REPORT OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

CONTENTS

CHAPTER NO.	SUBJECT	PAGE No.(s)
I	ORGANISATIONAL SET UP AND FUNCTIONS OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES	1
II	CONSTITUTIONAL SAFEGUARDS FOR THE SCHEDULED CASTES AND SCHEDULED TRIBES : PROPOSALS FOR AMENDMENTS TO THE CONSTITUTION	17
III	LAND REFORMS	20
IV	ECONOMIC DEVELOPMENT	65
V	SOCIAL DEVELOPMENT	112
VI	EDUCATIONAL DEVELOPMENT	144
VII	TRIBAL SUB-PLAN	182
VIII	SPECIAL COMPONENT PLAN FOR SCHEDULED CASTES	210
IX	RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN SERVICES	227
X	ERADICATION OF UNTOUCHABILITY	286
XI	ATROCITIES	314
XII	ADMINISTRATIVE MACHINERY CONCERNING THE SAFEGUARDS FOR AND DEVELOPMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES	356
XIII	RESEARCH, EVALUATION STUDIES AND TRAINING	376
XIV	STUDY TOURS OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES	396
XV	SUMMARY OF RECOMMENDATIONS	462

1A—256 M of HA/ND/81

CHAPTER I

ORGANISATIONAL SET UP AND FUNCTIONS OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

The Government of India in the Ministry of Home Affairs resolved to constitute the Commission for Scheduled Castes and Scheduled Tribes *vide* their Resolution No. 13013/9/77-SCT(I) dated the 21st July 1978 (Annexure I). While doing so they emphasised that even though under Article 338 of the Constitution there is provision for appointment of a Special Officer-Commissioner for Scheduled Castes and Scheduled Tribes—who is charged with the duty of investigating into all matters relating to safeguards provided for the Scheduled Castes and Scheduled Tribes in the Constitution, considering the magnitude of the problem the Government decided that in addition to the functioning and authority of the Special Officer these matters should appropriately be entrusted to a High Power Commission. The Government also clarified that the functioning of the Commission would not be lessening the authority of the Special Officer.

COMPOSITION OF THE COMMISSION

1.2 The Commission, in accordance with the Resolution, consists of a Chairman and four other Members, including the Special Officer appointed under Article 338 of the Constitution. The term of office of the Chairman and the Members will not ordinarily exceed three years. The Commission's headquarters are located in New Delhi. The Chairman and the Members of the Commission assumed office as shown below :

Name	Date of assuming charge	Remarks
1. Shri Bhola Paswan Shastri, M. P. (Rajya Sabha), Chairman.	15-8-1978	Continues
2. Shri Shishir Kumar, Ex-M.P., Commissioner for Scheduled Castes & Scheduled Tribes, Member.	15-8-1978	Continues
3. Shri A. Jayaraman, Ex-M.P., Member.	3-8-1978	Expired on 9-6-1980 (vacant).
4. Shri T. S. Negi, I.A.S. (Retd.) M.L.A. & Speaker of Himachal Pradesh Vidhan Sabha, Member.	1-8-1978	Continues (was elected Speaker on 8-5-1979).
5. Shri S. K. Mallick, I.C.S. (Retd.).	7-8-1978	Continues

In addition to the above, Shri R.P. Khanna, IAS, formerly Deputy Chairman, Bihar State Planning Board, who had joined the Commission on 5th November, 1978, continues to act as its Secretary. A post of Joint Secretary in the Commission was also sanctioned with effect from 24-11-78. The following officers held charge of the post :

Name	From	To
Shri A. Padmanabhan, I.A.S.	18-1-79	30-4-79
Shri J. M. Lyngdoh, I.A.S.	12-10-79	19-6-80

Shri Lyngdoh proceeded on leave from 20-6-80 and Shri K. Banarji, IAS assumed charge on 18-7-80 and is continuing.

FUNCTIONS OF THE COMMISSION

1.3 The functions of the Commission, according to the Resolution of 21st July, 1978 setting up the Commission, broadly correspond with the functions of the Special Officer appointed under Article 338 of the Constitution and are as under :

(i) To investigate all matters relating to safeguards provided for Scheduled Castes and Scheduled Tribes in the Constitution. This would, *inter-alia*, include a review of the manner in which reservation stipulated in public services for Scheduled Castes and Scheduled Tribes, are, in practice implemented.

(ii) To study the implementation of Protection of Civil Rights Act, 1955 with particular reference to the objective of removal of untouchability and invidious discrimination arising therefrom within a period of five years.

(iii) To ascertain the socio-economic and other relevant circumstances accounting for the commission of offences against persons belonging to Scheduled Castes and Scheduled Tribes with a view to ensuring the removal of impediments in the laws in force and to recommend appropriate remedial measures including measures to ensure prompt investigation of the offences.

(iv) To enquire into individual complaints regarding denial of any safeguards provided to any person claiming to belong to Scheduled Castes or Scheduled Tribes.

1.4 It is also laid down in the Resolution that the Commission will devise its own procedure in the discharge of its functions. All the Ministries and Departments of the Government

2—256 HA/ND/81

of India are required to furnish such information/documents and provide such assistance as may be required by the Commission. The State Governments and Union Territory Administrations were requested to extend to the Commission their fullest co-operation. The Resolution further mentioned that the Commission will submit an Annual Report to the President detailing its activities and recommendations in addition to other reports on matters within their scope of work from time to time. It is also provided that the Annual report together with a memorandum outlining the action taken on the recommendations and explaining the reasons for non-acceptance of the recommendations, if any, in so far as it relates to the Central Government will be laid before each House of the Parliament.

1.5 It would appear that the Commission's main functions relate to important safeguards provided for the Scheduled Castes and Scheduled Tribes, working of the Protection of Civil Rights Act and investigation into cases of atrocities on Scheduled Castes and Scheduled Tribes. The Resolution also provides that the Commission may ascertain the socio-economic and other relevant circumstances accounting for the commission of offences against them. In so far as investigations into cases of atrocities are concerned the Commission so far have no legal powers to summon witnesses and call for documents. Without these powers the investigations may often be incorplete, ineffective, or even fruitless. The Commission, therefore, reiterate the recommendation made by them in their last Annual Report that for the purpose of holding investigations they should have the status and powers of an enquiry Commission under the Commission of Enquiries Act, 1952.

Non-involvement of the Commission in Planning Process

1.6 Since the Commission from the beginning were keen to play a vital role in the process of planning for and development of Scheduled Castes and Scheduled Tribes, they, on their own, held discussions with the Planning Commission in October, 1978 on the important problems of socio-economic development of these people. Subsequently, in January, 1979 the Commission sent a detailed note to the Deputy Chairman, Planning Commission containing their proposals on policy matters affecting the Scheduled Castes and Scheduled Tribes for appropriate action by the Planning Commission. Copies of this note were also sent to the Prime Minister and the Ministry of Home Affairs. The Commission also held discussions with the Ministries of Labour, Industry and Agriculture concerning the sectoral socio-economic development programmes. In June, 1979 the Commission also made certain recommendations to the Government of India for collecting certain Bench Mark Data relating to Scheduled Castes and Scheduled Tribes.

1.7 The Commission have, however, not been associated by the Government of India and the Planning Commission in the plan discussions and other policy matters relating to socio-economic development of the Scheduled Castes and Scheduled Tribes. The Commission are not, therefore, kept in the picture in respect of plan and policy formulations affecting the Scheduled Castes and Scheduled Tribes with whose welfare the Commission are intimately concerned.

1.8 In the Commission's view the main objective of the State policy should be to ensure that vigorous and adequate measures are taken for the socio-economic development of the Scheduled Castes and Scheduled Tribes so that in time to come they attain a level which would make the special safeguards for or protection to them redundant. This objective makes it desirable that the Commission should be actively associated with the planning process for socio-economic development of these communities so that the Commission can, with its specialised experience and expertise, assist the Government and the Planning Commission in the formulation of suitable schemes to achieve the ultimate objective of integrating these communities in the mainstream of national life.

1.9 There is another aspect of the matter also: The Commission being an independent organisation can also be fruitfully utilised by the Government for the monitoring and evaluation of the various social, economic and educational development programmes for the Scheduled Castes and Scheduled Tribes so that an impartial and independent assessment of the working of these programmes is available to the Government and suitable improvements brought about wherever necessary.

1.10 The Commission, therefore, recommend that they should be fully associated with the planning process and also given necessary powers to monitor and evaluate the progress of various programmes for the welfare of the Scheduled Castes and Scheduled Tribes.

1.11 While setting up this Commission the intention of the Government of India was to vest this Commission with Constitutional status and consequently merge the organisation of the Commissioner for Scheduled Castes and Scheduled Tribes with that of this Commission. With that intention the Government of India had formulated the Constitution (46th Amendment) Bill, 1978, subsequently called the Constitution (51st Amendment) Bill, 1979 which fell through for lack of prescribed majority in the Parliament. While this bill was being framed the Commission had suggested certain amendments particularly in respect of the provisions relating to the vesting of powers of enquiry to this Commission under the Commission of Enquiries Act 1952 and the association of the

Commission with the planning process for the socio-economic development of the Scheduled Castes and Scheduled Tribes. In view of its importance and as the Constitution Amendment Bill has not yet been re-introduced, the Commission feel that it is necessary to reiterate the proposals earlier made by them. The amendments proposed by the Commission are reproduced below :

1.12 *Comparative picture of the relevant provisions of* 1978 *and* 1979 *Amendment Bills proposed by the Government and the Amendments proposed by the Commission*

In the original Bill introduced in Lok Sabha on 3-7-78	In the Constitution (Fifty-first) Amendment Bill, 1979 (that could not be introduced in July 1979)	In the form proposed by the Commission for Scheduled Castes and Scheduled Tribes.
(1)	(2)	(3)
(3) It shall be the duty of the Commission—		
(a) to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution;	(a) to investigate all matters relating to safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution or under any other law for the time being in force and to evaluate the working of such safeguards;	(a) to investigate all matters relating to safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution or under any other law for the time being in force and to evaluate the working of such safeguards;
(b) to submit to the President at such intervals as he may direct, reports upon the working of those safeguards;	(b) to examine specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes and Scheduled Tribes ;	(b) to examine specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes and Scheduled Tribes;
(c) to make in such reports such recommendations as the Commission may deem fit as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards; and	(c) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;	(c) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards and other functions within the purview of the Commission;
(d) to discharge such other functions in relation to the protection and advancement of the Scheduled Castes and Scheduled Tribes as the President may by rule specify.	(d) to make in such reports such recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards; and	(d) to make in such reports such recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other functions within the purview of the Commission;
	(e) to discharge such other functions in relation to the protection, welfare and advancement of the Scheduled Castes and Scheduled Tribes as the President may by rule specify.	(e) to function as a Commission of enquiry under the Commission of Enquiries Act, 1952, as amended, for the purposs of holding investigation; and
		(f) to discharge other functions in relation to the protection, welfare and advancement of the Scheduled Castes and Scheduled Tribes and in particular to participate in and advise on the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and to monitor and evaluate the progress of implementation thereof both in respect of the Union and the States.

1.13 It would appear from the above analysis that according to clause (3)(d) of the 1978 Bill and clause (3)(e) of the 1979 Bill the Commission were to discharge such other functions in relation to protection and advancement of the Scheduled Castes and Scheduled Tribes as the President may specify. This meant that subject to the President so specifying the Commission would be associated with the planning process and socio-economic development of the Scheduled Castes and Scheduled Tribes also. The Commission, however, felt that rather than leaving it to the rule making authority of the President for vesting the powers necessary for looking into the development of the Scheduled Castes and Scheduled Tribes, this particular provision should specifically be included in the Constitution itself so that the authority enabling the Commission to look into the socio-economic development of these disadvantaged groups is not withheld or diluted on political considerations.

1.14 The Commission, therefore, reiterate that when the new Government bring up a

fresh Bill to amend Article 338, they should include the following sub-clause while defining the functions of the Commission :

> "To participate in and advise on the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and to monitor and evaluate the progress of implementation thereof both in respect of the Union and the States".

The Commission also consider it desirable that it would be expedient to include another provision in the Bill to the effect that the Union and State Governments must consult the Commission on all major policy matters affecting the Scheduled Castes and Scheduled Tribes. This would enable the Government concerned to draw on the specialised experience/expertise of the Commission.

1.15 *Developmental functions to be performed by Field Officers*

While transferring the field organisation of the Director General Backward Classes Welfare to the Commission on 1-12-78, the Ministry of Home Affairs had informed that the Commission's field organisation would continue to be available to the Government for the following purposes :

(i) Specific surveys/studies required by the Government;

(ii) Supply of relevant statistics from time to time;

(iii) Information regarding proper utilisation of grants-in-aid and other types of help given to social/non-official organisations, and

(iv) any other matter/information/enquiry in the field needed by the Government.

In actual practice, however, the Government of India did not show any anxiety to receive the feed-back from the field offices. The field offices were no longer called upon to make quick sample surveys for the Home Ministry. The practice of associating them in the Plan discussions and of supplying them with all circulars and instructions issued in respect of various Central Sector Schemes and keeping them in touch with the correspondence conducted with the State Governments in respect of the Planning process and implementation of Central Sector Schemes was also discontinued by the Government of India. In short, the field offices were more or less being ignored by the Government of India.

1.16 Considering that such assistance as was being given by the field offices to the Ministry, was in the larger interests of the Scheduled Castes and Scheduled Tribes development, the Commission on the 24th December, 1979 (Annexure II) wrote to the Ministry of Home Affairs that :

"the field organisation was previously being furnished with all the copies of instructions and sanction orders relating to the developmental programmes for Scheduled Castes and Scheduled Tribes. It was associated with the Plan discussions that the Government of India had with the State Governments. These field offices were also required to watch the progress of implementation of the developmental schemes, particularly the Centrally Sponsored Schemes. This practice seems to have been given up. It added that 'this commission feel that in case the Government of India desire that our field organisation should be of real help to them, it would be necessary for them to keep our field organisation fully in the picture, in respect of developmental and other matters, as in the past'. This was followed up by reminders but there was no response from the Government for about a year. It was, on the 21st November, 1980, that the matter again came up for discussion in a meeting between the Home Ministry and the Commission, in which it was indicated by the Commission that in the past :

(i) The Ministry had actively and closely associated the field offices in relation to various developmental programmes for the welfare of Scheduled Castes and Scheduled Tribes being implemented by the State Governments/Union Territory Administrations.

(ii) The field officers also used to attend the Annual and Five Year Plan discussions in the Planning Commission.

(iii) The field officers were also invited by the State Governments to attend the State level meetings held from time to time in connection with the educational and welfare programmes relating to the development of Scheduled Castes and Scheduled Tribes.

(iv) All important instructions, guidelines issued by the Government of India to the State Governments/Union Territory Administrations in regard to Tribal Sub-Plan, Special Component Plan for the Scheduled Castes, working of the Scheduled Castes Development Corporations etc. were invariably endorsed to the field officers to enable them to keep a track and also to monitor information on the Plan programmes.

1.17 It was, therefore, stressed by the Commission that it would be better both for the Government of India as well as for the Commission if the Commission's field offices are associated with the Government of India, State Governments/Union Territory Administrations in the developmental programmes for the Scheduled Castes and Scheduled Tribes.

1.18 On January 1, 1981 (Annexure II-A) the Ministry of Home Affairs wrote to the Commission that, 'in fact, no instructions had been issued by the Ministry abridging in any way the function which the Commission's field organisation was earlier performing'. The Ministry informed that they shared the Commission's anxiety that their field staff should be of real help to Government and that they should be kept in picture about the developmental and other matters concerning Scheduled Castes and Scheduled Tribes. In this respect they informed :

(a) They would send copies of all sanction letters for Centrally Sponsored Schemes to the Commission as well as to the concerned Directors;

(b) It would be useful if the Directors inspect the schemes run by the Voluntary Agencies at least once a year and send inspection reports to the Ministry.

(c) They should also liaise closely with the concerned State Governments and watch the progress in the implementation of other Centrally Sponsored Schemes of the Ministry.

(d) The concerned Directors under the Commission shall be included in the Ministry's team for discussions on the Special Component Plan of States and Union Territory Administrations, and for the Planning Commission's Working Group Meeting on the Plans of the State Governments.

1.19 The Commission have since circulated copies of letters (Annexure II-B) to State Governments/Union Territory Administrations for taking appropriate action under intimation to their local Directors/Deputy Directors. The Commission are happy to note that the Government of India also have since issued instructions on the above lines to the State Governments with copies to Commission's field Directors/Deputy Directors reiterating the earlier position (Annexure II-C).

Organisational set-up of the Commission

1.20 In Chapter II of the first Report of the Commission it had been mentioned that the Commission on 22nd November 1978 had submitted to the Ministry of Home Affairs a detailed paper relating to Commission's functions and structure with a view to having an effective and adequate machinery both at the Headquarters and in the field. The Commission had proposed 353 staff for the Headquarters office and 547 for the field offices. Several rounds of discussions were held with the Ministry of Home and Finance and the requirement was cut down to 300 posts for the Headquarters and 447 posts for field offices. The Commission had already received under their control on 1st December 1978 the field offices formerly working under the Director General Backward Classes Welfare comprising 114 posts; the post of the Director General Backward Classes Welfare was not, however, transferred by the Ministry to the Commission. Right from the time the Commission were set up, only small staff, other than the personal staff of Chairman, Members, Secretary and Joint Secretary, had been sanctioned by the Ministry for the Headquarters of the Commission. Even during the year under report the Commission were greatly handicapped in their functioning due to lack of officers and staff. It was only in the month of October, 1979 that the Government of India finally sanctioned 111 posts for the Headquarters of the Commission and 205 posts for the field office including 107 posts which already existed before 19-10-1979. The details of the sanctioned posts may be seen at Annexure III and IV. The Commission initiated appropriate action for filling up the newly sanctioned posts and made efforts for filling them up to the extent possible. When the Commission made their original proposals to the Ministry of Home Affairs with regard to requirement of officers and staff for the headquarters as well as the field offices, the existing officers and staff under the Commissioner for Scheduled Castes and Scheduled Tribes, including 2 Deputy Commissioners and 1 Asstt. Commissioner in addition to 69 other officers and staff were also taken into consideration. However, since the Commission have not yet become a Constitutional body, the Commissioner's office has not merged with the office of the Commission. Considerable strength of the Headquarters staff being in the Commissioner's office, the Commission's Headquarters has had to function only with skeleton staff and have faced considerable difficulty for carrying on day to day work. Therefore, the Commission had to call officers from their field offices at regular intervals to work in the headquarters.

1.21 The Government of India *inter alia* have sanctioned a few posts of Section Officers, Assistants and personal staff for the Secretary and Joint Secretary etc. All these staff have to be posted in the Commission by the Government from the Central Secretariat Services etc. The Commission from their inception have been requesting the Government of India to exclude these posts from the CSS Cadre as they have done in the case of Minorities Commission. The work of this Commission is of a specialised nature and requires persons with varied back-ground. It has, however, been observed that most of the above mentioned sanctioned posts remained vacant in the Commission for a long time and the Government were not in a position to post suitable candidates in this Commission. Whatever small staff were posted here by the Government were reluctant to stay on and got themselves transferred elsewhere. As a result of this the functioning of the Headquarters of the Commission was hampered and the Commission had to

perforce call their staff from the field offices on tour and that in turn adversely affected the working of the field offices. The Commission recommend that the staff on the Administration side may be excluded from the Central Secretariat Service as in the case of the Minorities Commission so that suitable recruitment of willing persons having specialised background for the work could be made through the permissible channels.

Filed Organisation

1.22 While the Commission had suggested their requirements of field offices to 23 considering the quantum of work-load and the manifold increase of atrocities on Scheduled Castes and Scheduled Tribes throughout India, the Government of India finally agreed to only 17 offices 12 field offices, each to be headed by a Director, and 5 field offices, each to be headed by a Deputy Director.

1.23 Of these, the Directors' offices already in position were at Ahmedabad, Madras, Bhopal, Patna and Chandigarh and Deputy Directors' offices at Shillong, Bhubaneswar and Lucknow. The location of the field offices in the revised pattern under the Commission alongwith their jurisdiction and Headquarters is as given below :

S. No.	Head of Office	Jurisdiction	Headquarter
1	Director	Gujarat, Dadra & Nagar Haveli.	Ahmedabad
2	Director	Karnataka	Bangalore
3	Director	Madhya Pradesh	Bhopal
4	Director	Orissa	Bhubaneswar
5	Director	West Bengal, Sikkim, Andaman & Nicobar Islands.	Calcutta
6	Director	Andhra Pradesh	Hyderabad
7	Director	Rajasthan	Jaipur
8	Director	Uttar Pradesh	Lucknow
9	Director	Tamil Nadu, Pondicherry.	Madras
10	Director	Maharashtra, Goa Daman & Diu.	Pune
11	Director	Meghalaya, Nagaland, Manipur, Mizoram, Arunachal Pradesh.	Shillong
12	Director	Bihar	Patna
13	Deputy Director	Tripura	Agartala
14	Deputy Director	Punjab, Haryana and Chandigarh Administration.	Chandigarh
15	Deputy Director	Assam	Gauhati
16	Deputy Director	Himachal Pradesh Jammu & Kashmir.	Simla
17	Deputy Director	Kerala, Lakshadweep.	Trivandrum

1.24 The new offices were opened in Hyderabad, Bangalore, Jaipur, Trivandrum and Simla in addition to the existing offices. Efforts are being made to open offices at Calcutta, Pune, Gauhati and Agartala. The offices in the latter two places namely Gauhati and Agartala could not be opened due to unstable political conditions in the North-eastern region. The Commission also made their best efforts to select suitable IAS officers for the offices to be set up at Pune and Calcutta. The officers with adequate experience in dealing with the administration at the district level were not available, and, therefore, these offices could not start functioning. For the present, the work in respect of West Bengal is being looked after by the Patna office and that of Maharashtra by the Ahmedabad office as before. Similarly, the work of the Gauhati and Agartala offices is being looked after by Shillong office as before. The Commission reiterate that the work relating to the Scheduled Castes and Scheduled Tribes has increased considerably for which 23 offices as suggested earlier may be sanctioned. These offices would be located at Jammu (J & K), Agra (U.P.), Raipur (M.P.), Ranchi (Bihar), Siliguri (West Bengal) and Delhi.

1.25 The pattern of staff for the field offices as approved by the Government of India is as under :

Offices headed by Directors	Offices headed by Deputy Director
1 Director	1 Deputy Director
1 Research Officer	1 Research Officer
1 Senior Investigator	1 Senior Investigator
2 Investigators	1 Stenographer
1 Superintendent	1 U.D.C.
1 PA to Director	1 L.D.C.
1 U.D.C.	1 Peon
2 L.D.Cs.	1 Chowkidar-cum-Farash
1 Daftari	
2 Peons	
1 Chowkidar-cum-Farash	

1.26 The Government of India have agreed only for one Research Unit for each of the field offices. Considering, however, the magnitude and acuteness of the problems relating to land disputes, land reforms, land alienation, agricultural labourers, bonded labourers, primitive tribes, untouchability and atrocities, bulk of the people living below the poverty line and difficulties faced by Scheduled Castes and Scheduled Tribes artisans due to industrialisation and mechanisation, the need for additional research staff can hardly be over-emphasised. There is need for atleast one more Research Unit in each of the field offices.

Added to this is also the work relating to representations and petitions, both in the Commission's Headquarters and in the field offices, which have got to be examined in detail and followed up consistently.

1.27 This Commission feel that the main objectives of the State policy should be to ensure that vigorous and adequate measures are taken for the socio-economic development of the Scheduled Castes and Scheduled Tribes and to ensure that benefits formulated by the Government reach the beneficiaries so that in course of time they reach a level which ultimately does away with the necessity of providing safeguards or protection to them. The Commission should be involved in the Planning process of socio-economic development and in the monitoring and evaluation of the progress of implementation of developmental schemes both in respect of the Union and the States. For this the Commission's organisation both in the Headquarters as well as in the field will have to be strengthened and the Commission will submit their proposals to the Government of India for additional suitable staff at appropriate time.

Research and Field Studies

1.28 The research and field studies are essential to understand the Scheduled Castes and Scheduled Tribes problems in their proper perspective. The Commission feel that apart from the studies conducted by the field staff a large number of research studies are essential for a proper comprehension of the Scheduled Castes and Scheduled Tribes problems which are continuously changing and even taking new dimensions. For this purpose it is desirable that the Commission should entrust the work to independent Research Institutions Research Workers and University Scholars who would be able to give their unbiassed views in their reports. These would be useful in evaluating the various policies framed for the advancement of the Scheduled Castes and Scheduled Tribes. It is essential that the Commission should be given adequate funds with full powers to sanction funds to various independent agencies and research scholars for work on the problems of Scheduled Castes and Scheduled Tribes.

Problem of Statutory Status

1.29 When the Commission for Scheduled Castes and Scheduled Tribes was set up the intention of the Government of India was to make it a permanent High Power Body with Constitutional Status. It was also intended that the orgnisation of the Commissioner for Scheduled Castes and Scheduled Tribes would be eventually merged with the Commission. The Government of India, in fulfilment of their intention, framed Constitution (Forty-sixth) Amendment Bill, 1978 (Bill No. 119 of 1978). The Bill was introduced in the Lok Sabha on 3rd August, 1978 to replace the Article 338. For lack of time, however, the Bill was not taken up in 1978 Winter Session of the Parliament. Subsequently, this Bill was brought up again in the Lok Sabha as the Constitution (Fifty-First) Amendment Bill, 1979. On 11th May, 1979 it fell through as it could not secure the requisite majority. After this there has been a change in the Government and the matter relating to giving Constitutional Status to this Commission continues to be under consideration of the Government.

1.30 Needless to say that the existence of two agencies with identical functions, namely the Commissioner for Scheduled Castes and Scheduled Tribes and the Commission for Scheduled Castes and Scheduled Tribes leads to considerable duplication of work. The Commission, therefore, reiterate that they should be given Constitutional Status by amending Article 338 as was intended by the Government. The Commission are firmly of the view that in order to make them effective the Constitution (Amendment) Bill which may be introduced by the Government in the near future to confer statutory status on the Commission must contain, *inter-alia,* the provisions relating to (1) participation of the Commission in the planning process on socio-economic development of the Scheduled Castes and Scheduled Tribes and monitoring and evaluation of the progress of implementation thereof both in respect of the Union and the States; (2) vesting the Commission with the Status and powers of a Commission of Enquiry under the Commission of Enquiries Act, 1952; and (3) consultation by the Union and the State Government with the Commission on major policy matters affecting the Scheduled Castes and Scheduled Tribes. These three provisions are particularly essential for imparting strength and credibility to the Commission.

Cadre Controlling Authority

1.31 The Government of India have not yet declared this Commission as the Cadre Controlling Authority for the technical staff working under the control of this Commission both in the Headquarters as well as in the field offices. For all Class-I appointments in this Commission the Government of India are no doubt the appointing authority but all proposals relating to Class-I posts should be initiated by this Commission as even the Class-I officers are functioning under the immediate control of this Commission. Upto Class-II gazetted posts and below, the Secretary of the Commission has been declared by the Government of India as Head of the Department enjoying all Administrative and Financial powers. Posts sanctioned to this Commission so far include 12 posts of Directors, 1 post of Director (Research) in the scale of Rs. 1500-2000, 9 posts of Deputy Directors in the scale of Rs. 1100-1600, 8 posts of Research Officers in the scale of Rs. 700-1300 and 13 posts of Research Officers in the scale of 650-1200, 28 posts of

Senior Investigators in the scale of Rs. 550-900 and 27 posts of Investigators in the scale of Rs. 425-700 besides other non-technical staff. From this it would be seen that bulk of the technical staff is under the control of the Commission. It is desirable that the Government should declare this Commission as the Cadre Controlling Authority in respect of the entire staff working under the control of this Commission.

Need for Vehicles

1.32 In the last year's report it was stated that in order to ensure mobility of the field offices and their effective functioning the provision of vehicles is essential. The matter was again taken up with the Government of India this year for providing vehicles to the field offices but the final decision of the Government in this regard is still awaited. It is once again reiterated that there is a need for providing jeeps/cars to the field offices of the Commission and also one additional staff car for the Headquarters of the Commission as per resolution of the Government of India, referred to earlier, regarding investigation of atrocities, untouchability offences, other complaints and representations, and evaluation of certain welfare schemes. The field officers have also to accompany the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and also the Chairman/Members/Secretary of the Commission and other senior officers on tour and the State Governments/Union Territory Administrations are often not in a position to provide vehicles to the field officers due to a variety of administrative and other difficulties. The provision of vehicles to the field organisations is, therefore, an urgent necessity and the Government are requested to convey their sanction in the matter immediately.

ANNEXURE I

[*To be published in the Gazette of India, Part* 1, *Section* (i)]

MINISTRY OF HOME AFFAIRS

(GRIH MANTRALAYA)

New Delhi-110 001.

Date 21 July, 1978/30 Asadha, 1900

RESOLUTION

No. 13013/9/77-SCT. I

Article 338 of the Constitution provides for the appointment of a Special Officer for the Scheduled Castes and Scheduled Tribes who is charged with the duty to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution and to report to the President upon the working of these safeguards at prescribed intervals. In pursuance thereto, a Special Officer, commonly known as Commissioner for Scheduled Castes and Scheduled Tribes, is appointed by the President from time to time. Considering the magnitude of the problem, the Government are of the view that in addition to the functioning and authority of the Special Officer, these matters should appropriately be entrusted to a high level Commission consisting of persons of eminence and status in public life. The functioning of the Commission will not be lessening the authority of the Special Officer.

2. Government have accordingly decided to set up a Commission for the purpose which shall consist of a Chairman and not more than four other Members, including the Special Officer appointed under Article 338 of the Constitution. The term of office of the Chairman and the Members of the Commission will not ordinarily exceed three years.

3. The headquarters of the Commission will be located at New Delhi.

4. The functions of the proposed Commission will broadly correspond with the functions at present entrusted to the Special Officer under Article 338 of the Constitution and will be as follows :

(i) To investigate all matters relating to safeguards provided for Scheduled Castes and Scheduled Tribes in the Constitution. This would, inter alia, include a review of the manner in which reservations stipulated in public services for Scheduled Castes and Scheduled Tribes, are, in practice, implemented.

(ii) To study the implementation of Protection of Civil Rights Act, 1955, with particular reference to the objective of removal of untouchability and invidious discrimination arising therefrom within a period of five years.

(iii) To ascertain the socio-economic and other relevant circumstances accounting for the commission of offences against persons belonging to Scheduled Castes or Scheduled Tribes with a view to ensuring the removal of impediments in the laws in force and to recommend appropriate remedial measures including measures to ensure prompt investigation of the offences.

(iv) To enquire into individual complaints regarding dental of any safeguards provided to any person claiming to belong to Scheduled Castes and Scheduled Tribes.

5. The Commission will devise its own procedure in the discharge of its functions. All the Ministries and Departments of the Government of India will furnish such information and documents and provide such assistance as may be required by the Commission from time to time. The Government of India trusts that the State Governments and Union Territory Administrations and other concerned will extend their fullest cooperation and assistence to the Commission.

6. The Commission will submit an Annual Report to the President detailing its activities and recommendations. This will, however, not preclude the Commission from submitting Reports to the Government at any time they consider necessary on matters within their scope of work. The Annual Report together with a memorandum outlining the action taken on the recommendations and explaining the reasons for non-acceptance of recommendations, if any, insofar as it relates to the Central Government will be laid before each House of Parliament.

