have been allowed house brewing of Pachwai (Rice) for their personal consumption and for consumption on Special and religious occasions, but not for sale.

3.7 The Committee enquired whether private contractors have been engaged in liquor vending by the State Government. In reply the Secretary, Excise Government of Bihar stated in evidence :-

"Where the Panchyat is having more than 50 per cent tribal population, no shops are auctioned. It is on contract basis. Bihar was the first state to go in for Prohibition in 1978 and 25 percent of the shops were closed in the first year. In 1979, we went for complete prohibition. The prohibition was being enforced on the basis of ordinance, when the Government of India gave its concurrence to the ordinance in 1980 it also indicated that it would make no commitment to the State to the loss, if any, on account of prohibition. In 1984, the State Government set up a Committee to study the implementation of prohibition. The memorandum placed before the Cabinet in 1980 printed out that there was no prohibition on the neighbouring States & West Bengal Madhya Pradesh and neighbouring country of Nepal and with no adequate enforcement machinery, smuggling become rampant. In Chhota Nagpur area making liquor from Mahua had almost become a cottage industry. The State was losing the revenue whereas the neighbouring States have got additional revenue.

The loss was of the order of Rs. 30 crores.

The State Government set up a high powered Committee to study the impact of complete prohibition in these 112 blocks. At that time, Tribal Research Institute was asked to study in four villages about the impact of not having any shop in panchayat having more than 50 per-cent tribal population. They came to the conclusion that drinking is a major problem and people have become accustomed to drinking. Tribals had stated consuming Mahua liquor in place of country liquor. In prohibition was enforced without making proper arrangement, it would result in illicit distillation."

3.8 To this, the Development Commissioner, Bihar added as under :-

"It is a fact that prohibition was introduced. but somehow or the other it did not succeed in the sense that it was found that a large number of people were still able to sell the liquor in that area either by smuggling from neighbouring States or from some other states. Therefore, the policy of prohibition was not successful. At the same time, the State Government was also losing the revenue. Then, it reverted back to the old system."

3.9 The Committee enquired how a distinction of fifty percent tribal population has been made in Tribal Sub-Plan area in enforcing Excise Policy by the State Government and how Central Guidelines in this regard mentioned earlier have not been implemented by the State Government.

3.10 In reply, Excise Secretary have stated :-

"We had prepared a memorandum indicating that prohibition should be enforced in all the 112 blocks. We have made out various points and this has to be vetted by the Welfare and Finance Departments. It is at that stage at the moment."

3.11 The development Commissioner, Bihar further clarified as under :-

"So far as drinking is concerned, as rightly pointed out, rice handia is supposed to be good for the health of the tribals. To that extent there is nothing wrong.

So far as the country liquor is concerned, that is considered normally injurious to health. Therefore, our effort should be that this should be banned, if possible, or at least reduced to the minimum possible extent. Unfortunately, it so happened that in Bihar once we had a policy of prohibition, but then we went back on it. Again, a policy paper has been prepared and it is being examined with a view to see that at least in those areas the sale of these liquors are no longer available.

At the moment what we are doing is that we are setting or not setting liquor shops on the basis of the tribal population in a panchayat. In a Panchayat where we find that the tribal population is less than 50 percent, there we are setting it, and where we find that it is more we are not setting it. That is the existing policy. Now the policy that is being formulated is that in the tribal blocks as a whole there should not be any country liquor shops. This policy has been formulated and it has been sent to the Welfare Department and the Finance Department, for their approval. Thereafter it will go to the Cabinet."

3.12 The Committee were informed that State Government had introduced prohibition throughout the State with effect from 1 April, 1979, but it was relaxed in September, 1980 throughout the State for a number of reasons. Asked in this context, the Development Commissioner replied as under :-

"We shall definitely and very strongly convey the feelings of this Committee and that it is a question of policy.....We shall also press that since it is the question of health and future of tribals, this policy should be accepted even though it may amount to a loss of money to the State Government. We shall press the Finance Departments for that."

3.13 The Additional Secretary, Ministry of Welfare added to this as under :-

"Sir, the Secretary, Excise said that a memorandum has been prepared and it will go to the Cabinet which will revert back the earlier policy. He says that at present it is lying with other Departments. So I just want to request them, with your permission, that they should bring the views of this august body to the notice of the Finance Department. Otherwise, they will say. We will lose our revenue."

3.14 The Committee were further informed that in urban areas falling within the Tribal Sub-Plan areas in Bihar sale of liquor has been through auction of liquor shop. The Committee in this context drew the attention of the State Government officials to the Central Guidelines and Observations made by the Working Group on Development of STs during the Eighth Plan that existing guidelines should be strictly enforced. In Scheduled Areas, entry of excise contractors should be completely banned and they should not be allowed to operate liquor shops in these areas. At places where shops are necessary these should be managed directly under the aegis of the Excise Department of the State. The State Government officials were asked to understand the difference between departmental and contractual shop system as the latter is associated with money lending and exploitation. To this, the Development Commissioner Bihar replied in affirmative stating that "in future we shall certainly see that the prevention of the exploitation is given highest priority."

3.15 Under Article 46 of the Constitution, the Central and State Governments are responsible to promote economic development of Scheduled Castes and Scheduled Tribes and they are responsible to protect them from all sorts of exploitation. As required under Article 339 of the Constitution a Commission headed by Shri U.N. Dhebar was appointed to report on the problems of Scheduled Tribes and recommend measures to solve them. The Commission in its Report submitted in 1961, had inter-alia recommended that sale of smuggled liquor must be put down with a strong hand and traffic in it should be made a penal offence with severe punishment, the sale and use of distilled liquor should also be discontinued forthwith and offenders should be punished severely, pending adoption of this policy, grant of licences to sell distilled liquor in weekly markets should immediately be discontinued.

3.16 Subsequently, the Central Government issued the following guidelines to the State in 1975 and reiterated them a number of times asking State Governments to give affect to them:

- (1) Commercial vending of alcoholic beverages should be discontinued in the tribal area.
- (2) Scheduled Tribes should be permitted to brew their traditional beverages for consumption at home for religious and special occasions.
- (3) Attempts may be made to wean the Scheduled Tribes away from the habit of drinking alcoholic beverages and for this purpose official and non-official voluntary organisations may be encouraged to take up work in tribal areas.

3.17 The Committee are distressed to note that these important recommendations though accepted by the State Government in general, have not been implemented with the seriousness it deserved. The Government of Bihar had tried this policy of prohibition in scheduled areas in 1978 but abandoned it subsequently on account of illicit distillation, smuggling from neighbour states and consequent loss of revenue considerations. Another contributory factor for abandoning prohibition policy in tribal areas was stated to be that tribals have become accustomed to drinking and in the absence of enforcement machinery, prohibition would result in illicit distillation. It is highly disturbing. The Committee are not convinced of this line of reasoning. Smuggling and illicit distillation problems being law and order problems could be tackled by strengthening law enforcing machinery.

3.18 It is ridiculous to say that since law enforcing machinery failed to check menace of illicit distillation and smuggling of liquor, tribals may be allowed to be exploited by making liquor freely available to them.

3.19 The Committee are also not convinced of the reasoning on revenue consideration against abandoning prohibition policy in Bihar. It is said that because of the enforcement of prohibition policy in sub-plan areas, State was losing revenue to the tune of Rs.30 crores per annum while the neighbouring states had got additional revenue and that Government of India had indicated while giving its concurrence to the ordinance enforcing prohibition in 1980 that it would not make any commitment on loss to the State. This issue was earlier discussed by the Advisory Board on Prohibition which comprised of Excise Ministers of States and they had agreed to the recommendations of the Dhebar Commission and those were accepted by the State Government. The Committee strongly feel that development and welfare of 58 lakh tribals in the State should not be overlooked on revenue consideration.



3.20 The Committee also recommend that to tackle the problem of smuggling and illicit distillation, stringent penalty should be provided by amending the Excise Act which will act as deterrent as is the case under Narcotic Act.

3.21 The Committee note that liquor shops have been abolished in Block/Gram Panchayats in TSP areas of Bihar having fifty per cent or more tribal population. In Block/Gram Panchayats having less than fifty percent of tribal population, liquor vending is continuing. The Committee are at a loss to comprehend justification behind this policy. On the other hand, they are of the view that non-tribal people living in Tribal Sub-Plan area enjoy all types of facilities including subsidised essential commodities and subsidy under IRDP and ITDA economic development programmes, besides the developed infrastructure created in these areas. Therefore, their preference for liquor should not get over-riding priorities over tribals welfare. However, in urban areas falling under the Tribal Sub-Plan areas, where proportion of non-tribal population to tribal population is very high, and people are comparatively better off, a different yardstick can be applied on revenue consideration. In such urban areas, Indian make foreign liquor can be sold

through departmental shops to check smuggling of this type of liquor in rural tribal areas by unscrupulous liquor contractors.

3.22 The Committee note that Excise Department of the State Government plan to enforce prohibition in all the 112 blocks in the Tribal Sub-Plan areas and has drafted a memorandum in this regard. The memorandum is required to be vetted by the Welfare and Finance Departments of the State Government before it is submitted to the State Cabinet. In this context, the Committee will like to emphasis the fact that State Government is committed to development and welfare of Scheduled Tribes and liquor vending in their areas has been linked to money-lending resulting in indebtedness and alienation of tribals from their land. Also liquor-vending is not only against the spirit of the Constitution, but also is a health hazard for illiterate and simple tribals who are accustomed to it. In fact, it is one of the basic prime factors at the root of their backwardness and exploitation. They spend lavishly on liquor which leads them to perpetual indebtedness and also make them victim of vulnerable diseases. Such a vital factor affecting tribal population should not

be overlooked on revenue considerations. The Committee, therefore, strongly urge that sale of liquor in tribal Sub-Plan areas should immediately be banned.

## Money lending and relief from indebtedness

3.23 According to the Working Group on development and welfare of STs during VIII Plan, problem of indebtedness among tribals is serious. According to a sample survey done by the Planning Commission in selected ITDPs, the indebtedness among the tribals has increased from 14.4 percent in 1975-76 to 33.77 percent in 1982-83. 72 percent of the tribals were indebted to non-institutional sources including shopkeepers, friends, relatives etc. while 4 per cent of the tribals were indebted to institutional sources including both banks and cooperatives. The causes for indebtedness are many and varied, but undoubtedly, unscrupulous money lending practices and exploitation of tribals are important factors. ~~As~~ asked in this context, the Secretary, Revenue stated in evidence :-

"There are two acts regarding this, the Money lending Act 1974 and Bihar Debt Relief Act 1976. Apart from this, we have been issuing instructions to the DCs and other officials, for proper implementation of these acts. Now there can be no private money lenders for they have to be registered and have to keep accounts. If they are not registered and do not keep accounts, they cannot file cases and they cannot be recognised by any court.

3.24 In the context of increasing indebtedness of tribals, productivity in tribal areas going down and consequently their alienation of land, the Committee asked how in spite of the fact that a number of steps have been taken by the State Government in this regard, indebtedness of tribals has been on increase. In reply, the witness submitted that 'bank credit should be made available to tribals if they have to get away from

3.25           The Development Commissioner, Bihar further added :-

"On banks, I just want to mention one figure. Only about a fortnight ago our Minister has taken a meeting of all the banks and it was found that for agricultural land, for kharif, approximately 1,32,000 applications had been filed with different banks. They have been filed through the joint offices of the BDOs. Out of them only about 32,000 applications have been disposed off and they have given a loan of Rs.10 crores as against the loan of Rs.49 crores. They have disposed off 32,000 applications and one lakh applications are still pending. Now it is getting late because the need of the farmer for getting the money is not much and in any case financing in the whole of the State has come down considerably. They also gave the same reply. They said that the main reason was that we had given loan to these farmers a year before and most of them had not repaid it. Unless they write off, naturally we have this difficulty and we have problems. We do whatever is possible. It is not that they are giving the loans generously and from the State Government's side our Minister of Agriculture took a meeting a few months ago and our Chief Minister took a meeting about a fortnight ago. We have been pressing on all the bankers that they should give money to the farming community."

3.26           In a note furnished to the Committee, the State Government of Bihar have stated that 'Majority of the Scheduled Tribe families are below the poverty line, indebtedness has become a part of their life. They require loans even for small items of daily consumption and to meet social liabilities like, marriages, shrads, etc. There is no institutional arrangement for such credit. They fall in the hands of unscrupulous money-lenders which sets the wheels of exploitation in motion. The Government of Bihar is planning to launch Consumption Credit Scheme which will take care of the needs of poor tribal communities'.

3.27 Subsequently, the State Government of Bihar has admitted in the draft Scheduled Area Administrative Report for the year 1989-90, 1990-91 and 1991-92 that the effective implementation of the provisions of the Money Lending Act is largely tardy because there is no other source of credit readily available to the tribals at the time of their need<sup>and that</sup>/nationalised Banks are shy of financing tribals. Thus, whenever they are faced with calamity, they have no option but to go to the village money lenders who are presently acting in vengeance. The State Government reported to have taken steps to provide credit, consumer loans through cooperative institutions. But very often these institutions face resource crunch. Thus, the State Government feel that 'there is need to make adequate provision of funds to such institutions and streamline their functions'.

3.28 The Revenue Secretary, Bihar further told the Committee that 80,000 people have been freed and the debt relief granted amounted to Rs.3 crores so far.

3.29 In this connection, the Committee learnt from the above mentioned study of the working of ITDP Simdega that even the basic minimum needs of the released bonded labourers had not been met. Asked in this context, the witness further informed the Committee as under :

"We give them land around 2 acres. We give them 1000 rupees per acre for buying agricultural implements. Even we give them about Rs.250 as legal aid to fight their cases. We even give them tree-pattas.

3.30 When the Committee pointed out that legal aid of Rs.250/- is on low side, the witness replied:

"If depends on the resources we have. Atleast till date, our policy is like this. We are also giving them help in other ways".

3.31 The Committee find that State Government of Bihar has enacted two legislation - the Money Lending Act 1974 and Bihar Debt Relief Act 1976 to provide relief from indebtedness to tribals. Apart from this State Government has been issuing instructions to the DCs and other officials for proper implementation of these Acts. Under provisions of these laws private money lenders have to get themselves registered and maintain accounts. Unregistered money lenders and those not maintaining accounts cannot approach courts for recovery of loan amount. However, the Committee find that implementation of the provisions of these acts is largely tardy because no other source of credit is available to tribals at the time of need. As most of the tribal families are below poverty line, they require loans to meet social liabilities like marriages and even for consumption. In the absence of any institutional arrangements for such credit they often fall in the hands of inscrupulous money lenders which sets the wheels of exploitation in motion. The institutional arrangements made to meet credit needs of tribals like cooperative societies, LAMPS etc. are not only inadequate but also inefficient in working. Moreover, these institutions often face resources crunch. The Committee therefore, feel that there is need to make adequate provisions of funds to such institutions and streamline their functions. The Committee note that State Government is already seized of the matter. They will like to be informed of the steps initiated in this regard.



3.32 The Committee are perturbed to note that nationalised banks are shy of financing tribals. In the absence of any institutional finance, tribals often fall in the hands of unscrupulous money lenders. Even for genuine agricultural needs they have been denied finance, of the 1,32,000 applications filed with different banks through B.D.Os, only about 32,000 applications have been disposed of so far. The other one lakh applicant have still to wait and it would affect their agricultural operations. In aggregate, loans amounting to Rs.10 crores have been disbursed against the total requirement of <sup>Rs.</sup> 49 crores inspite of the fact that matter was taken up at a very high level by the State Govt. with managements of Banks. It is highly disturbing. The reason for this indifferent attitude on the part of financial institutions has been that most of the applicants were defaulters of earlier loans granted to them about a year back. The Committee urge that a sympathetic view of the grim poverty of tribals and their helplessness may be taken by the lending institutions and some way out may be found out with a view to help them.

3.33 The Committee note that 80,000 people have been freed and a debt relief of Rs.3 crores has been granted by the State Government of Bihar. The Committee will like to emphasise in this regard, that released labourers should be properly rehabilitated and provided with means of livelihood. Their basic needs are to be met to ensure that the released families do not relapse into bondage.

## LAND ALIENATION

3.34 Bihar Scheduled Areas Regulation 1969, Chhota Nagpur Tenancy Act, 1908 and Santhal Paragana Tenancy (Supplementary Provisions) Act, 1949 are the legislations in force in Bihar to prevent land alienation of tribals. Despite these laws, however, the tribals' land continued to pass out of their hands. According to the Ministry of Welfare, intensity of land alienation in states like Bihar is comparatively high. Bihar Government in a note have stated that magnitude of informal transactions are very large. In these cases, tribals have lost the possession of land. 'In town area, because of high value of land which is mounting day by day, there is a pressure on tribal land. Many illegal methods are resorted to for alienating tribal land such as (i) forcible occupation (ii) Collusive title suits (iii) suppressing the true identity of the tribal vendor while getting deed of transfer registered and thereafter effecting number of transactions in quick succession.'

3.35 It was further stated that 'there is a move by the Government to bring forcible occupation of tribal land under the provision of the Land Restoration Act.

3.36 The Committee were informed in evidence that as on date, 1,26,629 cases have been instituted involving 1,77,850 acres of land. Out of these 56,229 cases have been allowed and area involved is 59,897 acres. It was

further stated that in 54,986 cases involving 51,327 acres of land have been restored to tribals. Further, 2,525 cases have gone in appeal involving an area of 4,717.85 acres.

3.37 Alienation of tribal land has been taking place in various ways. In modes other than the land acquisition, 80 per cent of land alienated had gone to non-tribal. STs are generally unaware of the protective laws in respect of alienation of lands. Even in States where awareness is more, the tribals poverty and the cumbersome process of law prevented recourse to the legal process. In this context, the Committee desired to know the steps taken by the State Government to restore tribals their land. In reply, the Government of Bihar in a note have stated :

".....for accelerating implementation of ceiling laws and restoration of land to STs and also to detect and dispose of bataidari cases, a special squad has been established at Ranchi. At district level, an Additional District Magistrate has been posted with supporting staff to supervise and assist revenue work in their respective districts. These offices require strengthening in view of the large number of cases for disposal within a time schedule."

3.38 It has been further contended :

".....At present there is no effective machinery for enforcement of these protective Legislations periodical review of the progress of its implementation and monitoring at the district level. The tribals, whose land is restored, are not provided any financial assistance to take up cultivation of land restored to them."

3.3● The Committee note that to prevent land alienation of tribals, Bihar Scheduled Areas Regulation 1969, Chhota Nagpur Tenancy Act, 1908 and Santhal Pargana Tenancy/(Supplementary Provisions) Act, 1949 are in force in Bihar. Inspite of these laws, intensity of

land alienation in tribal areas of Bihar is comparatively high. It has been stated that magnitude of informal transactions are very large and many illegal methods are resorted to for alienating tribal land such as forcible occupation, collusive tribal suits, suppression of true identity of the tribal vendor while getting deeds of transfer registered and thereafter affecting number of transactions in quick succession. The Committee further note that 1,26,629 cases involving 1,77,850 acres of land have been instituted till date. Out of these, in 45,986 cases involving 51,327 acres of land has been resorted to tribals. The Committee are perturbed to note that in spite of various enactments in this regard, intensity of land alienation in TSP areas of Bihar is very high. Tribals being mostly illiterate and simple folk are generally not aware of the protective laws. Not only this, where awareness is more, poverty and cumbersome process of law inhibited tribals to take resourse to law. In view of these startling relevations, the Committee feel that there is need to further tighten the loop holes in law and to educate the farmers about the provisions made for their protection. The Committee will like the state Government to devise measures in this regard in consultation with the Ministry of Welfare and other concerned.

The Committee recommend that, where tribals effect sale of land under distress, Government should acquire that land for distribution among landless tribals under various poverty alleviation programmes. The Legislation for preventing land alienation of tribals should be strengthened by incorporating provision to the effect that land is presumed to belong to the tribals and the burden of proof of sale of land should be with non-tribals.

3.40 The Committee note that number of cases instituted for alienation of tribals land is alarmingly high at 1,26,629 and out of them only 46,000 cases have been decided. More and more cases are being registered every day. It has been stated that for accelerating implementation of ceiling laws and restoration of tribal land and also to detect and dispose of bataidari cases, a special squad has been established at Ranchi. At district level, an Additional District Magistrate has been posted with supporting staff to supervise and assist in revenue work. However, in view of the large number of cases for disposal within a time schedule, these offices require strengthening. The Committee trust that state government will <sup>initiate</sup> steps in this regard early to streamline the process. The Committee will like to be apprised of the progress made in this regard.

3.41 It is concerning to note that at present, there is no effective machinery for enforcement of these protective legislations, periodical review of the progress of its implementation and monitoring at district level. The Committee feel that mere enactment of legislation to prevent land alienation of tribals is of no use <sup>unless</sup> adequately effective enforcement machinery is not created and periodical review of the progress is not undertaken. In fact, the success of a programme to a large extent, depends on how effectively it is monitored and remedial action taken in time to remove constraints/deficiencies. Therefore, the Committee urge that machinery for effective enforcement and monitoring of protective legislations should be created at district level.

3.42 The Committee are highly perturbed to note that the tribals whose land has been restored are not being provided any financial assistance to take up cultivation of land restored to them. In this context, the Committee will like to emphasise that unproductive quality of land in the TSP areas is one of the basic causes of alienation of tribals lands. Thus, any comprehensive strategy for checking land alienation should include measures for improving productivity of land. Therefore, the Committee urge that Financial Assistance may be provided to tribals to take up cultivation of land restored to them.



## CHAPTER IV      ACHIEVEMENTS IN SECTORAL PROGRAMMES

### A.    AGRICULTURE

4.1    As per the 1981 census, about 87 percent of the main tribal workers are wholly or largely dependent on agriculture. According to the Report of the Working Group on Development and Welfare of Scheduled Tribes during VIII Five Year Plan, low agricultural productivity has been a cause for alienation of tribal land, chronic indebtedness and failure to repay credit obtained from banks and institutions such as L.M.P.s. This sets in motion a cycle leading to pauperization of tribals, dependent largely or wholly on agriculture. A research project sponsored by the Ministry of Welfare had documented the outward migration of tribal workers from certain TSP areas in Orissa and Bihar and found linkage between such migration and backwardness of agriculture.

4.2    According to a compilation of productivity of certain major crops in 32 Tribals Sub-Plan districts in TSP reported by the Commissioner for Scheduled Castes and Scheduled Tribes in his Report presented in 1981, the following facts have come to light :-

- (1)    That productivity in the TSP districts, except in three States, have generally been lower than the State averages, for all crops.
- (2)    That several of the TSP districts have shown decline in productivity in 1985-86 as compared to 1980-81.
- (3)    That there is a shrinkage in area under certain important food crops.

- (4) That there is a drop in productivity in 1985-86 as compared to 1980-81 in respect of certain crops districts, even though the corresponding State averages of productivity have increased for the same crops.

4.3 Reacting to the above observations of the Committee, Secretary, Agriculture, Government of Bihar stated in evidence that figure of 1985-86 was comparative and it was not representative figure. But he admitted that in some districts agricultural productivity has gone down. Asked about the reasons for decline in productivity, the witness stated :-

"The major factor has been that especially the cereal and the food crops depend on irrigation which is mainly dependent on rains. Whatever irrigated land is there, it is by minor irrigation scheme. .... In 1985-86 due to poor rainfall in the tribal area productivity was low and that was compared with 1980-81. Secondly, in more than 50 percent minor irrigation schemes which are there, depend totally on power and power position in this belt has been rather ~~boom~~ for quite sometime and that has affected the part of the minor irrigation scheme. And because of this, the yield as well as the coverage of the farmers are low. It was only 9 percent, that is, the total percentage of irrigated land in that area..... Out of 129 lakh hectares, only 11 lakh hectares are irrigated and the rest depends upon the rains."

4.4 In this context, the Committee desired to know the difficulties/constraints experienced in Bihar. In reply, State Government of Bihar has enumerated the following constraints/difficulties :-

- (i) Traditionally tribals<sup>is</sup>/a closed society.

(ii) Tribals are easy going and not very hard working.

(iii) Because of their culture, they listen to people who mix with them. They are reluctant to adopt changed technique. This / <sup>makes</sup> the task of extension difficult.

4.5 The Committee learnt that in view of the fact that agriculture is to be given top priority for Scheduled Tribes, the Working Group on Development and Welfare of Scheduled Tribes during the Eighth Five Year Plan has recommended :-

1. The outlays on the Agriculture & Allied Sector should be atleast 20 percent of the total VII plan outlay under TSP of the TSP States/Union Territories and that the outlay on minor irrigation should be atleast another 15 percent of the total TSP.
2. That the outlays by the Central Ministry of Agriculture under its TSP schemes should be pooled and utilised on a comprehensive scheme of increasing agricultural productivity in TSP areas. This should include a minor irrigation component, a soil conservation component and be implemented through the ITDPs.
3. That outlays under crop husbandary, horticulture, social forestry, soil and water conservation, cooperation, minor irrigation and agricultural marketing should to the extent possible, be channelised through ITDPs. This would apply to both the TSP component of the State Plans and the

funds provided under the suggested new Centrally Sponsored Scheme of the Ministry of Agriculture.

4. The Central Ministry of Agriculture is now identifying agro-climatic zones in the country for the purpose of directing future investments in the Agriculture and Allied Sector. The TSP areas in each zone may be identified as sub-zones for suitable package of agricultural practices.

5. That agricultural research, education and extension activity in TSP areas should receive a much higher priority than it has so far. The thrust should be on improving productivity under dry or partially irrigated conditions and on the lands of marginal farmers. For this purpose, agriculture research Centres under the States' Agriculture Departments or the Agricultural Universities should be established in the TSP areas.

6. That 100% Centrally funded scheme "Control of Shifting Cultivation" should be expanded substantially so as to cover the total number of shifting cultivators in the entire country (including in the non-TSP States/ Union Territories) and aim at their total rehabilitation within the VIII Plan period.

4.6 According to a compilation of productivity of certain major crops in 32 TSP districts in the TSP States reported by the Commissioner for Scheduled Castes and Scheduled Tribes, productivity in TSP districts except in 3 States have generally been lower than the State average for all crops, several of TSP districts have shown decline in productivity in 1985-86 as compared to 1980-81, there is a shrinkage in area under certain important food crops and there was a drop in productivity in 1985-86 as compared to 1980-81 in respect of certain crop districts, even though the corresponding State averages of productivity have increased for the same crops. The representatives of the State Government of Bihar have pleaded that figures for 1985 were not representative and these were only comparative but admitted that in some districts agricultural productivity has gone down. The Committee are deeply concerned at this phenomenon. They will like the reasons for declining trend in agricultural productivity in TSP areas to be analysed and remedial measures taken at an early date.

4.7 The Committee note that agriculture in tribal areas is still largely dependent on rains. Out of the total 129 lakh hectare of land under agriculture in TSP areas in various States, only 11 lakh hectare are irrigated and the rest depends on the vagaries of nature. Under such a situation, agricultural productivity will vary from year to year showing volatile fluctuations in the years of deficient rains. The Committee further note that topography of tribal areas of Bihar is such that major and medium irrigation schemes are not of much benefit to them. Only minor irrigation schemes can be implemented in these areas which in turn depend on availability of power. A State Government representative has informed the Committee that power position in this belt has been rather gloomy for quite sometimes and that has affected minor irrigation schemes. Because of this, the yield as well as the coverage of farmers are very low - stated to be only nine percent. It is highly deplorable. The Committee feel that in the absence of assured irrigation high yielding varieties of crops cannot be sown by tribal farmers nor chemical fertilizers can be applied to boost yield. Extension work also cannot be taken up in TSP areas simply for this reason. Needless to say that power supply

to TSP areas is of utmost importance for economic development. The Committee, therefore, strongly recommend that added emphasis be laid on power supply to TSP areas and for that reason outlay under this head should be substantially enhanced.

4.8 Besides that, the Committee feel that minor irrigation schemes based on rivers and streams which do not entirely depend on power to lift water <sup>taken up</sup>, may be <sup>2</sup> wherever possible in large number to ~~augment~~ the irrigation facilities substantially.

4.9 Another reason for stagnation of agriculture in tribal sub-plan areas has been stated to be tribal culture and their attitude towards material life. It is said that their's is a closed society; tribals are easy going and not hard working and their reluctance to adopt to changed technique. All these make task of extension work difficult. The Committee feel that these problems, though obstructive are not insurmountable. With the spread of education and opening up of tribal areas with laying of infrastructure, tribals attitude will undergo a substantial change. Then, their response will be more positive. Meanwhile, what is required on the part of Government is to have a close contact with them and impress upon them, through audiovisual media and publicity, virtues of modern techniques in agriculture. Farm demonstrations and extension work, in Committee's view will bring in positive results in motivating tribals.

4.10 The Committee note that with a view to set up agricultural productivity in Tribal Sub-Plan areas, the Working Group on development and Welfare of STs during VIII Plan has made certain recommendations. These include inter-alia, higher investment in agricultural and allied sector and minor irrigation schemes, pooling of outlays of various schemes by the Central Ministry of Agriculture under its TSP Programme and utilisation of the same on a comprehensive scheme, channelising of outlays under crop husbandry, horticulture, social forestry, soil and water conservation, cooperation, minor irrigation and agricultural marketing through ITDPs, identification of TSP area in each agro-chemical zone as sub-zone for suitable package of agricultural practices and also to accord higher priority to agricultural research education and extension activity in TSP areas with thrust on improving productivity under dry or partial irrigation conditions etc. In Committee's view these valuable suggestions merit favourable consideration. The Committee therefore, urge the State Government to implement these suggestions without further loss of time.