ORDER

Ordered that a copy of this Resolution be communicated to all Ministries and Departments of the Government of India, State Governments and Union Territory Administrations, etc.

Ordered also that the Resolution be published in the Gazetted of India for general information.

Sd/-

(B. G. DESHMUKH)

ADDITIONAL SECRETARY

3—256 H A /ND/81

ANNEXURE II

D.O. No. 16/7/SCTC/79-RU

GOVERNMENT OF INDIA

COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

R. P. KHANNA,
Secretary

V Floor, Loknayak Bhawan,
New Delhi-110 003
24 December 1979.

Dear Shri Deshmukh,

While transferring the field organisation of the Directorate General of Backward Classes Welfare to this Commission with effect from 1-12-78 the Ministry of Home Affairs had informed this Commission that the field organisation would continue to be available to the Government for the following purposes:

(i) Specific surveys/studies required by Government,

(ii) Supply of relevant statistics from time to time,

(iii) Information regarding proper utilisation of grants-in-aid and other types of help given to non-official/social organisations, and

(iv) Any other matter/information/enquiry in the field needed by Government.

2. We understand that the field organisation was previously being furnished with all the copies of instructions, sanction orders, etc., relating to the developmental programmes for the Scheduled Castes and Scheduled Tribes. Further, the field organisation was associated with the Plan discussions that the Government of India had with the State Governments. These field officers were also required to watch the progress of implementation of the developmental schemes, particularly the Centrally sponsored schemes. This practice seems to have been given up. This Commission feel that in case the Government of India desire that our field organisation should be of real help to them, it would be necessary for them to keep our field organisation fully in the picture in respect of developmental and other matters, as in the past.

3. We would be grateful for suitable action in the matter at an early date. We may also kindly be informed of the action taken in the matter.

With regards,

Yours sincerely,

Sd/-

(R. P. KHANNA)

Shri B. G. Deshmukh,
Additional Secretary,
Ministry of Home Affairs,
New Delhi.
No. 16/7/SCTC/79-RU

24 December, 1979

Copy for information and necessary action to:

1. Shri P. S. Krishnan, Joint Secretary (SC&BCD), Ministry of Home Affairs, Shastri Bhawan, New Delhi-1.
2. Shri Bhupinder Singh, Joint Secretary (TD), Ministry of Home Affairs, New Delhi-1.

Sd/-

(R. P. KHANNA)

SECRETARY

ANNEXURE II A

D.O. No. BC-13013/5/80-SC&BCD(I)

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

Addl. Secretary

New Delhi, January 1, 1981

Dear Shri Khanna,

Kindly refer to your d.o. letter No. 16/7/SCTC/79-RU, dated the 24th December, 1979 suggesting that the Commission's field organisation should be fully kept informed, as in the past, about the developmental and other matters concerning Scheduled Castes and Scheduled Tribes in order that the field organisation may be of real help to the Government of India.

2. Even while transferring this organisation from the Director General of Backward Classes Welfare to the Commission, it was envisaged, as you have also pointed out, that it would continue to be available to Government for certain purposes. In fact no instructions have been issued by the Ministry abridging in any way the functions which the Commission's field organisation was earlier performing. We also share your anxiety that the Commission's field staff should be of real help to Government and that it should be kept in the picture about the developmental and other matters concerning Scheduled Castes and Scheduled Tribes.

3. The first suggestion made in your letter is that the field organisation should be continued to be furnished, as in the past, with all the copies of instructions, sanction orders, etc., relating to the developmental programmes for the Scheduled Castes and Scheduled Tribes. I find that the copies of all sanction letters for Centrally Sponsored Schemes are being generally sent to the Commission. For some schemes, such orders are also still being sent to the concerned Zonal Directors. We shall send copies of all sanction letters for Centrally Sponsored Schemes to the Commission as well as to the concerned Zonal Directors.

4. Your second suggestion is that the field officers should be required to watch the progress of implementation of the developmental schemes, particularly the Centrally Sponsored Schemes. We are also of the view that it would be useful if the Zonal Directors inspect the schemes run by the voluntary agencies at least once a year and send inspection reports to the Ministry. Further they should also liaise closely with the concerned State Governments and watch the progress in the implementation of other Centrally Sponsored Schemes of the Ministry. In fact as I mentioned earlier, no instructions discontinuing this practice have been issued by the Ministry. Necessary instructions are again being issued to the Zonal Directors reiterating the position that they should continue to inspect, as in the past, the schemes run by the voluntary agencies with financial assistance from the Ministry. They should also send their inspection reports to us. Further they should also closely liaise with the State Governments in respect of other Centrally Sponsored Schemes and watch, on behalf of the Ministry, the progress of their implementation and send their reports to us.

5. Your third suggestion is that the field officers should be associated with the Plan discussion that the Government have with the State Governments. In the light of your suggestion, we shall include the concerned Zonal Directors in the Ministry's team for discussions on the Special Component Plan of States and Union Territories, and for the Planning Commission's working Group Meetings on the Plans of the State Governments.

With regards,

Yours sincerely,

Sd/-
(B. G. DESHMUKH)

Shri R. P. KHANNA,
Secretary, Commission for SC & ST,
Loknayak Bhawan, New Delhi.

ANNEXURE II B

D.O. No. 16/7/SCTC/79-RU

GOVERNMENT OF INDIA

COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

R. P. KHANNA,
Secretary

V Floor, Loknayak Bhawan,
New Delhi-110 003
January 17, 1981

Sub: Functions of the Commission for Scheduled Castes and Scheduled Tribes—Association of its field organisation with developmental activities concerning welfare of Scheduled Castes and Scheduled Tribes.

Dear Shri.....

I am desired to inform you that this Commission have been anxious that its field organisation should be fully kept informed, as in the past, about the developmental and other matters concerning the welfare of Scheduled Castes and Scheduled Tribes so that its field officers may be of real help to the Government of India and the State Government. As such this matter was taken up with the Govt. of India vide our letter of even number dated the 24th December 1979 (copy enclosed). The Government of India, Ministry of Home Affairs, have agreed to our suggestion vide Shri B. G. Deshmukh, Additional Secretary's d.o. letter No. BC-13013/5/80-SC&BCD(I), dated 8th January, 1981, a copy of which is also enclosed for your information.

It is requested that our local Director/Deputy Director stationed in your State may kindly be kept fully informed about the various Plan and developmental activities and also associated with the State level bodies as well as with the various Plan and developmental schemes implemented in your State for the welfare and advancement of Scheduled Castes and Scheduled Tribes.

The receipt of this letter may please be acknowledged.

With regards,

To Chief Secretaries (by name)

All State Governments

Yours sincerely,

Sd/-
(R. P. KHANNA)

No. 16/7/SCTC/79-RU

New Delhi, dated 17-1-1981

Copy together with enclosures forwarded to:

Shri.....Director/Deputy Director for Scheduled Castes and Scheduled Tribes..... for information and necessary action. They may kindly take follow-up action in the matter.

Sd/-
(R. P. KHANNA)
SECRETARY

ANNEXURE II C

No. BC-13013/5/80-SC&BCD

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

To

All Chief Secretaries

New Delhi
the 17th March, 1981

Sub: Role of the field organisation of the Commission for SC & ST—Association of Zonal Directors in Plan discussions with State Governments in the implementation of Centrally Sponsored Schemes and for better liaison with State Governments on matters concerning SCs/STs.

Sir,

I am directed to state that the field staff of the erstwhile Director General Backward Classes Welfare, Ministry of Home Affairs was transferred in November, 1978 to the Commission for Scheduled Castes and Scheduled Tribes. The field staff consists of 10 Zonal Directors and their supporting staff. A statement showing the location of the Zonal Director of the Commission for SCs/STs is enclosed for ready reference. In the Ministry of Home Affairs there is a post of a Joint Secretary for the development of the Scheduled Castes in the place of the earlier post of Director General. This is in addition to the post of a Joint Secretary for Tribal Development which has been in existence since earlier.

2. Though the field staff has been transferred to the Commission for Scheduled Castes/Scheduled Tribes, their services continue to be utilised by this Ministry for various purposes, like conducting any specific surveys or studies needed by Government for collecting relevant statistics from time to time; for gathering information regarding proper utilisation of grants-in-aid and other types of help given to non-official/social organisations; and for performing any other functions in the field. Another significant role of the field staff on behalf of this Ministry is that of close liaison with the concerned State Governments in the matter of the Centrally Sponsored Schemes for the welfare and development of the SCs and STs.

3. The Zonal Directors are also being associated in the plan discussions on the Special Component Plans of various States/Union Territories. A number of Zonal Directors have been in the field for long in various areas and have varied experience and knowledge about the problem of Scheduled Castes and Scheduled Tribes. The State Governments/Union Territory Administrations may like to take the assistance of the Zonal Directors of the Commission for SCs/STs in any matter concerning the development and welfare of Scheduled Castes. The State Governments/Union Territory Administrations are also requested to kindly extend necessary help to the Zonal Directors of the Commission so that they can adequately perform the above functions for the development and welfare of SCs/STs.

Yours faithfully,

Sd/-

(G. SUBHA RAO)
DIRECTOR (SC&BCD)

1. The Secretary, Commission for SCs and STs, Lok Nayak Bhawan, New Delhi.
2. Copy forwarded to all Zonal Directors, Commission for SCs/STs.

They are requested to inspect, as in the past the schemes at least once a year run by the voluntary agencies with financial assistance from his Ministry. They should also closely liaise with State Governments in respect of other Centrally Sponsored Schemes and watch (on behalf of this Ministry) the progress of their implementation and send their reports to this Ministry.

Sd/-

(K. SUBRAMANYAM)
UNDER SECY. TO THE GOVT. OF INDIA

ANNEXURE III

Posts sanctioned for the field offices of the Commission for SCs and STs

S. No.	Designation with Grade	No. of posts		Total of Cols. 3 & 4	Remarks
		Before 19-10-79	Sanctioned on 19-10-79		
1	2	3	4	5	6
	GAZETTED				
1	Director (1500—2000)	5	7	12	A
2	Dy. Director (1100—1600)	7	(—)2	5	B
3	Research Officer (650—1200)	7	8	15	C
		19	13	32	
	NON-GAZETTED				
4	Senior Investigator (550—900)	1	16	17	A
5	Superintendent (550—750)	7	5	12	
6	Investigator (425—700)	9	15	24	
7	Personal Assistant (425—700)	4	7	11	A
8	Stenographer (330—560)	8	(—) 3	5	D
9	UDC (330—560)	8	9	17	
10	LDC (260—400)	18	11	29	
11	Staff Car Driver	1	—	1	E
		56	60	116	
	GROUP D				
12	Daftari	5	7	12	
13	Peon	20	8	28	F
14	Chowkidar-*cum*-Farash	7	10	17	
		32	25	57	
	TOTAL	107	98	205	

A One post was transferred from Chandigarh to HQ. It will be retransferred to the field organisation.

B Before 19-10-79 there were actually 9 posts of DDs out of which 2 were transferred to H.Q. In the new set-up 2 posts will be abolished after 2 incumbents are promoted.

C Before 19-10-79 there were actually 8 posts of ROs out of which one was transferred to H.Q. It will be retransferred to the field organisation. There will be one post short the Govt. will be approached to sanction one more post by up-grading the post of Senior Investigator retained by SC & BCD Division and transferring it to the Commisison. In fact, the post of Senior Investigator was created by transferring the post of RO from Bhubaneshwer and down-grading it.

D Three posts will be transferred to H.Q.

E There were 2 staff car (jeep) drivers in Bhopal and Patna offices. The driver and the jeep belonging to Patna office were transferred to HQ. of Directorate General of BCW and have not yet been retransferred to the Commission.

F One post was transferred from Chandigarh to HQ. It will be retransferred to the field organisation.

ANNEXURE IV

Posts sanctioned for the Commission for Scheduled Castes and Scheduled Tribes (Hqrs.)

S. No.	Designation with Grade	No. of posts		Total of Cols. 3 & 4	No. of posts to be transferred from office of Commr. for SC & ST after merger
		Before 19-10-79	Sanctioned on 19-10-79		
1	2	3	4	5	6
	GAZETTED				
1	Secretary (3500)	1	—	1	—
2	Joint Secretary (2500—2750)	1	—	1	—
3	D.I.G. of Police (2000—2250)	—	1	1	—
4	Director (Research) (1500—2000)	—	1	1	—
5	Dy. Secretary (1500—2000)	—	1	1	2 (DC for SC/ ST).
6	Supdt. of Police (1200—1700)	—	2	2	
7	Under Secretary (1200—1600)	—	1	1	1 (by upgrading the post of AC for SC/ST).
8	Deputy Director (1100—1600)	2*	—	2	—
9	Research Officer (700—1300)	1@	5	6	6
10	Librarian (700—1300)	—	1	1	—
11	Hindi Officer (650-1200)	—	1	1	—
12	Section Officer (650—1200)	—	2	2	2
13	Private Secretary (650—1200)	5	—	5	1
14	Sr. P.A., (650—1040)	1	—	1	—
		11	15	26	12
	NON-GAZETTED				
15	Sr. Investigator (550—900)	—	11	11	—
16	Sr. Hindi Translator (550—900)	—	1	1	—
17	Accountant (550—900)	—	1	1	—
18	Assistant (550—900)	—	3	3	7
19	Personal Assistant (425—800)	5	3	8	3
20	Investigator (425—700)	—	3	3	8
21	Personal Assistant (425—700)	1£	—	1	—
22	Hindi Asstt./Translator (425—700)	—	—	—	—
23	Stenographers (330—560)	1&	3*	4	6
24	U. D. C. (330—560)	—	3	3	1
25	Receptionist (330—560)	—	1	1	—
26	L.D.C. (260—400)	5	6	11	17
27	Staff Car Driver (260—350)	2	—	2	1
28	Despatch Rider (260—350)	—	1	1	—
		14	36	50	44

ANNEXURE IV—*Contd.*

S. No.	Designation with Grade	No. of posts		Total of Cols. 3 & 4	No. of posts to be transferred from office of Commr. for SC & ST after merger
		Before 19-10-79	Sanctioned on 19-10-79		
1	2	3	4	5	6
	GROUP D				
29	Jamadar	6	—	6	1
30	Daftari	—	4	4	4
31	Gestetnor Operator	—	1	1	—
32	Peon	6@@	17	23	9
33	Farash	—	4	4	1
34	Sweeper	—	1	1	1
		12	23	35	16
	TOTAL .	37	74	111	72

* Two posts of DDS on transfer from Ahmedabad and Patna Offices to HQ.

@ One post of RO (650—1200) on transfer from Ahmedabad office to HQ. One of the six posts will be transferred to the field office.

£ This post was transferred from Chandigarh to HQ and will be retransferred to the field organisation.

& This post was transferred from Ahmedabad office to HQ.

** The new sanction is for 4 posts. One post has already been filled up under col.3. The remaining 3 posts will be filled up by transfer of 3 surplus posts from the field organisation.

@@ One post was transferred from Chandigarh to HQ. It will be retransferred to field organisation.

CHAPTER II

CONSTITUTIONAL SAFEGUARDS FOR THE SCHEDULED CASTES AND SCHEDULED TRIBES: PROPOSALS FOR AMENDMENTS TO THE CONSTITUTION

The following articles of the Constitution of India make specific references to the Scheduled Castes and Scheduled Tribes :

Articles **15(4), 17, 19(5), 46, 164(1), 244, 244A, 275, 330, 332, 334, 335, 338, 339, 341, 342, 371A, 371B, and 371C.**

2.2 Article 15(4) vests suitable authority in the State for making special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

2.3 Article 17 abolishes untouchability and lays down that the enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law.

2.4 Article 19(5) is in the nature of a proviso to some of the Fundamental Rights relating to "free movement throughout the territory of India, to the residing and settling in any part of India and to the acquisition, holding and disposal of property" and vests authority in the State to make suitable laws imposing reasonable restrictions on the exercise of aforesaid Rights for the protection of the interests of the Scheduled Tribes.

2.5 Article 46 prescribes that the State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes and shall protect them from social injustice and all forms of exploitation.

2.6 Article 164(1) makes a provision in its proviso for appointment of Ministers in charge of Tribal Welfare who may also be in charge of welfare of the Scheduled Castes in Bihar, Madhya Pradesh and Orissa.

2.7 Articles 244 and 244A relate to the Scheduled and Tribal Areas.

2.8 Article 275 relates to special provisions providing for grants-in-aid by the Government of India to the States for the welfare of the Scheduled Tribes and upgradation of Administration in the Scheduled Areas.

2.9 Articles 330, 332 and 334 refer to representation of the Scheduled Castes and the Scheduled Tribes in the House of the People and in the State Assemblies.

2.10 Article 335 prescribes that the claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State.

2.11 Article 338 refers to the appointment of a Special Officer for Scheduled Castes and Scheduled Tribes. This article is proposed to be suitably amended by substituting the Commission for the Special Officer and the duties and functions of the Commission for Scheduled Castes and Scheduled Tribes are also proposed to be enlarged.

2.12 Article 339 refers to the administration of the Scheduled Areas and the Welfare of the Scheduled Tribes. In particular, Article 339(2) prescribes that the executive power of the Union shall extend to the giving of directions to a State as to the drawing up and executions of schemes specified in the direction to be essential for the welfare of the Scheduled Tribes in the State.

2.13 Article 341 and 342 refer to the issue of notifications regarding the Castes and the Tribes that shall constitute the Scheduled Castes and the Scheduled Tribes, respectively.

2.14 Article 371A, B and C relate to special provisions for the States of Nagaland, Assam and Manipur.

2.15 The question that arises is whether any of these articles needs modifications or any additional articles need to be added to the Constitution with a view to ensuring the advancement and protection of the Scheduled Castes and the Scheduled Tribes.

2.16 In so far as advancement in general is concerned, or the promotion with special care of the educational and economic interests of the Scheduled Castes and Scheduled Tribes and of their protection from social injustice and all forms of exploitation are concerned, Articles 15 (4), 17 and 46 make provision for the same.

2.17 Article 339(2) lays down that the executive power of the Union shall extend to the giving of directions to a State as to the drawing up and execution of schemes specified in the direction to be essential for the welfare of the Scheduled Tribes in the State.

2.18 The experience shows that there are certain matters which fall within the jurisdiction of the States and in cases where States do not take adequate steps either for the protection of the Scheduled Castes and the Scheduled Tribes or for their social, educational and economic advancement, the Union Government have no authority to give any direction to the State

4—256 HA/ND/81

Governments except in so far as there is a provision in Article 339(2). Even this power of the Union Government relates only to the welfare of the Scheduled Tribes. It does not extend to the welfare of the Scheduled Castes.

2.19 Besides, in so far as the protection of the Scheduled Castes and the Scheduled Tribes from the commission of atrocities against them is concerned, it is argued that the Union Government do not have any legal authority to intervene in the matter as law and order is a State subject. Experience shows that there has been a substantial increase in atrocities, particularly against the Scheduled Castes, and in several cases it has been felt that the States have not taken effective action in such cases, nor have they taken effective steps to prevent the commission of atrocities against the Scheduled Castes.

2.20 It is, therefore, necessary that suitable amendements be made in the Constitution to ensure that the provisions in the Constitution relating to the advancement and protection of the Scheduled Castes and the Scheduled Tribes are properly and effectively implemented at all levels.

2.21 After careful consideration, the Commission recommend that the following amendments be made in the Constitution for the advancement and protection of the Scheduled Castes and the Scheduled Tribes :

(1) (A) As indicated above, it has been noticed that in several States atrocities are committed against the Scheduled Castes and the Scheduled Tribes on grounds of untouchability, socio-economic causes or otherwise, but it has been felt that for various reasons, the State Governments, by and large, have not been able to take effective or prompt action for the prevention of such atrocities or have been inadequatly pursuing the cases relating to atrocities against the Scheduled Castes and the Scheduled Tribes in respect of detection, investigation, prosecution and trial. It is, therefore, recommend that a special provision may be added in the Constitution that in so far as the protection of the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation is concerned, the executive power of the Union shall extend to the giving of suitable directions to the States.

There is a view brought out by the Commissioner for Scheduled Castes and Scheduled Tribes in his Annual Report for 1978-79 that such a power already vests in the Union Government; yet, with a view to removing any doubts, it is felt that a specific amendment in the Constitution should be made in the matter. This can perhaps be provided in the form of Article 46A which may read as follows :

> "With a view to ensuring the protection of the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation and with a view to ensuring that adequate steps are taken for their protection against commission of offences, including atrocities, against them, the executive power of the Union shall extend to the giving of directions to a State as to the taking of suitable steps specified in the direction to be essential for the protection of the Scheduled Castes and the Scheduled Tribes from social injustice, all forms of exploitation and commission of offences, including atrocities, against them."

(1)(B) Another aspect of the matter is that Article 46 finds a place in part IV under the Head "Directive Principles of State Policy".

2.22 Article 37 provides that provisions under this Chapter are not enforceable by any Court. On the other hand under Article 32, the Fundamental Rights are enforceable by appropriate proceedings in the Supreme Court. To ensure that the provisions under Article 46 and the proposed Article 46A above are adequately enforced by the State, it would be desirable to include them in Part III relating to the Fundamental Rights. It is, therefore, proposed that Article 46 and this proposed Article 46A be appropriately included under Part III by suitably re-numbering them.

2.23(2) In the first proviso to article 275(1) of the Constitution of India, there is the following provision :

> "Provided that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the cost of such schemes of development as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of the Scheduled Tribes in that State or raising the level of administration of the Scheduled Areas therein to that of the administration of the rest of the areas of that State".

2.24 It would appear therefrom that the Central Government have to make appropriate grants-in-aid to the State Governments for the welfare of the Scheduled Tribes in the States. There is no such provision for the Scheduled Castes. As the Scheduled Castes constitute a highly depressed and backward community in India, it is necessary that there should be a Constitutional provision making it binding on the Government of India for making appropriate grants to the State Governments for the welfare of Scheduled Castes also. This principle has recently been accepted in practice by the Government of India inasmuch as they have agreed to make an appropriate provision of Central Assistance for the Special Component Plan for the Scheduled Castes. However, it would be desirable to give statutory shape to this executive decision. We may, therefore, add a suitable proviso immediately after the

above noted proviso for covering the case of the Scheduled Castes.

The proviso may read as follows :

> "Provided that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the costs of such schemes of development as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare and development of the Scheduled Castes in that State".

2.25(3) A provision similar to the provision of Article 339(2) does not exist in respect of the welfare of the Scheduled Castes, with the result that in cases where the State Governments do not make adequate provision for the advancement of the Scheduled Castes, the Union Government have no authority to issue appropriate directions to the States to do so. A provision similar to the one prescribed for the Scheduled Tribes may be added for the Scheduled Castes also which may be in the form of Article 339(A) and which may read as follows :

> "The executive power of the Union shall extend to the giving of directions to a State as to the drawing up and execution of schemes specified in the direction to be essential for the development and welfare of the Scheduled Castes in the State."

2.26(4) As already indicated above, experience shows that there has been a substantial increase in atrocities, particularly against the Scheduled Castes and in several cases, it has been felt that the States have not taken effective action in such cases, nor have they taken effective steps to prevent the commission of atrocities against the Scheduled Castes.

2.27 Even in so far as the social welfare and economic advancement of the Scheduled Castes and Scheduled Tribes are concerned, there has hardly been any appreciable and visible impact and the majority of the Scheduled Castes and Scheduled Tribes continue to be below the poverty line. For instance, implementation of Land Reforms is an important measure which can have visible impact on the economic and social status of the Scheduled Castes and Scheduled Tribes but, unfortunately, progress in this respect in many States has not been satisfactory and the Centre has been taking the stand that since this is a State subject, they can only persuade the State Governments to take appropriate measures in this regard. With a view to ensuring that the social, welfare and developmental measures for the Scheduled Castes and Scheduled Tribes as also their protection from exploitation and atrocities receive appropriate attention, it may be necessary that there should be a suitable amendment in the Constitution to enable the Union Government also to take appropriate measures in cases where the State Governments do not take effective steps. The Commission, therefore, recommend that the following item may be added under the Concurrent List in the Seventh Schedule to the Constitution as Item No. 42 :

(a) Development and welfare of the Scheduled Castes and Scheduled Tribes and their social, educational and economic advancement;

(b) Protection of the Scheduled Castes and Scheduled Tribes from social injustice and all forms of exploitation including untouchability.

(c) Protection of the Scheduled Castes and Scheduled Tribes from commission of offences including atrocities against them.

(d) Public Order in so far as it relates to the Scheduled Castes and the Scheduled Tribes.

(e) Reservations for the Scheduled Castes and the Scheduled Tribes in the making of appointments to services and posts in connection with the affairs of a State.

2.28(5) As already indicated earlier, when the Commission for Scheduled Castes and Scheduled Tribes was set up, the intention of the Government was to make it a permanent high-power body with Constitutional status, replacing the Commissioner for Scheduled Castes and Scheduled Tribes. The Commission are firmly of the view that in order to make them effective, appropriate amendments in Article 338 of the Constitution should be made immediately so as to confer Constitutional status on the Commission, as has been the intention of the Government of India. The Commission also reiterate that while amending Article 338 of the Constitution for conferment of statutory status on the Commission, the provisions relating to ;

(i) Participation of the Commission in the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and monitoring and evaluation of the progress of implementation thereof, both in respect of the Union and of the States;

(ii) Vesting the Commission with the status and powers of the Commission of Enquiry under the Commission of Enquiries Act, 1952; and

(iii) consultation with the Commission by the Union and the State Governments on major policy matters affecting the Scheduled Castes and Scheduled Tribes; should also be appropriately incorporated in the proposed Constitutional amendment.

2.29 The Commission consider that these provisions are very essential for imparting strength and credibility to the Commission.

CHAPTER III

LAND REFORMS

The Commission attach great importance to Land Reforms measures as bulk of the Scheduled Castes and Scheduled Tribes population depend for their livelihood on land. It is because of this that the Commission thought it necessary to have a detailed study of the problems relating to land. The structure of agrarian society in India under the British rule was powerfully dominated by big feudal and semi-feudal land owning interests. It remained a backward medieval type of society hidebound and restricted by archaic landlord-tenant relations, ancient caste formations and by old traditional customs, social habits and modes of thinking. The socio-economic set up was of a kind in which parasitism flourished, land concentration in the hands of the rural rich continued to grow and landlessness and land hunger of the peasants mounted at an ever increasing pace. Evictions and insecurity of tenancy and rack renting were the general phenomenon and the cultivators suffered with colossal burden of indebtedness. In addition to the concentration of land in the hands of a few, other features of land management were increased rent, many illegal levies imposed on tenants and share-croppers, element of semi-feudal domination in the shape of 'Begari' (labour rent) and bonded and semi-bonded labour. The elements of personal dependance of the cultivators on big semi-feudal land owners persisted in almost all parts of the country.

3.2 Soon after independence the Indian National Congress appointed the Congress Agrarian Reforms Committee (Kumarappa Committee) to suggest measures for land reforms. The Committee during 1949 recommended that:

(i) in the agrarian economy of India there is no place for intermediaries and land must belong to the tiller, subject to certain conditions;

(ii) there should be a ceiling to the size of the holding which any one farmer should own and cultivate; and

(iii) sub-letting of land should be prohibited except in the case of widows, minors and other disabled persons.

In 1954 it was observed that as many as 74.21% of the land holders held land only upto 5 acres and total land in their possession was as less as 16.77% of the total land. On the other hand households with 25 acres or more constituted 3.71% of the total households but owned as much as 34.27% of the total land.

Policy of Land Reforms During Five Year Plans

3.3 The Report of the Congress Agrarian Reforms Committee (constituted under the Chairmanship of Shri J. C. Kumarappa) which submitted its report in the middle of 1949 and the Report of the Panel on Land Reforms set up by the Planning Commission in May 1955, under the Chairmanship of Shri Gulzari Lal Nanda, exercised a considerable influence on the evolution of land reforms policy which was formulated in subsequent years, as the former Committee for the first time made a detailed survey on agrarian relations prevailing in the country and made comprehensive recommendations covering almost all the aspects pertaining to land reforms and the latter reviewed the progress of land reforms in the country and made positive proposals which influenced in a large measure the thinking of the planners.

First Five Year Plan (1951-56)

3.4 Land Reforms policy was concretised for the first time in the First Five Year Plan, wherein it was proposed that increase of agricultural production should receive high priority in planning processes and that agricultural economy should be diversified and brought to a much higher level of efficiency, i.e. the policy evolved should be such which reduces disparities in wealth and income, eliminates exploitation, provides security for tenant and worker and finally promises equality of status and opportunity to different sections of rural population. The Plan considered the abolition of intermediary right as the major achievement in the field of land reforms. As a result of elimination of these rights in the States having Zamindari, Jagirdari, Inamdari and other similar tenures, the States had come in direct contact with about 20 million cultivators. On the question of reducing the holdings of large owners and putting a ceiling on the same it was suggested in the Plan that an upper limit might be imposed on the amount of land any individual may hold. As for the fragmentation of holdings, the Plan recommended a programme of consolidation of holdings in all States and also fixation of a minimum holding for small owners below which sub-division should not be permitted. It also recommended that lands under the cultivation of tenants-at-will may be allowed to be resumed for cultivation by owners or their family members upto three family holdings. The Plan further laid down that tenancy should ordinarily be for five to ten years and should be renewable. As regards the problem of landless workers the plan opined that it should be considered in terms of institutional changes for creating equality for all sections of rural population,

which can be brought about by a co-operative system of management. The Plan also gave due consideration to the idea of cooperative farming and held that with the growth of pressure on land, the number of small and uneconomic holdings would increase and as these could be better managed in fairly large units, small and middle farmers should be encouraged to group themselves into cooperative farming societies. The Plan also opined that for effective fulfilment of the principle of 'land to the tiller' there should be a more comprehensive goal towards which rural economy should be developed and accordingly following guidelines were laid down ;

(i) village panchayats should play an important role in dealing with problems relating to tenancy ;

(ii) displaced tenants should be ensured that they have lands to cultivate and should be able to obtain at least a minimum holding for cultivation. Some employment should also be ensured in case where land is not available for giving them a minimum holding ;

(iii) land holding to substantial owners should be supervised by some organization at the village level ; and

(iv) cultivation of village waste land should be the responsibility of the village panchayats.

Second Five Year Plan (1956-61)

3.5 In the Second Five Year Plan land reform measures found a prominent place for providing the social, economic and institutional frame work for agricultural development. The Plan emphasised that increase of agricultural production should represent the highest priority in planning over the next few years and that agricultural economy had to be diversified and brought to much higher levels of efficiency and productivity. The objectives of Second Plan towards Land Roforms were following :

(i) Abolition of intermediary tenures so as to give the tiller of the soil his rightful place in the agrarian system and to bridge the disparities in the distribution of wealth and income ;

(ii) Effective steps taken in affording opportunities to landless sections of the rural population to gain social status by way of cooperative reorganisation of rural economy, extension of rural credit and marketing facilities etc. for agricultural development ;

(iii) Revenue authorities to control the voluntary surrender of tenancies ;

(iv) Resumption of land for personal cultivation be accepted on general grounds and permitted, but in doing so the Plan laid down certain gradings of resumption according to the extent of land holdings of the owner ;

(v) Rents in all the areas be regularised at 1/4th or 1/5th of the produce ;

(vi) Imposition of ceiling on existing agricultural holdings would apply to owned land held under personal cultivation, the tenants being enabled to acquire rights of ownership on leased lands ;

(vii) Each State should give urgent attention to the effects of malafide transfers made with the intention of circumventing ceiling on holdings. Transfer already taken place should be reviewed ;

(viii) Five categories of farms be exempted from the operation of ceiling laws ;

(ix) Settlement of surplus lands should be made as far as possible on cooperative lands and each State should draw detailed schemes for the resettlement on land of agricultural workers ;

(x) Setting up special boards at national level and in each State, including therein non-official members for advising on resettlement schemes for landless workers and to review its progress from time to time ;

(xi) Formation of cooperative societies to improve agricultural productivity, etc.