B. SHIFTING CULTIVATION

4.11 According to the Ministry of Welfare over Six lakh tribal families in 16 states are estimated to be practising shifting cultivation. About 10 million hectares in tribal and hill areas are affected by shifting cultivation. In Bihar, jhoom cultivation or shifting cultivation is stated to be prevalent among Souria Pahariyas and Mal Pahariyas of Sahabganj.

Asked about the area under jhoom cultivation, the State Government officials expressed inability to provide precise figures in the absence of any survey having been done in this regard.

4.12 Asked about the measures taken to curb jhoom cultivation in the State of Bihar, Government has stated that it "has a policy to curb jhoom cultivation by persuasion and this was yielding results, though slowly." It was further stated that "to change the attitude of Souria and Mal-Pahariyas towards shifting (jhoom) cultivation, different type of schemes are implemented such as Barbathi cultivation, bee keeping, Tsar production, land levelling, Agriculture subsidy, sabai grass cultivation and poultry etc."

4.13 The Committee pointed out that Ministry of Agriculture had launched a Centrally sponsored scheme for control of shifting cultivation with the total investment of Rs. 75 crores and covering settlement of 25000 families over a period of 5 years and enquired about the specific steps taken to dissuade tribals from jhoom cultivation and the results achieved so far. In reply, the Development Commissioner Bihar stated :-

"I would only like to mention that so far as the specific project or specific plan for the rehabilitation of the people who have been indulging in this kind of jhoom cultivation is concerned, specific project or plan covering all aspects has not been prepared. We shall now work out a plan and we shall request the Ministry of Agriculture to give us the money in future."

4.14 He further agreed with the Committee that "the/~~problem~~ cannot be tackled by mere ~~persuasion~~. It has to be followed by complete rehabilitation. They must get some means of livelihood.

4.15 Shifting cultivation destroy valuable forests which leads to soil erosion and sifting of agricultural land down below. It also adversely affects environment and ecology. In Bihar, jhoom or shifting cultivation is practised by Sauriya Pahariyas and Mal - Pahariyas of Sohabganj. It is surprising to note that State Government is not even aware of the extent of the area affected by it. It is said that no survey has been done in this regard. It is highly deplorable. The Committee will like the State Government to conduct a survey to know the precise area under jhoom cultivation in the State with a view to take appropriate measures to curb this practice.

4.16 The State Government has contended that it has a policy to curb jhoom cultivation by persuasion and this policy is yielding results though slowly. In the absence of any concrete evidence of measures/schemes devised in this regard, the Committee are not inclined to accept this claim. On the other hand, they feel that tribal cannot be weaned away from their centuries old habit of jhoom cultivation by mere persuasion.

The Committee will like the State Government to prepare a concrete action plan to dissuade them from jhoom cultivation by offering attractive incentives in the form of agricultural land etc. In this context, the Committee will like to point out that a Centrally Sponsored Scheme with total outlay of Rs. 75 crores, targeting settlement of 25000 families over a period of Five years has been formulated by the Ministry of Agriculture. State Government is advised to identify the areas and formulate schemes with a view to rehabilitate those indulging in jhoom cultivation and seek financial assistance from the Ministry of Agriculture.

C. ANIMAL HUSBANDRY

4.17 Animal Husbandry has traditionally been an important secondary source of livelihood in Tribal Sub-Plan areas. The Scheduled Tribes have been rearing not only milch and drought cattle, but also smaller animals like pigs, goats and poultry. But rearing animals is not providing them enough income. Sudden deaths of drought animals brings miseries to poor people as not only their source of income goes away, but they go under debt also on this account. In this context, the Committee enquired if the State Government have any plan to introduce insurance scheme for drought animals. In reply the Regional Development Commissioner, Bihar stated in evidence :-

"In Special Central Assistance we have provided for it. All the pregnant heifer distributed under Special Central Assistance fund were fully covered by insurance scheme."

4.18 When the Committee pointed out that all types of animals reared by Scheduled Caste/Scheduled Tribe have not been provided insurance, the witness replied :-

"We will take note of this and do our best."

4.19 The Committee were informed that under ITDP, pregnant Heifers (3 to 4 months old pregnant) have been distributed among the tribals. The number of families benefited on this account during the last 2 years was stated to be as below :-

<u>Year</u>	<u>SI</u>	<u>SC</u>	<u>Others</u>	<u>Total</u>
1989-90	146	27	47	220
1990-91	644	82	93	819

4.20 Tribals have been traditionally rearing pigs also. But the pigs which are reared are stated to be of indigenous breed. Its growth is stated to have been far below the growth of improved breed.

4.21 It has been submitted to the Committee that since these schemes are rapid income generating and are very much popular among the tribals, these schemes should be continued for longer period.

4.22 Animal Husbandry has traditionally been an important secondary source of livelihood in Tribal Sub-Plan areas. Scheduled Castes and Scheduled Tribes rear not only milch and drought cattle, but also smaller animals like pigs, goats and poultry. The Committee are, concerned to note that no thought has been given to introduce insurance scheme for these animals. Premature and sudden deaths of these animals bring miseries to poor tribals, as not only their source of income goes away, they also undergo debt. The Committee, therefore, strongly recommend that Government should examine feasibility of providing insurance cover for all types of livestock reared by tribals apart from those supplied to them under various poverty alleviation programmes. Animal Husbandary has been an important secondary source of livelihood to tribals. During 1989-90, 146 Scheduled Tribes and 27 Scheduled Castes and in 1990-91, 644 Scheduled Tribes and 82 Scheduled Castes respectively have benefitted under various ITDP schemes in Tribal Sub-Plan areas in Bihar. In view of the large number

of tribal families and the importance of animal husbandary in tribal development and welfare schemes, the Committee feel that results achieved in this sector are below expectation. Utmost efforts should, therefore, be made to extend benefits to large number of tribals under animal husbandary schemes.

4.23 The Committee note that pigs reared by tribals are of indigenous breed. Its growth is stated to be far below the growth of the improved breed. The Committee, therefore, recommend that as far as possible pigs of improved breed should be made available to tribals in Tribal Sub-Plan Areas.



D. MINOR IRRIGATION

4.24 One of the strategies of development in TSP areas during VII Plan was to give special emphasis on minor irrigation as well as lift-irrigation and soil and water conservation. According to the Ministry of Welfare one of the reasons for the low/declining productivity in tribal areas is the lack of irrigation facilities. According to their study, of the 129,42 lakh hectare of net sown area (in 1980-81) by Scheduled Tribes, only 11.09 lakh hectare or 8.6 percent of the area sown had access to some form of irrigation. This compares poorly with 26.9 percent for all social groups and 22.9 percent even for Scheduled Castes. In terms of the operation holdings of STs, 80.1 percent were wholly unirrigated, 14.3 percent partly irrigated and only 5.6 percent wholly irrigated. In Bihar, it has been stated that approximately 8 percent of the land in the tribal sub-plan area has assured irrigation. At the end of the Seventh Plan, the level of irrigation in tribal areas was 79.33 thousand hectare which at the commencement of the Plan it was 72.48 thousand hectare. Thus, only less than seven thousand hectare potential has been created in tribal areas of Bihar during plan period. As against it in non-tribal areas, level of irrigation increased from 1875 thousand hectare to 2028 thousand hectare indicating additional capacity creation of 153 thousand hectare. It has been stated that hilly terrain and uneven topography of the tribal area makes major irrigation schemes unfeasible.

Three major and 24 medium irrigation schemes were reported to have been taken up during the Seventh Plan for execution in tribal areas. Out of these, five have been completed and two schemes dropped. Most of these schemes were stated to have been taken up in seventies but could not be completed so far due to paucity of funds, land acquisition, public objection and other problems.

4.25 The Committee were informed that in Sub-Plan areas of Bihar State during the year 1989-90, a target of 99 Lift Irrigation Schemes was fixed. Out of these only 21 could be completed. Similarly, 52 medium irrigation schemes could be completed out of 66 and 1572 tubewells and irrigation wells could be installed against the target of 3,000.

4.26 As mentioned earlier, the Commissioner for SCs and STs had conducted a study of the working of ITDP, simdega and had pointed out serious lapses in the execution of lift irrigation schemes there. It has <sup>been</sup> pointed out that none of the 5 schemes implemented under the prestigious Indo-German Project launched in village Burhi-Kutang on the Palmar river in Simdega block, was functioning.

4.27 The Study Group has pointed out that 3 electric motors of 75 H.P. installed there were getting rusted and hundreds of unused aluminium pipes were dumped in a corner of the village Tamra were not being used for want of motor pumps. Asked in this context, the Secretary, Agriculture

and Minor Irrigation, Bihar stated in evidence :

"The general experience of the State is that lift irrigation scheme has not been properly functioning. They took a decision that the Government will not go in for any new lift irrigation scheme. They are totally abandoned."

4.28 The Committee pointed out that in most parts of the tribal Sub-Plan Areas other modes of irrigation are not feasible because of the hilly terrain and only lift irrigation is possible and that such areas will be adversely affected if the State Government has decided not to undertake lift irrigation schemes in future. The witness replied that 'the State Government had decided not to undertake new lift irrigation schemes and the existing schemes which are in bad condition will be repaired and handed over to Gram Panchayats for running them efficiently.

4.29 Asked about the above mentioned Lift Irrigation Schemes taken up <sup>under</sup> Indo-German Project, it was stated that 'these have been taken over and are working now."

4.30 However, in a subsequent note, the State Government has submitted that these schemes had been taken over by the Bihar Hill Area Lift Irrigation Corporation and the present position of working is stated to be as under :-

1. Nadi Toli Lift Irrigation Scheme

This scheme provides irrigation to an area of about 50 acres in hot weather against designed command of 70 acres in Kharif, 70 acres in Rabi and 25 acres in Hot Weather. There were nine big dia wells for which motor pumps have been provided, but these wells are not providing irrigation to the designed command which is mainly due to non-availability of power and lack of understanding and cooperation among the cultivators.

2. Burhi Kutang Lift Irrigation Scheme

This scheme had been providing irrigation to an area of 800 acres during the first 7-8 years of execution. At present the scheme was lying idle. The cost of three 75 H.P. Motors has been estimated to be 11 to 12 lacs. The previous intake wells of the scheme were damaged and another intake well has been constructed which is not working. The scheme is considered to be very useful and the cost of repairing 75 H.P. motors has been estimated to be Rs. 6 lakh.

3. Parsabera Lift Irrigation Scheme

Out of 2 numbers ten H.P. Electric Pumps installed, one is lying out of order.

4. Bangroo Lift Irrigation Scheme

Two electric pumps of 75 H.P. each have been installed, but these are not working for want of transformers.

5. Biroo Lift Irrigation Scheme

12 big dia wells constructed in village Biroo are still in working condition and irrigation is being done.

4.31 Lack of irrigation facilities in TSP areas has been one of the major obstacles in increasing agricultural productivity. Thus, one of the strategies of development in TSP areas during seventh Plan was to give special emphasis on minor and lift irrigation. The Committee are distressed to find that this strategy has not been implemented in right earnest in TSP areas of Bihar and only 8 percent of the land under cultivation has some form of assured irrigation. At the commencement of the Seventh Plan 72.48 thousand hectare irrigation potential was there. During plan period, only less than seven thousand hectare potential appears to have been created making a total of 79.33 thousand hectare at the end of the plan period. It is a sad commentary on development of TSP areas in Bihar. On execution of irrigation schemes, the Committee find that 3 major and 24 medium irrigation schemes were in hand during the Seventh Plan. Out of these, five have been completed and two dropped. Most of these schemes were taken up in seventies, but are languishing due to paucity of funds and other related problems. Not only this, in 1989-90, a target of 99 lift irrigation schemes was fixed but only 21 could be completed.

Similarly, only 1572 tube wells and irrigation wells could be installed against the target of 3,000. The Committee are deeply concerned at tardy implementation of irrigation schemes. They, therefore, strongly urge the State Government to gear up the machinery and take other administrative steps for expeditious implementation of already delayed irrigation scheme.

4.32 The Committee are deeply concerned to note that irrigation potential created at enormous cost are not giving the expected benefit to tribal people. As has been pointed out by the Commissioner for SCs and STs on the basis of an evaluation study many of the lift irrigation schemes are out of use for want of repair and maintenance. The Study has pointed out that 3 electric motors of 75 HP installed in village Burhi-Kutang on Palmar river in Simdega block of Ranchi district were getting rusted while 5 big diameter wells in village Tamra were not being used for want of motor pumps. In Nadi Tole Lift Irrigation Scheme nine big diameter wells for which

/for want of transformers. This State of affairs in working

motor pumps have been provided are not providing irrigation at the designed command mainly due to non-availability of power. In Parsabera Lift Irrigation Scheme, out of 2 ten H.P. electric pumps installed, one is out of order. 2 electric pumps of 75 HP each installed at Bangroo Lift Irrigation Scheme are not working of Lift Irrigation Scheme is highly deplorable. The Committee expect the State Government to give due attention to the maintenance and repair aspect and ensure that irrigation schemes executed at <sup>enormous</sup> cost function smoothly upto the designed capacity. Such schemes going out of gear not only entail heavy loss to the tribals in command areas due to loss of agricultural production, but also results in heavy losses to the Government as electric pumps and machinery get rusted if not use.

4.33 The Committee are concerned to note that State Government of Bihar has decided that in future, no new lift irrigation scheme will be taken up. They feel that major and medium irrigation schemes are not of much use in TSP areas because of uneven

topography. Only Lift Irrigation Schemes can provide assured irrigation in these areas.

In this context, the Committee will like the State Government to reconsider their decision not to take up new irrigation schemes in TSP areas. In fact what is required is effective monitoring of the working of Lift Irrigation Schemes and their timely repair and maintenance.

The Committee trust that these aspects will be well taken note of with a view to increasing irrigation potential in TSP areas.



E. FORESTRY

4.34 The Committee were informed that in Bihar tribals are permitted to take fire-wood and timber for house building and agricultural implements from the forests for their own domestic needs free of cost. Further, nine minor forest produce namely Kendu Leaf and fruits of Sal, Mahua, Karanj, Kusang, Palas, Amla, Harra and Bahara have been nationalised. It has been contended by the State Government that collection of these minor forest produce is source of substantial earnings for tribals'. Bihar State Forest Development Corporation is stated to be the sole agent for collection and marketing of these produce. Earlier trade of these produce was in the hands of private traders who were stated to be exploiting the poor collectors and tribals by not paying fair price of the commodities. The State Government, it was stated, created the State monopoly and enacted Bihar Forest Produce (Regulation of Trade) Act, 1964. The Committee pointed out that karanj seed now a days are produced on private land and not in forest areas alone and therefore, it should not be included in the nationalised minor forest produce. In reply the Secretary, Forest, State Government of Bihar stated in evidence :-

"The Act was made in 1973. We will remove it from the schedule."