Third Five Year Plan (1961-66)

3.6 This Plan spelt out the land reform provisions as outlined in the two previous Five Year Plans. The ideals of setting up 'socialist pattern of society' and eliminating all elements of exploitation and social injustice within the agrarian system were generally stated.

Fourth Five Year Plan (1969-74)

3.7 It was in the Fourth Five Year Plan, that several practical proposals and relatively positive and concretised recommendations were brought out. It reviewed the existing land reforms and acknowledged that there were many gaps between objective and legislation and between the laws and their implementation. The Plan suggested that the ceiling legislation should be thoroughly re-examined and reoriented to better effect. The Plan noted that there had been leasing of land on a considerable scale, often unwritten even in areas where intermediary tenures did not exist, and sub-leasing in areas where such tenures existed. The progress made in conferring ownership to the tenants had been to the tune of 16% only, and tenants and share-croppers with insecure tenure were estimated to be 82% of the total number of tenants. The Plan also held that along with security of tenure the regulation of rent should be put on a proper basis.

Fifth Five Year Plan (1974-79)

3.8 The Fifth Five Year Plan had a very realistic and practical approach. The Plan formulated its assessment of the land reform in the following terms "A broad assessment of the programme of land reform adopted since Independence is that the laws for the abolition

of intermediary tenures have been implemented fairly efficiently whilst in the fields of tenancy reform and ceiling on holding, legislation has fallen short of the desired objectives, and implementation of the enacted laws has been inadequate". The Plan emphasised that 'priority be accorded to the removal of gaps between policy, legislation and implementation'. It admitted that there were large scale ejectments through the device of 'voluntary surrenders' and that tenancies have been converted into 'Nawkarnamas' and that the objectives of tenancy reform still remained to be attained and 'that immediate legislative measures are undertaken for plugging the loopholes in the existing tenancy laws to ensure complete security of tenure, conferment of ownership rights on cultivating tenants and share-croppers according to a time-bound programme'.

Five Year Plan (1978-83)

3.9 The Five Year Plan 1978-83 mentioned that the present status of land reforms was not quite satisfactory. Out of about 2 million hectares of land declared surplus, hardly 25 percent of the area has been distributed. Out of the land distributed only 1/3rd has accrued to the members of Scheduled Castes and Scheduled Tribes. The slow progress was made due to the unsatisfactory implementation of ceiling laws. The ceiling legislation would need to be enforced more vigorously to ensure that :

(i) Land declared surplus to the ceiling is taken over by the States ;

(ii) It is distributed and physically delivered to eligible categories expeditiously ;

(iii) The land records are mutated to reflect their rights ;

(iv) The allottees are given adequate financial, material and technical assistance to bring the land under productive cultivation.

Adequate institutional credit at reasonable rates of interest and where necessary, on personnel security would be made available to the allottees of land to meet their requirements of both crop loans and term loans. Several States are vet to bring their tenancy laws in line with the National Policy with regard to regulation of rent, security of tenure and conferment of ownership rights. Efforts are necessary to ensure that the land belonged to the tiller. As a first step the indefinite right of resumption, wherever it exists should be extinguished. Steps should also be taken to record the interests of tenants and share-croppers in the land records. Large areas in the country do not have uptodate land records. The records once prepared have to be continuously updated. In large parts of the country, the farming operations have not begun. Care should be taken to ensure that consolidation does not result in the extinguishment of the interest of tenants and share-croppers.

Sixth Five Year Plan

3.10 The main strategy of land reforms during Sixth Five Year Plan would be as follows :

(i) States which do not have legislative provisions for conferment of ownership rights on all tenants except for specified exempted categories (serving defence personnel, minors, disables, etc.), shall introduce appropriate legislative measures to do so within a period of one year i.e. by 1981-82 ;

(ii) The programme of taking possession and distribution of ceiling-surplus lands would be completed within a period 2 years i.e. by 1982-83. Priority allotment of surplus land would be give to Scheduled Castes and Scheduled Tribes among the landless ;

(iii) A systematic programme would be taken up for compilation/updating of land records, to be phased for completion within a period of 5 years i.e. 1980-85. Each cultivator would be given land record pass book and appropriate provision will be made in the revenue laws to confer legal status on this document as proof of title and rights in land ;

(iv) Programme of consolidation of holdings would be taken up by all States, phased for completion in 10 years with priority to be given to command areas of irrigation projects where it should be completed in 3 to 5 years. Legislative measures for preventing fresh fragmentation of holdings (after consolidation) below a minimum size would also be considered ;

(v) The programme for the provision of house-sites to the landless will be completed ;

(vi) Necessary action would be taken to bring before the Parliament, Land Reforms Act, not yet included in the Ninth Schedule of the Constitution, for immediate inclusion in the said schedule and the same would be done in the case of future Acts without delay, so that these laws are protected from challenge in courts ;

(vii) Revenue machinery would be strengthened appropriately in each State to ensure effective implementation of Land Reforms Laws, more specifically the tenancy and ceiling laws;

(viii) Greater initiative would need be taken by the State Government to force the pace of development of Bhoodan lands, particularly such lands as are available in compact blocks ;

(ix) The ceiling laws should be automatically brought into force, in accordance with the stipulated water utilisation pattern of a particular irrigation system, so that the use of irrigation resources built at considerable cost is not withheld at the choice of individuals ;

(x) The Centrally Sponsored Scheme of assistance to allottees of ceiling-surplus

land, which was till now applicable only to areas other than where the special programmes of SFDA, IRD, etc. were in operation, will be continued to cover the whole country in conjunction with assistance available from IRD programme. The State Governments will be required to work out a specific programme of development of allotteed lands so that the funds available under the scheme are meaningfully employed.

3.11 Legislative enactments for land reforms have been of four types, viz :

(i) abolition of intermediaries ;
(ii) tenancy rights ;
(iii) fixation of ceiling on land holdings ;
(iv) consolidation of holdings;
(v) homestead tenancy.

The details are discussed in the following paragraphs :

3.12 (i) As regards abolition of intermediaries the whole process of legal enactments was completed in the country by 1960 with the exception of isolated pockets where 'inam' system is prevalent. The main positive achievement of legislation in this direction was that it curbed and restricted feudal and semi-feudal land-ownership over large parts of the country and it brought nearly 20 million cultivators into direct contact with the State.

3.13 (ii) *Tenancy Legislation.*—'Land to the tiller' was one of the major slogans meant to mobilise the mass of peasantry in the pre-independence days. After the abolition of intermediaries during the post-independence period there was a scene of breakdown of the earlier tenancy arrangements to the disadvantage of weaker tenant who constituted a very large section of the tenancy. With regard to working of Bombay Tenancy Act, 1948 Dandekar and Khundanpur have stated in their report 'Report of Investigation' that "for all practical purposes the Act did not exist". In West Bengal despite the enactment of "West Bengal Estates Acquisition, 1953" the sharecroppers were evicted. Similarly in Uttar Pradesh certain provisions of the Zamindari Abolition Act were extensively used to eject the maximum number of tenants from *Sir* and *Khudkast* lands. In Bihar tenancy provisions of the Bihar Land Reforms Act, 1950 remained ineffective in practice. In Andhra Pradesh, Gujarat and Orissa similar was the story. With a view to give new direction to the land reforms policy, the Planning Commission set up a Panel on Land Reforms under the Chairmanship of Shri Gulzari Lal Nanda. The Panel submitted its report in 1958. The Panel made following recommendations in regard to tenancy reforms :

(a) Ejectment of tenants or sub-tenants should be stayed. Ejectment on grounds of non-payment of rent or misuse of land may be permitted through the due process of law ;

(b) Tenants who have been dispossessed of their lands in recent years should be restored except where ejectments were made through the courts for non-payment of rent or misuse of land. Voluntary surrenders resulted mainly from landlords' influence and the tenants' low bargaining power. All such cases should be treated as cases of ejectments and restoration provided for ;

(c) All tenants should come into direct relation with the State ;

(d) A tenant who has already held any land continuously for a period of twelve years or is in possession of land which has not been cultivated by the land owner personally at any time during a period of twelve years should have permanent and heritable rights in land and should not be liable to ejectment on any ground whatsoever, not even on the ground that the landlord requires the land for personal cultivation ;

(e) All other tenants should have security of tenure subject to the landlords right to resume land bonafide for personal cultivation.

The Panel also sought to restrict the landlords right of resumption and recommended that every tenant should have a prior right to retain a family holding for personal cultivation. With regard to the resumable area, the tenant may have heritable but not permanent rights. In respect of non-resumable area, the tenants should have the rights of permanent and heritable possession. The Panel examined the definition of personal cultivation and insisted upon the performance of minimum labour, provided the owner meets the entire risk of cultivation, lives in village and personally supervises agricultural operations. The ideals of a complete prohibition of leasing of land did not get support by Panel due to its impracticability in the existing circumstances. The Panel was in agreement with point of views of Kumarappa Congress and Agrarian Reforms Committee and expressed that individual farmings should be limited to holdings above the basic holding and that holdings smaller than the basic holding should in course of time be brought under a scheme of cooperative farming.

The existing land reforms policy of the Government of India covers five aspects, namely :

(a) security of tenure ;
(b) termination of tenancy ;
(c) resumption for personal cultivation ;
(d) surrenders ; and
(e) regulation of rent.

Tenancy reforms concern generally the following classes of persons :

(1) tenants of home-farm lands of the intermediaries ;

(2) sub-tenants of the intermediaries;

(3) tenants holding land from the ryots in the ryotwari areas; and

(4) share-croppers who are in most of the areas not included in the definition of the term 'tenants' though they have all the characteristic features of a tenant.

Implementation of Tenancy Legislation

3.14 According to information available from 20 States it is noted that the first State to take lead in the enforcement of tenancy legislation was Uttar Pradesh where it was enforced in 1950. The other States to follow were Andhra Pradesh (1954), Punjab, Rajasthan, Haryana (1955), Tamil Nadu (1956), Maharashtra (1958), Madhya Pradesh (1959), Bihar, Kerala (1970), Assam and West Bengal (1971), Himachal Pradesh (1972), Orissa (1973), Karnataka and Tripura (1974), Sikkim (1975) and Manipur (1976). Information is not available in regard to two States i.e. Meghalaya and Nagaland (Annexure I). Legislative provisions with regard to regulating the leasing out of lands project a varied picture in different States. Out of 20 States leasing of land stands allowed in 14 States (West Bengal, Tripura, Sikkim, Tamil Nadu, Assam, Bihar, Gujarat, Maharashtra, Andhra Pradesh, Haryana, Himachal Pradesh, Kerala, Punjb and Rajasthan) whereas it is prohibited in 6 States (Karnataka, Orissa, Manipur, J & K, Uttar Pradesh, and Madhya Pradesh). Even in the States where it is prohibited, there are certain provisions which facilitate certain sections of people e.g. disabled and privileged land owners for leasing out their land holdings. The States like Orissa, Karnataka, Uttar Pradesh and Madhya Pradesh fall in this category. Privileged ryots of Orissa State may lease out lands to a limit of 25 std. acres whereas such facility is available only to the soldiers/seamen and disabled persons in Karnataka and Uttar Pradesh respectively.

3.15 With regard to the level of rent chargeable from tenants, it is noted that different States have different levels and criteria for imposing rent on the land holdings and as such there is no uniform policy. The criterion for charging rent depends on various factors like gross produce with inputs of the land owner, merely on gross produce, water rate, cash rent and on other lands i.e. not covering these elements. Accordingly, the level of rent also varies considerably. In the case rent on gross produce supplemented with fertilisers, irrigational facilities, etc. by the landowner, it varies from 25% to 50%. Similarly, the level of rent charged merely on gross produce and other type of lands varies between 15% to 33½% and 15% to 50% respectively. In the State of Maharashtra where the level of rent is also determined in consideration with the water rate, the rate ranges from 20% to 33½%. In the case of level of rent on cash rent, it is recorded that out of five States namely, Assam, Bihar, Maharashtra, Tripura and Manipur, it is only in the State of Maharashtra where the rent is Rs. 20 per acre whereas in the other four States it is between 25% to 50% of the land revenue.

3.16 In the context of conferment of ownership rights to the tenants, it is recorded that out of 20 States, such measures have been taken up only in 12 States viz. Assam, Bihar, Gujarat, Karnataka, Andhra Pradesh, Haryana, Manipur, Maharashtra, Orissa, Tamil Nadu, Tripura and Punjab. No such measures exist in the other 8 States. In four States out of 12 States where provisions to confer ownership rights exist, it is noticed that these provisions have not been legally enforced as yet. These States are Assam, Bihar, Manipur and Tripura. From the following table one can have an idea about the number of tenants who have so far been conferred ownership rights in a few selected States.

S.No.	States	Conferment of ownership rights	
		No. of tenants	Land area involved
1	2	3	4
1	Gujarat . . .	11·86 lakhs	24·10 la kh acres
2	Orissa . . .	36·278	35·709 acres
3	Karnataka . .	3·15 lakhs	12·37 lakh acres
4	Maharashtra . .	11·92 lakhs	13·80 lakh acres
5	Haryana . .	12·300	23·500 acres

With a view to studying the implementation of tenancy Laws the Commission undertook tours in Kerala and West Bengal States. During their tour to Kerala State they were informed by the Government of Kerala officers that the Kerala Land Reforms Act, 1963 (Act I of 1964—now included in the Ninth Schedule of the Constitution) provides for conferment of full ownership of the land on the cultivating tenant. According to Sec. 72 of this Act, title and interest of the landlords in respect of holdings held by the cultivating tenants entitled to fixity of tenure have vested in the Government free of all encumberance with effect from 1-1-1970. This land is assigned to the cultivating tenant who gets ownership over the land from 1-1-1970. He is not required to pay any rent either to the landlord or to the Government. The Government take entire responsibility of assigning the rights vested in them to the cultivating tenants. Under Sec. 72 Mm. assignment by mutual agreement is permitted and in such case, the cultivating tenant and the landowner may have to apply jointly to the Land Tribunal for assignment of the right, title and interest of the landowner to the cultivating tenant. The tenant has to pay to the Government 12 times the fair rent if he chooses to pay the amount in one lump or 16 times the fair rent if he prefers to pay in16 equal annual instalments. The Act also provides that no land in the possession of a Scheduled Caste/Scheduled Tribe tenant shall be resumed by the landlord (Sub. Sec. (4) of Sec. 18 of the

KLR Act). Till 31-12-1980 as many of 36,44,187 applications were received for conferment of ownership right out of which 24,54,492 applicants were allowed and 11,76,764 rejected. Out of 24,54,492 valid cases mentioned above all but 12,931 had been disposed of. The Commission commend the efforts made by the State Government for having taken action for assigning ownership rights on the tillers of the soil. However, this Commission recommend that the State Government of Kerala should furnish the break-up of Scheduled Castes/Scheduled Tribes conferred tenancy rights out of 24,54,492 including total number of beneficiaries and acreage of land involved, category-wise.

3.17 During their tour to West Bengal, the Commission were informed that the West Bengal Land Reforms Act, 1955 (as amended in 1972, 1977, 1978 and 1980) *inter-alia,* regulates the rights of share croppers (bargadars). Although the bargadars have no right to acquire ownership of the land cultivated by them, they have been bestowed rights of uninterrupted cultivation of land on which they are recorded. In order to get their names recorded in the settlement records a special programme styled "Operation barga" was launched in September 1977. During period 1948-1977 only 3 lakh bargadars could be recorded and thereafter "Operation barga" drive was started in September 1977. Upto October 1980 the number reached 9.80 lakhs and the Government expected the number to go upto 13 lakhs upto 31-3-1981. It is estimated that their approximate number would be nearly 20 lakhs. Out of the recorded bargadars' 40% belong to Scheduled Castes and 18 to Scheduled Tribes i.e. 58% for both Scheduled Castes and Scheduled Tribes, as against their size of 24% in the total population of the State. It is reported that out of 9.80 lakh cases recorded under operation barga nearly 40,000 cases are in the courts of law. It is understood that landlords preferred to go upto High Court. It is feared that impact of even one single adverse decision shall adversely effect the psychology of the unrecorded 'bargadars'. Detailed analysis in respect of both Kerala and West Bengal Land Reforms Measures has been brought out in paras 14.146 and 14.147 of the Chapter XIV—Study Tours of the Commission for Scheduled Castes and Scheduled Tribes during 1979-80.

Observations:

3.18 In the working of the tenancy reforms legislation following drawbacks have come to light :

(i) leasing out of land is being done in the form of share-croppers ;

(ii) ejectment of tenants from their holdings is still prevalent on many grounds ;

(iii) provisions regarding 'voluntary surrenders' have been used adversely by the landowners to deprive tenants of their due protection ;

(iv) the provision regarding resumption of land by landowners has worked to the detriment of the potential beneficiaries ;

(v) it has not been possible to regulate rents, that is at one-fifth to one-fourth of the gross produce ;

(vi) one of the major weak spots of tenancy legislation has been the provision which entitles a tenant to acquire tenancy right provided he can prove continuous occupation of his holding for a stipulated number of years. This provision negates the spirit of the principle of 'land to the tiller'.

3.19 The Commission make following recommendations for the effective implementation of tenancy laws :

1. A Special drive for recording the rights of share croppers in a time bound programme is imperative. Share-cropping should, therefore, be duly recorded in the land records. Categories of public services connected with land record e.g. Village Patwaries, Karmchari, Amin or Mandals and survey officials should be strengthened and at least 50% of these posts should be manned by the Scheduled Castes/Scheduled Tribes and in sensitive areas majority of these posts (not merely 50%) should be held by them.
2. The law should be amended and the share-croppers given the status of tenants directly under the Government.
3. Ministry of Rural Reconstruction should ensure that tenancy legislations are enacted in States/Union Territories where it has not been done so.
4. All States/Union Territories should enforce existing legislations with more will and force.
5. Concealed tenancy should be detected at regular intervals and tenant should be recorded as occupancy tenant.
6. The tenant should be helped to purchase ownership rights with credit arranged by the Government or by the financial institutions.
7. Food for work programme should continue with added vigour as the implementation of this programme keeps the money-lenders away from the poor farmers and agricultural labourers.
8. The Government of West Bengal should :
   (i) extend the 'Operation Barga' drive beyond March 1981 until all the bargadars have been duly recorded.
   (ii) bring all cases involving 'operation barga' out of the purview of the courts.
   (iii) ask Pradhans of all Gram Panchayats to maintain up-to-date registers of potential bargadars.

(iv) strengthen all police stations in the sensitive areas/village where the jotedars are strong and issue suitable instructions to the entire police staff to support the process of recording of bargadars in a committed manner.

(v) arrange regular monitoring to see whether the land of recorded bargadars continues to be in their actual possession as per records of rights or they are being sureptitiously evicted from their barga rights.

3.20 (iii) *Ceiling Legislation.*—The idea of land redistribution through fixation of land ceiling was called for in view of acute pressure on land, the meagre prospect of change in occupational pattern from agriculture to non-agriculture and the need for stepping up agricultural output with increasing employment. As ceiling legislation was a State subject, each State enacted its own ceiling laws during 1960-1972. These measures were full of loopholes which were taken advantage of by the bigger landed interests to circumvent the laws. Besides, the implementation of these laws was extremely unsatisfactory and ceilings were extensively evaded as a result of which State Government could secure very little surplus land for distribution among the poor. Consequent on the formulation of 'National Guide Lines' by the Chief Ministers in their Conference held in July, 1972, States have amended or modified their ceiling laws. Now it is considered that amended/modified ceiling legislation has been improved rationalised and put on a more or less uniform basis throughout the country (Annexure II). In the following paragraphs undermentioned items of ceiling legislation have been discussed :

(a) ceiling laws enactment and enforcement ;
(b) level of ceiling ;
(c) unit of application ;
(d) exemptions ;
(e) compensation for surplus land ;
(f) date of retrospective effect ;
(g) priorities in the distribution of land.

3.21 (a) *Ceiling Laws Enactment and Enforcement.*—The idea behind the imposition of ceiling on agriculture holdings is basically to ration land, a crucial asset, in such a way that above a certain maximum level the surplus land is taken away from the holders and is distributed to the landless or to small holders in accordance with certain priorities. Ceiling laws were enacted and enforced actually in two phases covering the period from 1960 to 1972 before the National Guide Lines were laid down, and the latter since 1972 after the adoption of guide Lines. Ceiling legislation being a State subject each State enacted its own ceiling laws. The information available with the Commission indicates that Tamil Nadu was the first State of frame ceiling laws in the year 1970, which were enacted and enforced in the same year followed by West Bengal (1971), Assam and Haryana (1972), Bihar, Himachal Pradesh, Orissa, Punjab, Rajasthan and Uttar Pradesh (1973), Karnataka and Tripura (1974), Maharashtra (1975), and Manipur (1976). The Government of Gujarat no doubt enacted the legislation in the year 1974, but enforced it in the year 1976 and similar was the case with the Government of Jammu and Kashmir where the act was enacted and enforced in the year 1976 and 1978 respectively and thus, in both the States the laws were enacted but remained ineffective for about two years. So far as the Government of Sikkim is concerned, the Act was enacted in the year 1978 but has not been enforced as yet.

3.22 (b) *Levels of Ceiling.*—The following table shows the level of ceiling in various States :

Level of ceiling

State	Acre	Hectare	Bigha
Andhra Pradesh	27—224	—	—
Assam	—	—	50
Bihar	15—45	—	—
Gujarat	12·5—54	—	—
Haryana	—	7·25—21·8	—
Himachal Pradesh	10—70	—	—
J & K	12·5	—	—
Karnataka	10—54	—	—
Kerala	—	6·07	—
Maharashtra	18—54	—	—
Madhya Pradesh	25	—	—
Manipur	—	5—10	—
Orissa	10—45	—	—
Punjab	—	7—20·50	—
Rajasthan	18—175	—	—
Sikkim	12·5	—	—
Uttar Pradesh	—	7·30—18·25	—
Tamil Nadu	15	—	—
Tripura	—	2—4	—
West Bengal	—	2·5—7	—

It is evident from the table above that there is a lot of variation in the inter-State level of ceiling in India. States like Andhra Pradesh and Rajasthan show a wide range in their levels of ceiling i.e. from 27 to 224 acres and 18 to 175 acres respectively. On the contrary, States like Tripura and West Bengal have a very narrow range in the level of ceiling i.e. from 2 to 4 ha and 2.5 to 7 ha respectively.

3.23 The Commission recommend that efforts should be made to narrow down the range of land ceiling as far as possible.

3.24 (c) *Unit of Application of Ceiling.*— The National Guide Lines on ceiling on agricultural holdings had suggested the following unit of application of ceiling :

(1) The unit of application of ceiling shall be a family of five members, the term "family" being defined so as to include husband, wife and minor children. Where the number of members in the family exceeds five, additional land may be allowed for each member in excess of five in such a manner that the total area admissible to the family does not exceed twice the ceiling limit for a family of five members. The ceiling will apply to the aggregate area by all the members of the family ;

(2) Where both the husband and wife, hold lands in their own names, the two will have rights in the properties within the ceiling in proportion to the value of the land held by each before the application of ceiling ;

(3) Every major son will be treated as a separate unit for the purpose of application of ceiling. It should be ensured that there is no discrimination between major children governed by different systems of personal laws.

After the adoption of guide lines the States amended/modified the ceiling laws and almost all the States accepted family as the unit of application or the unit was taken as family/person.

3.25 (d) *Land Exempted from Ceiling.*— The Report of the Panel on Land Reforms set up by the Planning Commission in May 1955, under the Chairmanship of Shri Gulzari Lal Nanda listed the following categories of land which would qualify for exemption from ceiling :

(1) sugarcane farms owned by sugar factories ;
(2) orchards ;
(3) plantations (tea, coffee and rubber) ;
(4) special farms such as cattle breeding, dairy farms, etc. ;
(5) farms in compact block ;
(6) efficient farms ; and
(7) mechanised farms and farms with heavy investment.

The Central Land Reforms Committee constituted under the Chairmanship of the Union Minister for Agriculture in its meeting held on August, 3, 1971 recommended that :

(A) the exemptions in the existing State laws in favour of mechanised farms, well-managed farms etc. should be withdrawn ;

(B) the exemption in favour of the plantations of tea, coffee, cardamom, rubber etc. should be carefully examined in consultation with the Ministries concerned and State Governments. Thereafter, this and other types of exemption should be discussed with the Chief Ministers in order to formulate the national policy.

The High Powered Committee of nine Members appointed by the Congress President in its meeting in June 1972 recommended that exemptions be further restricted by (a) rigidly defining plantations (b) withdrawing blanket exemptions in case of land held by trusts, institutions etc.

3.26 After considering the recommendations made by the Central Land Reforms Committee and also those of the nine Member Committee, the Chief Ministers Conference on Ceiling on Agricultural Holdings held in New Delhi on 23rd July 1972 laid down the following guide lines :

(1) The exemption in favour of plantations of tea, coffee, rubber, cardamom and cocoa should continue ;

(2) Lands held by the Bhoodan Yagnya Committee, Cooperative Banks, Nationalised Banks, Central or State Governments and Local Bodies should continue to enjoy exemption. Similarly, land held by industrial or commercial undertakings for non-agricultural purposes should be exempted from the ceiling law ;

(3) In the case of registered cooperative farming societies exemptions may be granted with the stipulation that while computing the ceiling areas for a member his share in the cooperative society will be taken into account alongwith his other lands ;

(4) Lands held by agricultural universities, agricultural colleges, agricultural schools and research institutions should be exempted from the ceiling law ;

(5) State Governments may, at their discretion, grant exemption to the existing religious, charitable and education trusts of a public nature. The institutions or trusts will not be exempted from the operation of tenancy law and all the tillers of the land should be brought in direct relationship with the trusts or institutions to the exclusion of all intermediary interests. No exemption should be allowed to private trusts of any kind ;

(6) In the case of existing Goushalas of a public nature and existing stud farms, the State Government may take a decision in consultation with the Ministry of Agriculture ;

(7) No exemption should be allowed in the case of sugarcane farms. However, for the purpose of research and development, sugarcane factories may be permitted to retain an area not exceeding 100 acres (40.47 ha) ;

(8) For the purpose of ceiling, the existing orchards may be treated as dry land and no additional land should be allowed to

be retained as recommended earlier. Coconut and arecanut gardens, banana orchards, guava gardens and vineyards will not be treated as orchards. When surplus orchard land vesting in Government is distributed, the assignees should be required to maintain the orchards intact ;

(9) All other existing exemptions including that in respect of lands given as gallantry award should be withdrawn.

It will be seen from the above that the guide lines issued by the Chief Ministers' Conference were quite exhaustive and covered a wide range of land which come under the definition of exemption. The classes of land which were exempted from the operation of the ceiling laws varied from State to State. Most of the States have provided exemptions on the lines of the suggestions made in the National Guide Lines. A review of the list of the exempted categories of land from the operation of ceiling laws of the State indicates that the States providing maximum number of categories were Gujarat, Tamil Nadu (12) followed by Bihar (11), J & K, Karnataka, Maharashtra and Uttar Pradesh (8 each), Assam and Manipur (2 each) and the States of Orissa, Tripura, and West Bengal, 4, 3, 2 respectively. It will be seen that exemption from ceiling made the ceiling legislation largely ineffective. The number of exemptions given provided scope for evasion on a big scale through the device of changing the classification of land. Generally all the States exempted religious, charitable and educational institutions including *wakfs* of public nature from the ceiling laws regardless of whether they genuinely require the entire land for the purpose or not. West Bengal is perhaps the only State which has brought the land owned by such institutions within the purview of ceiling.

3.27 (e) *Compensation for Surplus Land.*—The rates of compensation payable for surplus land acquired by the State vary widely from State to State (Statewise details at Annexure II). In pursuance of the recommendations made by the Central Land Reforms Committee, the Chief Ministers' Conference on ceiling on agricultural holding held on July 23, 1972 in Delhi suggested following guidelines :

(i) the scheme of compensation should be worked out in such a manner that there will be no financial burden on the Central and State Governments ;

(ii) the compensation may be fixed in graded slabs and preferably in multiples of land revenue payable for the land ;

(iii) compensation payable for the surplus land on imposition of ceiling laws should be fixed well below the market value of the property so that it is within the paying capacity of the new allottees mainly comprising of the landless agricultural workers who belong to Scheduled Castes and Scheduled Tribes.

In the case of compensation fixed in terms of multiples of land revenue it is 25 times in Assam, 95 times in Himachal Pradesh, 100 times in Andhra Pradesh, 150 to 250 times in Maharashtra and 200 times in Gujarat. Where compensation is determined as a fixed amount, it is Rs. 900 per acre in Bihar, Rs. 1600 per acre in Rajasthan and Rs. 2,000 per acre in Kerala and Punjab. It has been noticed that in some States the rates of compensation were on the high side.

3.28 (f) *Date of Retrospective Effect.*—While most of the States accepted January 24, 1971, as the retrospective date recommended in the National Guidelines, Bihar fixed it as 22nd October 1959, Kerala as July 1, 1969, Maharashtra, Orissa and Rajasthan as September 26, 1970, J & K as September 1, 1971 and West Bengal as August 8, 1969. The biggest constraint in effective implementation of the amended legislation is the date of retrospective effect. The reality is that transfers, partitions, sales, gifts etc. on a large scale were deliberately effected by the big land owners earlier that retrospective date provided in the National Giudelines i.e. 24-1-1971, in anticipation of the ceiling legislation.

3.29 The Commission, therefore, recommend that the date of retrospective operation of the ceiling laws should be so fixed as to nullify the systematic attempts to circumvent the law.

3.30 (g) *Priorities in the Distribution of Land.*—The guide lines on the distribution of surplus land issued by the Chief Ministers' Conference on ceiling on agricultural holdings had suggested that while distributing surplus land priority should be given to landless agricultural workers, particularly those belonging to Scheduled Castes and Scheduled Tribes. The provisions made in this regard by different States indicate that the Scheduled Castes and Scheduled Tribes are given first/highest priority in the States of Andhra Pradesh, Bihar, Himachal Pradesh, Haryana, Karnataka, Manipur, Madhya Pradesh, Maharashtra, Punjab, Rajasthan and Tripura. The Governments of Gujarat, Kerala and West Bengal has placed the Scheduled Castes/Scheduled Tribes to second place, whereas they stand fourth in Tamil Nadu and Uttar Pradesh. (Annexure III).

3.31 The Commission, therefore, make following recommendations :

1. The Governments of Tamil Nadu and Uttar Pradesh should reconsider the priority in the allotment of land to Scheduled Castes and Scheduled Tribes and consider for placing them in first/second category. Other States which have not formulated specific rules in this regard should adopt similar provisions.

2. The land ceiling laws should be strictly enforced within a time-bound programme, may two years as the maximum.

The statistical data relating to declaration and distribution of ceiling surplus land including the recommendations/observations of the Commission thereon have been discussed later in this Chapter in paras 3.40 to 3.49.

3.32 (iv) .*Consolidation of Holdings.*—One of the major causes of low agricultural productivity in the country is the sub-division and fragmentation of holdings. In the case of Scheduled Castes and Scheduled Tribes, specially the former, who have small holdings sometimes at several places due to the process of allotments, and other factors, consolidation can render relief by enabling them to improve their cultivation. While almost all the States with the exception of Tamil Nadu and Kerala enacted legislative measures for consolidation of holdings, very few took up implementation with any degree of earnestness. The progress made in different States is as under :

(a) States in which substantial progress has been made and which have plans for total coverage—Punjab, Haryana and Western Uttar Pradesh ;

(b) States in which substantial progress is shown though total coverage is not yet contemplated—Maharashtra and Himachal Pradesh ;

(c) States in which some work has been done—Bihar, Madhya Pradesh, Orissa, Rajasthan, Gujarat and Karnataka ;

(d) States in which experimental work has been done—Jammu and Kashmir and Andhra Pradesh ;

(e) States in which no progress has been made though legislation has already been enacted—West Bengal and Assam ;

(f) States in which legilsation has not so far been enacted—Tamil Nadu and Kerala.

According to an estimate total area fit for consolidation in the country was 176,568 million hectares, of which only 39,326 million hectares (22.27%) could be brought under consolidation by the IV Five Year Plan. The Sixth Plan document has reported that nearly 45 million hectares of land is about 1/4 of the consolidable land has been consolidated all over the country so far. The implementation has been extremely patchy and sporadic. If the work is done with this speed it would require nearly 50 years to achieve the desired objective. The Commission would, therefore, observe that the progress of consolidation of land holdings has not been given due priority in the Southern and Eastern States where hardly any work has yet begun.

3.33 With regard to consolidation of holdings the Commission make the following recommendations :

1. The scheme for consolidation of holding should be made compulsory in all areas of the country fit for consolidation.
2. The legislation should be modified so as to make it independent of other Central or State measures governing the ownership, possession, titles to holdings and disposal or other treatment of agricultural land and the modified legislation should provide for determination of value of land, draw-up of scheme and reservation of areas for common village needs in consultation with the people and the Advisory Committee, measurement and preparation of record of rights by the field staff and checking thereof.
3. In the implementation of the programme, priority should be given to irrigated areas and command areas of newly completed irrigation projects.
4. In place of Civil or Revenue Courts consolidation courts may be set up for speedy disposal of cases.
5. Since uncontrolled partition of joint holdings among the share-holders soon negates partially or wholly, all the good aimed at through consolidation of holdings, the whole question of partition of landed property should be reviewed with a view to checking fragmentation of holdings consequent upon division of holdings by partition.

3.34 (v) *Homestead Tenancy.*—Subsequent to the introduction of the Zamindari Abolition Act it was perceived that the ejectment of tenants from their dwelling sites by the landlords would pose a serious threat. Hence, the enactment of legislations to protect the rights of homestead tenants become imperative. It was realised that the tenants should be conferred ownership rights on their homestead sites. From the draft Sixth Five Year Plan it was noticed that under the land reforms policy, provisions for the security of ownerships rights on the homestead lands have been made in all States. As regards legislative measures it is understood that no such provision has yet been made in the States like Manipur, Sikkim, Tamil Nadu and Tripura. Even in the States where legal provisions have been enacted, it appears that there are certain distinct flaws and lopholes which have impeded an accelerated realisation of the desired objective. This has obviously acted to great disadvantage of the Scheduled Castes who, in rural areas, need this protection in large numbers. In fact, it has been observed that the absence of titles to homestead lands has been used as an instrument of harassment and exploitation by the land owning class. During their tour to Kerala State the Commission were informed that the State Government have provided homestead land to 2,68,323 out of 4,38,745 homesteadless applicants till December, 1980. The State Government should furnish the number of Scheduled Caste/Scheduled Tribe homesteadless

persons out of 2,68,323 homesteadless persons allotted homestead land. Detailed break-up of Statewise provisions for security and conferring ownership rights to the homestead tenants is appended as Annexure IV.

3.35 Ordinarily, the measures to provide security and ownership rights to the homestead tenants envisage the following elements :

(a) providing rights to tenants to own or purchase the homestead sites ;

(b) giving compensation to the landowner ;

The experience has shown that even these two aspects have not found an uniform expression in different States in terms of their legislative effects. While some States have been lenient in regard to the conferring of ownership rights, the other States have hardly cared to consider the economic viability of the weaker sections of the rural population in respect of their capacity to purchase the homestead sites, paying compensation and the rate and periodicity of interest and instalments. It is only the State of Bihar where this policy corresponds closely to the needs of the homestead tenants. The Government of Bihar which enacted a separate Act for the homestead tenants i.e. Bihar Privileged Persons Homestead Tenancy Act, 1947 (amended in 1970) brought all privileged tenants directly under the State in respect of their homestead land and the State Government paid compensation to the landlords at the rate of 10 times of the rent. In the State of Gujarat, every tenant, agricultural labourer and village artisans is deemed to have purchased the homestead sites by paying compensation equal to 20 times the annual rent; the amount may be paid in lump sum or in three instalments carrying 4½% interest. It is also mentioned that the tenant who refuses to purchase the homestead sites shall be ejected. How it can be easily realised that since the tenants are economically poor, it is quite unjust to force them to buy the homestead sites. Even the instalment's periodicity and the charging of interest seems unjustified. Similarly, in Karnataka it is provided that the landlord, if wishes to vacate the tenant, he must provide an alternative homesite to his tenant within a distance of 1 km from the original site. This provision sounds good and needs similar consideration in the other States too.

3.36 Besides the above mentioned points, it is also seen that in most of the States there is no provision for keeping an account of the number of tenants who have been conferred ownership rights and to how many tenants 'patta' has been given. The extent to which the Scheduled Castes and Scheduled Tribes have drawn benefits is also not known. This sort of practice puts the planners in difficulty while assessing the success of this measure.

3.37 In view of the foregoing discussions, the Commission make the following recommendations :

1. The States should enact a separate legislation for the conferment of ownership rights to the homestead tenants on the lines of Bihar Privileged Persons Homestead Tenancy Act and it should be the responsibility of the State Government to meet the expenses in respect of conferring of ownership rights on the tenants.
2. All States should keep an uptodate account of the number of tenants conferred ownership rights. Information with regard to Scheduled Castes and Scheduled Tribes should be maintained separately.

Problem of Land Alienation and Remedial Measures

3.38 Most of the State Governments have adopted legislations to prevent alienation of land belonging to the Scheduled Tribes to non-Scheduled Tribes. The Statewise legislations to check alienation of land of Scheduled Tribes are furnished in Annexure V. In the case of Scheduled Castes the available information indicates that except the Governments of Karnataka, Orissa and Uttar Pradesh, no legislation in this regard has been enacted in other States. The alienation of land belonging to Scheduled Castes is a major problem, in the progress of their economic development, as in order to fulfil their social obligations they have to lose their land for getting the money from big land owners/ money-lenders. The specific provisions made in this regard in the three States, viz. Karnataka, Orissa and Uttar Pradesh are as given below :

KARNATAKA : The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of transfer of certain lands) Act, 1978 and the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition to transfer of Central lands) Act, 1979 have been framed to check :

(i) Prohibition of alienation of lands granted to the Scheduled Castes and Scheduled Tribes under Dharkast Rules ;

(ii) Restoration of lands granted under the Dharkast Rules to the Scheduled Castes and Scheduled Tribes by cancelling the alienation of such lands.

ORISSA : The provisions contained in Section 22(1) of the Orissa Land Reforms Act, 1960, restricting transfer of land belonging to the Scheduled Castes and Scheduled Tribes persons of the non-Scheduled Areas of the State also applies to the Scheduled Castes persons as per Sub-Section (5) of Section 22 of the said Act.

UTTAR PRADESH : Section 157-A added in the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 with effect from June 6, 1969 imposes restrictions on transfer of land by the Scheduled Tribes to non-Scheduled Tribes persons without prior permission of the Collector. The above restriction was extended to cover the members of the Scheduled Castes also by making necessary addition in the said section with effect from 7-12-1974.

3.39 The Commission make following recommendations with regard to checking of land alienation :

1. (a) Most of the States have adopted legislation to check alienation of land belonging to Scheduled Tribes to non-Scheduled Tribes. Those States who have not yet done should enact suitable legislation to this effect immediately.

(b) The States should also frame laws to check the alienation of land belonging to Scheduled Castes to non-Scheduled Castes.

2. In the Presidential Order regarding scheduling of Tribes, names of all sub-Tribes have not been mentioned and sometimes illegal transfers of land have been effected by using the name of a sub-tribe or a synonym for a tribe not mentioned specifically in the Presidential Order.

It is, therefore, recommended that detailed list of sub-tribes and synonyms should also be circulated among the registering authorities and those in-charge of enforcing such a legislation so that such instances do not recur.

3. It is reported that in some States the legislation is circumvented by collusive title status filed before civil courts. In Bihar in all civil suits involving tribal lands, the Deputy Commissioner is made a party and he can give evidence in rebuttal. Mere admission of the tribal is not considered adequate in respect of the land transaction and corroborative evidence is taken. It is recommended that adoption of such a provision, as in Bihar, may be considered by other States.

4. It has been brought to notice that despite the instructions issued to the registering authorities, the registration is taking place in respect of tribal lands even in the absence of permission of the competent authority in respect of such transfer. It is, therefore, recommended that the registering authority should be asked to conduct an enquiry in such cases and take evidence. While doing so, they should also satisfy themselves that the permission of the competent authority in respect of such transfer has been taken.

5. In cases where transfer of land has been done illegally deterrant punishment is necessary. Besides, such illegal transfer should stand annulled irrespective of the date of transfer. Any person found to be in possession of illegally transferred land should be liable to eviction and the possession restored to the original owner.

6. For ensuring prompt disposal of cases of alienation of their lands special courts with powers of summary disposal may be set up and in all such cases the Government may be a party. The Government may meet all the expenses on behalf of the Scheduled Caste/ Scheduled Tribe litigant.

7. In cases where in a land dispute a Scheduled Caste or a Scheduled Tribe person is killed the Government machinery must ensure that the land possession of the deceased Scheduled Castes/Scheduled Tribes passes on to the heirs of the deceased and in no circumstances whatsoever the persons who have committed aggression should be allowed to take over possession of the land.

8. Land alienated from tribals to non-tribals should be got restored to the former in a concerted manner irrespective of the date of alienation. In all cases of informal alienation moneylenders should be evicted from tribal lands. For this purpose suitable legislation may be enacted.

Declaration and Distribution of Surplus Land

3.40 A review of figures relating to the areas estimated as surplus, actually declared as such and taken over and redistributed by the Government does not present a very happy picture. According to the 1978-83 plan, on 31-7-1977 the area estimated to be surplus was 53.20 lakh acres as against which only 40.40 lakh acres had been declared as surplus. The area actually taken over by the Government was a little more than one-half (21.00 lakh acres) as against which the area actually distributed came to only 12.90 lakh acres. The figures, as in December 1980, furnished by the Ministry of Rural Reconstruction give a somewhat different picture. According to this data, the estimated surplus amounted to 49.95 lakh acres while the due declared surplus and the area taken over by the Government was 40.82 lakh acres and 24.90 lakh acres, respectively. The area distributed was 17.39 lakh acres. While the latest figures relating to area declared surplus or taken over and the area distributed indicate the progress in this work ; the difference in the estimated surplus, which is not so negligible is different to understand. The 1978-83 Plan has also brought out a very disconcerting fact that the official estimated surplus is only a fraction of the area held in large ownership holdings as estimated from survey data (National Sample Survey 26th Round, 1971-72).

3.41 This data indicate that the potential surplus area may actually be about 215.10 lakh acres as against only 50 lakh acres declared as surplus on the basis of size of holding being 10-18 acres of land with assured irrigation for land crops and 27 acres of land with irrigation for one crop and 54 acres for dry land. While this discrepancy between the estimated surplus area and the area roughly estimated as potential surplus by survey data may be partly attributed to varied definitions of surplus land in different States, there can be no doubt that the actual surplus land should be substantially higher than the estimated surpluses at present identified by the State Governments. This discussion would highlight the urgent need for administrative and legal action on the part of the State Governments and Union Territory Administra-

tions to thoroughly look into the fraudulent transfers and other devices taken by large land owners to evade the imposition of the land ceilings.

As this matter is of fundamental importance it is recommended that the Government of India may set up a High Power Committee which may go into this matter in detail and reconcile the vast difference between the potential surplus land as projected by the National Sample Survey and as declared by the States/Union Territories so far. This High Power Committee should review the position in each State so that keeping in view the data brought out by National Sample Survey, steps are taken to declare further land surplus in each State/Union Territory and to arrange for the distribution among the landless labourers.

Statistical Analysis of Distribution of Ceiling Surplus Land (as on 18-12-1980)—Annexure-VI

3.42 Consequent on the enactment of land ceiling legislations the Government could secure surplus land for distribution among landless persons. A brief analysis of the statistics as on 18-12-1980 is discussed in the following paragraphs :

Returns.—The total number of returns filed in 22 States/Union Territories under revised ceiling laws was 14.156 lakhs (10.448 lakhs voluntarily and 3.708 lakhs on official initiative). Out of these cases 13.222 lakhs (93.40%) cases were disposed of and 0.93 lakh cases (6.60%) were reported as pending. Pendancy of cases was more in Manipur (50%), Karnataka (41.67%), Pondicherry (33.33%), Dadra and Nagar Haveli (25.00%), West Bengal (14.46%), Orissa (12.90%), Delhi Union Territory (12.50%), Tamil Nadu (10.00%) and Haryana (7.56%). Disposal of cases was reported to be faster in a few States, namely, Gujarat, Himachal Pradesh, Tripura, Andhra Pradesh and Assam. Statewise details are furnished in Statement No. 1 of Annexure VI(A).

Area Estimated to be Surplus and taken Possession thereof

3.43 According to the National Sample Survey (26th Round, 1971-72) the potential surplus land in the country was 215.10 lakh acres, whereas according to Ministry of Rural Reconstruction estimated surplus of land as reported to them was only 49.94 lakh acres. It shows that drastic efforts are necessary to enforce ceiling legislation with a view to bring more land under surplus land category. The disconcerting fact is that the officially estimated surplus is a fraction of the area held in large ownership holdings. The State-wise position of distribution of 49.94 lakh acres of surplus land was as given below :

Surplus land Estimated	State/UT
More than 10 lakh acres	Andhra Pradesh
5 to 10 lakhs . .	Assam, Karnataka, Rajasthan
3 to 5 lakhs . .	Bihar, Maharashtra
1 to 3 lakhs . .	Himachal Pradesh, Kerala, Madhya Pradesh, Orissa, Tamil Nadu, Uttar Pradesh, West Bengal
Upto 1 lakh . . .	Gujarat, Haryana, Manipur Punjab, Tripura, Dadra & Nagar Haveli, Dehi and Pondicherry

Out of the land estimated to be surplus (49.94 lakh acres) the land acreage taken into possession was 24.904 lakh acres i.e. 49.86% and the State-wise position was as follows :

Area taken possession	State/UT
More than 5 lakh acres.	Assam
3 to 5 lakhs . .	Andhra Pradesh.
1 to 3 lakhs . .	Bihar, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Uttar Pradesh.
Upto 1 lakh . .	Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Punjab, Tamil Nadu, Tripura, West Bengal, Dadra & Nagar Haveli, Delhi & Pondicherry
Nil	Manipur.

It is noted that no progress has been made in Manipur with regard to possession of land although 2,316 acres land was estimated to be surplus. Satisfactory progress has been reported in the nine States/Union Territories namely Uttar Pradesh (90.82%), Assam (87.45%), Maharashtra (75.55%), Himachal Pradesh (74.09%), Dadra & Nagar Haveli (63.83%), Orissa (58.35%), West Bengal (55.59%), Madhya Pradesh (54.89%), and Kerala (50.60%). The work was not satisfactory in eleven States/Union Territories namely, Delhi (13.33%), Karnataka (18.55%), Punjab (20.98%), Gujarat (26.77%) Rajasthan (27.77%), Tamil Nadu (34.20%), Tripura (31.25%), Pondicherry (33.33%), Andhra Pradesh (38.24%), Bihar (43.67%) and Haryana (47.70%). The State of affairs are certainly dismal in the States like Andhra Pradesh, Rajasthan, Karnataka, Bihar and Tamil Nadu where large areas of land were estimated to be surplus i.e. more than 10 lakhs, 7 lakhs, 4 lakhs, 3 lakhs and 2 lakhs acres respectively. The Statewise details are furnished in Statement No. 2 of Annexure VI.

Area Declared Surplus and Distributed

3.44 Out of 49,94,822 acres land estimated to be surplus in the country, the area declared as surplus was 40,82,056 acres (81.72%) and

area distributed was 17,39,339 acres (34.82%). The percentage of area distributed to area declared surplus was (42.61%). Thus it shows that after the enactment of land ceiling laws as much as 57.39% of land declared surplus still remained to be allotted among the landless persons. The progress with regard to distribution of land was noteworthy in Uttar Pradesh (79.78%), Maharashtra (76.17%), Orissa (74.89%) and satisfactory in Tamil Nadu (69.59%). Distribution of surplus land was not satisfactory in Manipur and Delhi where no land was distributed despite the fact that land was declared surplus. The picture is also gloomy in a few other States, namely, Himachal Pradesh (5.11%), Gujarat (7.79%), Kerala (12.02%), Punjab (17.05%), Andhra Pradesh (26.22%), Madhya Pradesh (30.11%), Pondicherry (32%), Karnataka (34.31%), Dadra & Nagar Haveli (35.96%) and West Bengal (37.24). It is observed that the work was not given required attention in States like West Bengal, Karnataka, Madhya Pradesh, Andhra Pradesh, Punjab and Gujarat although these States have sizeable Scheduled Castes and Scheduled Tribes population. Statewise details have been furnished in Statement No. 3 of Annexure VI(A).

In view of the above overall unsatisfactory performance of the States Union Territories in regard to the taking over of land declared surplus into their possession and distribution of such land to the beneficiaries, the Commission recommend that the State Governments/ Union Territory Administrations should gear up their Revenue machinery and take urgent steps for taking over possession of all the land declared surplus by them and for arranging its distribution among the agricultural landless labourers particularly belonging to Scheduled Castes and Scheduled Tribes. This should be done within a time bound programme of, say, 2 years.

Extent of Land Distribution among Scheduled Castes and Scheduled Tribes

3.45 Total acreage of land distributed in the country was 17,39,399 acres, of which 34.05% was distributed among the Scheduled Castes (5.92 lakh acres) and 14.47% among the Scheduled Tribes (2.51 lakh acres). Thus it is seen that Scheduled Castes and Scheduled Tribes put together were distributed 48.52% of land. States in which more than 1 lakh acres land has been distributed among the Scheduled Castes are Uttar Pradesh and Andhra Pradesh. States in which more than 40,000 acres land has been allotted among the Scheduled Castes are Maharashtra, Andhra Pradesh and Orissa. The details of States where more than 34% of allotted land has been given to Scheduled Castes (Based on all India average to Scheduled Castes) and where the progress can be stated as satisfactory and States where it has been found unsatisfactory are as given below :

Sl. No.	State/UT	%age of land distributed to SCs	%age of SCs population to total State/UT population
1	2	3	4
	Progress where more than 34·05% of land was distributed		
1	Himachal Pradesh	71·25	22·23
2	Pondicherry	71·09	15·45
3	Gujarat	68·97	6·84
4	Uttar Pradesh	59·87	21·00
5	Karnataka	51·62	13·14
6	Haryana	50·02	18·88
7	Punjab	45·32	24·71
8	Andhra Pradesh	47·30	13·27
9	Bihar	41·07	14·28
10	Kerala	38·04	8·30
11	Rajashtan	35·07	15·82
	Progress where less then 34·05% of land was distibuted		
1	Dadra & Nagar Haveli	0·88	1·79
2	Assam	7·74	6·10
3	Tripura	20·79	12·39
4	Madhya Pradesh	25·02	13·09
5	Tamil Nadu	29·66	17·75
6	Orissa	30·78	15·09
7	Maharashtra	32·77	6·00

It is seen from the above table that Scheduled Castes in Gujarat State have received better treatment so far as allotment of land is concerned whereas in Dadra and Nagar Haveli they could not get even proportionate share. In all other States/UTs the Scheduled Castes persons have received fair deal. As regards States where more than 14.47% (Based on all India average to Scheduled Tribes) of land has been distributed among the Scheduled Tribes and where the progress has not been satisfactory are as given below :

Sl. No.	State/UT	%age of land distributed to Sch. Tribes	% age of STs population to total State/UT population
1	2	3	4
	Progress where more than 14·47% of land was distributed		
1	Dadra & Nagar Haveli	99·12	86·89
2	Madhya Pradesh	48·99	23·56
3	Orissa	43·32	23·13
4	Tripura	19·40	28·98
5	Maharashtra	18·42	7·62
6	Andhra Pradesh	18·00	5·12

1	2	3	4
	Progress where leas than 14·47% of land was distributed		
1	Tamila Nadu . . .	0·02	1·09
2	Himachal Pradesh . .	0·59	4·09
3	Gujarat	5·02	14·07
4	Karnataka	7·18	0·89
5	Kerala	8·82	0·90
6	Assam	9·69	10·99
7	Bihar	11·60	8·75
8	Rajasthan	11·74	12·17

It is gathered from the table that Scheduled Tribes have been given a fair treatment in the allotment of land in the States, namely, Madhya Pradesh, Maharashtra, Orissa, Karnataka, Andhra Pradesh and Kerala and they have not been given due consideration in Tripura, Tamil Nadu, Himachal Pradesh, Gujarat, Assam and Rajasthan. Statewise details are given in statement No. 4 Annexure VI(A).

Beneficiaries

3.46 The total number of beneficiaries of land was 12,16,999 and among them the percentage of Scheduled Castes and Scheduled Tribes was 40.97% and 12.68% respectively. When these figures of number of beneficiaries are compared with the land acreage it is noticed that percentage of Scheduled Castes beneficiaries to total beneficiaries was 40.97% but their share in the land was only 34.05%. As regards Scheduled Tribes although their percentage in the beneficiaries was 12.68% they got 14.47% share in the land allotment. Thus it is observed that Scheduled Castes could not get much land to cultivate. The following table shows the statewise description so far as beneficiaries are concerned.

	Scheduled Castes	Scheduled Tribes
50% to 75% Beneficiaries	Pondicherry (74.58) Uttar Pradesh (73.73) Bihar (54.23) Gujarat (69.61) Karnataka (51.80) Haryana (50.60) Himachal Pradesh (69.25)	
40% to 50%	West Bengal (44.88) Andhra Pradesh (49.42) Tamil Nadu (42.24) Punajb (46.96) Rajasthan (40.97)	Madhya Pradesh (42.53)
30% to 40%	Kerala (39.08) Orissa (33.37) Maharashtra (31.64)	Orissa (39.33)
20% to 30%	Madhya Pradesh (28.43) Tripura (21.25)	Maharashtra (20.34)
10 % to 20%		West Bengal (19.75) Tripura (19.38) Andhra Pradesh (15.50) Rajasthan (15.07) Bihar (11.21)
Upto 10%	Assam (8.19) Dadra & Nagar Haveli (0.92)	Karnataka (7.13) Assam (7.04) Kerala (6.70) Gujarat (3.75) Tamil Nadu (0.04)

It is seen from the table given above that coverage of Scheduled Castes was highly satisfying in States like Pondicherry, Uttar Pradesh, Gujarat, Himachal Pradesh, Bihar, Karnataka and Haryana. As regards Scheduled Tribes the coverage was appreciable in Madhya Pradesh, Orissa and Maharashtra. The States in which Scheduled Tribes could not get even proportionate share are Tamil Nadu, Gujarat and Assam. Statewise particulars have been furnished in Statement No. 5 of Annexure VI(A). The position regarding allotment of ceiling surplus land to Scheduled Castes and Scheduled Tribes persons in Kerala State upto 31-12-1980 as reported to the Commission by the officers of the State Government during their tour to Kerala has been brought out separately in para number 14.154 Chapter No. XIV.

Average size of land distributed

3.47 It is noticed that on an average a beneficiary was distributed 1.43 acres of land whereas a person belonging to Scheduled Caste community was given lesser land i.e. 1.33 acres and a person belonging to Tribal community got more than the general average i.e. 1.92 acres. The following table shows the pattern of distribution of land :

Size of land	General	Sch. Castes	Sch. Tribes
4 to 5 Acres	Gujarat, Karnataka, Rajasthan	Gujarat, Karnataka	Gujarat, Karnataka
3 to 4 Acres	Haryana, Maharashtra	Harayana, Maharashtra, Rajasthan	Maharashtra, Rajasthan
2 to 3 Acres	Madhya Pradesh, Dadra & Nagar Haveli	Madhya Pradesh, Dadra & Nagar Haveli	Madhya Pradesh, Dadra & Nagar Haveli
1 to 2 Acres	Andhra Pradesh, Tamil Nadu, Assam, Tripura Orissa, Uttar Pradesh, Punjab	Andhra Pradesh, Tamil Nadu, Assam, Tripura, Orissa, Uttar Pradesh, Punjab	Andhra Pradesh, Assam, Orissa, Tripura
Upto 1 Acre	Bihar, Himchal Pradesh, Kerala, Pondicherry	Bihar, Himachal Pradesh, Kerala, Pondicherry	Bihar, Kerala, Tamil Nadu

The above table shows that Scheduled Castes and Scheduled Tribes in Rajasthan were given land between 3 to 4 acres whereas on an average 4.68 acres of land was distributed to an individual. In Tamil Nadu the Scheduled Tribes (0.85 acre) have been given lesser share than the general (1.68 acre) category. State-wise details have been furnished in statement No. 6 of Annexure VI(A).

Pressure on Land

3.48 The total number of agricultural labourers belonging to Scheduled Castes and Scheduled Tribes in the country is 198.76 lakhs (150.44 lakhs Scheduled Castes and 48.32 lakhs Scheduled Tribes). More than 50% of them reside in five States—Uttar Pradesh (26.47 lakhs), Bihar (28.61 lakhs), West Bengal (15.44 lakhs), Orissa (11.94 lakhs) and Madhya Pradesh (20.67 lakhs). Nearly 30% belong to Southern States, namely Andhra Pradesh (25.09 lakhs), Tamil Nadu (19.93 lakhs), Karnataka (7.63 lakhs) and Kerala (5.71 lakhs). Another 10% agricultural labourers come from western part of country i.e. Maharashtra (6.46 lakhs), Gujarat (9.17 lakhs) and Rajasthan (4.03 lakhs) and remaining 10% persons are scattered over other States/UTs. Thus it can be stated that number of agricultural labourers are concentrated in the Central and Eastern part of the country. Taking into consideration land estimated to be surplus under the land ceiling laws as on 18-12-1980 and the number of Scheduled Caste/Scheduled Tribe agricultural labourers, it is noted that adequate quantum of land would be available in Assam, Rajasthan and Dadra & Nagar Haveli. Non-availability of land and a large number of Scheduled Castes and Scheduled Tribes agricultural labourers are noticeable in the States/UTs namely Punjab, Gujarat, Tripura, Bihar Tamil Nadu, West Bengal, Haryana, Uttar Pradesh and Pondicherry.

The problem of landlessness can be stated to be mild in States like Maharashtra, Karnataka, Andhra Pradesh and Madhya Pradesh. State-wise details are furnished in the statement No. 7 of Annexure VI(A).

Financial Assistance

3.49 During 1979-80 assistance to assignees of surplus land was provided to the extent of Rs. 94.09 lakhs under Central Sector Schemes and a sum of Rs. 2.00 lakhs was provided to Gokhale Institute, Poona for undertaking studies on Agrarian Reforms. The State-wise details of amount spent (Rs. 3921.15 lakhs) on land reforms under the State Sector during 1979-80 are given at Annexure VII.

General assessment of Land Ceiling laws with Special reference to Scheduled Castes & Scheduled Tribes.

3.50 From the above description on fixation of ceiling on land-holdings following important points emerge:

(i) There is wide difference between surplus land estimated by the National Sample Survey (210.51 lakh acres) and Ministry of Rural Reconstruction (49.94 lakh acres). It shows that nearly 77.23% of estimated surplus land is still in the hands of big landlords and that can be made available for distribution to landless persons provided ceiling laws are properly implemented.

(ii) The performance of States/Union Territories with regard to taking land into possession out of land estimated to be surplus was hardly 50% (24.904 lakh acres out of 49.948 lakh acres).

(iii) The performance of States/Union Territories with regard to distribution of land (17.393 lakh acres) out of land actually declared as surplus (40.820 lakh acres) was also unsatisfactory, i.e. 42.61%. It shows that even after the enactment of land ceiling laws as much as 57.39% of land declared surplus still remained to be allotted among landless persons.

(iv) Out of land distributed (17.393 lakh acres) the Scheduled Castes and Scheduled Tribes got 48.52% of land (SC 34.05% and ST 14.47%). The Scheduled Castes were allotted nearly 5.92 lakh acres and Scheduled Tribes 2.51 lakh acres. Among the agricultural workers in the country (474.93 lakhs) the percentage of Scheduled Castes and Scheduled Tribes is 41% (150 lakhs SC 31% and 48 lakhs ST 10%). It is therefore seen that allotment of land to Scheduled Castes and Scheduled Tribes (48.52%) so far made is quite in order.

(v) Although the share of Scheduled Castes and Scheduled Tribes in the land distributed was 34.05% and 14.47% respectively, in fact their percentage among the beneficiaries was 40.97% and 12.68%. The proportion of Scheduled Tribes to Scheduled Castes among agricultural workers was 1 : 3, among beneficiaries in the distribution of land it was 1 : 3.2 whereas it was only 1 : 2.3 in the quantum of land distributed. This shows that quantum of land allotted to Scheduled Castes was lesser as compared to Scheduled Tribes. The Scheduled Tribes were thus in a better position as their proportion among the agricultural workers is also less (10%) as compared to Scheduled Castes (31%). The Commission, therefore, recommend that agricultural workers belonging to Scheduled Castes may be further considered for additional weightage in the distribution of surplus land.

(vi) Assuming that 215.10 lakh acres of land as estimated by National Sample Survey would be available for distribution, an agricultural worker can hardly get 0.4 acre of land (total number of agricultural workers in the country being 475 lakhs). Based on the fact that nearly 50% of land is distributed among Scheduled Castes and Scheduled Tribes, 199 lakh Scheduled Castes and Scheduled Tribes agricultural workers may get nearly 107 lakh acres (out of 215.10 lakh acres). Thus on an average a person will get only 0.5 acres and this would be hardly sufficient to fulfil the two ends meet.

(vii) More than 50% of Scheduled Castes and Scheduled Tribes agricultural workers come from Central and Western parts of the country, 30% from Southern States, 10% from Western region and remaining 10% from rest of India. Looking into availability of land and number of agricultural workers it is noted that sufficient culturable land would hardly be available in States like Punjab, Gujarat, Tripura, Bihar, Tamil Nadu, Kerala, Orissa, West Bengal, Haryana, Uttar Pradesh and Pondicherry etc.