4.35 The Committee pointed out that there had been instances where State Government agencies have not purchased the nationalised minor forest produce from tribals nor can these items be purchased by the private parties and that in such cases, poor tribals have suffered a lot. In reply, the witness admitted that there had been some such instances in the Past. He further clarified that solution for it lies in the fact that in future before nationalising a produce we must study if it can be marketed. He assured the Committee that from next year, State Government would consider support price instead of nationalisation of M.F.P.

4.36 In a note, furnished to the Committee the State Government of Bihar has claimed that special emphasis is being laid on ensuring a fair return to tribals for the minor forest produce. However, the Committee were informed in evidence that State agencies procured sal seeds at Rs. 1.30 per kg. and Mahua at Rs. 5.75 per kg. while the sale price for these items was Rs. 3.20 and Rs. 7.0 per kg. In this context, the Committee enquired why State Government agencies are exploiting tribals by not paying them remunerative prices for minor forest produce and keeping to itself substantially high margin. In reply, the Secretary

Forest, Bihar Government contended that Rs.1.90 per kg. in the case of sal seeds is a sort of overhead which included bank interest, collection charges and so on. The witness informed the Committee that trade of minor forest produce was being done by the Forest Development Corporation of the State Government exclusively out of the funds borrowed from Banks at very high interest rates ranging upto 22 percent.

4.37 In a note furnished to the Committee subsequently, the State Government have informed the Committee that since 1977, the State Government has suffered a loss of Rs.33.88 lakh on procurement and sale of sal seeds. Rs.1875 per metric tonne was stated to be the variable cost and Rs.915 semi-variable or fixed cost in the case of sal seed as per details given below:-

<u>Head of Expenses</u>	<u>Rate per M.T. (in Rs.)</u>
A. VARIABLE	
1. Primary Collectors	1,300
2. Commission to LAMPs/PACs etc.	60
3. Transportation	110
4. Cost of Bags and Sutali	165
5. Cost of Insecticides	25
6. Storage	35
7. Contingent	10
8. Dry 5% (of sale value)	<u>170</u>
	<u>1875</u>

B. SEMI-VARIABLE/FIXED

Establishment, Administrative,  
Repairs, Maintenance, Depreci-  
ation and Interest 10% of  
Rs.640 lakhs Actual  
Expected 1991-92 Rs.64 lakh

915

Total (A+B)

2,790

4.38 It has also been stated that sale of sal seed is done as per the procedure fixed by the State Government. Currently the sale rate is fixed by calling national tender. 20 per cent of the product is allotted to industries situated outside the State and 80 per cent to industries located in the State. It is further contended that fruiting and seeding of Sal fluctuates very much. In<sup>a</sup> good year, it goes upto 22,000 M.T. but in bad years it goes down to 400 M.T. average being around 11,000 M.T. The cost of collection also varies widely, due to fixed costs remaining almost the same while varying cost is as per the quantity collected. The sale price of Sal seed is governed by the marked demand and fluctuation is not in the same proportion as the cost of collection. As such, in some years, there is loss and in some years there was profit.

4.39 The Committee learnt that Commissioner for Scheduled Castes and Scheduled Tribes had conducted a field study of the Working of some important Schemes

in the ITDP Singdega, in Ranch District in June, 1984. One of the observations of the Study team was that Forest Development Corporation should procure minor forest produce through LAMPS only and not from individual agencies as poor tribals were being cheated by them. The Ministry of Welfare informed the study Group that observations/recommendations of the study report were sent to the State Government for comments. In this context, replying to a query by the Committee, the Forest Secretary, Government of Bihar stated in evidence:

"We are collecting (MEP) through other agencies as well."

4.40 In reply to another query by the Committee the witness further assures the Committee as under:

"We will analyse the whole thing of all the minor forest produces and explore the possibility of passing whatever be the profitability of the Corporation to the tribals."

4.41 He further pleaded that 'banks may be told to give loan at a subsidised rate of interest'.

4.42 The Committee enquired whether the State Government have provided any funds to the Forest Development Corporation to procure and trade in minor forest produce, the Forest Secretary, Government of Bihar replied that 'the corporation is in the red, they do not have money.'

4.43 The Committee pointed out that it has been brought to their notice that in the case of certain minor forest produce which have been nationalised, Forest Development Corporation or any other such agency entrusted to procure these produce have not procured them from poor tribals and where purchases have been made, tribals who collected them have not been paid for them which has resulted in their exploitation. Reacting to these observations, the Forest Secretary, Government of Bihar stated that 'mere nationalisation of a product is not sufficient. Government should also ensure their marketability'.

"Secondly, private agencies/individuals should not be allowed to deal in those commodities. From next year we will consider it. Support price must be there, otherwise it will lead to distressed sale."

4.44 He further informed the Committee that from next year, the State Government will consider support price instead of taking over procurement of minor forest produce.

4.45 About delay in payment to tribals for minor forest produce<sup>procured</sup> from them, the Forest Secretary assured the Committee that he will check up and ensure payment.

4.46 In a subsequential note furnished to the Committee, the State Government has stated as under :-

"The Bihar State Forest Development Corporation should be provided with sufficient share capital from institutional finance at concessional rate of interest to procure minor forest produce. The

sale and actual disposals take time where the finance remain blocked..... Presently, collection of minor forest produce is done from borrowed capital on high rate of interest."

4.47

At the instance of the Committee, the State Government

furnished the following details of the yearly increase in procurement prices

paid to primary collectors during the last one decade :-

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
SAL SEED	0.55	0.75	0.90	0.90	1.00	1.22	1.20	1.20	1.20	1.30	1.30	1.30
MAHUA SEED	2.25	2.25	2.25	2.75	3.00	3.50	3.50	3.25	3.25	5.75	5.75	5.75
KUSUM SEED	1.20	1.25	1.25	1.25	1.50	1.50	1.50	1.40	1.40	2.00	2.00	2.00
KARANT SEED	1.75	1.75	1.75	1.25	1.50	1.75	1.75	1.75	1.75	4.00	4.00	4.00
PALAS SEED	..	0.80	0.80	0.80	0.80	1.00	1.00	1.00	1.00	1.50	1.50	1.50
ANOLA, with seed)	..	0.60	0.60	0.60	0.60	0.75	0.75	0.75	0.75	1.20	1.20	1.20
HARRA NUTS	..	0.80	0.60	0.50	0.50	0.60	0.60	0.60	0.60	1.20	1.20	1.20
BAHERA NUTS	..	0.40	0.40	0.40	0.40	0.50	0.50	0.60	0.60	0.70	0.70	0.70
MAHULAN LEAF	..	..	..	..	0.70	0.80	0.80	0.80	0.80	0.90	0.90	0.90
MAHULAN CHOFE	..	..	..	..	1.00	1.50	1.50	1.50	1.50	1.50	1.50	1.50
JONGI HARRA	..	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50	2.75	2.75	2.75
KENDU LEAVE	..	..	..	..	..	65.00	65.00	65.00	81.00	90.00	200.00	200.00

SAL SEED - 0.40 (1977), 0.40(1978), 0.40(1979) and 0.5(1980).  
 MAHUA - 2.50 (1978)  
 KUSUM - 1.25 (1978)  
 KARANT - 1.00 (1978).

4.43 It would be seen from the above statement that though procurement prices have been increased during the last decade, yet the increase in many of the items is only marginal. It does not compensate primary collectors for the rise in cost of living during this period and their minimum wages in real terms appears to have gone down.

4.49 The Committee enquired if the State Government has experienced any constraint in implementing the National Forest Policy, 1988. In reply, they were informed that 'but for adequate finance, no constraint has been experienced so far. With the small size (Rs.279.9 lakh) of the annual plan of the State Department, most of the programmes have suffered badly in terms of physical achievements and desired goals'.



4.50 The Committee note that nine minor forest produce including Karanj seeds have been nationalised by the State Government of Bihar and private individuals/agencies are not allowed to trade in these commodities. The Committee learnt in this context, that Karanj seeds now a days are produced on private land also and not in forests alone. They feel that State Government should not therefore, include it in the list of minor forest produce and charge royalty on it. The State Government representatives have assured the Committee that it will be removed from the Schedule. The Committee expect an early decision in this regard.

4.51 The Committee are distressed to note that there had been instances when State Government agencies have not purchased certain nationalised minor forest produce by private agencies. In some other cases, where procurement have been made, poor people who collect minor forest produce were not paid

procurement price. This has brought suffering to poor tribals who could not dispose of their collections of minor forest produce. To ameliorate the lot of poor tribals, the Committee were informed that State Government would consider support price instead of nationalisation of M.F.P. While the Committee welcome this idea, they will like the State Government to examine all the issues in depth with a view to ensuring that tribals' lot who collect M.F.P. do not suffer and they are not exploited by middlemen also. The Committee also urge the State Government to ensure that poor tribals who have not been paid procurement price for their M.F.P. should be ensured payment promptly.

4.52 The representatives of the State Government of Bihar have contended before the Committee that special emphasis is being laid to ensure fair return to tribals for their minor forest produce. However, the Committee are distressed to find that State agencies have been procuring sal seeds and mahua from primary collectors @ Rs.1.30 and Rs.5.75 per Kg. respectively while the sale price for these items was Rs.3.20 and Rs.7.00 per kg. Though the Committee are not aware of the sale price of other minor forest produce, yet on the basis of information made

available to them, they are inclined to believe that tribals are not being paid fair price for their collection of sal-seeds. Gross profit of Rs.1900 per M.T. on procurement price of Rs.1300 per M.T. certainly appears to be on the higher side. The State Government has tried to justify it on the basis of high variable and fixed costs which have been calculated to be Rs.1875 and 915 per M.T. The Committee are not convinced at all with this line of reasoning. They are of the view that these costs are on the higher side and serious attempts should be made to bring them to the reasonable level. Commission to LAMPS/PACs etc., transportation, packages being Rs.60/-, 110/- and Rs.165/- per M.T. appears to be on higher side. Similarly, establishment, administrative and interest charges which all add upto Rs.915 per M.T. are also in Committee's view very high.

4.53 Prudence require their pruning to economise on expenditure and the savings thus effected should be passed on to collectors of primary produce by increasing procurement prices.

4.54 While economy can be effected to reducing these costs to the reasonable level, the Committee feel that Bihar Forest Development Corporation should be provided some funds by State Government in the shape of capital enabling it to economise on interest charges which was roughly calculated to be Rs.6.4 lakh per annum on borrowings from Banks. The Committee will also like the Ministry of Welfare to take up the matter with the Ministry of Finance at the highest level with a view to provide Bihar State Forest Development Corporation funds through banking channels at reduced rate of interest as is being done in the case of certain other poverty alleviation programmes.

4.55 The Committee note that Commissioner for Scheduled Castes and Scheduled Tribes, on the basis of an evaluation study conducted in Bihar of some ITDPs Schemes has observed that Forest Development Corporation should procure minor forest produce through LAMPs only and not from individual agencies as poor tribals are cheated by them. A State Government official also deposed before the Committee that private agencies/individuals should not be allowed to deal in nationalised commodities.

However, the representative of the Bihar Government candidly admitted that they are collecting (MFP) through other agencies as well. The Committee take a serious note of it. The Committee will like to be apprised of the reasons why a valuable suggestion relating to the Welfare of poor tribals was brought to their notice by the Ministry of Welfare.

Not acted upon  
in spite of the  
fact that it was

4.56 The Committee note with some satisfaction that procurement price of minor forest produce have been raised over the last 10 years to ensure remunerative price, minimum wages to primary collectors. For example, procurement price of sal seed has been raised from Rs. 0.55 per kg. in 1981 to Rs. 1.30 per kg. in 1992; in case of mahua seed from Rs. 225 per kg. in 1981 to Rs. 5.75 per kg. in 1992; Karanj seed from Rs. 1.75 per kg. to Rs. 4.00 per kg. Kendu leave from Rs. 65.00 in 1986 to Rs. 200.00 in 1992 per standard bag. Similarly, procurement price of other MFP has also been raised ranging roughly 40 per cent to 300 per cent. However, when viewed in the context of rise in the cost of living and other essential commodities over last one decade, the increase looks less attractive.

The Committee will, therefore, like the State Government, to ensure that increase in procurement prices to primary collectors are adequate to compensate them for general price rise and ensure minimum fair wage. Their wages in real term must be protected lest the helpless poor tribals are driven to starvation.

4.57 The Committee are concerned to note that because of inadequate funds (Rs. 280 lakhs) provided in the Annual Plan of the State Government for Forestry, most of the programmes in this Sector have suffered badly in terms of physical achievements and desired goal. In view of the fact that tribals are closely associated with forests and forest development schemes are going to benefit them directly and indirectly, the Committee trust that this aspect will not be lost sight of while formulating schemes and allocating funds to forest department by the State Government.

## F. HEALTH

4.58 According to the Ministry of Welfare, the constraints to realisation of the goal of "Health for All" in TSP areas is the inadequacy of the network of health institutions, lack of medical/paramedical staff and shortage of medicines. The Central Ministry of Health and Family Welfare has under the National Health Policy relaxed the norms for establishment of Primary Health Centres (PHCs) and Sub-Centres in tribal hilly areas. A PHC can be established in tribal areas to cover a population of 20,000 as against 30,000 in other areas. Similarly, a Sub-Centre can be set up for a population of 3,000 in tribal areas against 5,000 in other areas. Further, relaxations are also given where a habitation is more than 5 Kms. from the nearest health delivery point.

4.59 The Government of Bihar in a note submitted to the Committee have stated that because of the factors like illiteracy, malnutrition, unhygienic living, the tribal communities have serious health problems.

4.60 The State Government is reported to have established 1644 sub-centres, 260 additional primary health centres and 20 referral hospitals upto 31 March, 1990. Of the 1644 Health Sub-Centres set up in ten TSP Districts of the State, only 609 are connected with all weather pucca roads while 295 are connected with Kucha roads and 740 are not connected with roads at all.

4.61 Again, during the Seventh Five Year : (1985-90) expenditure of Rs. 33.06 crore was incurred against the outlay of Rs. 44.26 crore on health services in the Tribal Sub-Plan area. Shortfall in achievement of physical targets have been reported during this period in the case of the following :-

<u>Item</u>	<u>Target</u>	<u>Achievement</u>
Health Sub-Centre	507	187
Unani Dispensary	21	14
Homeopathic Dispensary	54	36

4.62 The Committee asked whether adequate staff as per the prescribed norms has been provided in medical centres located in Tribal areas. In reply, they were informed that "the total number of sanctioned posts of Medical Officer in TSP areas is 1181 against which 887 Medical Officers are working and 294 posts are vacant, Similarly, 5394 other staff is working out of 6000 posts sanctioned and the remaining posts are vacant."

4.63 In reply to another query from the Committee, they were informed that medical officers generally do not prefer to be posted in interior areas which are difficult to reach.

4.64 The Development Commissioner, Bihar informed the Committee during evidence that 'Health Problems are acute. Health Department has many problems particularly with regard to doctors.



4.65 The Committee were further informed that Malaria, T.B. blindness and leprosy are the most prevalent diseases in TSP areas of Bihar and "eradication of any of them is extremely difficult task."

4.66 The Committee learnt that there were a number of vacancies of doctors/paramedical staff in PHCs/ Hospitals functioning in TSP areas. In spite of a number of specialised institutions/referral hospital in TSP areas for control of malaria, leprosy and T.B. etc., the incidence has hardly come down. These institutions are reported to be handicapped by shortage of technical personnel, specialised equipment/ machines etc.

4.67 Evaluation study of working of ITDP schemes in Bihar conducted by the Programme Evaluation Organisation points out that a considerable number of respondents in Bihar have pointed out that doctors do not come to the PHCs/ Sub-Centres regularly. A fairly large number of tribal and non-tribal respondents in Simdega block in Bihar told that prescribed medicines were not made available in time, 51.67 percent house hold respondents in Simdega said that PHCs/Sub-Centres were not doing good work.

Medicines

4.68 The Committee enquired about the allocations made to primary Health Centres for purchase of medicines. In reply, the Development Commissioner, Bihar informed the Committee that it was Rs. 12,000/- per year. Asked about the number of patients visiting a PHC on a day, it was stated that on an average 30-40 patients visit a PHC per day. The Committee pointed out that in interior tribal areas usually doctors prescribed the medicines to patients who

visit primary health centres and patients were required to purchase those medicines from market. In many of the cases medicines were not available locally and patients had to travel long distances to nearby towns to purchase the prescribed medicines. Many a times, the patients considering the fatigue involved and expenses to be incurred, avoid purchasing prescribed medicines and this leads to negation of health services. Reacting to these observations of the Committee, the Development Commissioner stated :

" That problem is there right from the lowest level to the highest level. Hospitals in Ranchi and Patna are having life saving drugs because the amount of money that they get for medicines is so meagre that they are able to get only ordinary medicines. Other medicines have to be bought from outside."

/not

4.69 He further confirmed that in interior tribal areas there are no chemists shops.

4.70 The Committee asked whether to mitigate the sufferings of the poor tribals, allocation for medicines at primary health centres could not be increased. The Development Commissioner replied :-

"We shall try to do this specially in the interior areas where there are no medical shops. In the interior areas of Bihar, there are no medical shops in the block headquarters also."

4.71 The Committee note that because of the factors like illiteracy, mal-nutrition and unhygienic living, tribal people have serious health problems. Malaria, Leprosy, T.B. and Blindness are reported to be the most prevalent diseases in Tribal areas. The State Government is reported to have set up a number of sub-centres/PHCs and referral hospitals in TSP areas but eradication of any of these diseases are stated to be extremely difficult task. In view of it the Committee are constrained to observe that Seventh Plan (1985-90) outlay of Rs. 4426 lakhs earmarked for TSP areas in Bihar was not even fully utilised to augment the health services. Only Rs. 3306 lakh were utilised which amounts to 72% utilisation. The Committee find serious shortfall in setting up health institutions during the Seventh Plan period 187 Health Sub-Centres were set up against the target of 507. Similarly, 14 Unani dispensaries and 36 Homoeopathic dispensaries were set up against the targets of 21 and 54 respectively. Shortfall in achieving targets of the Plan are highly deplorable. The Committee will like that remaining Health Sub-Centres/Dispensaries are expeditiously set up.

4.72 Not only this, the Committee find that there are large number of vacancies of doctors and paramedical staff posted in tribal areas. Against the sanctioned posts of 1181 Medical Officers and 6000 posts of other staff, 887 Medical

Officers and 5394 other staff were reported to be in position and the remaining posts are lying vacant. The Committee take a serious note of it as it amounts to negation of health facilities. No doubt, doctors and other para-medical staff posted in tribal areas are reluctant to serve in interior tribal areas which are comparatively backward and lack communications infrastructure and other amenities, yet the Committee feel that with the schemes of proper incentives like residential accommodation and compensatory allowance etc., doctors and other staff can be motivated to work in these difficult areas. The Committee trust that vacancies of doctors/paramedical staff will be filled up urgently.

4.73 The Committee are perturbed to note that general impression of the people about functioning of PHCs/Sub-<sup>far</sup> Centres in TSP areas of Bihar is below expectations. As per the Evaluation study conducted by the Programme Evaluation Organisation, majority of the respondents has held the view that 'PHCs/Sub-Centres were not doing good work. Considerable number of respondents had pointed out that 'doctors do not come to the PHCs/Sub-Centres regularly.' The Committee feel that laxity on the part of doctors has been due to ineffect<sup>poor</sup>ive inspection and monitoring. It was also reported that medicines were not available in time. It is highly deplorable. The Committee will like the procedure in this regard streamlined to make the doctors

attend PHCs/Sub-Centres regularly by conducting surprise inspections and ensuring proper monitoring. Medicines should also be supplied regularly to medical centres. The Committee trust that State Government will apply corrective to refurbish the tarnished image of health services in TSP areas.

4.74 The Committee note that each PHC in Bihar has been provided medicines worth Rs. 12000 per annum. The number of patients visiting a PHC per day on an average is stated to be varying between 30-40. Considering the number of patients visiting a PHC and the yearly allocation, the Committee find the funds provided for medicines are grossly inadequate. Only simple and inexpensive drugs are made available there. Under such circumstance, needless to say, doctors often prescribe medicines which are required to be purchased from market. In many of the cases, prescribed medicines are not available locally and patient considering the expenses and fatigue involved in visiting nearby town to purchase those medicines, quite often prefer to avoid taking medicines. The Committee feel that this amounts to negation of health services. The Committee, therefore, recommend that allocation for medicines in TSP areas should be substantially enhanced so that essential medicines are provided to patients from the PHC/Sub-Centre itself particularly in interior areas where such

medicines are not locally available. This small gesture in Committee's view will go long way to mitigate health problems in tribal areas and will definitely convey a strong positive message to poor people.

G. EDUCATION

4.75 The literacy rate of scheduled tribes in Bihar has been stated to be 16.55 percent for males and 13.6 percent for female as against the general literacy percentage in sub-plan area of 29.2 percent. The literacy rate in the State for all communities was stated to be 26.2 percent. Evidently, STs are undoubtedly much behind the rest of the population. Recognising this fact, the National Policy on Education, 1986 had inter alia recommended the following measures to bring them on par with others:

- (i) Priority will be accorded to opening primary schools in tribals areas. The construction of school building will be undertaken in these areas on a priority basis under the normal funds for education, as well as under the NREP, RIEGP, Tribal Welfare Schemes, etc.
- (ii) Educated and promising Scheduled Tribes Youths will be encouraged and trained to take up teaching in tribal areas.
- (iii) Residential Schools, including Ashram Schools, will be established on a large scale.
- (iv) Incentive Schemes will be formulated for the STs, keeping in view their special needs and life styles. Scholarships for higher education will emphasis technical, professional and para-professional courses. Special remedial courses and other programmes to remove psycho-social impediments will be provided to improve their performance in various courses.
- (v) Anganwadis, Non-formal and Adult Education Centres, will be opened on a priority basis on areas predominantly inhabited by the Scheduled Tribes.



4.76 The State Government in a note furnished to the Committee have stated that main constraint in spreading education among tribals had been their poverty, neglect, poor relations among teachers and students, lack of sincerity on the part of teachers, shortage of teachers and residential schools and lack of teaching through mother tongue. Asked about the steps taken to <sup>inculcate</sup> devotion and <sup>sincerity</sup> among teachers and to overcome other constraints, the Secretary Education Bihar stated in evidence:-

"So far as this particular observation is concerned, no specific action plan to register the dedication of the teachers towards the students, I am not aware of that. But by and large there is a policy that teachers should not be posted in their home block and also not for a pretty long time. There have been cases where teachers have been in their home blocks for a number of years, even for 20 years.

a The Establishment Committee headed by the District Magistrate or Deputy Commissioner was to effect these transfers. But, I must confess, that because of the general circular which was issued to the effect that only in rare cases transfer should be resorted to, that is to say they have been allowed to remain in their home block as well as they have been allowed for long years. This is the kind of a scenario."

He further clarified:

"This is one method through which we try to enforce better attendance in schools. I said that it is not being observed at the moment."

4.78 In a note furnished to the Committee at their instance, the State Government has stated that 57,104 teachers were in position against sanctioned post of 62955 in primary schools run by Education Department in 13 Tribal Sub-Plan Districts in the State.

Drop-Outs

4.79 Drop-out rate in classes 1 to 5 is stated to be 79.25 per cent as against 65.93 per cent of the State and 50.62 per cent of national average. To check drop-outs, the following measures are stated to have been taken:

- (i) Promotion to higher classes irrespective of their performance in the examination.
- (ii) Provision of sufficient number of scholarship.
- (iii) Free distribution of the sets of terry-cotton uniforms to Scheduled Tribes Girl students.
- (iv) Distribution of Text-books at subsidised rate by Bihar Text Book Corporation.
- (v) Residential Schools with all facilities are functioning in the Tribal Sub-Plan area.
- (vi) Meeting of Parents and teachers.
- (vii) Provision of games and sports in schools.
- (viii) Educational Tours.

4.80 The Ministry of Welfare in a note submitted to the Committee have stated that Working Group on development and welfare of STs during VIII Plan has been of the view that 'Ashram/Residential schools have played an important role in imparting education to Scheduled Tribe children. The building/teaching material etc, are however not of desired standard. Apart from that the rates of stipends are often inadequate to meet the requirement of diet, clothing, bedding, utensils and medicare etc. The Working Group was of the view that these factors should be taken care of because the ashram/residential schools provide an environment conducive to learning of scheduled tribe children.

4.81 Asked in this context, the Committee were informed in evidence that students in Ashram schools were given stipend @Rs.240/per month for food; Rs.250/- per annum for uniforms; Rs.200 per annum for reading and writing material and Rs.12 per year for medicines.

4.82 The Committee enquired if any incentive like mid-day meal etc. has been given to tribal parents also to encourage them to send their wards to schools, the Development Commissioner replied:

"In Bihar, we do not have any such scheme so far."

4.83 As stated above, one of the measures taken to check drop outs by the State Government has been to promote students to higher classes irrespective of their performance in the examination.

4.84 The Committee consider that such an automatic promotion to higher class without fair assessment of the performance of students leads to lethargy on the part of students and teachers both and amounts to no education at all. As a result these students get struck up at higher levels when they appear in examinations conducted by School Board. In this context the Committee enquired whether proper assessment of students was being done in lower classes. In reply the Development Commissioner, Bihar stated that under the system of compulsory education, students have got to be in schools upto the age of 16. 'If a student is kept for a number of years in the school, then he has to be kept with the boys of the same age group'. He further added:

"There are some disadvantages in this system. That is a student may not read at all."

#### School Buildings

4.85 In a note furnished to the Committee, the State Government of Bihar have stated that during Seventh Plan period, 4129 primary school buildings

were constructed against the target of 5026. The number of quarters constructed for teachers was 348 against the target of 454. In a subsequent note furnished at the instance of the Committee, it was stated that 820 primary and middle schools were functioning in sub-plan areas without school buildings. Eighth Finance Commission had provided for 2309 primary school buildings in Tribal Sub-plan areas. Out of these 1951 buildings are stated to have been completed. 240 buildings are under construction and 118 have not been taken up so far. The Ninth Finance Commission has provided for 2010 primary school buildings. Out of these 773 buildings are stated to have been completed; 808 are under construction and 429 have not been taken up so far in Tribal Sub-Plan Areas.

4.86 Scheduled Tribes, undoubtedly are much behind the rest of the population in the field of education. In TSP areas of Bihar, Literacy rate of STs is 16.55 percent for male and 13.6 percent for female as against the general literacy percentage of 29.2. percent. Besides, the other general causes like poverty, neglect, poor relations among teachers and students etc, lack of sincerity on the part of teachers has also reported to be a factor constraining spread of education among tribals. It is distressing to note that it has not been possible for the State Government to motivate and inculcate sense of dedication in teachers towards their students by taking necessary administrative measures nor any specific action plan has been formulated in this regard. In spite of the clear policy of the State Government that teachers should not be posted in their home block and that they should not remain posted at a particular place for a longer period, there had been cases where teachers have been posted in their home block for a number of years, even upto 20 years. It is highly deplorable. The Establishment Committees headed by respective Deputy Commissioners/District Magistrates, who were to effect these transfers have not implemented this policy because of a general circular issued by the State Government that

only in rare cases transfer should be resorted to. For this reason teachers have remained posted in their home blocks and that too, for considerably longer periods. The Committee will like the State Government to issue clear guidelines in this regard to district authorities and tune up the supervision and inspection to motivate teachers to devote themselves to their job. Frequent and continuous absence of teachers from schools and that too for longer period, in Committee view, causes irreparable damage to the studies of tribal students. This can be checked by strengthening office supervision and surprise visits by senior officers at sub-division and district levels. Reasons for poor relations among teachers and students and lack of sincerity on the part of teachers may also be ascertained with a view to taking remedial measures.

4.87 The Committee are informed that of the 63 thousand teachers posts sanctioned for primary schools run by Education Department in 13 Tribal Sub-Plan districts of the state, 57 thousand teachers are in position. Six thousand posts of teachers are thus lying vacant in primary schools in TSP areas of Bihar. The Committee urge that these vacancies as well as vacancies in schools run by social welfare department and also at Middle and High School levels be filled up urgently so that educational studies of students in schools located in TSP areas don't suffer.

4.88 The Committee feel that drop-outs I to V in TSP areas at more than 79 percent is very alarming. This has been so in spite of the fact that State Government is reported to have taken a number of steps including promotion to higher classes irrespective of the performance in the examination, grant of sufficient scholarships, free distribution of uniforms to ST girl students, distribution of text-books at subsidised rates etc. Obviously, problem of drop-outs and the factors responsible for it have not been properly analysed. The Committee will, therefore, like the State Government to analyse in depth the reasons of high rate of drop-outs in TSP areas and initiate remedial steps at an early date. The Committee will like to be apprised of the action taken in this regard.

4.89 The Committee observe that Working Group on development of STs during Eighth Plan had on the basis of their study concluded that Ashram/ Residential schools have played an important role in imparting education to Scheduled Tribe children. These schools provide an environment conducive to learning. The Committee are also of the view that quality of education in residential schools is definitely much better and the rate of drop-out is also very low in these schools. The Committee therefore, urge that more and more residential schools may be opened in TSP areas of Bihar.