3.51 The Commission, therefore, recommend following measures :

1. *Subsidiary Occupations for Supplementary Allotment of Surplus Celling Land.*—In the States/Union Territories such as Punjab, Gujarat, Tripura, Bihar, Tamil Nadu, Kerala, Orissa, West Bengal, Haryana, Uttar Pradesh and Pondicherry etc., (Statement No. 7, Annexure VI-A) where there is very heavy pressure on land and availability of culturable land per capita even on distribution of surplus land would be very low, mere distribution of surplus ceiling land would hardly be able to solve the economic problems of agricultural workers because availability of land is limited and number of landless workers is large. In these States/Union Territories and in Hill areas such as Himachal Pradesh and such other States/Union Territories where the incidence of rainfall is low and potential of irrigation is also low and broadly only one main crop is growu in a year it would be necessary that massive subsidiary programmes such as of dairying, poultry, sheep breeding, goat rearing, trade in cattle and other village/cottage industries and allied programmes would have to be designed and launched in addition to distribution of land to supplement the income of Scheduled Castes and Scheduled Tribes settlees on a surplus ceiling land. In all the schemes the following four aspects should be adequately taken care of :

(i) feed and fodder,

(ii) collections of produce,

(iii) marketing, and

(iv) on the spot payment for the produce.

At least 75% subsidy should be provided for these schemes and remaining 25% will be met by loans at Differential Rate of Interest.

For successful implementation of these schemes adequate infra-structure in the form of roads and marketing facilities has to be provided.

2. *Facilities to be provided for settlement on surplus ceiling land :*

(a) A Scheduled Caste/Scheduled Tribe family should be settled on developed land as far as possible.

(b) When this is not possible the family should be given grant for developing the land or still better, the family should be engaged by the Government on wages for developing the land.

(c) Each such family should also be provided with an irrigation well either on 100% grant basis or with at least 75% subsidy and 25% loan at Differential Rate of Interest. The recovery of loan should be in easy instalments and it may not start until the land has yielded one or two crops.

3. Inputs such as seed, fertilizers, etc. should be also provided on a similar basis in kind but the first round of inputs should be provided free of charge. Until the allottees start getting income from the land they should be given consumption loan at Differential Rate of Interests for essential social purposes like marriage, funeral etc.

4. The possession of land allotted to the Scheduled Castes/Scheduled Tribes from surplus land or Government land should be protected. Land should be clearly demarcated. Persons who dispossess them of their land should be summarily evicted and tries under law which should provide deterrent punishment.

5. Whenever land is settled with Scheduled Castes and Scheduled Tribes it should be entered in the record of rights and it should be ensured that it is properly demarcated and actual possession given to the allottees and proper protection ensured to maintain their continuous occupation.

6. The allottees of land belonging to Scheduled Castes and Scheduled Tribes should be assisted in securing financial assistance from the Institutional Finance Organisations operating in the field.

General Recommendations relating to Land Reforms Measures.

3.52 With regard to different aspects of the supplementation of land reforms measures, the

Commission make the following further recommendations :

1. The State Governments/Union Territory Administrations should formulate time-bound programmes with adequate legal and administrative apparatus to strengthen the organisation and streamline the procedure for proper implementation of land reforms measures.
2. Preparation and updating of land records should be given top most priority.
3. The definition of 'personal cultivation' should be such as to prevent absentee land owners from exercising the right of resumption under that garb.
4. The funds meant for development of land alloted out of surplus land should be made available also for Government land allotted to the Scheduled Castes and Scheduled Tribes.
5. The Government may acquire the lands of the Scheduled Castes and Scheduled Tribes only for public purpose and not for any other purpose. Simultaneously the affected families may be provided with alternative lands. If these lands are undeveloped, the same may be developed at Government cost by engaging the members of the affected families on wages. If these families have been displaced for setting up any industrial/power/irrigation project, one of the clauses of the agreement should provide for obligatory employment of at least one member each of the affected Scheduled Caste/Scheduled Tribe families in the project.
6. As the existing District-Civil and Revenue Courts are overburdened with other kinds of litigation and these courts are far away from the villages, it is recommended that 'Special Courts' should be set up for dealing with land reforms measures.
7. Special Magistrates may be empowered for the trial of cases relating to forcible re-occupation of lands in respect of which possession had been delivered to the original Scheduled Caste and Scheduled Tribe owners.
8. Village level Committees, if set up, can exercise sizeable influence and therefore, such Committees should be vested with statutory powers particularly in regard to inspection of records and sites, collection of evidence, measurement of areas etc.

ANNEXURE I

Tenancy Legislation in States

Andhra Pradesh

The experimental measure to confer ownership right to all ordinary tenants in 1955 in Andhra Pradesh was not extended to the entire State at that time. A subsequent attempt in 1968 to confer ownership on the tenants in the entire State was thwarted by the landowners and a Division Bench of the local High Court struck down the relevant provision on the ground of being vague and unworkable in practice. The ordinary tenants by and large could not therefore acquire ownership right. Furthermore the landowners were given a continuous right of resumption upto three family holdings by the Andhra Tenancy Act, 1956. This right has, however, been restricted lately by the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holding) Act, 1973. The term 'personal cultivation' has been loosely defined to include cultivation by the relations of the land-owner. The small land holders (3 to 38 acres) (1.21 ha to 15.38 ha) were permitted to fix any price for sale of their land to the tenants. The level of rent was also on the high side exceeding the recommendations of the Plan.

Assam

According to the Assam (Temporarily settled Areas) Tenancy Act, 1977, enacted and enforced on 18th September, 1971, an occupancy or non-occupany tenant has no right to sub-let or lease out his land. The period of continuous possession of land, which was the main criterion for the acquisition of occupancy rights, has been reduced from twelve years to three years. The rights of the lesser can be acquired by the lease in case of any contravention of the ban. It has been provided that in case of resumption of land for personal cultivation the tenant would be left with an area of 3½ acres (1.35 ha). But the continuous right of resumption under the Adhiras Protection Act and the liability of the tenant to vacate the land in his possession whenever the landowner wanted it back for self cultivation has seriously militated against security of tenure.

The level at which rent is charged from an occupancy or non-occupancy tenant shall not exceed 3 times of land revenue in the case of cash rent and 1/5 of the produce in the case of crop land. The rent payable by an under tenant is not regulated (Section 28). The provisions relating to the conferring of ownership rights by occupancy tenants and tenants under Section 21, 22 and 23 of the Act have not yet been enforced since the same are pending for final preparation of tenants' records of right.

Bihar

The Bihar Tenancy Act, 1881 provided that an under ryot could acquire right of occupancy on the expiry of twelve years of continuous possession provided that such under-ryot held land from a ryot more than 5 acres (2.02 ha) of irrigated or 10 acres (4.05 ha) of other lands. The under ryots were liable to ejectment on the expiry of the written lease. Subject to other provisions the ryot was entitled to resume land for personal cultivation from the under-ryot after leaving 5 acres (2.02 ha) of land with the under-ryot. The 'bataidar' (sharecropper) was not treated as a tenant though a recorded 'bataidar' could acquire occupancy right under the Chota Nagpur Tenancy Act 1908. The bataidar was liable to ejectment either on the expiry of written lease or for resumption of land by the ryot for his personal cultivation. By an amendment in 1956 in the Bihar Tenancy Act the share of the produce payable by a sharecropper to his landowner was reduced from 50 percent to 45 percent. By a further amendment in 1967 the tenant was entitled to apply to a court if he was threatened with eviction, and the court would issue injunction on the landlord preventing such eviction. It also provided for the setting up of batai disputes settlement boards consisting of one representative each of the landlord, the tenant and the Government.

With regards to the level of rent chargeable from tenants, it is provided in the Tenancy Act that in the case of cash-rent, a raiyat is not entitled to recover from his tenant exceeding the rent which he himself pays by more than 50 per cent of the same. In the case of kind rent, it shall not exceed 1/4th of the gross produce. However, the raiyat is not entitled to any share in the straw or bhosa as rent out of produce of such lands.

Gujarat

The Tenancy Act is in vogue in the following manner:

(i) Former Bombay area.

The Bombay Tenancy and Agricultural Lands Act, 1948.

(ii) Former Kutch area.

The Bombay Tenancy and Agricultural Lands (Kutch area) Act, 1958.

(iii) The Saurashtra Prohibition of Leases Act, 1955.

Allowing/prohibition of leasing is done in the following manners :

Former Bombay area.

(a) There is no ban on creation of future tenancies but the tenant acquires the right of ownership after the expiry of one year upto the ceiling area. Landlords suffering from disability and defence personnel are, however, permitted to lease their lands and to resume the same for personal cultivation within one year of the cessation of disability or release from the army.

(b) There is no ban on creation of future tenancies but the tenant acquires the right or ownership after the expiry of one year upto 3 family holdings. In the case of defence personnel or persons suffering from disability including a minor or widow, the tenant may purchase after the expiry of 2 years of the cessation of disability.

A tenant of a landlord holding less than a family holding (4 to 72 acres) is, however, not entitled to purchase (Sec. 50/41-44).

Future tenancies have been prohibited except defence personnel, and persons suffering from disability including widows or minors.

Unauthorised leasing makes the lessor liable to a fine ranging from 6 to 20 times the assessment and the lessee to summary eviction. In addition the tenant is liable to a fine upto Rs. 1000 because taking land on lease amounts to abatement of the offence.

Level of rent chargeable from tenants is as under :

Former Bombay area :

The maximum rent is not to exceed 1/6th of the gross produce or 2 to 5 times the land revenue, whichever is less or Rs. 20 per acre.

Kutch Area :

The maximum rent is not to exceed 1/6th of the gross produce or 4 times the land Revenue or those existing customary rent whichever is less (Sec. 17).

Saurashtra Area—Not regulates. Tenancies are prohibited. Number of tenants conferred ownership rights is as below :

In the former Bombay area 11.88 lakh tenants have acquired ownership of 24.10 lakh acres. (Land Commission, Gujarat, page 67).

In the Kutch area number of tenants who have acquired ownership has not been mentioned.

In Saurashtra area there is no provision.

Haryana

A tenant cannot be ejected from a minimum area of 5 standard acres (2.02 ha) within the permissible limit of resumption by the landowner, until the tenant is provided with an alternative place of land by the State Government. The security of tenure is conferred on the tenants holding any land in excess of 30 standard acres (12.14 ha) retainable by the landowner.

Himachal Pradesh

The right of resumption in Himachal Pradesh is Limited to only 1½ acres (0.61 ha) of irrigated land or 3 acres (1.21 ha) of non-irrigated land, the balance of non-resumable land can be settled with non-occupancy tenants in occupation on payment of due compensation.

Jammu & Kashmir

The rates of rent payable by the tenants to their land-owners in Jammu & Kashmir vary on the basis of area of land help by the landowner. The tenancy law provides that there should be no tenant-at-will and share-cropping should be completely abolished. The right of resumption was restricted upto 3 acres (1.21 ha) leaving a balance of 2 acres (0.81 ha) of land with the tenants.

Karnataka

Under the Karnataka Land Reforms Act, 1961 the Karnataka Land Reforms (Amendment Act) 1974, creation of and continuance of leasses after the commencement of Amendment Act, 1974 (1-3-1974) is prohibited except by soldier or seaman and the lease is in writing.

The level of rent chargeable from tenants with regard to water rate varies between Rs. 16.50 to Rs. 5.50 per acre, (10 times the land revenue). The tenant is responsible for payment of water rate, land revenue cesses or fees (Sec. 8). In Malnad area rent equal to land revenue is payable.

In the matter of conferment of ownership rights to tenants, 7,98,475 tenants in an area of 4,34,757 acres have applied for conferment of ownership. So far 523271 applications have been disposed off and 3,15,716 tenants over an area of 12,37,009 acres have been conferred ownership.

Madhya Pradesh

Sub-letting except in specified circumstances, was prohibited in Madhya Pradesh and in cases of leasing out, the lessee automatically becomes an occupancy tenant with the right to acquire bhumiswamy rights.

Maharashtra

The following three tenancy Acts are in force in the State of Maharashtra :

(i) The Bombay Tenancy and Agricultural Lands Act, 1948 (Western Maharashtra) Enacted on 28-12-1948.

(ii) The Hyderabad Tenancy and Agricultural Lands Act, 1950 (Marathawada Region) Enacted on 10-6-1950.

(iii) The Bombay Tenancy and Agricultural Lands Act, 1958 (Vidarbha Region) Enacted and enforced on 26th and 30th December 1958 respectively.

As per the above Acts in the State of Maharashtra, there is no law of creation of future tenancies but the tenant within one year of the commencement of the tenancy is entitled to purchase the land. Persons serving in the Armed Forces on suffering from disability may have the land. These landlords may resume land within one year of cessation of disability.

Vidarbha	Hyderabad	(32.0)
(50-57-D)	(38-H, 45-H)	(43-1A)

Level of rent chargeable from tenants in the different areas is as follows :

Bombay area : -Cropshare 1/6th of the gross produce cash Rent M.

Cash Rent : Maximum rent between 5 to 2 times the assessment or Rs. 20 per acres 8, (10-A).

Hyderabad Areas : Crop Share=1/6th of the gross produce.

Cash Rents 3 to 5 times the Land Revenue (Sec. II)

Vidarbhas · Crop Share 1/6th of the gross produce.

Cash Rents· 3 to 4 times the Land Revenue (Sec-11/17)

In Maharashtra so far 11,92,655 tenants have acquired ownership in respect of 13,80,215 hectares upto the end of September, 1977.

Manipur

Under the Manipur Land Revenue and Land Reforms Act 1960 as amended in 1976 (enforced from 1st August 1976), leasing is prohibited after the commencement of the amending Act of 1975 except by a person under disability or a public charitable or religious institution or a local authority or a cooperative society. A person under disability includes a widow, a minor, member of the armed forces and a person suffering a physical or mental disability (Sec. 106).

Level of rents chargeable from tenants in 1/4th of the produce if plough cattle for cultivation is supplied by the landowner and 1/4th of the produce in other cases. The cash rent shall not exceed 4 times the land revenue payable in respect of the land (Section 112).

With regards to the conferring of ownership rights to tenants provision has been made under Sec. 127 of the Act for transfer of ownership to tenants in occupation at the commencement of the amending Act of 1975 by issue of notification. However, no such notification has so far been issued, (Section 127).

Orissa

The Orissa Land Reforms Act 1960 was enacted on 29th September 1973 and it was enforced from 2nd October 1973. Under this Act leasing is prohibited except in the case of a raiyat who is a person under disability or in a privileged raiyat. A person under disability means a widow, and unmarried or divorced woman, a minor, a person under physical or mental disability, a serving member of the armed forces or a raiyat, the total extent of whose land does not exceed 3 standard acres, that is 3 to 13½ acres. The definition of a privileged raiyat is given as per (Section 6). As regard level of rent chargeable from tenants the rent is not to exceed 1/4th of the gross produce or value thereof (Sec. 13). An enabling provision was made under the Act for acquisition of raiyat rights by the tenants in respect of non-resumable area. From 2nd October 1973 tenants were enabled to acquire raiyat rights over the entire tenants-holding. Proceedings have been instituted under these provisions and disposed of benefitting 36,278 tenants involving 35,709 acres of land.

Punjab

Voluntary surrenders have remained unregulated in Punjab and tenants can be freely ejected. The provisions of maximum rent do not appear to be effective and the rent commonly exceeds the level provided for in the Act, which in turn exceeds the level recommended in the Plan. Provision for transfer of ownership

to tenants in respect of the non-resumable area is also lacking and the sharecroppers do not have any rights.

Rajasthan

In Rajasthan resumption was earlier allowed even in case of leases made before 1948-49 but the Act was amended subsequently not allowing such resumptions. Consequent to the implementation of Rajasthan Tenancy Act, 1955, Khatedari rights have been conferred on tenants.

Sikkim

In Sikkim Cultivators Protection (Temporary Provisions) Act, 1975, enacted and enforced on 8th September 1975, there is no restriction on leasing but the level of rent chargeable from tenants cannot exceed ¼ of the produce (section 5). In the Act there is no provision regarding the conferment of ownership on tenants.

Tamil Nadu

In the Tamil Nadu Cultivating Tenants Protection Act, 1955 and Tamil Nadu Cultivating Tenants (payment of fair rent), Act, 1956, leasing is permitted after the deed has been registered (Section-48). The fair rent for different categories of land is as follows :

(a) Wet land : 40% of the normal gross produce.

(b) Wet land where irrigation is supplemented by lifting water : 35% of the normal gross produce, where pumpset is installed at the cost of landlord 40% of normal produce.

(c) any other land 33⅓% of the normal gross produce.

These provisions are applicable to tenants holding 6-2/3 acres of wet land. Tenants holding more are exempted. Where water is available through pump-sets, at the cost of the landowner fair rent shall be equal to 40% (Sec. 4) Tamil Nadu Cultivating Tenants (payment of fair Rent, 1956).

Tripura

After the commencement of the Tripura Land Revenue and Land Reforms Act 1960 (as amended by Tripura Act No. 7 of 1974, enacted and enforced on 30th April, 1974), every lease is deemed to be a lease in perpetuity. Where, however, the raiyat is a person under disability, he could, on cessation of the disability, terminate the tenancy if he requires the land for personal cultivation (Section 105 and 118).

Level of rent chargeable from tenants is 1/4th of the produce if plough cattle for the cultivation of land is supplied by the raiyat and 1/5th in other cases. The cash rent is fixed at 4 times the land revenue (Section 111).

In the matter of conferment of ownership rights to tenants, the Tripura Govt. under Section 125-A of the amending Act, may by notification declare all lands held by under raiyats to be non-resumable and on such declaration the ownership of these lands shall stand transferred to the under-raiyat on payment of prescribed compensation. However, no such notification has yet been issued.

Uttar Pradesh

The intermediaries in Uttar Pradesh, possessing their unlet *Sir* and *Khudkasht* lands were given the status of bhumidars without any payment to the Government. Secondly, four new tiers of tenancies were created there. However, all tenants were conferred complete security of tenure. No resumption was allowed to landowners on grounds of personal cultivation, a feature which is unique in the country.

West Bengal

Tenancy provisions have come under enforcement in West Bengal from 15-2-1971 as per West Bengal Land Reforms (Amendment) Act, 1972. Leasing of land is allowed under the Acts. As regards level of rent chargeable from tenants these are ½ of the produce where plough cattle, manure and seeds necessary for cultivation are supplied by the landowner and ¼ of the produce in all other cases. The bargadars (Sharecroppers) have no right to acquire ownership of the land cultivated by them.

Source :

(1) Information available with the Ministry of Rural Reconstruction.

(2) Report of the National Commission on Agriculture-1976, Part XV-Agrarian Reforms.

ANNEXURE II

Land Ceiling Laws in States

Assam

In the Assam Fixation of Ceiling on Land Holdings Act, 1956 (Amendment upto 1976), which was enacted and enforced on 10th October, 1972, level of ceiling of land for a person (including family) is 50 bighas. Where the person holds orchards, it has been increased by the actual area of the orchard subject to a maximum of 4 bighas. The State Government may allow more land for ancillary purposes and for increasing the area under special cultivation of tea in accordance with the rules as may be prescribed (Section 4.2). The unit of application in person which includes a family, a company and a body corporate and a family includes a joint family [Section 4 and 3(i)]. In the Fixation of Ceiling on Land Holdings, exemptions are granted to the following categories :

(i) Lands held by State Government or Union Govt. or local authorities and any Agricultural Farming Corporation.

(ii) Land held and utilised for special cultivation of tea and purposes ancillary thereto.

(iii) Lands held by a mill, factory, workshop as may be required for specified purposes.

(iv) Lands held by a Cooperative farming society for cultivation of sugarcane and for feeding a cooperative sugar factory.

(v) Land vesting in a Gram Sabha under the Assam Act, (Section 2).

Compensation for surplus lands acquired under the Land Holdings Ceiling Act is paid at the following rates :

(a) 25 times and 58 times of the full rate of annual land revenue for fallow land and other land respectively (when taken from an owner),

(b) 10 times and 35 times of the full rate of land revenue when taken from an occupancy tenant; and

(c) 5 times and 30 times when taken from non-occupancy tenant (section 12). The compensation may be paid in cash in one or more equal annual instalments within 5 years of acquisition of the land (Sec. 13).

It is also contained in the ceiling Act that transfers and partitions after 1st April, 1970 will be disregarded in the determination of ceiling Sec. 4(6). All benami transfers after 12th November, 1955 will be disregarded in determining the ceiling area of the transfer or Sec. 4(4).

Bihar

The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of surplus Land, 1951) (Bihar Act XII of 1952). enacted and enforced on 6-1-1973 (Act 1 of 1973) and 19-5-1973 (Act IX of 1973), has laid down the following levels of ceiling on land holdings :

For a family of upto 5 members :—

(i) Class I land : Land irrigated from public sources with assured irrigation for more than one season and growing at least two crops in a year 6.0705 hectares (5 acres);

(ii) Class II land : Land under private irrigation with assured supply of water for more than one season ...7.2864 hectares (18 acres);

(iii) Class III land : Land with irrigation for one season ...10.7175 hectares (25 acres);

(iv) Class IV land: Orchard, any other horticultural land other than that referred to in (a), (b), (c), (d), (e) & (f).....12.1410 hectares (30 acres);

(v) Class V land : Diara or chor land.....15.3680 hectares (37-50 acres);

(vi) Class VI land: Hilly, Sandy and other Land not producing paddy, rabi or cash crops...18. 2110 hectares (45 acres) (Section 4).

In addition to the ceiling, the land holder can retain on area not exceeding one acre forming part of his homestead and land in compact blocks not exceeding 3 acres (1.2141 hectares), which is an orchard or bansbari so long as the land remains or is used as such [Section 5(25)]. For every additional members 1/10th of the ceiling subject to a maximum of 1-1/2 times the ceiling area is allowed [Section 5 (3)].

The unit for the application of ceiling is family of not more than five members (section 4) and the family is defined as comprising of person and his or her spouse and minor children.

The following categories of land holdings are exempted from ceiling :—

(a) Land in possession of the Central Government or State Government;

(b) Land in possession of local authorities or of Gram Panchayats established under the Bihar Panchayat Raj Act, 1947 (Bihar Act VII of 1948);

(c) Land vested in the Bhoodan Yagna Committee established under the Bihar Bhoodan Yagna Act, 1954 (Bihar Act XII of 1954);

(d) Lac-brood farms operated by the Indian Lac Cess Committee constituted under section 4 of the Indian Lac Cess Act, 1930 (24 of 1938).

(e) Land notified under the Land Acquisition Act, 1894;

(f) Any land awarded for gallentry in the First World War or in the Second World War of subsequently ;

(g) Such extent of land held on the date of commencement of this Act by Educational Institutions, Universities, Research Councils or research institutes recognised by the State, hospitals, maternity homes and orphanages, as may be notified by the State Government in this behalf so long as they continue as such; and

(h) Such extent of land held on the date of commencement of this Act by such public or charitable bodies or religious institutions of public nature running educational institutions, hospitals, maternity homes and orphanages, as may be notified by the State Government in this behalf, so long as they continue as such;

(i) Sugarcane farms owned and operated on the date of commencement of the Act by Sugar Factories holding a licence under any law relating to sugar factories for the time being in force to such extent as may be necessary for the production of sugarcane seeds but in no case exceeding one hundred acres;

(j) So much of land not exceeding fifteen acres of Class I land or equivalent area of other classes owned and held under personal cultivation by any religious institution of a public nature on the date of the commencement of the Act as may be determined by the Collector in the prescribed manner not to be necessary for the purpose of performing religious rites and maintenance of the religious institutions;

(k) Public financial institutions (Section 29).

7—256 HA/ND/81

Compensation for surplus lands acquired by way of ceiling is paid at the following rates :

For land on which there is no under-raiyat.

	Rs. Per acre
Class I land	900
Class II land	750
Class III land	540
Class IV land	450
Class V land	360
Class VI lands	
1. Land growing other than paddy of rabi or classed as Tenure II in Chhota Nagpur or Santhal Parganas	150
2. Land classed as Tenure I & II in Chhota Nagpur and Santhal Parganas	76
3. Waste land	50

For lands on which there are under-raiyats; 3/4th of the rate fixed under part I of the Scheduled in the case of land held by (i) occupancy under-raiyat; and (ii) 7/8th of the rates fixed under part (i) in the case of land held by non-occupancy under-raiyats.

The ceiling Act is deemed to have come into force with effect from 9th September, 1970 (Section I). All transfers affected from 22nd October, 1959 are reviewed and all malafide and benami transfers are enrolled (Sec. 5).

Gujarat

In Gujarat State land Ceiling Act was introduced in the form of The Gujarat Agricultural Lands Ceiling Act, 1960—(as amended in 1974 by Act 2 of 1974). It was enacted on 23-2-1974 and enforced on 1-4-1976. Under the Act the level of ceiling for a family upto five members is as given below :

(i) Perennial irrigated land—

(a) irrigated by sources other than private sources 18 to 20 acres ;

(b) irrigated by private sources 12.5 to 18 acres;

(ii) Seasonally irrigated land 15 to 27 acres.

(iii) Superior dry crop land 20 to 36 acres.

(iv) Dry crop land; 30 to 54 acres (Schedule).

Any desert or hilly or any drought prone area so declared by the Government, the ceiling areas with reference to any crop land shall be increased by 12½% over the ceiling area specified under dry crop land, provided that such ceiling shall not exceed 54 acres.

For each additional member, 1/5th of the ceiling area is allowed, so, however, that the total holding does not exceed twice the ceiling area.

The unit of application is a family of five members.

The Compensation payable shall be the amount calculated in accordance with such of the following subclauses as may be applicable to the land :

(a) If the land is held on lease from the Government (for a period of less than 20 years) =12 times the full assessment therof)

(b) In other cases:

(1) In class A local areas :	200	times the full assessment.
(2) In class B local areas :	183	,,
(3) In class C local areas :	170	,,
(4) In class D local areas :	155	,,
(5) In class E local areas :	140	,,
(6) In class F local areas :	125	,,
(7) In class G local areas :	110	,,
(8) In class M local areas :	95	,,
(9) In class I local areas :	80	,,

However, where the land remained uncultivated for a Continuous period of 3 years immediately preceding the specified date an amount equal to 25% of the amount arrived at in respect thereof, and when the land is impartible and non-transferable, an amount equal to 2/3rd of the amount arrived at in respect thereof.

The compensation payable is subject to a maximum of Rs. 2,000 per acre. Besides, an amount equal to the market value of trees belonging to the landholder and an amount equal to the depreciated value of permanent structures, etc. are payable as compensation as laid down in sub-section B and C of Section 23.

The total amount payable is reduceable by 10 to 25% for amounts exceeding Rs. 20,000 (Sec. 23 & 24).

The amount of compensation payable shall be paid in cash or in bonds or partly in cash and partly in bonds (the bonds being transferable), carrying 4½% interest and maturing in 20 years (Sec. 25).

Haryana

The Haryana failing on Land Holdings Act, 1972, enacted and enforced on 22nd and 23rd December 1972 respectively, has put the following levels for the imposition of ceiling on land holdings :

For a family upto 5 members :

(i) Lands under assured irrigation capable of growing at least two crops in a year—7.25 hectares.

(ii) Lands under assured irrigation capable of growing at least one crop in a year —10.9 hectares.

(iii) Lands of all other types including lands under orchards—21.8 hectares.

For every additional member over 5-1/5 of the ceiling subject to a maximum of twice the ceiling area is allowed. Ceiling limit shall, however, be increased up to the permissible area (the ceiling limit) for an adult son living with his parents or either of them and in case of his death his widow and children, if any, provided that where such person owns any land, the same shall be taken into account for calculating the permissible area.

In determining the ceiling area under (i) above, 5 hectares of land under irrigation from privately owned tube-wells, pumping sets, etc., shall be equal to 4 hectares of land under irrigation from rural or state owned tubewells (Sec. 4).

The unit of application for the land ceiling purposes is family.

The compensation rates for the surplus land acquired by way of ceiling are following :

(a) For the first 10 hects :	Rs. 2000 to Rs. 200 per acre depending on the quality of land.
(b) For the next 20 hects : per acre.	Rs. 1760 to Rs. 160 Per acre
(c) For the remaining land : per acre.	Rs. 1600 to Rs. 150 Per acre

On the basis of "Annewari" Classification, 16 grades of land are shown ranging from the value of 16 annas to 1¼ annas. The amount payable for surplus land can, alongwith interest @5% per annum, be paid in cash in 10 equated annual instalments (Sec. 16).

Himachal Pradesh

The Himachal Pradesh Ceiling on Land Holding Act was enacted on 10 July, 1973 and enforced on 28th July, 1973. Level of ceiling on land for a family of upto 5 members was :

(i) Lands having assured irrigation capable of growing two crops : 10 acres.

(ii) Lands having assured irrigation capable of growing one crop : 15 acres.

(iii) Other lands including orchards : 30 acres.

(iv) Other lands in certain specified areas : 70 acres.

For every additional minor member of a family over 5, one fifth is the permissible area subject to maximum of twice the permissible area. Every adult son of a person is treated as separate unit and entitled to the land upto the ceiling limit, subject to the condition that the aggregate land of the family and that of the separate unit put together does not exceed twice the permissible area (Sec. 4). The unit of application of the Act is family.

Compensation rate for surplus lands is determined in the following matter :

(a) For surplus land upto 10 acres—95 times the land revenue (including cesses and rates).

(b) For surplus lands in excess of 10 acres and below 30 acres—75 times the land revenue (including cesses and rates).

(c) for the remaining surplus land—45 times the land revenue (including rates and cesses).

In addition, 50% of the market price of building, structures, tubewells, if any, and entitlement to harvest the standing crop. The amount is payable either in lumpsum or in six monthly instalments not exceeding 10 in the manner prescribed (Sec. 14).

Jammu and Kashmir

In Jammu and Kashmir the land ceiling holding was introduced in the form of "The Jammu and Kashmir Agrarian Reform Act, 1976" which was enacted on 21-8-1976 and enforced on 13-7-1978. The level of ceiling imposed upto 12.5 Standard acres for a family consisting of husband, wife and children (other than married daughters and major son separated on or before 1-9-1978 and holding land separately). In terms of ordinary acres the ceiling limit varies between 8-13/14 acres to 22-8/11 acres; depending upon the class of land indicated in Schedule I of the Act.

Irrigated Land : 8-13/14 to 12.5 acres, unirrigated Land, 14-12/17 to 17-6/7 acres, Gross Land : 22-8/11 acres.

The unit of application is family. With regard to compensation of surplus land acquired under the Land Holding Ceiling, the State Government propose to pay compensation equal to market value, however, the provision in the Act is very ambiguous.

Karnataka

In the Karnataka Land Reforms Act, 1961 as amended by Karnataka Act, No. 1 of 1974, enacted and enforced on 23rd February and 1st March, 1974, respectively, the unit of application for the imposition of ceiling is family and the level of ceiling for a family of five members holding the following classes of land is as follows :

(i) A class land i.e. land with assured irrigation from Government canals or tanks capable of growing two crops of paddy or a crop of sugar in a year—10 to 13 acres.

(ii) B Class land i.e. land having assured irrigation from Government sources for growing one crop of paddy in a year and lands having lift irrigation from such source for growing two crops of paddy or a crop of sugar in a year—15 to 20 acres.

(iii) C class land i.e. :

(a) land irrigated by Government source including lift irrigation other than those coming under Class A & B and suitable for growing one light irrigated crop ;

(b) lands growing paddy or area crop with the help of rain water ; and

(c) land irigated by lifting water from river or from Government sources using private installations of pumps etc. 25 to 30 acres.

(iv) D Class land i.e. dry land and any other land growing paddy and garden land not having Government irrigation facilities not coming under class A, B & C—54 acres.