4.90 Besides, the Working Group had pointed out that building/teaching material etc. are not of desired standard; rates of stipends are often inadequate to meet the requirements of diet, clothing, bedding, utensils and medicare etc. At present students in Ashram schools are reported to be given stipend @ Rs.240/- p.m. for food Rs.250/-p.a. for uniforms, Rs.200/ p.a. for reading and writing material and Rs.12 per year for medicines. The Committee feel it is grossly inadequate in these days of rising prices and require to be enhanced. The Committee trust that these useful suggestions will be favourably considered by the State Government. The Committee will like to be apprised of the action taken in this regard.

4.91 The Committee note that in certain states having Tribal Sub-Plan areas particularly in Tamil Nadu tribal parents are also given incentives in the shape of mid-day meal to encourage them to send their wards to schools. In Bihar, however, no such scheme has been implemented. The Committee, therefore, urge the State Government to consider feasibility of introduction of such a scheme in Bihar.

4.92 The Committee note that one of the measures taken to check drop-outs has been to promote students to higher classes irrespective of their performance in examinations. The logic behind this policy has been stated to be that under the system of compulsory education, students have got to be in schools upto the age of 16 and that if a student is to be kept for a number of years in a school, then he has to be kept with the students of the same age-group. However, the Committee feel that such an automatic promotion to higher class without fair assessment of the performance of a student leads to lethargy on the part of students as well as teachers. The major disadvantage of this scheme is that a student may not read at all. As a result of it, students get struck up at higher levels when they appear in examinations conducted by School Board. In Committee's view, it amounts to no education at all. Viewed in the context of prevailing circumstances in TSP areas viz. poor relations among teachers and students and lack of sincerity on the part of teachers etc. it has led to deterioration of standards in education and appears to be one of the prime factors for unsatisfactory quality of education. The Committee thus, urge that policy of promotion of students to higher classes irrespective of performance in the examination may be reviewed in the light of the prevailing circumstances

in TSP areas and remedial action taken to improve quality of education.

4.93 The Committee are concerned to note that 820 primary and middle schools in TSP areas of Bihar are functioning without school buildings. In this context, it is perturbing to note that of the total funds provided by the Eighth Finance Commission for 2309 primary school buildings are still under construction and 118 have not been taken up so far.

↳ In the TSP areas of the State, 240 school buildings

Of the funds provided by the Ninth Finance Commission for 2010 primary school buildings, only 773 have been completed while 808 are under construction and 429 have not been taken up so far. It is highly deplorable. On the one hand, there are schools functioning without buildings and on the other funds provided have not been properly utilised. The Committee strongly urge that construction of school buildings in TSP areas may be expedited.

H. Village Electrification

4.94 The total number of villages covered by Integrated Tribal Development Programme in Bihar are stated to be 17250. Out of these only 7514 villages have been electrified so far.

Asked about the reasons for slow pace of electrification of villages in tribal areas of Bihar.

a representative of the State Government stated in evidence:-

"We have not been able to electrify even 50% of total number of villages so far. During the Seventh Plan, we were able to meet only 60% of the target. Mainly because of resources constraint, we go in for electrification, only when we get loan from Rural Electrification Corporation. We are unable to pay back the instalments to the Rural Electrification Corporation. Last year, Rs. 15 crores loan was given but after deducting the debt servicing, we were able to have only Rs. 50 lakhs in our hand. That is why it has not been possible to do much. In fact, the target of rural electrification, in Bihar has been very low."

4.95 Asked about the current year target, he stated that "it was 215 for the whole State. In respect of tribal areas it will come to 50-55 only."

4.96 The witness further added:-

"I appeal that we got some heavy dose of Central Assistance. Only then it will be possible to do something substantial. At the current rate only 50 to 55 villages can be electrified per year. It will be taking another 20 years to complete the electrification programme."

4.97 The Committee pointed out that provision of electricity is essential to develop irrigation potential and also to undertake other developmental activities. In its absence, it might not be possible to bring tribals, in the main stream and they will continue to remain cut off from developmental process. Reacting to these observations, the witness stated:-

"That is why we require a heavy dose of funds from the Centre as Central Assistance. The State Government is not in a position to give that much. As I said earlier, the Rural Electrification Corporation will give but they will deduct their instalments first. Last year, we got only Rs.50 lakhs which is not sufficient even for electrifying 17 villages. Roughly, we spend Rs.4 lakhs for electifying one village. So we require a heavy dose of financial assistance from the Government of India."

4.98 The Committee are deeply concerned to note that of the 17250 villages falling under Integrated Tribal Development Programme only 7514 i.e. about forty percent have been electrified so far. Needless to say, tribal areas have suffered a lot for want of electric power and for that reason these areas continue to be backward. Neither agricultural nor industrial development is possible in the absence of power which is badly required to energise irrigation schemes and other industrial activities aimed at economic development. During Seventh Plan, only sixty percent of the targets could be achieved. During current year, only 50-55 villages are expected to be energised in TSP areas. The State Government representatives have informed the Committee that they find it difficult to pay back instalments to Rural Electrification Corporation of the loans already taken by the State from that Corporation. It has been pleaded that heavy dose of Central Assistance may be provided to the State to do something substantial as at the current rate of 50-55 villages per year it will take decades to electrify all the villages in TSP areas. The Committee feel provision of electricity is essential to develop irrigation potential and also to undertake other developmental activities in various sphere. In its absence, these areas suffer not only in economic

development but benefits or modernisation of communication and information system are also denied to them as the people in these areas cannot watch Television and listen to Radio network. As a result their standard of living also continue to be low. The Committee, therefore, strongly recommended that substantial Central Assistance may be provided to the State to accelerate rural electrification programme in TSP areas.

I. Tribal Participation in Development Programmes

4.99 In Bihar, of the total tribal population of 58.1 lakh as per 1981 census 21.57 lakh (37 percent) are main workers. Of these, 63 percent are cultivators, 23.2 percent agricultural labourers, 11.94 percent other workers and 1.79 percent engaged in manufacturing, processing, servicing and household industry. Thus, tribals are predominantly engaged in agriculture and allied activities. Since the advent of the Tribal Sub-Plan strategy, a lot of development works have been undertaken in those areas and income generating schemes aimed at uplift of tribal families have been taken up. In this context, the Committee pointed out that a lot of money has been spent on execution of various developmental works in tribal areas and enquired if tribals have been enlisted as contractors and engaged as contractors to execute developmental schemes in Tribal Sub-Plan areas and whether tribals have been issued permits to ply buses/trucks and other commercial vehicles. In reply, the Development Commissioner, Bihar stated :-

"The benefit can be given to them."



4.100 The Committee note that of the total tribal population of 58 lakh in Bihar, 37 percent are main workers. Of these, more than 86 percent are engaged in agricultural operations. Since the adoption of ITDP strategy, a lot of developmental activities have been undertaken in TSP areas and these areas are being opened for a variety of other activities. In this context, the Committee feel that tribals should be actively encouraged to participate in other types of economic activities. They should be provided opportunities to act as contractors in construction works and as transporters to ply commercial vehicles and similar professions. Benefits of developments in their areas should be passed on to them also. This way, the Committee feel they will gradually acquire entrepreneur skill and in course of time, will diversify in other occupations which will bring them economic prosperity.

## CHAPTER V

### MONITORING AND EVALUATION

5.1 The Committee were informed that in regard to the sectoral programmes and schemes of development, the planning, monitoring and evaluation etc. as also coordination is the responsibility of the Central Ministries concerned and that each Central Ministry/Department is the nodal Ministry/Department concerning its sector. In addition to this, Central Government has been monitoring on a monthly basis the number of Scheduled Tribe families economically assisted under Point 11(b) of the 20 Point Programme. Based on these periodical reports thorough review is made and results circulated to the Prime Minister's Office, Ministry of Programme Implementation and State Governments.

5.2 It has been stated that in Bihar, implementation of ITDP Schemes has been done at various levels—at State level, regional level, district level and ITDP level. It has been further stated that 'there is a small unit for planning, monitoring and evaluation at Regional Development Commissioner's Office as well as at project level. At the block, district and State levels, a coordination committee comprising of officials and non-officials has been set up to monitor the progress of implementation of the Tribal Sub-Plan Programme'.

5.3 The Committee asked whether the present arrangements for monitoring and evaluation <sup>In reply</sup> were adequate <sup>the State</sup> Government have stated :

"The present structural arrangements, though adequate have to be activated for proper and regular monitoring."

5.4 The Working Group on development and welfare of Scheduled Tribes during Eighth Five Year Plan has made an indepth study of the quality of the monitoring system prevalent in various States/UTs and opined that in the light of the restructured 20 Point Programme effective from April, 1987, present monitoring arrangements at various levels will require further sharpening and thrust. The Working Group was of the view that 'the existing monitoring mechanism are not very effective in their thrust in many States, the State level monitoring means a periodical review at the highest level which is quite often not followed up very seriously for corrective action'. It was, therefore, desired that at the Chief Secretary level, the review should be more frequent say on quarterly basis and should be more effective.

5.5 To make monitoring more effective and meaningful, the Working Group felt that there was need for computerisation of data at the regional and State level.

5.6 The Committee asked whether any evaluation study of the Working of ITDPs has been conducted by any independent agency. In reply they were informed as under :

"The evaluation of the different Integrated Tribal Development Projects has been undertaken by Bihar Tribal Research Institute, Ranchi, The work is in progress."

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5.7 The Committee note that arrangements to review implementation of various schemes has been made at various levels - both at the Centre and the State. They further note that each Central Ministry/ Department is the nodal agency concerning its sector and the planning, monitoring and evaluation as well as coordination is the responsibility of the Central Ministry concerned. Besides, the Central Government has been monitoring thoroughly, on monthly basis, the number of ST families economically assisted. Arrangements have also been made to review implementation of ITDP schemes at various levels in a Bihar viz. at State level, Region level, District and ITDP levels. However, the Committee were informed that present structural arrangements though adequate have to be activated for proper and regular monitoring. The Working Group on Development and welfare of Scheduled Tribes during Eighth Five Year Plan also held the view that the existing monitoring mechanism are not very effective in many states and require further sharpening and thrust. The State level monitoring implied a periodical review at the highest level which is quite often not followed up very seriously for corrective action. In view of the slow and tardy implementation of various ITDP schemes in

Bihar, the Committee are convinced that periodical review being made at various levels is not effective. The Committee therefore, stress that at the Chief Secretary level, the review should be more frequent and more comprehensive.

5.8 The Working Group has further recommended that to make monitoring more effective and meaningful, there is a need for computerisation of data at the regional and State level. The Committee trust that these useful suggestions will be favourably considered by the State Government.

5.9 The Committee note that evaluation studies of various Integrated Tribal Development Projects has been undertaken by the Bihar Tribal Research Institute Ranchi and the work is in progress. The Committee will like to be apprised of the main findings of these studies and the action taken on them by the State Government.

NEW DELHI;

April 26, 1993

Ba. No. 4, 1915(S)

(K. PRADHANI)  
Chairman

Committee on the Welfare of  
Scheduled Castes & Scheduled  
Tribes.

*K. Pradhani*  
30-4-93

COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(1992-93)

TWENTY-SECOND REPORT

( TENTH LOK SABHA )

MINISTRY OF WELFARE

WORKING OF INTEGRATED TRIBAL  
DEVELOPMENT PROJECTS IN BIHAR

PART - II

MINUTES OF THE SITTING OF THE COMMITTEE  
HELD ON 17-9-1993 (FN & AN), 18-9-1993  
(FN & AN), 26-4-1993 (AN).

Presented in Lok Sabha on 30.4.1993

Laid in Rajya Sabha on 30.4.1993

LOK SABHA SECRETARIAT  
NEW DELHI

April, 1993/Baisakha 1915(Saka)

  
30-4-93  
AUTHENTICATED COPY

MINUTES OF THE 8TH, 9TH, 10TH AND 11TH SITTINGS  
OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES HELD ON 17.9.1992 (FN AND AN) AND  
18.9.1992 (FN AND AN).

The Committee sat from 11.00 hrs. to 13.30 hrs.  
and 15.00 hrs. to 18.00 hrs. on 17.9.92 and 11.00 hrs.  
to 13.15 hrs. and 15.00 hrs. to 17.30 hrs. on 18.9.92.

PRESENT

Shri K. Pradhani - Chairman

MEMBERS

LOK SABHA

2. Shri Mahendra Baita
3. Shri Birbal
4. Shri Ram Prakash Chaudhary
5. Shri Anadi Charan Das
6. Shri N. Dennis
- X 7. Shri A. Jayamahan
- @ 8. Shri Kalka Das
- @ 9. Shri Ram Kapse
10. Dr. Ravi Mallu
11. Shri Kariya Munda
12. Shri Rup Chand Murmu
- X 13. Shri Shashi Prakash
- @ 14. Shri Mangal Ram Premi
- B 15. Shri Ram Singh
- D 16. Shri Naranbhai Jamalabhai Rathava
- @ 17. Shri K.D. Sultanpuri
- B 18. Kumari Vimla Verma

RAJYA SABHA

19. Dr. Faguni Ram
20. Shrimati Kailashpati
- @ 21. Shri G.Y. Krishnan
22. Shri Radhakishan Malaviya

X Present on 18.9.92 AN only B Not present on 18.9.92 (AN)  
@ Not present on 17.9.92 FN D Present on 17.9.92 (FN)

SECRETARIAT

1. Shri G.L. Batra, Additional Secretary
2. Shri S.C. Gupta, Joint Secretary
3. Shri N.M. Jain, Deputy Secretary
4. Shri Babu Ram, Under Secretary



MINISTRY OF WELFARE

1. Shri K.S.R. Murthy, Secretary
2. Smt. Aarti Khosla, Addl. Secretary (Welfare)
3. Shri P.K. Mohanty, Joint Secretary (T.D. Division)
4. Shri Shyam S. Agarwal, Deputy Secretary

STATE GOVT. OF BIHAR

1. Shri Julius, Secretary, Welfare
2. Shri R.C.P. Singh, Addl. Secy. Welfare
3. Shri P.K. Mishra, Dev. Commissioner
4. Shri K. Kapthuna, RDC, Ranchi
5. Shri Laxmi Singh, Sec. Revenue
6. Shri A.H. Subramaniam, Sec. Forest
7. Shri Shankar Prasad, Commissioner Excise
8. Shri Mahesh Prasad, Secy. Plg.
9. Shri K. Arumugam, Secy. Health & A.H.
10. Shri Madan Mohan Prasad, Planning Officer
11. Shri Om Kumar, Exec. Director, Waste Land Development Board, Forest Deptt.
12. Shri Prem Sharan, Bihar State, F.D.C.
13. Shri S.N.P. Sinha, Secy. Agriculture, Horticulture & Minor Irrigation
14. Shri P.N. Jha, PHED (Secy)
15. Shri S. Ahmd, Secy. Co-operation
16. Shri N.K. Agarwal, Secy. Education
17. Dr. A.K. Pandey, Secy. Energy
18. Shri V.S. Dubey, Commnr-cum-Secy. Water Resource Deptt.
19. Shri I.N. Sinha, Engineer-in-chief-cum-Addl. Commnr-cum-Spl. Secy. W.R. Deptt.
20. Shri C. Lalsawta, Tribal Welfare Commissioner.

The Committee took evidence of the representatives of the Ministry of Welfare, and State Govt. of Bihar on "Working of Integrated Tribal Development Projects in Bihar". The following salient points emerged out of the discussion:

2. Reports of the Governor of Bihar for the years 1989-90, 1990-91 and 1991-92 have not been furnished by the Govt. of Bihar. In this context, the Committee enquired about the reasons for not furnishing these reports regularly. In reply, the Development Commissioner State Govt. of Bihar stated in evidence :

"Sir, we will give all the three reports."

3. He further clarified in reply to another query from the Committee that these reports are drafted by the Welfare Department of the State Govt. and then they are sent to Raj Bhawan. However, he expressed his inability to inform the Committee of the date ~~for~~ when these reports were submitted to the Governor. Asked about the

7. Clarifying the position in this regard, the Secretary, Ministry of Welfare stated as under :-

"In the law applicable to Scheduled Areas, Clause 4 reads like this :

"All regulations made under this paragraph shall be submitted forthwith to the President and until assented by him shall have no effect."

This means whatever resolution have been passed by the TAC and the Governor, they should be sent to the President for his assent and await his decision. If they have any problem with their law Ministry, they can refer all these cases to us. We will get it clarified."

8. Reacting to it, the Development Commissioner, Bihar stated :

"In one particular case, the Law Department has said, but as Shri Murthy (Welfare Secretary) said, we shall refer all these cases to the Govt. of India. We shall follow the procedure."

9. The Committee were informed that even though the project officer is of the rank of ADM, he does not carry as much weight as the local SDO, who is the administrative head of the sub-division and of the important functionaries report to him.

10. The Committee enquired how ITDPs could function effectively when Project Officer/Administrator has not been delegated enough powers and that his junior was enjoying more powers. In reply the Development Commissioner, Bihar stated in evidence as under :-

"At the time when the ITDP came into existence in 70s, we had already an organisation for developmental activities. Apart from that we had also a very strong people's participation in that. At the block level, we had the block development Committee which is responsible for approving all the developmental schemes in the area. Similarly at the district level. Similarly at the district level we have the DRDA system where all the Pramukhs are there. These are still continuing even today a very strong organisational set up at the block and district levels for doing all the developmental activities. We also have very strong participation of the local leaders at the block and district level.

When the ITDP came into existence in the 70s, they had to be fitted into this organisation. What happened was that while getting fitted into,

delay in timely submission of these reports to the President, the witness stated that he was not aware of the circumstances in which the Reports could not be submitted for all these years.

Tribal Advisory Council (TAC)

4. The Committee desired to know the procedure followed to give effect to the proposal passed by the Tribal Advisory Council particularly amendments proposed by the Council in the Excise Act and Money-lenders' Act with a view to empower executive magistrate to try cases under these Acts in place of judicial magistrate in Sub-Plan Area. In reply, the Development Commissioner, Bihar stated in evidence:

"I personally feel that it would depend upon the resolution of the TAC. About the example that you gave about excise cases, this, in my opinion, would require an amendment of the Cr.P.C. because at the moment we are having separation of the Executive and the Judiciary. Unless there are some exceptions provided in the Act, it will be tried by the judicial courts or in some cases by the Executive Magistrate to whom power is vested by the High Court."

5. Elaborating the point further, Secretary, Revenue Department, Bihar, stated as under :-

"One of the decisions of TAC was that if some non-tribal alienates the land of a tribal then the executive magistrates should be given the power of judiciary to prosecute him. This should be given the power of judiciary to prosecute him. This resolution passed by the TAC. This was sent to the Law Department by the Revenue Department. And the Law Department differed with that and said that right from 1974 the Executive has been separated from the Judiciary and hence the executive magistrates can not be given judicial powers. Now we are in a fix as to what to do."

6. The Committee enquired from the witness the procedure to be followed if Cr.P.C. was to be amended to give effect to a resolution of the TAC. In reply, the witness explained :

"When it relates to a particular Department, the matter is sent to that department for examination, to take steps accordingly. In course of time, several such resolutions were sent to us, in the Revenue Department. We had sent them to the Law Deptt. and the Law Deptt. agreed with the resolution of the TAC in certain cases and in some other cases the Law Deptt. did not agree."

the IIDP could not become as strong as the Government of India desired it to become. The developmental activities to a large extent are still being carried out by the block and the district level agencies."

11. He further added :

"SDO controls almost all the developmental activities that are carried out through the blocks within the sub-division. He also looks after certain other activities. So the SDO in fact happens to be more powerful as compared to the Project Officer. What we have done is that the SDO has been made the Additional Project Officer of the IIDP, but still probably the Project Officer is not as important as the SDO in the present set up."

12. The Committee enquired why revenue and executive powers have not been delegated to Project Officers. In reply, the Secretary, Ministry of Welfare stated in evidence :

"In Andhra Pradesh, PO, IIDA is practically the sole representative of the Government. Practically all the Departments are under his control. He transfers persons, sanctions their increment, granting TA, etc., writing the ACRs. This has brought a lot of uniformity; and they need not go to BDO or SDO. So, they report to the Heads of the Depts through the Project Officer."

13. He further added :

"I am planning to discuss it with all the Ministers of Welfare of the States. The Project Officer must be made an independent officer, directly to report to the District Magistrate and to the Secretary, Welfare. If this can be done by all the States, with whatever adjustments to be made, then, we can achieve much better results."

14. The Development Commissioner, Bihar added to this as under :-

"We will take it up with the TAC. We shall try to abide by all the guidelines, directions of the Govt. of India."

15. The witness further confirmed of having received the abovesaid recommendations of the Planning Commission. Clarifying another query from the Committee in this regard, the Development Commissioner stated in evidence :-

"In the district or in the field as such, the departments of the Government tend to go in more or less, in an independent manner in the sense that

at the district level or at the sub-divisional level or at the divisional level, the control of the Collector or District Magistrate or Deputy Commissioner or the SDO or Divisional Commissioner is not as strong as it ought to be. I have mentioned that the Collector or the Deputy Commissioner does not have the powers of suspending officers of even the lower grade. The authority of the Collector is not there and coordination work has been suffering to that extent. I do feel that coordination ought to be in a better manner.

So far as the Project Officer is concerned, he has to be given more functions and some more authority. In that context, the guidelines have been circulated by the Home Minister recently. We shall consider that. We will see that a Project Officer is given more and more powers so that he can effectively coordinate and monitor the development activities in the field."

**Compensatory Allowance.**

16. The Committee enquired about the incentive given to the officials posted in tribal areas. The Development Commissioner, Bihar stated in evidence as under :-

"The VIII Finance Commission has recommended Rs.3000.72 lakhs to the State Govt. for giving to the employees who work in interior areas. During VII Five Year Plan, the money had been exhausted, the payment of the allowance has been discontinued. The scheme is not continuing at present."

17. The Committee drew the attention of the witness to the fact that the State Govt. has been advised by the Ministry of Welfare to continue payment of compensatory allowance to the officials/staff posted in tribal areas and that IX Finance Commission had also recommended continuation of this scheme during Eighth Plan and the allocation on this account were included in the Plan assistance, though not shown separately. To this the Development Commissioner replied :-

"About IX Finance Commission recommendation on this subject, we have not yet started paying such a thing."

18. The Committee enquired whether medical and para-medical staff posted in tribal areas have been provided residential accommodation. In reply it was stated that State Govt. has not got quarters in all the hospitals. The quarters are yet to be built in Public Health Centres, PSCs and additional PSCs.

19. The Committee asked how the State Government expect the doctors and para-medical staff and other officers to serve in tribal areas when it has failed to provide them even residential accommodation which is bare minimum necessity and whether the State would construct such residential accommodation out of the untied funds. In reply, Secretary, Planning, Bihar replied :-

"We can make arrangements from the Special Central Assistance."

Excise Policy

20. The Committee enquired whether private contractors have been engaged in liquor vending by the State Government. In reply the Secretary, Excise, Govt. of Bihar stated in evidence :-

"Where the Panchayat is having more than 50 percent tribal population, shops are auctioned. It is on contract basis.

Bihar was the first State to go in for Prohibition in 1978 and 25 per cent of the shops were closed in the first year. In 1979, we went for complete prohibition. The prohibition was being enforced on the basis of ordinance, when the Govt. of India gave its concurrence to the ordinance in 1980 it also indicated that it would make no commitment to the State to the loss, if any, on account of prohibition. In 1984, the State Government set up a Committee to study the implementation of prohibition. The memorandum placed before the Cabinet in 1980 pointed out that there was no prohibition on the neighbouring States of West Bengal, Madhya Pradesh and neighbouring country of Nepal and with no adequate enforcement machinery, smuggling became rampant. In Chhota Nagpur area making liquor from Mahua had almost become a cottage industry. The State was losing the revenue whereas the neighbouring States have got additional revenue. The loss was of the order of Rs.30 crores.

The State Govt. set up a high powered Committee to study the impact of complete prohibition in these 112 blocks. At that time, Tribal Research Institute was asked to study in four villages about the impact of not having any shop in panchayat having more than 50 percent tribal population. They came to the conclusion that drinking is a major problem and people have become accustomed to drinking. Tribals had stated consuming Mahua liquor in place of country liquor. In prohibition was enforced without making proper arrangement, it would result in illicit distillation."

21. To this, the Development Commissioner, Bihar added as under :-

"It is a fact that prohibition was introduced. But somehow or the other it did not succeed in the sense that it was found that a large number of people were still able to sell the liquor in that area either by smuggling from neighbouring States or from some other States. Therefore, the policy of prohibition was not successful. At the same time, the State Govt was also losing the revenue. Then, it reverted back to the old system."



22. The Committee enquired how a distinction of fifty percent tribal population has been made in Tribal Sub-Plan area in enforcing Excise Policy by the State Government

Some new criteria have been mentioned earlier have not been implemented by the State Government.

23. In reply, Excise Secretary have stated :-

"We had prepared a memorandum indicating that prohibition should be enforced in all the 112 blocks. We have made our various efforts and this has to be vetted by the Welfare and Finance Departments. It is at that stage at the moment."

The Development Commissioner, Bihar further clarified as under :-

"So far as drinking is concerned, as rightly pointed out, rice handia is supposed to be good for the health of the tribals. To that extent there is nothing wrong.

So far as the country liquor is concerned, that is considered normally injurious to health. Therefore, our effort should be that this should be banned, if possible, or at least reduced to the minimum possible extent. Unfortunately, it so happened that in Bihar once we had a policy of prohibition, but then we went back on it. Again, a policy paper has been prepared and it is being examined with a view to see that at least in those areas the sale of these liquors are not being available.

At the moment what we are doing is that we are setting or not setting liquor shops on the basis of the tribal population in a panchayat. In a Panchayat where we find that the tribal population is less than 30 percent, there we are setting it, and where we find that it is more we are not setting it. That is the existing policy. Now the policy is being formulated is that in the tribal blocks as a whole there should not be any country liquor shops. This policy has been formulated and it has been sent to the Welfare Department and the Finance Department, for their approval. Thereafter it will go to the Cabinet."

24. The Committee were informed that State Govt. had introduced prohibition throughout the State with effect from 1 April, 1979, but it was relaxed in September, 1980 throughout the State for a number of reasons. Asked in this context, the Development Commissioner replied as under :-

"We shall definitely and very strongly convey the feelings of this Committee and that it is a question of policy..... We shall also press that since it is

the question of health and future of tribals, this policy should be accepted even though it may amount to a loss of money to the State Government. We shall press the Finance Department for that."

25. The Additional Secretary, Ministry of Welfare added to this as under :-

"Sir, the Secretary, Excise said that a memorandum has been prepared and it will go to the Cabinet which will revert back the earlier policy. He says that at present it is lying with other Departments. So I just want to request them, with your permission, that they should bring the views of this august body to the notice of the Finance Department. Otherwise, they will say "we will lose our revenue."

#### Money Lending and Relief from Indebtedness

26. The causes for indebtedness are many and varied, but undoubtedly, unscrupulous money lending practices and exploitation of tribals are important factors. Asked in this context, the Secretary, Revenue stated :

"There are two acts regarding this, the Money Lending Act 1974 and Bihar Debt Relief Act, 1976. Apart from this, we have been issuing instructions to the DCs and other officials, for proper implementation of these acts. Now there can be no private money lenders for they have to be registered and have to keep accounts. If they are not registered and do not keep accounts, they cannot be recognised by any court."

27. In the context of increasing indebtedness of tribals, productivity in tribal areas going down and consequently their alienation of land, the Committee asked how in spite of the fact that a number of steps have been taken by the State Government in this regard, indebtedness of tribals has been on increase. In reply, the witness submitted that 'bank credit should be made available to tribals if they have to get away from Mahajans (money lenders).

28. The Development Commissioner, Bihar further added:-

"On banks, I just want to mention one figure. Only about a fortnight ago our Minister has taken a meeting of all the banks and it was found that for agricultural land, for kharif, approximately 1,32,000 applications had been filed with different banks. They have been filed through the good offices of the BDOs. Out of them only about 32,000 applications have been disposed off



and they have given a loan of Rs.10 crores as against the loan of Rs.49 crores. They have disposed off 32,000 applications and one lakh applications and one lakhs applications are still pending. Now it is getting late because the need of the farmer for getting the money is not much and in any case financing in the whole of the State has come down ~~and~~ considerably. They also gave the same reply. They said that the main reason was that we had given loan to these farmers a year before and most of them had not repaid it. Unless they write off, naturally we have this difficulty and we have problems. We do whatever is possible. It is not that they are giving the loans generously and from the State Government's side our Minister of Agriculture took a meeting a few months ago and our Chief Minister took a meeting about a fortnight ago. We have been pressing on all the bankers that they should give money to the farming community."

29. The Revenue Secretary, Bihar further told the Committee that 80,000 people have been freed and the debt relief granted amounted to Rs.3 crores so far.

30. In this connection, the Committee learnt from the above mentioned study of the working of ITDP, Simdega that even the basic minimum needs of the released bonded labourers had not been met. Asked in this context, the witness further informed the Committee as under :-

"We give them land around 2 acres. We give them 1000 rupees per acre for buying agricultural implements. Even we give them about Rs.250 as legal aid to fight their cases. We even give them ~~three~~ <sup>two</sup> ~~hundred~~ <sup>hundred</sup> ~~rupees~~ <sup>rupees</sup>."