Garden crop having irrigation facilities will come under A, B & C depending upon the source and system of irrigation. For every additional member, two units of land subject to a maximum of twice the ceiling area is allowed for larger families. For educational, religious or charitable institutions or society or trust of a public nature where the income from the land is solely appropriated, therefore, the ceiling shall be 20 units. A sugar factory can hold upto 50 units (50 to 270 acres) solely for purpose of research or seed farm or both. (Sec. 63 & Sch. I Pt. B).

The Act has its effect from the retrospective date 24th January, 1971 (Sec. 63).

The rates of compensation for the surplus lands are following :

(i) For the first sum of Rs. 5000 of the net annual income	15 times such sum or portion
(ii) For the next sum of Rs. 5000	12 times such sum or portion
(iii) For the balance	10 times such sum or portion

Provided that the amount payable for 'D' class land shall be equal to 20 times the net annual income thereof.

The above sum is payable as follows :

(A) to the tenant, if any, in possession of the land—an amount equal to one year's annual net income.

(B) to the owner—the balance.

Besides, value of wells and other permanent structures is payable.

The total payment in no case to exceed Rs. 2.00 lakhs (Section 72).

Maharashtra

In accordance with the Maharashtra Agricultural Lands Ceiling on Holding Act, 1961 as amended in 1972 (enacted on 7th August, 1975 and enforced on 2nd October, 1975) the level of ceiling for the land holdings of 18 to 54 acres is as follows :

(i) (a) Land perennially irrigated by flow 7,28,43 hectares (18 acres)

(b) Land perennially irrigated by Government lifts.

(ii) (a) Land having assured seasonal irrigation by flow 1092.65 hectares (27 acres).

(b) Land perennially irrigated by private lift or by private well in the command of on irrigation project.

(iii) (a) Land having unassured seasonal irrigation by flow	14-56.86 36 acres.	hec.
(b) Paddy lands in assured rainfall areas	14-56.86 36 acres.	hec.
(c) Other dry crop lands	21-85.29 54 acres.	hec.

(Section 4-6)

The unit of application is family and family means a person and his spouse, and their minor sons and minor unmarried daughters, (all dissolution of marriages after 26-9-1970 shall be disregarded). A separate ceiling is provided for the major son.

Compensation for dry land has been fixed at 150 to 250 times the assessment per hectares in different districts of the State. In the case of perennially irrigated, seasonally irrigated and land with unassured water supply, the compensation may be increased by 100%, 50% and 25% of the dry land. The price of dry land shall not increase by Rs. 1000 per hectare and perennially irrigated land by Rs. 5000 per hectares. (Sec. 5.23).

Manipur

The Manipur Land Revenue and Land Reforms (Amendment) Act, 1975 (enacted and enforced on 24th May, 1976 and 1st August, 1976, respectively) has fixed the level of ceiling at 5 hectares of class I land, that is, land which has irrigation facilities or 6 hectares of class II land that is land other than class I land.

Where the number of members of the family exceed 5 each member in excess of 5 shall hold one additional hectare, but the ceiling limit should not exceed 8 hectares of class I land 10 hectares of class II land in aggregate.

Provision is also made for additional land in the case of adult son upto one-half of the ceiling limit. (Sec. 136).

The unit of application for the imposition of ceiling is a family constituting of 5 members. Family in relation to a person means, the person, the wife or husband as the case may be, and the minor sons and unmarried minor daughters. [Sec. 135(c)].

Compensation rate for surplus lands is as follows:

(i) two hundred times of the land revenue in respect of land not exceeding five hectares.

(ii) one hundred and fifty times of such revenue in respect of land exceeding, five hectares but not exceeding ten hectares ; and

(iii) one hundred times of such revenue in respect of land exceeding ten hectares.

Compensation payable in respect of any structure or building or trees shall not exceed fifty per cent of the market value. (Section 143).

Orissa

In the Orissa Land Reforms Act, 1960, (enacted and enforced on 29th Sept. and 2nd Oct., 1973 respectively), the unit of application for ceiling is family of five members and the level of ceiling for a family of five members is 10 standard acres which in ordinary acres extend to :

(i) Irrigated land in which 2 or more crops can be grown (class I land) : 10 acres.

(ii) Irrigated land growing one crop in a year (class II land) : 15 acres.

(iii) Other land growing paddy (class III land) : 30 acres.

(iv) Any other land (class 1B) land : 45 acres.

For every additional member, 2 standard acres is allowed. The outer limit is fixed at 1-4/5th of the ceiling area. Tanks, coconut gardens and orchards other than banana gardens shall be deemed to be class III land. [Sec. 37-A, read with Sec. 2 (5-A) & 2(30)].

Compensation for surplus lands is given at the following rates :

Extent of surplus land	*Rate of compensation*
For the 1st 10 std. acres :	Rs. 800 per std. acre
For the next 10 std. acres :	Rs. 600 per std. acre
For the next 10 std. acres :	Rs. 400 per std. acre
For the rest	Rs. 200 per std. acre

Plus 50% of the market value of tanks, wells and structures of a permanent nature and trees standing on the land. The amount is payable in 10 equal instalments. However, the Government may make the payment at any time before the 10 years period in lumpsum whatever remains to be paid. (Section 47 & 50).

The Act has its effect from the retrospective date 26th Sept., 170 (Sec. 39).

Punjab

The Punjab Land Reforms Act, 1972, (enacted on 24-3-1973 and enforced on 2nd April, 1973 has fixed the following levels for the imposition of ceiling :

For a family of 5 members :

(i) Land under assured irrigation and capable of yielding at least two crops in a year —— 7 hectares.

(ii) Land under assured irrigation for only one crop in a year —— 11 hectares.

(iii) Sarani land —— 20.50 hectares.

(iv) Land of other classes including banjar land an area to be determined according to the prescribed scale with reference to intensity or irrigation, productivity and soil classification of such classes, having regard to the respective valuation and the permissible area of the classes of land mentioned at (a), (b) and (c) above.

Where land consists of 2 or more classes, the ceiling to be determined on the basis of relative valuation, subject to the condition that it does not exceed 21.8 hects. For each additional member over five, 1/5th of the permissible area subject to a maximum of 1-3/5 times the permissible area. (Section 4) land owner is also entitled to select separate permissible area (i.e. the ceiling limit) in respect of each adult son, out of the land owned or held by him subject to the condition that the land so selected together with the land already owned or held such adult son, shall not exceed the permissible area of each son.

The unit of application for the imposition of ceiling is family.

Compensation rate for the surplus land is as follows :

(a) for the first 3 hectares of land — twelve times the fair rent subject to a maximum of Rs. 5,000 per hect.

(b) for the next 3 hectares of land — nine times the fair rent subject to a maximum of Rs. 3,750 per hect.

(c) for the remaining land — six times the fair rent subject to a maximum of Rs. 2500 per hectare.

For the purpose of this Section fair rent means the value of 1/5th of the gross produce of the land. The rent shall be payable either in lumpsum or in half yearly instalments not exceeding fifteen (Section 10).

Rajasthan

In the Rajasthan Imposition of ceiling on Agricultural Holdings Act, (enacted and enforced on 1-1-1973), the unit of application for ceiling is a family and the level of ceiling for a family of upto 5 members is determined on the following types :

(i) Land with assured irrigation capable of growing two crops in a year ..... 18 acres,

(ii) Land with assured irrigation capable of growing at least one crop in a year ..... 27 acres.

(iii) Land under orchards existing on 23-7-1972 ..... 54 acres.

(iv) Land not belonging to above categories and falling in fertile zone ..... 48 acres.

(v) Land not within categories (a) to (d) and falling in semi-fertile zone 54 acres.

(vi) Land not falling in the above categories and falling in hilly zone*..... 54 acres.

(vii) Land not within the categories specified in (a) to (f) and falling in semi-desert zone* ..... 125 acres.

(viii) Land not within any of the above categories and falling in desert zone* ..... 175 acres. (*As described in the schedule).

For each additional member over five, 1/5th the ceiling area with a maximum limit of twice the

ceiling. (Sec. 4) Land irrigated by well shall not be deemed to fall within the categories of land specified in clause (a) and clause (b) and shall be deemed to fall within category (d) (Section 4).

Compensation for ceiling on surplus lands is given at the following rates :

(a) for the first 7.5 acres of surplus land	12 times the fair rent subject to a maximum of Rs. 1600 to Rs. 75 per acre depending upon the class of land.
(b) For the next 7.5 acres of surplus land	9 times the fair rent subject to a maximum of Rs. 1400 to Rs. 65 per acre depending upon the class of land.
(c) For the remaining surplus land	6 times the fair rent subject to a maximum of Rs. 1280 to Rs. 60 per acre depending on the class of land.

"Fair Rent" means the value of 1/5 of the gross produce (Section 19).

The amount for the acquisition of surplus land payable shall be in lumpsum for sums upto Rs. 500 and in 5 equal annual instalments where it is between Rs. 500 and Rs. 5000 and in 10 equal years instalments where it is above Rs. 5000 (Section 20).

Sikkim

In the Sikkim land ceiling and Reforms Act, 1977 (enacted on 2nd June, 1978 but not yet enforced), the unit of application for ceiling is family and the level of ceiling for a family of not more than 5 members is fixed as 12½ standard acres. The standard acre from 1 to 4 ordinary acre varies from 1 to 4 ordinary acres depending upon the type of crop produced. Where a family consists of more than 5 members the ceiling shall be increased by 2 standard acres for each member in excess of 5 with an outside limit of 20½ standard acres. Every adult son shall be treated as a separate unit. A monastery or other religious institutions shall be entitled to hold 60 standard acres to 25 standard acres (Section 6).

The rates of compensation are as follows :

(i) for the first twenty standard acres, an amount being two hundred times the land revenue payble for such land ;

(ii) for the next thirty standard acres; an amount being on hundred times the land revenue payable for such land;

(iii) for the next fifty standard acres, an amount being fifty times the land revenue payable for such land; and

(iv) for the remaining land; an amount being twenty-five times the land revenue payable for such land. (Section 12).

Tamil Nadu

In the Tamil Nadu Land Reforms (Fixation of Ceiling Land) Act, 1961, (enacted on 15-2-1970) the unit of application for ceiling is family and the level of ceiling for a family of upto 5 members is 15 standard acres (1 standard acre varies from 0.8 acres of wet land of the best quality to 4 acres of dry land). Stridhan land can be retained upto 10 standard acres. (Clause 40 of Sec. 3)

For every additional member, 5 standard acres but the total family holding should in no case exceed 30 standard acres.

Compensation as laid down in Schedule III payable to land holders is as follows :

(i) For the first sum of Rs. 5000 or portion thereof of the net annual income from the land—12 times such sum of portion.

(ii) For the next Rs. 5,000 or 11 times such sum or portion. Portion thereof net annual income :

(iii) For the next Rs. 500 or 10 times such sum or portion.

(iv) For the next Rs. 500 or 9 times such sum or portion.

(v) For the next Rs. 500 or 8 times such sum or portion.

(vi) For the next Rs. 500 or 7 times such sum or portion.

(vii) For the next Rs. 500 or 6 times such sum or portion.

(viii) For the next Rs. 500 or 5 times such sum or portion.

(ix) For the next Rs. 500 or 4 times such sum or portion.

(x) For the next Rs. 500 or 3 times such sum or portion.

(xi) For the Balance of the next annual income 2 times such sum or portion (Section 50) & Schedule III.

Net annual income means the fair rent minus land revenue fair rent is equal to 33% to 40% of the gross produce. Compensation for building machinery, plant, apparatus mills, fitter points or power lines as written down value under the Income Tax and value of trees. The amount is payable either in cash or in bonds or partly in cash or partly in bonds as the Government may deem fit. Interest shall be payable at 4% per annum. (Section 55).

Tripura

The level of ceiling, according to the Tripura Land Revenue & Land Reforms Act, 1960 (as amended by Tripura Act, No. 7 of 1974 enacted and enforced on 30th April, 1974) is as given below :

For a family of 2 to 4 standard hectares, 5 members : that is,

(i) Lunga or Nal Land — 4 hectares

(ii) Tills Land 12 hectares

For every additional member above five, an extent or 0.60 std. hectare (or 0.60 ha. to 1.80 hectares) Additional land is allowed subject to the condition that the outer limit would be 7.20 std. hectares.

For an adult unmarried person or sole surviving member :—

2 std. hectare (i.e. 2 ha. to 6 hects. in extent).

Lands owned by Trust or endowment other than that of a public nature shall be deemed to be land owned by the beneficiaries.

Ceiling limit for a cooperative society, company or cooperative farming society, a Hindu undivided family or a firm shall not exceed the sum total of the ceiling of each member (Section 164-A).

The unit of application is a family of five members. However, for a sole surviving member or an adult unmarried person a lower ceiling is prescribed. (Section 164).

The Act has its effect from the retrospective date i.e. 24th January, 1971.

Compensation for the land holdings acquired by way of ceiling is multiple of land revenue and the rates are as follows :

Amount of land revenul	*Amount of Compensation*
(a) For land revenue upto Rs.125	100 times the land revenue
(b) For the next Rs. 125 or part thereof	90 times the land revenue
(c) For the next Rs. 250 or part thereof	85 time the land revenue
(d) For the next Rs. 500 or part thereof	60 times the land revenue
(e) For the next Rs. 2500	50 times the land revenue
(f) For the balance	30 times the land revenue

When the surplus land or part thereof is in possession of an under-raiyat, the compensation payable shall be apportioned between the raiyat and the under-raiyat. Buildings, structures, trees, etc. on the land shall be compensated having regard to the market value thereof. (Section 171). The amount shall be paid in cash in lumpsum or in instalments or in bonds. (Section 172).

Uttar Pradesh

In the Uttar Pradesh Imposition of ceiling on land Holdings Act, 1960 (amendment Act enacted on 5-6-1973 and enforced on 8 June, 1973), the unit of application for ceiling is family and the level of ceiling for a family of upto 5 members is as follows :

(i) Irrigated Land	7.30 hects.
(ii) Unirrigated land (including single crop irrigated land) . . .	10·95 hects.
(iii) Grove Land	18·25 hects.
(iv) Usar land	18·25 hects.
(v) Unirrigated land in specified areas	18·25 hects.

The ceiling limit will be increased by 2 hectares of irrigated land (or equivalent thereof) for each additional member in excess of 5 subject to a maximum of 6 hects. Each adult son is allowed 2 hects. of irrigated land or so much land which together with the land held by him aggregates to 2 hectares, subject to a maximum of six hectares.

The rates of compensation payable to the different types of land holders are as follows :

(a) For Bhumidars :

40 times the land revenue determined at the hereditary rate plus 20 times the difference between the land revenue and the hereditary rate where the land revenue payable is less than the land revenue determined at the hereditary rate.

(b) Bhumidar in respect of the surplus land held by his Asami :

(1) If the Asami holds land in perpetuity—1/8th of the amount of compensation ;

(2) If the Asami holds land for his life-time—5/8th of the amount of compensation;

(3) If the Asami holds land for a specified period and the amount arrived at after deducting the amount payable to the Asami.

(c) Sirdar : 20 times the land revenue determined at hereditary rate applicable and where the land revenue payable is less than that determined at the hereditary rate applicable, an additional sum equal to 20 times the difference between the two.

(d) Asami of a Gaon Sabha or a local authority 5 times the rent payable by him.

(e) Asamis [other than those in (d)]:

(1) If holds land in perpetuity—7/8th of the amount of compensation calculated;

(2) If he holds land for his life time—3/8th of the amount of compensation;

(3) If he holds land for a specified period half of the land revenue determined at hereditary rates applicable for each year of the unexpired period of the lease, subject to a maximum of 35 times the land revenue so computed.

Sources :

(1) Information available with the Ministry of Rural Reconstruction.

(2) Report of the National Commission on Agriculture-1976, Part XV Agrarian Reforms.

ANNEXURE III

Priorities in distribution of ceiling surplus lands

Assam

(i) Cultivating tenants in occupation;

(ii) Sub-tenant in occupation;

(iii) Land which is not so settled will be settled as per Section 12 of Assam Land & Revenue Regulation, 1896. (Section 15 & 17)

The beneficiary shall pay to the Government in lumpsum or in annual instalment, not exceeding five, an amount fixed by the Government which should not exceed the amount payable by the Government for the acquisition of land.

Bihar

(i) Landless persons in the village belonging to Scheduled Castes and Scheduled Tribes or backward Classes as mentioned in Revenue Department's notifications in 1956 and 1962.

(ii) Persons belonging to Scheduled Castes and Scheduled Tribes, etc. of the village having not more than one acre of class III land or equivalent areas.

(iii) Other landless persons in the village.

(iv) Other persons with less than one acre of class 1 land or equivalent area.

(v) Dependents of present service personnel and of those killed in action.

(vi) Ex-serviceman residing in the village.

(vii) The remaining land to be settled with persons belonging to Scheduled Castes, Scheduled Tribes or backward classes among the repatriates of Bihar origin from Burma. The Government may set apart a portion of the surplus land in connection with the scheme of agrarian reform including the improvement of the rural economy or promotion of rural welfare or any other public purpose and the same shall not be used for agricultural purpose.

Gujarat

Subject to the payment of the occupancy price, the surplus land shall be allotted in the following priority:—

(i) A cooperative joint farming/farming society, the members of which are agricultural labourers, landless persons or small holders or a combination of such persons.

(ii) Agricultural labourers and landless persons.

(iii) Small holders.

In cases of (2) and (3), persons belonging to Scheduled Castes and Scheduled Tribes shall have preference over others. Where more than one cooperative society exists, preference shall be given in the order of:

(a) A cooperative society, each of the members of which belonging to Scheduled Tribes.

(b) Cooperative society, the membership of which is held partly by persons belonging to Scheduled Tribes and partly by persons of Scheduled Castes;

(c) A Cooperative society, each of the members of which belonging to Scheduled Caste.

(d) A Cooperative society, the membership of which is not solely by persons belonging to Scheduled Tribes or Scheduled Castes (Sec. 29).

Orchards and compact block of efficiently managed land, the break-up of which would effect the maintenance of production can be allotted in tact as per the rules to be framed therefor. For such allotments, the priority is :

(1) Cooperative farming society having not less than 60% of its members belonging to Scheduled Castes/Scheduled Tribes or both;

(2) Any other Cooperative farming society;

(3) A Corporation including a company owned or controlled by the Government (Sec. 29A)

Haryana

(i) A tenant holding land declared as the tenant's permissible are under the Punjab Law or the Pepsu Law as the case may be;

(ii) The tenant who was allotted and given possession in the surplus area by the State Government under Punjab Law or the Pepsu Law and is holding the same;

(iii) A tenant liable to ejectment as a result of an ejectment order or a decree passed against him under the Punjab Law or the Pepsu Law;

(iv) A tenant who has been on the permissible area of the landowner or a tenant of small land owner since before the 24th January, 1971 whose ejectment order or decree has been passed under the Punjab Law or the Pepsu Law;

(v) An agricultural worker;

(vi) A tenant settled on the surplus area of the landowner before Kharif 1968 who is not : (a) the landowner's relation; (b) a landless person; (c) an ex-serviceman; (d) a person owning land measuring less than two hectares of unirrigated land or its equivalent.

Himachal Pradesh

Under the Himachal Pradesh ceiling on Land Holdings Act, 1972 surplus land is allotted to landless persons; a person whose holdings is less than an acre to make his holding one acre. For making allotment of the surplus land first preference among the landless is given to the members of the Scheduled Castes and Scheduled Tribes (Section—15).

Jammu & Kashmir

(i) tillers having 2.5 standard acres;

(ii) owners having less than 2.5 standard acres;

(iii) refugees of 1947 having less than 2.5 standard acres and having no other source of income;

(iv) landless agricultural labourers.

Karnataka

Subject to the reservation of 50% of the surplus land for assignment to Scheduled Castes and Scheduled Tribes and also subject to such restrictions and conditions as may be prescribed, land may be allotted in the order of priority as follows :

(i) Unregistered displaced tenants;

(ii) Landless displaced tenants;

(iii) Landless agricultural labourers whose gross income does not exceed Rs. 2000;

(iv) Landless persons including ex-military personnel whose gross income does not exceed Rs. 2000;

(v) Released bonded labourers;

(vi) Other persons in the villages in the same Panchayats with an annual gross income not exceeding Rs. 2000 (Section 77).

For A B & C classes of land, the price payable is 15 times the net annual income, for D class land, 20 times. (Sec. 79).

The amount can be paid in lumpsum or in annual instalments not exceeding 20 as the Tehsildar may determine. On the outstanding amount, 5½ per cent interest is payable. The Price payable is a first charge on the land and is recoverable as arrears of land revenue.

Kerala

Specific provision has been made in the Kerala Land Reforms Act, 1936 (Act I of 1964) to distribute 50% of the land to landless agricultural labourers belonging to Scheduled Castes and Scheduled Tribes. The check alienation of land and to ensure that the allottee enjoys the benefits of the land, a legal prohibition of alienation of the allotted land by the assignees for a minimum period of 12 years has also been provided in the law. The allottees of surplus land are given physical possession of the land without waiting for mutation being affected, and periodical inspections are made with a view to ensuring that there is no dispossession. The Scheduled Castes and Scheduled Tribes allottees have also been exempted from the payment of fees payable in respect of any document, presented by them. [Rule 127 of the KLR (T) Rules, 1970]. Of the surplus land available, in the first instance, 12½% surplus land 50% of land is assigned to Scheduled Castes and Scheduled Tribes landless agricultural labourers [Sec. (1) (i) of Section 96].

Madhya Pradesh

First priority is given to Scheduled Castes and Scheduled Tribes agricultural labourers.

Maharashtra

(i) tenant who has been rendered landless due to resumption.

(ii) (a) Where the holding is in compact block it shall first be offered to the landlord who has leased the land to such persons and the landlord has not exercised the right of resumption;

(b) Agricultural labourers of technical or other staff rendered unemployed as a result of lands ceiling declared surplus.

(iii) 50% of the surplus land after providing for (i) and (ii) above shall be reserved for distribution to landless persons belonging to Scheduled Castes and Scheduled Tribes and landless persons belonging to nomadic tribes and Vimukta Jati and backward classes.

Priority has been laid down for distribution of the remaining land.

(1) a person who has been rendered landless as a result of resumption of land and is resident of the village or within a km. from the place where the surplus land is situated.

(2) a person who has leased land to an undertaking and is a resident in the taluka and whose net income is less than Rs. 4000 per annum.

(3) serving member of the Armed Forces and ex-Serviceman including their dependents.

(4) landless persons.

It has also been provided that there are more than one person for the allotment of land it shall be allotted by draw of lots. The unit of allotment has been prescribed ranging from 1 to 3 hectares.

Manipur

The surplus land shall be allotted to landless agricultural workers preference being given to those belonging to Scheduled Castes or Scheduled Tribes who reside within a distence of 8 kilometres from place where the surplus land is situated and the land allotted to a person shall not exceed a basic holding and he shall be liable to pay compensation to the Government as per section 143.2 (Section 147).

Orissa

70% of the surplus land shall be settled with persons belonging to Scheduled Castes and Scheduled Tribes in proportion to their respective populations in the villages in which the lands are situated. For the remaining 30% and what remains unsettled out of the 70% set apart for Scheduled Castes/Tribes, the priority is as follows :

(i) Cooperative farming societies formed by landless agricultural labourers;

(ii) Any landless agricultural labourers of the villages in which the land is situated or of any neighbouring village;

(iii) Ex-servicemen or members of the armed forces of the Union belonging to the village in which the land is situated;

(iv) Raiyats who personnally cultivate not more than one standard acre of contiguous land;

(v) In the absence of persons belonging to any of the foregoing categories, any other persons.

It is further provided that the Collector of a district may set apart away of the surplus land for being utilised for any public purpose, other than the purpose of cultivation and therefore the remaining surplus land shall be settled in accordance with the above provisions (Section 51).

Punjab

A major person who has been residing in Punjab since before 4th July 1968 and is primarily engaged in agriculture and who is a tenant or a member of Scheduled Caste or backward class and does not own or hold any land or owns or holds less than 2 hects. of the first quality land or its equivalent area or a landless agricultural worker (Para 2 the Punjab utilization of Surplus Area Scheme, 1973).

Rajasthan

Surplus land shall be allotted to landless labourers particularly those belonging to Scheduled Tribes (Section—21).

Sikkim

The settlement of lands which vest in the State shall be made with persons who reside near the locality where the land is situated and who intend to bring the land under personal cultivation and who owns no land or less than three standard acres of land, preference being given to those among such persons who form themselves into a cooperative farming society. Provided that settlement of any such land may be made with other persons where such settlement is in the opinion of the State Government necessary for the public purpose connected with agricultural or otherwise on such terms and conditions as the State Government may think fit.

Where the State Government is satisfied that it is necessary to retain or reserve any such land vested under this Act for the purpose of the State Government or any other public purpose, it shall be competent for the State Government to retain or reserve such land for the same (Section 23).

Tamil Nadu

(i) A person who has been cultivating land and who is completely disposed of the land or his holding is reduced below 3 standard acres as owner or as tenant which is declared surplus.

(ii) Any other person who is completely dispossessed by virtue of provisions of this Act.

(iii) A person whose extent of holding is reduced below 3 standard acres held by him partly as cultivating tenant or partly as owner or wholly as culivating tenant by virtue of provisions of this Act.

(iv) Landless agricultural labourer belonging to Scheduled Castes/Tribes, who contributes his or his family labour in the cultivation of land.

(v) An ex-serviceman including Ex-INA.

(vi) A landless agricultural labourer other than that referred to under item (4).

(vii) A cultivating tenant who is holding land which is less than 3 standard acres in extent.

(viii) A repatriate from Burma or Sri Lanka, who has repatriated not more than Rs. 10,000.

(ix) A co-operative farming society formed by landless agricultural labourers.

Tripura

To be prescribed by the rules to be framed under the Act under which landless persons belonging to Scheduled Castes and Scheduled Tribes have the highest priority.

Uttar Pradesh

(i) In a village where no land is available for community purpose or where the available land is less than 15 acres in extent, the land upto 15 acres shall be allotted to such purposes in the village;

(ii) Landless widow, sons, unmarried daughters or parents residing in the circle of a person who has lost his life by enemy action while in active service in the Armed Forces of the Union;

(iii) A person residing in the circle, who has become wholly disabled by enemy action while in active service in the Armed Forces of the Union;

(iv) A landless agricultural labourer residing in the circle and belonging to a Scheduled Castes or Scheduled Tribes;

(v) Any other landless agricultural labourer residing in the circle;

(vi) A bhumidar, sirdar or asami residing in the circle and holding less than 1.26 hectares (3.125 acres);

(vii) A landless person residing in the circle who is retired, released or discharged from service other than service as an officer in the Armed Forces of the Union;

(viii) A landless freedom fighter residing in the circle who has not been granted political pension;

(ix) any other landless agricultural labourer belonging to a Scheduled Caste or Scheduled Tribe not residing in the circle but residing in the Nyaya Panchayat Circle referred to in section 42 of the UP Panchayat Raj Act, 1947.

West Bengal

(i) A landless person found to be in uninterrupted possession for a minimum period of 3 years;

(ii) Landless agricultural workers who belong to STs;

(iii) Landless agricultural workers who belong to SCs;

(iv) Landless agricultural workers other than the above;

(v) Landless *bargadars* who belong to the STs;

(vi) Landless *bargadars* who belong to the SCs;

(vii) Landless *bargadars* other than the above;

(viii) Landless persons who used to cultivate the lands in question as *bargadars* or agricultural workers under the previous owners;

(ix) *Raiyats* who belong to the Scheduled Tribes and cultivate themselves;

(x) *Raiyats* who belong to Scheduled Castes and cultivate themselves;

(xi) *Raiyats* who do not belong to Scheduled Tribes or Scheduled Castes and cultivate themselves;

(xii) Ex-service personnel who are eligible under Section 49 of W.B.L.R. Act that are not considered for allotment of land from the earmarked quota.

B. *Conditions*

(i) *Raiyat* or *bargadar* who owns as a raiyat one acre or more of agricultural land shall not be ordinarily eligible for any further land.

(ii) A person who is not a national of India shall not be entitled to any land.

Source :

(1) Information available with the Ministry of Rural Reconstruction.

(2) Report of the National Commission on Agriculture, 1976, Part XV, Agrarian Reforms.

ANNEXURE IV

Provisions Regarding Homestead Tenancy

Assam

With regard to the provisions regarding homestead tenancy and details of homestead rights conferring on tenants, it is reported that where homestead tenancy form part of Agricultural Holdings, the occupancy tenants enjoy permanent and heritable rights but non-occupancy tenants have no security of tenure. And, where the dwelling site was not part of the Agricultural Holdings, the tenant is liable to ejectment if he does not exercise the option given by the landlord to purchase it at the prevailing market rate [Section 53(d)].

Bihar

The Bihar Privileged Persons Homestead Tenancy Act, 1947 provided that the agricultural workers and poor peasants with holdings below one acre or 0.4 ha. would be conferred permanent occupancy right over their homestead land on payment of fair and equitable rent. Under the Bihar Privileged Persons Homestead Tenancy Act, 1947 as amended in 1975, a privileged tenant, that is, a person who besides his homestead holds no other land or holds not more than one acre has been conferred permanent tenancy in his homestead except on the grounds of making the land unfit or non-payment of rent. By an amendment in 1970 all privileged tenants having permanent tenancy were brought directly under the State in respect of their homestead land and the State Government paid compensation to the landlords at the rate of 10 times of the rent.

Gujarat

Former Bombay area

Every tenant, agricultural labourer and village artisan shall be deemed to have purchased the homestead lands belonging to landlords upon which their dwelling houses stand.

The tenant has permanent, heritable rights. The tenant shall pay compensation equal to 20 times the annual rent. The amount may be paid in lumpsum or in three instalments carrying 4½% interest. The ownership certificate will be issued on payment of the last instalment. The amount is recoverable as land revenue.

Where the tenant refuses to purchase, he is liable to eviction. The notification dated 2-5-1973 was issued conferring rights on the tenants. Upto the end of 31-1-1979, 24710 persons have been conferred occupancy rights in 2199 acres. (Gujarat Land Commission page 67, Section 16-17-178).

Kutcha Area

A tenant, including a landless agricultural labourer and a village artisan has been conferred security of tenure in the dwelling house built by him. He has also been given the first option to purchase at the market price, if the landlord intends to sell. On his refusal to purchase the tenant is liable to eviction (Section 22/23).

Saurashtra Area

Under the Saurashtra Estates, Acquisition Act, 1952, village site lands (Abadi) on which dwelling houses of landless agricultural labourers and artisans stand have vested in the State and the occupants have been brought into direct relationship with the State.

The tenants and mortgages in possession can acquire ownership on payment of twice the assessment and value of superstructure. The period to acquire ownership was extended upto 1962 and has since expired.

Under Section 13 of the Saurashtra Barkhali Abolition Act dwelling houses not built at the expense of the tenant, shall be settled with the occupants.

Tenants can acquire ownership on payment of amount paid by the Barkhalidars for acquiring the site, thus tenants in holdings not acquired by the Barkhalidars and landless labourers and village artisans had no rights.

Under section 34 of the Saurashtra Land Reforms Act, dwelling houses included in the occupancy holding shall vest in the occupants free from all encumbrances on payment of prescribed compensation to the Girasdar.

Karnataka

The tenant has the first option to purchase the site. The compensation payable shall be equal to 10 times the Land Revenue.

Where the tenant has built the house, he may purchase the site by paying the purchased price. The law confers ownership rights on agricultural labourers residing in it not exceeding 5 cents. The site shall vest in the Government. The application for registration is to be made before 31-12-1979.

Land owner may if he requires the house for his use require him to vacate it. The landowner shall pay the price of the material and alternative house site shall be within one km of the existing house site.

The Kerala Land Reforms Act, 1963 (Act I of 1964) provides for fixity of occupation to the Kudikidappukaran and allowing him the right to purchase small extent of land in and around his hutment at concessional rate. 'Kudikidappu' means the land and the homestead and 'Kudikidappukaran' is a person who has neither a homestead nor any land exceeding 3 cents in any city or major municipality; or 5 cents in other municipality or 10 cents in any Panchayat area or township in his possession either as owner or as tenant. Sec 8 DA to 8 DG enable a Kudikidappukaran to buy not merely the site of his hut but also the surrounding land upto the extent as mentioned above. The price is to be paid to the land owners in 12 annual instalments, half by the Kudikidappukaran and the other half by the Govt. from the Kudikidappukaras benefit fund, constituted by the Govt. under Sec. 109 of the KLR Act. With a view to helping the Kudikidappukars constructing dwelling on the land purchased by them, the Kerala Government, vide G.O.(P) 1311/78/RD, dated 19-9-78 have sanctioned a Housing Scheme for those who have been granted certificate of purchase of the homestead and house-site. Each beneficiary gets a grant of Rs. 500 and a loan of Rs. 3,000. At present the scheme is implemented only in the Talukas of Quilon Sherthalai and Ambalapuzha.

Maharashtra

Bombay Area

The Act bars eviction of tenants from dwelling houses situated on sites belonging to landlords.

Where the landlord intends to sell the dwelling site, the tenant shall have the first option to purchase it.

The tenant has also the option to purchase the sites. Compensation payable shall not increase 20 times the rent.

Government may by issue of a notification transfer ownership rights to homestead tenants.

The above provisions apply to landless workers and artisans.

Compensation payable 20 times and annual rent may be paid in lumpsum or in 3 annual instalments carrying 4½% interest. (Sec. 16, 17, 17A/17B/18).

Vidarbha Region

The Act prohibits eviction of tenants from dwelling houses situated on sites belonging to land holders except for non-payment of rent for continuous 3 years.

The tenant shall have the first option to acquire ownership if the landlord intends to sell it. The Tribunal shall determine the value of the site. No principle for determining the cost of the site as in Bombay area has been laid down. There is no provision for payment of instalment.

The above provisions may by the Notification apply to landless labourers and village artisans (Sec. 22/23/24).

Marathwada Area

The provisions in Vidarbha Region are applicable in Marathwada area (Sec. 20/21/22).

Manipur

In Manipur there is no provision to confer security on tenure or right of ownership on homestead tenant.

Orissa

Provisions for conferment of ownership rights on homestead in respect of raiyats or tenants and agricultural labourers or village artisans respectively have been made under section 9 and 10 of the Orissa Land Reform Act, 1960. Such persons who have no permanent and heritable rights in respect of any sites on which their dwelling houses stand, have acquired such rights in respect of the whole of such site or portion thereof not exceeding one-fifth of an acre whichever is less, with effect from the commencement of the Act, i.e. 1-10-65, if they or their predecessors-in-interest have obtained express or implied permission from the concerned landlord and built such houses at their own expenses. The compensation payable was equal to 10 times the fair and equitable rent.

Sikkim

No provisions regarding homestead tenancy.

Tripura

There is no statutory provision regulating the rights of homestead tenants. The State Government had mentioned that the majority of homestead tenants have already received Government Khas lands either as agricultural workers or as homeless persons.

With regard to the provisions regarding homestead tenancy and details of homestead rights conferred on tenants, it is reported that the agricultural labourer or artisan who was in possession of any land on 26th June, 1975 was conferred ownership in respect of an area not exceeding .0334 hectares. The owner of the land was paid compensation by the State Government equal to 10 times the actual revenue or rent of such land. (Section 4 and 5 of the West Bengal Acquisition of Homestead Land for Agricultural Labourers and Artisans and Fisherman Act, 1975). According to an estimate nearly 3.50 Lakhs families required housesites and hundred per cent coverage has been made (1.50 lakh SC, 0.50 lakh ST and 1.50 lakh others). It was brought to the notice of Chairman of this Commission during his tour of West Bengal (1979 & 1981) that estimate of 3.50 lakh homestead less persons was not made in scientific manner.

Source :

(1) Information available with the Ministry of Rural Reconstruction.

(2) Report of the National Commission on Agriculture, 1976, Part XV, Agrarian Reforms.

ANNEXURE V

Legislation to Prevent Alienation of Land Belonging to Sch. Tribes

Andhra Pradesh

The Andhra Pradesh Scheduled Areas Land Transfer Regulation 1959, Regulation I of 1920, restricts transfer of land, Government of Andhra Pradesh have gone a step further and under the relevant regulation transfer of land by all residents of the Scheduled Areas including non-tribals is subject to prior approval of the Competent authority of the transfer was to be made in favour of the non-tribals. This will act a check on further imigration of tribals into non-tribal areas and facilitate transfer of land previously settled with non-tribals by ex-intermediatries to tribals.

Assam

The Assam Land Revenue Regulation 1886 pertaining to the provisions prohibiting alienation of tribal lands provide protection of the Scheduled Tribes against alienation of land within area constituted into tribal blocks formed under the provisions of the Regulation.

Bihar

The Bihar Scheduled Area Regulation, 1969 has made the following provisions for prohibiting the alienation of tribal lands. A tribal cannot transfer his land to the non-tribal except with the permission of the Collector. Courts are also barred from passing decrees resulting in transfer of land from tribals to non-tribals. Provision has also been made for restoration of land to members of Scheduled Tribes which have been unlawfully transferred by fraudulent methods or otherwise. The following further provisions under the regulation were made :

(i) The period of limitation for adverse possession has been extended from 12 to 30 years for a member of the Scheduled Tribe.

(ii) Illegal transfers from a member of the Scheduled Tribe to a non-tribal member, made during the last 30 years, have been invalidated.

(iii) Dispossession of the transferee from the possession and enjoyment of invalidated property has been made obligatory. If under any outside pressure, the member of the Scheduled Tribe whose property was transferred does not apply for restoration or refuses to take possession when the State Government suo moto takes initiative for restoration on his behalf, the State Government is empowered to allot such property to any other member of the Scheduled Tribe.

(iv) The only exception where dispossession of the transferee is not insisted upon is the case where valuable structure of permanent nature has been constructed on the land transferred from a member of the Scheduled Tribe. In such case, the transferee is to secure for the member of the Scheduled Tribe, land of equivalent value in the vicinity and if that is not possible to make additional payment for rehabilitation of the member of Scheduled Tribe.

(v) There is no provision for recovery of consideration money or for improvements made by the transferee from the member of the Scheduled Tribe.

(vi) Penalty for contravention of the law increased to imprisonment upto 3 years or with fine extending to Rs. 5,000 or with both.

In the non-Scheduled areas provisions relating to tribals were made under the Bihar Tenancy Act, 1955 by inserting a new chapter to the Act. It restricts transfer of land by "Protected Tenants" so defined as to mean land belonging to Scheduled Tribes, Scheduled Castes and other backward classes. In cases of transfers in contravention of the provision, the Collector was empowered to regret the transfer if his possession was less than 12 years old. Such land could be restored to the protected tenant or his heir or to his legal representative.

Notwithstanding the above provisions a large number of transfers have taken place from tribals to non-tribals informally on account of week socio-economic position of the tribals. Due to collusion between the parties such cases are not brought to the notice of the district authorities or Courts or the facts relating to land held by the tribals are wilfully conceded at the time of applying for transfer which cannot be set aside subsequently on account of *res judicata.*

In July, 1977, 4325 cases were pending for restoration of usurped land to the tribals. Another 5079 cases were registered by the end of October 1978. Out of 9404 cases, 5694 had been disposed off, restoring 4416 acres to the tribals.

In accordance with the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands Act, 1978), any transfer of land granted to Scheduled Tribe/Scheduled Caste made before or after the commencement of the Act, is null and void and no right accrues.

No person, after the commencement of the Act, can acquire land without the previous permission of the Government.

Any transfer of land in execution of a decree or order of a civil court award or order of any kind is null and void.

Assistant Commissioner may suo moto or on application in respect of land granted, which is null and void evict the transferee and order restoration of possessi n of land to such person or his heir, and on the original allottee to accept the grant to another person belonging to Scheduled Castes/Scheduled Tribes. A transferee is liable to imprisonment for six months and fine of Rs. 2,000 or both for acquiring such land (Section 4/8).

Gujarat

Under the Bombay Land Revenue Code, a tribal cannot transfer his holding to a non-tribal in the Scheduled Areas without the previous permission of the Collector. Occupancy holding shall vest in the Government. Government of Gujarat have also set up special units in Scheduled Areas under a new scheme LND-5 to detect the breach of land alienation and restore the lands to the tribals. Out of 2972 villages in which detection of alienation was required to be carried out detection work has been completed in 2795 villages by August, 1980.

It has come to our notice that in the vicinity of Mining and Industrial complexes big buildings have been built up in illegally transferred tribal lands. In Bihar there is a provision for demolition of such buildings and restoring possession of land. Under the present circumstances it may be rather difficult to implement the legislative provision as it is likely that valuable buildings might have been constructed. In view of this it is recommended that the tribals may be given land, value of which was equal to the current market value of the land in which the buildings erected. Sometimes tribal lands are sold for realisation of cooperative dues and Government dues also. Other State Governments which do not have any provision for restoration of land

to tribals should examine the Maharashtra legislation and enact similar legislation in their States.

Himachal Pradesh

The Government of Himachal Pradesh imposes restrictions on the transfer of tribal land to non-tribals, through the Himachal Pradesh Transfer of Land (Regulation) Act, 1960.

Kerala

According to a survey conducted by the Bureau of Economics and Statistics in 1976—78 it is noted that sizeable portion of land owned by the tribals in Idukki, Palghat, Kozhikode and Kottayam districts has been alienated to non-tribal settlers. The Chairman of this Commission was informed during his visit to Kerala (during January-Feb. 1981) by the Secretary, Development, Govt. of Kerala that although the legislation, prohibiting the alienation of land belonging to tribals to non-tribals has been assented to by the President of India, has not been given effect as yet.

Madhya Pradesh

The Madhya Pradesh Land Revenue Code (Third Amendment) restricts all malafide transfers of land from tribals to non-tribals.

According to the Maharashtra Land Revenue Code, 1966 and Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974, a tribal cannot transfer land without the permission of the Collector. Restoration has been provided where the transfer has been made without permission or an application made within 2 years by the transferer or his heir transferee is in possession of the land. The Act was amended in 1974 and the Collector may suo moto or within 3 years of transfer declare the transfer invalid and order restoration of the land has not been put to non-agricultural purpose and in cases where the transferee's land has been acquired for public purpose 50% of the land may be retained by the transferee and the remaining land restored to the transferor.

After the commencement of the Maharashtra Land Revenue Code (Amendment) 1974, any transfer made by the Tribal without the permission of the Collector shall on the application of any person or suo moto within 3 years, declare the transfer invalid and the land vested to the Government.

The Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974, provides that where land has been transferred between 1-4-1957 and before 6-7-1974 and the land is in possession of the transferee and is not put to a non-agricultural purpose. The Collector may within 3 years suo moto or on application of the tribal transferor restore the possession on payment of compensation equal to 48 times the assessment and the value of improvements.

Where the transferee has acquired the land where his land has been acquired for a public purpose, 5% of the land shall be left with the transferee.

Manipur

The Manipur Land Revenue and Land Reforms Act, 1960 as amended in 1975, does not allow transfer of land by a person who is a member of the Scheduled Tribe to a person who is not a member of any such tribe shall be valid unless it is made with the previous permission in writing of the Deputy Commissioner. The Deputy Commissioner shall not give such permission unless he has first secured the consent of the District Council within whose jurisdiction the land lies (Section 158).

Orissa

Alienation of Tribal Lands is governed by the Orissa Scheduled Areas Transfer of Immovable Property by Scheduled Tribes Regulation 1956 and the Orissa Land Reforms Act, 1960. The provisions in the Scheduled Areas Transfer of Immovable Property by Scheduled Tribes Regulation 1956 cover the Scheduled Areas of the State and those made in the Orissa Land Reforms Act are applicable to the non-scheduled areas of the State. These laws provide for prohibition of transfer of land by a member of Scheduled Tribe except in favour of another member of Scheduled Tribe or with previous consent of competent authority, and also for restoration of property to the tribal either suo moto or on application. The provisions under the Orissa Land Reforms Act are also applicable to Scheduled Castes (Sec. 22, 23, 23A).

Rajasthan

The Rajasthan Tenancy Act 1955 imposes restrictions on the transfer of land by a member of Scheduled Tribes in favour of non-Scheduled Tribes. Further even if a person has purchased the land belonging to the Scheduled Tribes the Registration (Rajasthan Amendment) Act, 1975 prohibits registration in the name of the purchaser of the land.

Sikkim

According to the Sikkim Agricultural Land Ceiling and Reforms Act, 1977, a person belonging to a Scheduled Tribe may transfer his land or part thereof by transfer to another member of Scheduled Tribe or to the Government or to a Corporation owned or controlled by the Government or to a Scheduled or Nationalised Bank or to a registered Cooperative Society. A person belonging to Scheduled Tribe may, with the permission in writing of the Revenue Officer, transfer his land to a person not belonging to any Scheduled Tribe. The Revenue Officer shall not grant permission referred to in sub-section (2) unless he is satisfied that no transferee belonging to Scheduled Tribe is willing to pay the fair and reasonable consideration for the transfer of the land and that the proposed transfer is intended to be made for one or more purposes prescribed under the Act.

If a transfer of any land by a person belonging to a Scheduled Tribe is made in contravention of the provisions of or if the permission for the transfer is found, to have been obtained by misrepresentation or fraud, the Revenue Officer may, of his own motion or on a application made in that behalf, annul the transfer where necessary and shall order ejectment of the transferee from such land, unless such transferee has been in continuous possession for twelve years. He shall also order restoration of the transferred land to the transferor or his successors-in-interest. No decree or order shall be passed by any court for the sale of the land of person belonging to a Scheduled Tribe, except for realisation of any Government dues or other public demands (Chapter VII).

Tripura

The Tripura Land Revenue and Land Reforms Act, 1960 as amended by Tripura Act No. 7 of 1974 prohibits transfer of land by a member of a Scheduled Tribe unless it was (a) in favour of another member of a Scheduled Tribe, or (b) made with the previous permission in writing of the Collector, or (c) by way of mortgage to a Cooperative Society, 1974 amendment provided that in the case of transfers made on or after 1-1-69 in contravention of the law, the competent revenue officer could eject the transferee and restore the land to the transferor or his successor-in-interest either suo moto or on the basis of an application made in that behalf. The 1975 amendment gave right of pre-emption to the tribals in areas predominantly inhabited by them as given in the Scheduled to the Act.

The restoration of land to the tribals has posed major problems before the State. Funds have been provided for resettlement of non-tribals who are likely to be thrown landless. These non-tribals belong to the Scheduled Castes and refugees.

Uttar Pradesh

Section 157-A added in the UP Zamindari Abolition & Land Reforms Act, 1950 w.e.f. June 6, 1969 imposes restrictions on transfer of land by the Scheduled Tribes to non-Sch. Tribe persons without prior permission of

the Collector. It is laid down that no Bhumidhar, Sirdar or Asami belonging to Scheduled Tribe shall have the right to transfer by way of sale, gift, mortgage, or lease any land to a person not belonging to a Scheduled Tribe except with the previous approval of the Collector.

West Bengal

In the West Bengal Land Reforms Act, 1955, provisions for prohibiting alienation of tribal lands have the following bearings :

Transfer by a raiyat belonging to a Scheduled Tribe to a person not belonging to any Scheduled Tribe is void except with the previous permission in writing of the Revenue officer. In the case of a transfer in contravention of the law or if the permission was obtained by misrepresentation or fraud, the Revenue Officer may on his own motion or an application made in that behalf, eject the transferee and restore the land to the transferor, provided the transferee has not been in continuous possession for 12 years or more. No decree shall be passed by any court for the sale of land belonging to a member of Scheduled Tribe, nor shall any holding be sold, any execution of any decree or order.

Source :

(1) Information available with the Ministry of Rural Reconstruction.

(2) Report of the National Commission on Agriculture, 1976, Part XV, Agrarian Reforms.

ANNEXURE VI

Statement showing progress in the implementation of the Revised Ceiling Laws reflecting the National Guidelines (as prepared on 18-12-1980) on the basis of latest information received from the State Governments

(Area in Acres)

Sr. No.	State/Union Territory	Area estimated to be surplus	Area declared surplus	Area taken possession	Total land distributed		
					Area	No. of beneficiaries	Average land distributed
1	2	3	4	5	6	7	8
1	Andhra Pradesh	10,23,298*	10,23,298	3,91,285	2,68,337	1,84,274	1·64
2	Assam	5,73,493*	5,73,493	5,01,521	3,12,802	2,53,811	1.23
3	Bihar	3,00,000	2,38,216	1,31,000	1,31,000	1,38,299	0.95
4	Gujarat	65,000	47,514	17,432	3,664	826	4.44
5	Haryana	30,380	20,973	14,525	9,313	2,992	3.11
6	Himachal Pradesh	1,23,962	93,951	91,786	4,773	6 921	0.69
7	Jammu & Kashmir	..	..	..	..	..	..
8	Karnataka	4,00 000	1,29,448	74,153	44,540	8,565	5.20
9	Kerala	1,50 000	4,14,283	75,903	49,835	78,609	0.63
10	Madhya Pradesh	2,55 424*	2,55,424	1,40,171	76,892	30,633	2.51
11	Maharashtra	3,71,000	3,67,972	2,80,315	2,80,315	76,581	3.66
12	Manipur	2,316	352	Nil	Nil	Nil	Nil
13	Orissa	2,00,000	1,32,958	1,16,691	99,606	75,523	1.32
14	Punjab*.	30,493*	30,493	6,401	5,161	2,717	1.90
15	Rajasthan	7,94,000	2,45,844	2,20,517	1,21,665	26,017	4.68
16	Tamil Nadu	2,04,395	73,041	69,966	50,821	30,339	1.68
17	Tripura	4,799	1,961	1,484	938	800	1·17
18	Uttar Pradesh	2,79,965*	2,79,905	2,54,205	2,23,251	1,81,339	1.23
19	West Bengal	1,72,467	1,40,704	95,918	52,397	1,16,374	0.45
20	Dadra & Nagar Haveli	9,390	8,967	5,982	3,192	1,412	2.26
21	Delhi	1,500	722	205	Nil	Nil	Nil
22	Pondicherry	3,060	2,527	970	837	960	0.87
	TOTAL	49,94,882	40,82,056	24,90,436	17,39,339	12,16,992	1.43

(Area in Acres)

Sr. No.	State /Union Territories	Scheduled Castes			Scheduled Tribes		
		Area	No. of beneficiaries	Average Land distributed	Area	No. of beneficiaries	Average Land distributed
1	2	9	10	11	12	13	14
1	Andhra Pradesh	1,26,935	91,070	1.39	48,298	28,194	1.71
2	Assam	24,196	20,798	1.16	30,298	17,859	1.70
3	Bihar	53,800	75,000	0.72	15,200	15,500	0.98
4	Gujarat	2,527	575	4.39	184	31	5.26
5	Haryana	4,658	1,514	3.08	Nil	Nil	Nil
6	Himachal Pradesh	3,401	4,793	0.71	28	Nil	Nil
7	Jammu & Kashmir	Nil	Nil	Nil	Nil	Nil	Nil
8	Karnataka	22,990	4,444	5.17	3,197	611	5.23

(Area in Acres)

1	2	9	10	11	12	13	14
9	Kerala	17,460	30,718	0.57	4,395	5,267	0.83
10	Madhya Pradesh	19,240	8,709	2.21	37,671	13,027	2.89
11	Mabarashtra	91,853	24,229	3.79	51,640	15,575	3.32
12	Manipur	Nil	Nil	Nil	Nil	Nil	Nil
13	Orissa	30,657	25,204	1.22	43,145	29,701	1.45
14	Punjab*4	2,339	1,276	1.83	Nil	Nil	Nil
15	Rajasthan	42,664	10,658	4.00	14,279	3,921	3.64
16	Tamil Nadu	15,074	12,815	1.18	11	13	0.85
17	Tripura	195	170	1.15	182	155	1.17
18	Uttar Pradesh.	1,33,669*6	1,33,698*6	1.00	Nil	Nil	Nil
19	West Bengal	*7	*7	..	*7	*7	..
20	Dadra & N. H.	28	13	2.15	3.164	1,399	2.26
21	Delhi	Nil	Nil	..	Nil	Nil	..
22	Pondicherry	595	716	0.83	..	..	..
		5,92,281	4,98,625	1.33	2,51,692	1,54,271	1.92

* These figures have been revised/readjusted upwards to tally with the area already declared surplus as the figures of area estimated surplus given by the State Governments are lower than those of area already reported as declared surplus.

*1 Includes an area of 76,198 acres given to 52,674 beneficiaries belonging to other backward classes.

*2 Includes an area of 5,625 acres given to an Institution.

*3 The Agrarian Reforms Act, 1976 was enacted and brought into force only recently and no report on the progress made has yet been received.

*4 In case of the State Government of Punjab area has been shown in Standard Acres.

*5 Includes an area of 3882 acres handed over the N.S.F.C. Ltd. and 8454 acres reserved under DSL Rules 1965.

*6 Includes Scheduled Tribes also.

*7 In case of the State Government of West Bengal, even though the number of beneficiaries belonging to Scheduled Castes/ Scheduled Tribes and others has been intimated, the area allotted to them has not been indicated. The information in this regard (as given below) has been taken into account in computing the total columns (14), (16) and (18) of the Statement.

West Bengal	Number of Scheduled Castes	Number of Scheduled Tribes	Others
	52,225	22,985	41,164 (Includes 6 Societies)

STATEMENT No. 1

ANNEXURE-VI (A)

Implementation of Revised ceiling Laws as on 18-12-80—Disposal of Cases

S. No.	States/U.T.	No. of Returns filed	No. of cases disposed of	No of cases pending	%age of cases pending with no. of returns filed
1	2	3	4	5	6
1.	Andhra Pradesh	4.441	4.438	0.003	0.071
2.	Assam	0.202	0.201	0.001	0.50
3.	Bihar	0.533	0.525	0.008	1.50
4.	Gujarat	0.565	0.565	..	—
5.	Haryana	0.238	0.220	0.018	7.56
6.	Himachal Pradesh	0.027	0.027	..	—
7.	Jammu & Kashmir	..	..	..	—
8.	Karnataka	1.464	0.854	0.610	41.67
9.	Kerala	0.654	0.623	0.031	4.74
10.	Madhya Pradesh	2.253	2.227	0.026	1.15
11.	Maharashtra	0.925	0.909	0.016	1.73
12.	Manipur	0.802	0.001	0.001	50.00
13.	Orissa	0.504	0.439	0.065	12.90
14.	Punjab	0.371	0.364	0.007	1.89
15.	Rajasthan	0.452	0.436	0.016	3.54
16.	Tamil Nadu	0.193	0.173	0.020	10.36
17.	Tripura	0.026	0.026	—	—
18.	Uttar Pradesh	0.640	0.625	0.015	2.34
19.	West Bengal	0.643	0.550	0.093	14.46
20.	Dadra & Nagar Haveli	0.004	0.003	0.001	25.00
21.	Delhi	0.016	0.014	0.002	12.50
22.	Pondicherry	0.003	0.002	0.001	33.33
	TOTAL	14.156	13.222	0.934	6.60

9—256 HA/ND/81

STATEMENT No. 2

ANNEXURE VI (A)

Land Reforms—Area estimated to be surplus and area taken possession—(Area in lakh acres)

S.No.	State/U.T.	Area estimated to be surplus	Area taken possession	%
1.	Andhra Pradesh	10·233	3·913	38·24
2.	Assam	5·735	5·015	87·45
3.	Bihar	3·000	1·310	43·67
4.	Gujarat	0·650	0·174	26·77
5.	Haryana	0·304	0·145	47·70
6.	Himachal Pradesh	1·239	0·918	74·09
7.	Jammu & Kashmir	..	..	..
8.	Karnataka	4·000	0·742	18·55
9.	Kerala	1·500	0·759	50·60
10.	Madhya Pradesh	2·554	1·402	54·69
11.	Maharashtra	3·710	2·803	75·55
12.	Manipur	0·023	Nil	00·00
13.	Orissa	2·000	1·667	58·35
14.	Punjab	0·305	0·064	20·98
15.	Rajasthan	7·940	2·205	27·77
16	Tamil Nadu	2·044	0·699	34·20
17.	Tripura	0·048	0·015	31·25
18.	Uttar Pradesh	2·799	2·542	90·82
19.	West Bengal	1·725	0·959	55·59
20.	Dadra & Nagar Haveli	0·094	0·060	63·83
21.	Delhi	0·015	0·002	13·33
22.	Pondicherry	0·030	0·010	33·33
	TOTAL	49·948	24·904	49·86

STATEMENT NO. 3

ANNEXURE VI (A)

Land Reforms—Area declared surplus and distributed (in lakh acres)

S. No.	State/U.T.	Area declared surplus	Area distributed	%
1.	Andhra Pradesh	10·233	2·683	26·22
2.	Assam	5·735	3·128	54·54
3.	Bihar	2·392	1·310	55·00
4.	Gujarat	0·475	0·037	7·79
5.	Haryana	0·210	0·093	44·29
6.	Himachal Pradesh	0·940	0·048	5·11
7.	Jammu & Kashmir	..	..	..
8.	Karnataka	1·294	0·445	34·39
9.	Kerala	4·143	0·498	12·02
10.	Madhya Pradesh	2·554	0·769	30·11
11.	Maharashtra	3·680	2·803	76·17
12.	Manipur	0·004	..	..
13.	Orissa	1·330	0·996	74·89
14.	Punjab	0·305	0·052	17·05
15.	Rajasthan	2·458	1·217	49·51
16.	Tamil Nadu	0·730	0·508	69·59
17.	Tripura	0·020	0·009	45·00
18.	Uttar Pradesh	2·799	2·233	79·78
19.	West Bengal	1·407	0·524	37·24
20.	Dadra & Nagar Haveli	0·089	0·032	35·95
21.	Delhi	0·007	..	..
22.	Pondicherry	0·025	0·008	32·00
	TOTAL	40·820	17·393	42·61

STATEMENT No. 4

ANNEXURE VI (A)

Land Reforms—Extent of land distributed among Scheduled Castes and Scheduled Tribes

(in acres)

S. No.	State/U.T.	Total	Scheduled Castes	%age to total	Scheduled Tribes	%age to total
1.	Andhra Pradesh	2,69,337	1,26,935	47·30	48·298	18·00
2.	Assam	3,12,802	24,196	7·74	30·298	9·69
3.	Bihar	1,31,000	53,800	41·07	15·200	11·60
4.	Gujarat	3,664	2,527	68·97	184·00	5·02
5.	Haryana	9,313	4,658	50·02	Nil	Nil
6.	Himachal Pradesh	4,773	3,401	71·25	28·00	0·59
7.	Jammu & Kashmir	..	..	..	..	..
8.	Karnataka	44,540	22,990	51·62	3,197	7·18
9.	Kerala	49,835	17,460	38·04	4,395	8·82
10.	Madhya Pradesh	76,892	19,240	25·02	37·671	48·99
11.	Maharashtra	2,80,315	91,853	32·77	51·640	10·42
12.	Manipur	Nil	Nil	Nil	Nil	Nil
13.	Orissa	99,606	30,657	30·78	43,145	43·32
14.	Punjab	5,161	2,339	45·32	Nil	Nil
15.	Rajasthan	1,21,665	42,664	35·07	14,279	11·74
16.	Tamil Nadu	50,821	15,074	29·66	11	0·02
17.	Tripura	938	195	20·79	182	19·40
18.	Uttar Pradesh	2,23,251	1,33,669	59·87	Nil	Nil
19.	West Bengal	52,397	NA	NA	NA	NA
20.	Dadra & Nagar Haveli	3,192	28	0·88	3,164	99·12
21.	Delhi	Nil	Nil	Nil	Nil	Nil
22.	Pondicherry	837	595	71·09	Nil	Nil
	TOTAL	17,39,339	5,92,281	34·05	2,51,690	14·47

STATEMENT No. 5

ANNEXURE VI (A)

Land Reforms—No. of Beneficiaries Scheduled Castes and Scheduled Tribes

S. No.	State/U.T.	Total Number of beneficiaries	Scheduled Castes	%age	Scheduled Tribes	%age
1.	Andhra Pradesh	1,84,274	91,070	49·42	28,194	15·30
2.	Assam	2,53,811	20,798	8·19	17,859	7·04
3.	Bihar	1,38,299	75,000	54·23	15,500	11.21
4.	Gujarat	826	575	69·61	31	3.75
5.	Haryana	2,992	1,514	50·60	Nil	Nil
6.	Himachal Pradesh	6,921	4,793	69·25	NA	NA
7.	Jammu & Kashmir	Nil	Nil	Nil	Nil	Nil
8.	Karnataka	8,565	4,444	51·89	611	7·13
9.	Kerala	78,609	30,718	39·08	5,267	6·70
10.	Madhya Pradesh	30,633	8,709	28·43	13,027	42·53
11.	Maharashtra	76,581	24,229	31·64	15,575	20.34
12.	Manipur	Nil	Nil	Nil	Nil	Nil
13.	Orissa	75,523	25,204	33·37	29,701	39·33
14.	Punjab	2,717	1,276	46·96	Nil	Nil
15.	Rajasthan	26,017	10,658	40·97	3,921	51·07
16.	Tamil Nadu	30,339	12,815	42·24	13	0·04
17.	Tripura	800	170	21·25	155	19·38
18.	Uttar Pradesh	1,81,339	1,33,698	73·73	Included in SC	
19.	West Bengal	1,16,374	52,225	44·88	22,985	19·75
20.	Dadra & Nangar Haveli	1,412	13	0·92	1,399	...
21.	Delhi	Nil	Nil	Nil	Nil	Nil
22.	Pondicherry	960	716	74·58	Nil	Nil
	TOTAL	12,16,992	4,98,625	40·97	1,54,271	12·68

STATEMENT No. 6

ANNEXURE VI (A)

Average size of land holdings distributed (In acres)

S. No.	State/U.T.	General	Scheduled Castes	Scheduled Tribes
1.	Andhra Pradesh	1·46	1·39	1·71
2.	Assam	1·23	1·16	1·70
3.	Bihar	0·95	0·72	0·98
4.	Gujarat	4·44	4·39	5·26
5.	Haryana	3·11	3·00	Nil
6.	Himachal Pradesh	0·69	0·71	NA
7.	Jammu & Kashmir	..	..	..
8.	Karnataka	5·20	5·17	5·23
9.	Kerala	0·63	0·57	0·83
10.	Madhya Pradesh	2·51	2·21	2·89
11.	Maharashtra	3·66	3·79	3·32
12.	Manipur	Nil	Nil	Nil
13.	Orissa	1·32	1·22	1·45
14.	Punjab	1·90	1·83	Nil
15.	Rajasthan	4·68	4·00	3·64
16.	Tamil Nadu	1·68	1·18	0·85
17.	Tripura	1·17	1·15	1·17
18.	Uttar Pradesh	1·23	1·01	Nil
19.	West Bengal	0·45	NA	NA
20.	Dadra & Nagar Haveli	2·26	2·15	2·26
21.	Delhi	Nil	Nil	Nil
22.	Pondicherry	0·87	0·83	..
	TOTAL	1·43	1·33	1·92

STATEMENT No. 7

ANNEXURE VI (A)

Pressure on Land

S. No.	State/U.T. Admns.	Agricultural labourers belonging to SC and ST (in Lakhs)	Area estimated to be surplus (in lakhs acres)	Pressure on land (Average share of land in acre that would accrue to a pereson if allotted)
1.	Bihar	28.61	3.000	0.10
2.	Uttar Pradesh	26.47	2.799	0.11
3.	Andhra Pradesh	25.09	10.233	0.41
4.	Madhya Pradesh	20.87	2.554	0.12
5.	Tamil Nadu	90.93	2.044	0.10
6.	West Bengal	15.44	1.725	0.11
7.	Orissa	11.94	2.000	0.17
8.	Gujarat	9.17	0.650	0.07
9.	Karnataka	7.63	4.000	0.52
10.	Maharashtra	6.46	3.710	0.57
11.	Kerala	5.71	1.500	0.26
12.	Punjab	5.54	0.385	0.05
13.	Rajasthan	4.00	7.940	1.97
14.	Haryana	2.61	0.304	0.11
15.	Assam	0.63	5.735	9.10
16.	Tripura	0.44	0.049	0.09
17.	Meghalaya	0.35	Nil	Nil
18.	Himachal Pradesh	0.30	1.239	4.10
19.	Pondicherry	0.23	0.030	0.13
20.	Jammu & Kashmir	0.09	..	..
21.	Delhi	0.07	0.015	0.14
22.	Dadra & Nagar Haveli	0.05	0.094	1.80
23.	Arunachal Pradesh	0.03	..	..
24.	Nagaland	0.02	..	..