31. When the Committee pointed out that legal aid of Rs.250/- is on low side, the witness replied :-

"It depends on the resources we have. Atleast till date, our policy is like this. We are also giving them help in other ways."

#### Land Alienation

32. The Committee were informed that as on date, 1,26,629 cases of land alienation have been instituted involving 1,77,850 acres of land. Out of these 56,229 ~~as~~ cases have been allowed and area involved is 59,891 acres. It was further stated that in 54,986 cases involving 51,327 acres of land have been restored to tribals. Further, 2,525 cases have ~~gone~~ in appeal involving an area of 4,717.85 acres.

## Agriculture

33. The Committee pointed out that Commissioner for Scheduled Castes and Schedule Tribes on the basis of a study conducted by him, has concluded that productivity in TSP areas has gone down and asked about the reasons therefor. Reacting to it, Secretary, Agriculture, Govt. of Bihar stated in evidence that figure of 1985-86 was comparative and it was not representative figure. But he admitted that in some districts agricultural productivity has gone down. Asked about the reasons for decline in productivity, the witness stated :

"The major factor has been that especially the cereal and the food crops depend on irrigation which is mainly dependent on rains. Whatever irrigated land is there, it is by minor irrigation scheme.... In 1985-86 due to poor rainfall in the tribal area productivity was low and that was compared with 1980-81. Secondly, in more than 50 percent minor irrigation schemes which are there, depend totally on power and power position in this belt has been rather gloomy for quite some time and that has affected the part of the minor irrigation scheme. And because of this, the yield as well as the coverage of the farmers are low. It was only 9 percent, that is, the total percentage of irrigated land in that area..... Out of 129 lakh hectares, only 11 lakh hectares are irrigated and the rest depends upon the rains."

## Shifting Cultivation

34. The Committee pointed out that Ministry of Agriculture had launched a Centrally sponsored scheme for control of shifting cultivation with the total investment of Rs.75 crores and covering settlement of 23000 families over a period of 5 years and enquired about the specific steps taken to dissuade tribals from jhum cultivation and the results achieved so far. In reply, the Development Commissioner Bihar stated :-

"I would only like to mention that so far as the specific project or specific plan for the rehabilitation of the people who have been indulging in this kind of jhum cultivation is concerned, specific project or plan covering all aspects has not been prepared. We shall now work out a plan and we shall request the Ministry of Agriculture to give us the money in future."

35. He further agreed with the Committee that the problem cannot be tackled by mere persuasion. It has to be followed by complete rehabilitation.

#### Animal Husbandry.

36. The Committee enquired if the State Govt. have any plan to introduce insurance scheme for drought animals. In reply the Regional Development Commissioner, Bihar stated in evidence :-

"In Special Central Assistance we have provided for it. All the pregnant heifer distributed under Special Central Assistance fund were fully covered by insurance scheme."

37. When the Committee pointed out that all types of animals reared by SC/ST have not been provided insurance, the witness replied :-

"We will take note of this and do our best."

#### Minor Irrigation.

38. The Commissioner for SCs and STs had conducted a study of the working of ITDP, simdega and had pointed out serious lapses in the execution of lift irrigation schemes there. It has been pointed out that none of the 5 schemes implemented under the prestigious Indo-German Project launched in village Burhi-Kutang on the Palmar river in Simdega block was functioning.

39. The Study Group has pointed out that 3 electric motors of 75 H.P. installed there were getting rusted and hundreds of used aluminium pipes were dumped in a corner of the village Tamra were not being used for want of motor pumps. Asked in this context, the Secretary, Agriculture and Minor Irrigation, Bihar stated in evidence :-

"The general experience of the State is that lift irrigation scheme has not been properly functioning. They took a decision that the Government will not go in for any new lift irrigation scheme. They are totally abandoned."

40. The Committee pointed out that in most parts of the tribal Sub-plan areas other modes of irrigation are not feasible because of the hilly terrain and only lift irrigation is possible and that such areas will be adversely affected if the State Government has decided not to undertake lift irrigation schemes in future. The witness replied that 'the State Govt. had decided not to undertake new lift irrigation schemes and the existing schemes which are in bad condition will be repaired and handed over to Gram Panchayats for running them efficiently.

41. Asked about the above mentioned Lift Irrigation Schemes taken up under Indo-German Project, it was stated that these have been taken over and are working now.

### Forestry.

42. The Committee were informed that in Bihar tribals are permitted to take fire-wood and timber for house building and agricultural implements from the forests for their own domestic needs free of cost. Further, nine minor forest produce namely, Kendu Leaf and fruits of Sal, Mahua, Karanj, Kusang, Balas, Anla, Harra and Bahara have been nationalised. It has been contended by the State Govt. that collection of these minor forest produce is source of substantial earnings for tribals. Bihar State Forest Development Corporation is stated to be the sole agent for collection and marketing of these produce. Earlier trade of these produce was in the hands of private traders who were stated to be exploiting the poor collectors and tribals by not paying fair price of the commodities. The State Government, it was stated, created the State monopoly and enacted Bihar Forest Produce (Regulation of Trade) Act, 1984. The Committee pointed out that karanj seed now a days are produced on private land and not in forest areas alone and therefore, it should not be included in the nationalised minor forest produce. In reply, the Secretary, Forest, State Govt. of Bihar stated in evidence :-

"The Act was made in 1973. We will remove it from the schedule."

43. The Committee pointed out that there had been instances where State Government agencies have not purchased certain items of minor forest produce from tribals nor can these items be purchased by the private parties and that in such cases, poor tribals have suffered a lot. In reply, the witness admitted that there had been some such instances in the past. He further clarified that solution for it lies in the fact that in future before nationalising a produce we must study if it can be marketed. He assured the Committee that from next year, State Government would consider support price instead of nationalisation of Minor Forest Produce.

44. In a note furnished to the Committee the State Govt. of Bihar had claimed that special emphasis is being laid on ensuring a fair return to tribals for the minor forest produce. However, the Committee were informed /in evidence that State agencies procured sal seeds at Rs.130 per kg. and Mahua at Rs.5.75 per kg. while the sale price for these items was Rs.3.20 and 7.0 per kg. In this context, the Committee enquired why State Govt. agencies are exploiting tribals by not paying them remunerative prices for minor forest produce and keeping it itself substantially high

margin. In reply, the Secretary, Forest, Bihar Government contended that 'Rs.1.90 per kg. in the case of sal seeds is a sort of overhead which included bank interest, collection charges and so on.' The witness informed the Committee that trade of minor forest produce was being done by the Forest Development Corporation of the State Government exclusively out of the funds borrowed from Banks at very high interest rates ranging upto 22 per cent.

45. The Committee learnt that Commissioner for Scheduled Castes and Scheduled Tribes had conducted a field study of the working of some important schemes in the IDP Siingdega, in Ranchi District in June, 1984. One of the observations of the Study Team was that Forest Development Corporation should procure minor forest produce through LAMPS only and not from individual agencies as poor tribals were being cheated by them. The Ministry of Welfare informed the Study Group that observations/recommendations of the study report were sent to the State Governments for Comments. In this context, replying to a query by the Committee, the Forest Secretary, Government of Bihar stated in evidence :-

"We are collecting (MFP) through other agencies as well."

46. In reply to another query by the Committee the witness further assured the Committee as under :-

"We will analyse the whole thing of all the minor forest produces and explore the possibility of passing whatever be the profitability of the Corporation to the tribals."

47. He further pleaded that 'banks may be told to give loan at a subsidised rate of interest'.

48. The Committee enquired whether the State Govt. have provided any funds to the Forest Development Corporation to procure and trade in minor forest produce, the Forest Secretary, Govt. of Bihar replied that 'the Corporation is in the red, they do not have money.

48. The Committee pointed out that it has been brought to their notice that in the case of certain minor forest produce which have been nationalised, Forest Development Corporation or any other such agency entrusted to procure these produce have not procured them from poor tribals and where purchases have been made, tribals who collected them have not been paid for them which has resulted in their exploitation. Reacting to these observations, the Forest Secretary, Govt. of Bihar stated that 'mere nationalisation of a product is not sufficient.

Government should also ensure their marketability.'

49. "Secondly, private agencies/individuals should not be allowed to deal in these commodities. From next

year we will consider it. Support price must be there, otherwise it will lead to distressed sale."

50. He further informed the Committee that from next year, the State Govt. will consider support price instead of taking over procurement of minor forest produce.

51. About delay in payment to tribals for minor forest produce procured from them, the Forest Secretary assured the Committee that he will check up and ensure payment.

### Health

52. The Development Commissioner, Bihar informed the Committee that 'Health Problems are acute. Health Department has many problems particularly with regard to doctors.

53. The Committee were further informed that Malaria, T.B. blindness and leprosy are the most prevalent diseases in TSP areas of Bihar and "eradication of any of them is extremely difficult task."

54. The Committee learnt that there were a number of vacancies of doctors/paramedical staff in PHCs/Hospitals functioning in TSP areas. In spite of a number of specialised institutions/referral hospital in TSP areas for control of malaria, leprosy and T.B. etc., the incidence has hardly come down. These institutions are reported to be handicapped by shortage of technical personnel, specialised equipment/machines etc.,



## Medicines

55. The Committee enquired about the allocations made to primary Health Centres for purchase of medicines. In reply, the Development Commissioner, Bihar informed the Committee that it was Rs. 12,000/- per year. Asked about the number of patients visiting a PHC on a day, it was stated that on an average 30-40 patients visit a PHC per day. The Committee pointed out that in interior tribal areas usually doctors prescribed the medicines to patients who visit primary health centres and patients were required to purchase those medicines from market. In many of the cases medicines were not available locally and patients had to travel long distances to nearby towns to purchase the prescribed medicines. Many a times, the patients considering the fatigue involved and expenses to be incurred, avoided purchasing prescribed medicines and this leads to negation of health services. Reacting to these observations of the Committee, the Development Commissioner stated :-

"That problem is there right from the lowest level of health to the highest level. Hospitals in Ranchi and Patna are not having life saving drugs because the amount of money that they get for medicines is so meagre that they are able to get only ordinary medicines. Other medicines have to be bought from outside."

56. He further confirmed that in interior tribal areas there are no chemist shops.

57. The Committee asked whether to mitigate the sufferings of the poor tribals, allocation for medicines at primary health centres could not be increased. The Development Commissioner replied :-

"We shall try to do this specially in the interior areas where there are no medical shops. In the interior areas of Bihar, there are no medical shops in the block headquarters also."

## Education

58. The State Govt. in a note furnished to the Committee have stated that main constraint in spreading education among tribals had been their poverty, neglect, poor relations among teachers and students, lack of sincerity on the part of teachers, shortage of teachers and residential schools and lack of teaching through mother tongue. Asked about the steps taken to inculcate devotion and sincerity among teachers and to overcome other constraints the Secretary Education, Bihar stated in evidence :-

"So far as this particular observation is concerned, no specific action plan to register the dedication of the teachers towards the students

I am not aware of that. But by and large there is a policy that teachers should not be posted in their home block and also not for a pretty long time. There have been cases where teachers have been in their home blocks for a number of years, even for 20 years.

The Establishment Committee headed by the District Magistrate or Deputy Commissioner was to effect these transfers. But, I must confess, that because of the general circular which was issued to the effect that only in rare cases transfer should be resorted to, that is to say they have been allowed to remain in their home blocks as well as they have been allowed for long years. This is the kind of a scenario."

59. He further clarified :

"This is one method through which we try to enforce better attendance in schools. I said that it is not being observed at the moment."

60. The Committee were informed that students in Ashram Schools were given stipend @ Rs.240/- per month for food; Rs.250/- per annum for uniforms; Rs.200 per annum for reading and writing material and Rs.12 per year for medicines.

61. The Committee enquired if any incentive like mid-day meal etc. has been given to tribal parents also to encourage them to send their wards to schools, the Development Commissioner replied :-

"In Bihar, we do not have any such scheme<sup>so</sup> far."

62. The Committee considered that automatic promotion to higher class without fair assessment of the performance of students leads to lethargy on the part of students and teachers both and amounts to no education at all. As a result these students get struck up at higher levels when they appear in examinations conducted by School Board. In this context the Committee enquired whether proper assessment of students was being done in lower classes. In reply the Development Commissioner, Bihar stated that under the system of compulsory education, students have got to be in schools upto the age of 16. 'If a student is kept for a number of years in the school, then he has to be kept with the boys of the same age group'. He further added :-

"There are some disadvantages in this system. That is a student may not read at all."



### Village Electrification.

63. The total number of villages covered by Integrated Tribal Development Programme in Bihar are stated to be 17250. Out of these only 7514 villages have been electrified so far. Asked about the reasons for slow pace of electrification of villages in tribal areas of Bihar, a representative of the State Government stated in evidence :-

"We have not been able to electify even 50% of total number of villages so far. During the Seventh Plan, we were able to meet only 60% of the target. Mainly because of resources constraint, we go in for electrification only when we get loan from Rural Electrification Corporation. We are unable to pay back the instalments to the Rural Electrification Corporation. Last year, Rs.15 crores loan was given but after deducting the debt servicing, we were able to have only Rs.50 lakhs in our hand. That is why it has not been possible to do much. In fact, the target of rural electrification in Bihar has been very low."

64. Asked about the current year target, he stated that "it was 215 for the whole State. In respect of tribal areas it will come to 50-55 only."

65. The witness further added :-

"I appeal that we get some heavy dose of Central Assistance. Only then it will be possible to do something substantial. At the current rate only 50 to 55 villages can be electrified per year. It will be taking another 20 years to complete the electrification programme."

66. The Committee pointed out that provision of electricity is essential to develop irrigation potential and also to undertake other developmental activities. In its absence, it might not be possible to bring tribals, in the main stream and they will continue to remain cut off from developmental process. Reacting to these observations, the witness stated :-

"That is why we require a heavy dose of funds from the centre as Central Assistance. The State Govt. is not in a position to give that much. As I said earlier, the Rural Electrification Corporation will give but they will deduct their instalments first. Last year, we got only Rs.50 lakhs which is not sufficient even for electrifying 17 villages."

Roughly, we spend Rs.4 lakhs for electrifying one village. So we require a heavy dose of financial assistance from the Government of India."

Tribal Participation in Development Programmes

67. The Committee pointed out that a lot of money has been spent on execution of various developmental works in tribal areas and enquired if tribals have been enlisted as contractors and engaged as contractors to execute developmental schemes in Tribal Sub-Plan areas and whether tribals have been issued permits to ply buses/trucks and other commercial vehicles.

In reply, the Development Commissioner, Bihar stated :-

"The benefit can be given to them."

The Committee then adjourned.

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