ANNEXURE VII

Statement showing actual expenditure during 1979–80 on Land Reforms under State Plans

(Rs. in lakhs)

S. No.	State/U.T. Admns.	Actual Expenditure
1.	Andhra Pradesh	45.00
2.	Assam	98.00
3.	Bihar	463.00
4.	Gujarat	163.00
5.	Haryana	19.00
6.	Himachal Pradesh	69.00
7.	Jammu & Kashmir	76.00
8.	Karnataka	68.00
9.	Kerala	660.00
10.	Madhya Pradesh	147.00
11.	Maharashtra	10.00
12.	Manipur	7.00
13.	Meghalaya	23.00
14.	Nagaland	14.00
15.	Orissa	470.00
16.	Punjab (A)	..
17.	Rajasthan	11.00
18.	Sikkim	28.00
19.	Tamil Nadu (B)	..
20.	Tripura	57.00
21.	Uttar Pradesh	848.00
22.	West Bengal	512.00
	TOTAL	3,888.00
23.	Andaman & Nicobar Islands	1.79
24.	Arunachal Pradesh	0.36
25.	Chandigarh	..
26.	Dadra & Nagar Haveli	1.00
27.	Delhi	..
28.	Goa, Daman & Diu	26.00
29.	Lakshadweep	..
30.	Mizoram	4.00
31.	Pondicherry	..
	TOTAL	33.15
	GRAND TOTAL	3,921.15

(A) Rs. 1542 (Research, Education, Crop. Husbandry and Land Reforms).

(B) Rs. 2127 (Reaserch Education Crop Husbandry and Land Reforms.).

CHAPTER IV

ECONOMIC DEVELOPMENT

Out of 54.81 crores total population of the country, according to 1971 Census, the Scheduled Castes and the Scheduled Tribes constitute 14.67% (8,00,05,398) and 6.80% (38,015,162) respectively. Total number of persons under 'workers' category in the country was 18.04 crores, of them Scheduled Castes and Scheduled Tribes constituted for 16.08% (2.90 crores) and 8.09% (1.46 crores) respectively.

4.2 Of the 18.04 crore 'workers' in the country the percentage of cultivators is 43.88% whereas among the Scheduled Castes workers the percentage of cultivators is 27.87% and among the Scheduled Tribes 57.56%. Prominent feature of the occupational classification is that among the Scheduled Castes, agricultural labourers represent 51.74%, Scheduled Tribes 33.04% as against All-India percentage of 26.32%. It is, therefore evident that proportion of Scheduled Castes agricultural labourers to general population is almost double. The representation of Scheduled Castes and Scheduled Tribes is much less in occupations like transport, storage and communication; trade and commerce. The occupations like 'Construction', manufacturing, processing; servicing and repairs have not yet become popular among the Tribals. Both the Scheduled Castes as well as the Scheduled Tribes equally took interest in mining and quarrying and livestock, forestry, fishing and plantation of orchards, etc. Details of the occupational classification of 'workers' have been furnished at Annexure-I.

Backward Classes Sector

4.3 The Ministry of Home Affairs have classified Backward Classes as Scheduled Castes, Scheduled Tribes, Denotified, Nomadic and Semi-Nomadic Tribes. The development programmes for these groups tended to be formulated in an ad-hoc manner without any perspective and were more in the nature of welfare schemes. The percentage share of Backward Classes Sector out of the Plan outlays during various Five Year Plans is shown below :

(Rs. in crores)

Plan Period	Total public sector outlay	Backward Classes sector outlay	%
I Plan	2378	39	1.6
II Plan	4800	90	1.8
III Plan	7500	114	1.5
IV Plan	15902	171	1.0
V Plan	39303	228	0.6
VI Plan	97500	960	0.9
TOTAL	167383	1602	0.9

It is noted that barely 1% of the total public sector outlays was earmarked under backward classes sector during various plan periods whereas the population of Scheduled Castes and Scheduled Tribes is 14.67% and 6.80%, respectively. Even this meagre outlay of 1% was not wholly meant for Scheduled Castes and Scheduled Tribes and included in it a provision for Other Backward Classes also as defined by the Planning Commission, with the result that the actual allocations available for Scheduled Castes and Scheduled Tribes were less than even 1%. There is no monitoring or evaluation to indicate how much of even this meagre outlay actually flowed to the Scheduled Castes and Scheduled Tribes. This has led to the widening of the gulf between the Scheduled Castes and Scheduled Tribes on the one hand and the general population on the other.

4.4 Information regarding expenditure incurred on financing development plans for Scheduled Castes and Scheduled Tribes in the Central and State Sectors upto the end of 1979-80 is as given below :

(Rs. in crores)

Plan	Sch.Castes	Sch.Tribes	Total
I Plan	7.00	19.83	26.91
II Plan	27.48	42.92	70.40
III Plan	37.78	51.05	88.83
1966—69	26.47	34.54	61.01
IV Plan	61.12	80.89	142.01
V Plan	165.05	49.02	214.07
1978-79	54.02	27.10	81.12
1979-80	54.24	19.35	73.59
TOTAL	433.24	324.70	757.94
%age	57	43	100

Although funds under Tribal Sub-Plan were made available since the V Plan for the welfare of Scheduled Tribes but their impact is not noticeable. The Planning Commission have stated in their VI Plan that "three decades of development have not had the desired impact on these socially, economically and educationally handicapped groups. Their problems could not be resolved through perculation of general economic growth. The majority of the Scheduled Castes and Scheduled Tribes who form 1/4 of the population are below the poverty line and also face special problems peculiar to them". It further states : "Inspite of constitutional directives and legislative and executive measures by the Government their situation has not

10—256 HA/ND/81

improved appreciably mainly due to lack of economic support. Although special programmes were formulated in the previous Five Year Plans for their socio-economic development the basic problem of their poor economic base has remained almost untouched so far".

4.5 This Commission are in full agreement with the Planning Commission and are deeply concerned to note that economic development programmes did not receive adequate priority during the various plan periods. They consider it essential that during the VI Five Year Plan a radical approach, matched with adequate funds, should be evolved so that the Scheduled Castes and Scheduled Tribes, come to have a sound economic base which alone would enable them to cross the poverty line.

Sixth Plan Strategy for Scheduled Castes and Scheduled Tribes

4.6 Even the Prime Minister in her letter dated 12th March, 1980 addressed to the Chief Ministers/Governors of the State Governments and Ministers of the Central Ministries expressed deep concern of the Government of India about the problems of the Scheduled Castes and the Scheduled Tribes and laid emphasis on the fact that the proportion of Scheduled Castes is much larger in the poverty group of the country and most of them are below the poverty line. Accordingly our thrust has to be on their economic development. With regard to Scheduled Tribes she reiterated that our approach should be to save them from exploitation and to provide adequate infrastructure in the remote inaccessible areas. She desired that the State Governments should accord highest priority to the task of the development of Scheduled Castes and Scheduled Tribes and plans should be so formulated so as to enable the Scheduled Caste and Scheduled Tribes families in the States to cross the proverty line within a short and specified period and if possible atleast half of them in the VI Plan itself. Accordingly the Planning Commission in their Sixth Five Year Plan (1980—85) document gave first place to 'Removal of Poverty' while outlining the programme thrusts. Taking into account the estimated population of Scheduled Castes now as 10 crores (2 crores families) and that of Scheduled Tribes as 5 crores (1 crore families), plans during the Sixth Plan will have to be implemented for 1.50 crore families i.e. 1 crore families of Scheduled Castes and 0.50 crore families of Scheduled Tribes so as to raise atleast 50% of them above the poverty line.

Economic Needs and Strategy of Development

4.7 For rapid and sound economic development of Scheduled Castes and Scheduled Tribes the Commission lay emphasis on a package of multi-pronged approach. The thrust should, therefore, contain following important elements :

(a) High priority for Employment generating programmes and removal of poverty with special reference to small and marginal farmers, landless agricultural labourers, bonded labourers, etc;

(b) Specific programmes for occupational groups, like artisans, leather workers, weavers, fishermen etc.;

(c) Need based implementation of the economic development programmes like, animal husbandry, sericulture, Minimum Needs programme, etc.;

(d) Co-ordinated and well channelised financial support through general sector programmes, backward classes sector and financial institutions.

Each of the above stated approaches would cover mainly the following categories :

(a) *Removal of poverty and Employment generating programmes :*
  (i) Integrated Rural Development Programmes;
  (ii) National Scheme for Training of Rural Youth for Self Employment;
  (iii) Antyodaya Programme;
  (iv) Programmes for cultivators (small and marginal farmers)
  (v) (a) Programmes for landless agricultural labourers including the rural poor;
  (b) Implementation of Minimum Wages Act;
  (vi) Bonded Labour.

(b) Specific programmes for professional occupational groups, like leather workers, weavers handicrafts artisans, fishermen, Rickshaw pullers, cart pullers, headload workers, construction workers, Bidi workers, traditional Dais, etc.

(c) Need-based implementation of economic Development programmes :
  (i) Animal Husbandry;
  (ii) Shifting Cultivation;
  (iii) Sericulture;
  (iv) Horticulture;
  (v) Forests;
  (vi) Minimum Needs Programme.

(d) Financial Institutions including Scheduled Castes/Scheduled Tribes Finance and Development Corporations.

4.8 While the schematic details of each of the economic development schemes and the target groups are being discussed in the subsequent paragraphs it is essential that with a view to having a comprehensive and coordinated picture of the development of the Scheduled Castes/Scheduled Tribes separate chapters may be brought out in the Central/State Plans (both Annual and Medium Term) indicating the

financial and physical targets for these two groups. The benefits accruing to them should be quantified both in financial and physical term. It will help in proper evaluation of the developmental programmes for these two disadvantaged groups.

(a) *Removal of Poverty and Employment Generating Programmes*

4.9 The principal objective behind all the economic planning today in the country aims at utilising the existing and available resources both physical and natural in such a way as to maximise the welfare of its people. However, the term welfare is very abstract and in reality is very difficult to measure quantitatively. The degrees of employment and poverty are often mixed up whereas the employment is only a means to reduce the degree of poverty by obtaining purchasing power in exchange of service rendered. In India, the concept of welfare has greater connotation in the sense that besides providing welfare services, the country also aims at reducing inequalities in the distribution of income, undertaking rural development and raising the standard of living of the masses.

4.10. The Planning Commission has defined poverty in terms of calorie intake by a human being. According to it, poverty line is the midpoint of the monthly per capita expenditure class having a daily calorie intake of 2400 in rural areas and 2100 in urban areas.

4.11 Population below the poverty line has been estimated by the draft Five Year (1978—83) Plan as follows : (Percentage of population).

	1977-78	1982-83	1987-88
Rural	47.85	38.70	27.28
Urban	40.71	35.33	26.23
All India	46.33	37.95	27.04
Total population	634.2m	697.2m	760.5m

Therefore in the draft Plan (1978-83) it was envisaged that during the plan period, the percentage of population below the poverty line will decrease from 46.33 in 1977-78 to 37.95 in 1982-83. It was also estimated that by 1987-88 only 27.04 percent will be under the poverty line.

4.12. It is observed from the document of the Sixth Plan that the percentage of population below the poverty line would be as follows :

	1979-80	1984-85
Rural	50.70	40.47
Urban	40.31	33.71
All India	48.44	38.93
Total Population	654.10m	717.20m

The Planning Commission further predicted that due to various plans and programmes specially aimed to uplift the masses in the rural sector by large doses of investment, more income will be generated and thereby it will further reduce the percentages of population below the poverty line during the last year of the Sixth Plan i.e. 1984-85 to 30%. Therefore, if we take into account the latest projections of the Planning Commission i.e. to bring down the percentage of population below the poverty line from 48.44 to 30.00 percent, it means that in terms of population, actually 101.68 million will be brought above the poverty line during the plan period.

Poverty Alleviation Programmes

4.13 The Sixth Plan (1980—85) emphasises maximum importance to integrated Rural Development Programme and National Rural Employment Programme. Under the IRDP during the plan period, it is estimated that 75 million people will be covered and Rs. 1500 crores of investment has been earmarked. Besides this Rs. 3000 crores will also be available from the financial institutions. It is expected that by implementation of the programme about 61 million will cross the poverty line during the period and through this investment an amount of Rs. 3000 crores will be generated from the year 1984-85 which will obviously have a capital output ratio of 1.5 : 1. Besides another 6.1 million urban poor will also be able to cross the line mainly through providing better medical, social and educational services.

4.14. Apart from the IRDP, the NREP, DPAP and other large number of public sector schemes will also help the rural poor to uplift their economic standard.

Removal of poverty for Scheduled Castes and Scheduled Tribes.

4.15 Assuming the percentage of Scheduled Castes and Scheduled Tribes population to total population remain the same as in 1971 (21.5%), the population of Scheduled Castes and Scheduled Tribes in 1984-85 would be 154.198 million (The population of India projected for 1984-85 is 717.20 million). As per the expectation of the Government, half of the Scheduled Castes and Scheduled Tribes population, below the poverty line, should cross it during the plan period (1980—85), the achievement of this target seems to be a difficult task unless special efforts are made. This is particularly so because while in the general population only 1/3rd of the population below the poverty line is proposed to be raised above this level, among the Scheduled Castes and Tribes, half of them are proposed to be raised above poverty line.

4.16 Our apprehension is based on our past experience which shows that during the period 1979-80 under the Integrated Rural Development Programme about 14,75,439 beneficiaries were covered of which 3,57,067 were Scheduled Castes and Scheduled Tribes which account for 24.23 percent only. Similarly, in case of small Farmers Development Agency a total of 8,74,095 beneficiaries were covered during 1979-80 of which 2,26,536 belonged to Scheduled Castes and Scheduled Tribes and account for 25.92 percent. In case of Drought Prone Area Programme, the percentage of Scheduled Castes and Scheduled Tribes covered was 53.28%. Thus on an average, percentage of Scheduled Caste and Scheduled Tribe covered among the total beneficiaries was 34.5%. It would appear that the Scheduled Caste and Scheduled Tribe beneficiaries have formed only 1/3rd of the total number of beneficiaries under some of the special programme directed towards eradication of poverty. Since the Sixth Plan Target proposes to bring 50% of Scheduled Castes/Scheduled Tribes population above the poverty line, it would be essential to increase the coverage of Scheduled Castes and Scheduled Tribes progressively during the Sixth Plan period in all the schemes and programmes meant to uplift the economic standard of the people and only then will it be possible to bring significant proportion (at least 50%) of these categories of people above the poverty line. It is a well known fact that presently majority of the Scheduled Castes and Scheduled Tribes are much below the poverty line and have very little or no assets to their credit. The occupations in which they are engaged have very limited economic returns as majority of them are engaged as agricultural labourers and their earnings are constantly fluctuating because of dependence on seasonality of work and various factors. It is therefore desirable that special attention must be given in all the programmes specially directed towards removal of poverty by earmarking a significant proportion of the outlay exclusively for Scheduled Castes and Scheduled Tribes which should be not merely proportionate to the population of Scheduled Castes and Scheduled Tribes in the target group but in view of their extreme backwardness it should have added weightage so as to make up for the backlog.

4.17 In the Sixth Plan while the percentage of people below the poverty line is proposed to be reduced from 48% to 30%, i.e. by about 1/3rd, the percentage of Scheduled Castes/Scheduled Tribes population to be brought above the poverty line has been targetted at 50%. It is, therefore, necessary that the selection of the beneficiaries under various programmes should also be so designed that it gives more weightage to the persons belonging to Scheduled Castes and Scheduled Tribes community. Their coverage should also be proportionate to the target group under the programme concerned but should not be less than 50% of the total number of beneficiaries so that the maximum benefit flows to the Scheduled Castes and Scheduled Tribes to fulfil the target of raising of atleast 50% of them above the poverty line. Therefore, it calls for a conscious effort on the part of the officials implementing various programmes to bring more and more of these people within the purview of the programme.

Employment

4.18 The concept of a welfare State largely depends upon the degree of employment and distribution of income prevailing in the country. Employment is a function of investment and there is a positive correlation between the two.

4.19 The Sixth Plan document states that employment on the basis of standard persons years will grow at the rate of 4.17 percent per year and the labour force will grow at the rate of 2.54 percent per year during the plan period (1979-80 to 1984-85).

4.20 On the basis of estimates, the Planning Commission has visualised that during the plan period the employment generation will rise from 151.110 millions standard persons years to 185.387 in 1984-85. It means that in absolute numbers, there will be an increase of 34 million standard persons years during the Sixth Plan period

4.21 The draft Five Year Plan (1978—83) had also projected the growth of employment and according to that estimate they suggested that during the period 1978—83, there will be a creation of 49.3 million additional person years. According to this estimate the annual growth rate of employment was 5.3 percent per year.

4.22 For the purpose of comparison of the two estimates, the data are reproduced as follows :

Sector	Employment 1978—83 Plan		Increase	Employment Sixth Plan		Increase
	1977-78	1982-83		1979-80	1984-85	
1. Agriculture & Allied Sectors	99.21	121.98	22.77	80.331	95.251	14.920
2. Mining	0.90	1.35	0.45	0.724	0.894	0.170
3. Manufacturing	22.74	31.65	8.91	22.012	27.759	5.747
4. Others (including services)	44.22	61.35	17.13	48.083	61.485	13.402
5. Total	167.07	216.33	49.26	151.150	185.389	34.234

4.23 It will be seen from the above table that in the Sixth Plan period, the projected employment creation from different sectors of the economy are less when compared to the draft plan figure.

4.24 The conservative projections have been made because of the difficult situation through which the country is passing today. The inflationary pressure, poor performance of the infrastructures in the past and difficult balance of payment have resulted into a very difficult state of the present economic condition of the country.

4.25 However, even if the figure of 34 million additional employment is achieved it will help in absorbing all the additional labour force added during the plan period.

National Rural Employment Programme

4.26 It has been estimated that out of the special programmes for employment including the NREP 4 million standard person years will be generated during 1984-85. It has been observed that a large number of persons in the rural areas need to be provided wage employment because they do not have any assets. These persons mainly depend upon the daily wage earnings and in the time of lean agriculture period, their hardship increases. The NREP has been aimed mainly to tackle these sections of people. This will be a Centrally Sponsored Scheme on 50 : 50 sharing basis between the Centre and State. The centre will give its share in the form of partly in foodgrains and partly in cash. The projects to be selected should be such as would be productive in nature and add to the infrastructure of the area for future development. It is observed from the 1971 Census that out of the total workers in India, the Scheduled Castes and Scheduled Tribes constitute 16 percent and 8 percent, respectively. On analysing the occupational structure, it has been found that 42 percent of the agricultural labourers of the country are Scheduled Castes and Scheduled Tribes followed by 26.84% in Household industry and about 20% in mining and quarrying. It is, therefore, essential that the special programme for employment should cover these occupational groups of Scheduled Castes and Scheduled Tribes to the maximum possible extent and as indicated earlier should be more than proportionate to their population in the target group. Besides, the employment programmes to be undertaken should be in close proximity of the habitations of the Scheduled Castes and the Scheduled Tribes so that they do not have to travel beyond 5 Kms in search of a job.

4.27 We will now examine the potentialities of integrated Rural Development Programme implemented by the Ministry of Rural Reconstruction, as it is considered to be one of the major employment generating programme.

Integrated Rural Development Programme

4.28 With the objective of raising the poorest families in the rural areas above the poverty line (family of about 5 persons with an annual income below Rs. 3500) by giving them income generating assets and access to credit and other inputs, IRDP was launched in 1978-79. The programme offers assistance for financing a large variety of activities in the field of agriculture, animal husbandry, soil conservation, forestry, minor irrigation, small and cottage industries, etc. The target group of beneficiaries consists of small and marginal farmers, agricultural labourers, rural artisans, Scheduled Castes, Scheduled Tribes and other economically weaker sections of people. The IRD programme, has the following salient features :—

(a) It also covers the non-agricultural sector, including industrial and tertiary sections.

(b) The emphasis is to providing substantial assistance to the identified participants to such an extent that they cross once for all the 'poverty lines'.

(c) Under this scheme the Antyodaya approach has been adopted in regard to the selection of beneficiaries, i.e. the poorest of poor are to be selected first.

(d) It envisages monitoring of additional income generated in the case of each participant.

(e) Family is the basic unit of development and the economic programmes are devised for the family as a whole.

The programme was implemented during 1979-80 in 2600 blocks (2000 blocks in SFDA, DPAP, CAD areas and 600 other blocks @ 300 blocks in 1978-79 and 300 blocks in 1979-80). The Planning Commission have stated in the Sixth Plan document that the Integrated Rural Development would be launched in he remaining Block of the country also during Sixth Plan period. The programme is financed partly by subsidy and partly by bank loan.

4.29 During 1979-80, Rs. 6885.62 lakhs were utilised under the IRDP of which only Rs. 1164.31 lakhs (16.9%) were spent on Scheduled Castes/Scheduled Tribes. It shows that funds towards IRDP programme have not gone to Scheduled Castes and Scheduled Tribes persons in proportion to their population. As regards, loans distributed the position was satisfactory as is shown below :—

(Rs. in lakhs)

Loans distributed	Total	SC/ST	Percentage
1. Through Cooperative	4475.41	928.62	20.75
2. Through commercial banks.	5648.97	1277.69	22.62
	10124.31	2206.31	21.79

The performance of cooperative banks in providing loans to Scheduled Castes/Scheduled Tribes does not appear to be satisfactory as compared to the commercial banks.

As regards beneficiaries it is noticed that out of 14.73 lakhs persons the Scheduled Castes/Scheduled Tribes were 3.57 lakhs i.e. 24.23%. The Scheduled Castes/Scheduled Tribes persons have drawn adequate advantage out of schemes like sericulture, bee-keeping, irrigation and forestry and pasture but they could not take proportionate benefits out of village industries and agricultural schemes. The details are furnished in the table given below :

Progress of schemes implemented and details of beneficiaries under IRDP during 1979-80

S.No.	Scheme	Beneficiaries	SC/ST	Percentage
1.	Agriculture	876111	186996	21.34
2.	Irrigation	163291	50486	30.92
3.	Forestry and Pasture	14801	4464	30.16
4.	Animal Husbandry	239689	66657	27.81
5.	Fishery	9344	2343	25.07
6.	Sericulture	3179	1463	46.02
7.	Bee-keeping	661	223	33.74
8.	Village industries	42670	7658	17.95
9.	Tertiary sector	43009	17143	39.86
10.	Others	81173	19634	24.19
		1473928 (a)	357067 (b)	24.23

(a) excludes 1520 beneficiaries for which sector-wise break-up is not available.

(b) excludes 1512 beneficiaries for which sector-wise break-up is not available.

The States in which Scheduled Castes/Scheduled Tribes persons have drawn larger benefits are Rajasthan, Gujarat, and Andhra Pradesh whereas very little participation of Scheduled Caste/Scheduled Tribe persons has been noticed in States like Kerala, West Bengal, and Karnataka as is noticed from the following table :—

Statewise details of beneficiaries under I.R.D.P. during 1979-80

Sl. No.	Name of the State/ Union Territory	No. of beneficiaries		
		Total	SC/ST	Percentage
1.	Andhra Pradesh	116442	42802	36.76
2.	Assam	9031	1932	21.39
3.	Bihar	94080	33328	35.43
4.	Gujarat	43337	18576	42.86
5.	Haryana	23541	2991	12.71
6.	Himachal Pradesh	35404	11939	33.72
7.	Jammu & Kashmir	2631	413	15.70
8.	Karnataka	41945	3000	8.58
9.	Kerala	41596	376	0.90
10.	Madhya Pradesh	57686	19254	33.38
11.	Maharashtra	69513	15954	22.95
12.	Manipur	11131	9869	88.27
13.	Meghalaya	1214	1214	100.00
14.	Nagaland	11745	11745	100.00
15.	Orissa	61037	11814	19.36
16.	Punjab	34542	5064	14.52
17.	Rajasthan	47865	21957	13.90
18.	Sikkim	25	3	12.00
19.	Tamil Nadu	157821	21931	13.90
20.	Tripura	8314	4133	49.71
21.	Uttar Pradesh	599411	119279	19.90
22.	West Bengal	2667	75	2.81
23.	Andaman N.Islands	—	—	—
24.	Arunachal Pradesh	480	—	—
25.	Chandigarh	71	30	42.25
26.	Dadra & Nagar Haveli.	—	—	—
27.	Delhi	915	255	27.87
28.	Goa, Daman and Diu.	2462	—	—
29.	Lakshadweep	—	—	—
30.	Mizoram	115	—	—
31.	Pondicherry	167	45	26.95
		1475439(a)	357067(b)	24.23

(a) excludes 1512 beneficiaries for which sectorwise details are not available.

(b) excludes 1520 beneficiaries for which sectorwise details are not available.

4.30 The regional Conference on Rural Development convened by the Government of India, Ministry of Rural Reconstruction which was held at New Delhi during the month of February, 1980 during its various meetings held detailed discussions with the representatives of States/UTs on the I.R.D. programme, SFDA programmes, DPAP, Food for Work Pragramme, Cottage and Rural Industries Programme, Training for Self Employment Scheme and Agricultural marketing and Rural Roads Scheme. The major recommendations and suggestions emerging from the discussions were as given below :

(1) *Administrative set up :* For the effective implementation of the rural development programme it was agreed that the administrative infrastructure should be adequate and suitable to meet the requirements of the programmes fully. The best administrative structure should be three tier one viz., State level, District level and Block level. The brief detail of the functioning of the three tier system are as given below : —

(i) *State level :* There should be one single department at the State level to deal with all the programmes relating to the programmes of Rural Development. A senior officer should

be designated as the Commissioner/ Secretary for Rural Department at State level with other necessary officers to assist him. At the Directorate level there should be clear demarcation of responsibility and one officer should be entrusted with the programme. At the State level there should be only one common committee for coordinating and supervising the implementation of various rural development programmes. The Committee should be high power committee to be headed by the Chief Secretary or another officer of sufficient seniority and authority. It should include senior most officers of the other departments whose activities have a direct bearing on the implementation of this programme. The block plans and other proposals should be examined by a small sub-committee consisting of representatives of the concerned departments, and the comment/finding of this sub-committees should be made available to the state-level committees.

(ii) *District level* : At the district level the Collector/District Magistrate should be the coordinating and implementing authority but since he has many responsibilities it should be difficult for him to devote full time for this work, a senior officer of State Civil Services/ I.A.S. may be assigned this role and the post be suitably designated.

(iii) *Block level:* The scheme can only show results when administrative machinery at the Block level is strengthened and geared up. For strengthening the block level machinery it is necessary that :

(a) Officers with sufficient education, training and status should be posted as Block Development Officer.

(b) Village level workers/gram sevaks should have sufficient training to enable them to understand their role for implementing this scheme. Further due to the absence of regular channels of promotion they have been demoralised, so that they should be assured of advancement in Government service;

(c) Extension officers for agriculture, veterinary and other disciplines may be posted in these blocks;

(d) Provisions should be made for construction and repair of block buildings, Further, Jeeps and other suitable vehicles should also be provided to BDOs and others;

(e) There should be adequate number of Assistant Project Officers (Agriculture) at the district level for giving technical guidance and supervision to Block level officers and village level workers;

(f) A small committee of senior officers should undertake adequate survey of the blocks and make recommendations to the State Government. The Financial implications for implementing the above suggestions should also be worked out.

Evaluation of I.R.D.P. in Kazhakuttam Block, Trivandrum district. Kerala State :

4.31 The Commission for Scheduled Castes/ Scheduled Tribes had assigned to the office of the Director for Scheduled Castes and Scheduled Tribes, Bangalore the study on the working of the integrated Rural Development Programme in Kerala and to submit a report on the impact of the programme on the weaker sections of the society especially Scheduled Castes and Scheduled Tribes. The Director for Scheduled Castes and Scheduled Tribes, Bangalore selected Kazhakuttam Block of Trivandrum District.

4.32 The Kazhakuttam Block started implementing the I.R.D.P. in 1978-79 with an allotment of Rs. 5 lakhs towards subsidy for that year. In 1979-80 this Block was selected as special Intensive Rural Development Programme Block with an allotment of Rs. 10 lakhs towards subsidy. The Block officials have identified 2125 families (including 426 Scheduled Castes/Scheduled Tribes families) and plan involving a total sum of Rs. 1,07,68,902/- was prepared for implementation. This constitutes Rs. 72,81,422/- and Rs. 34,87,480/- representing loan and subsidy component respectively. Other schemes were supply of boats, nets and Kattamarani with Rs. 4,65,278/- subsidy, digging of wells (Rs. 3,57,190/- subsidy), supply of chicks (Rs. 1,48,502/- subsidy), Cattle Shed (Rs. 1,26,444/- subsidy) and Industries (Rs. 1,00,973/- subsidy). The amount distributed was Rs. 30,99,514 and Rs. 1,50,000 as loan and subsidy, respectively to 1298 families out of 2125 families identified (i.e. 61%). The scheme like goat rearing, bullocks and bullock carts were also popular.

4.33 As regards implementation of the scheme it is seen that benefits accrued to 1298 families out of 2125 families identified (i.e. 61%). Most popular schemes were milch cattle, goat rearing and cattle shed. Looking into the Scheduled Castes beneficiaries, it is noted that out of 426 Scheduled Castes families identified 260 families availed of the facilities (61%). Schemes popular among them were milch cattle, goat and cattle shed. Amount of subsidy given to Scheduled Caste families was lesser i.e. Rs. 2.50 lakhs (Rs. 960 an average to each Scheduled Caste family) as against

Rs. 15 lakhs to 1298 families (Rs. 1156 to a family in general). The Scheduled Caste families desirous of implementing scheme like multiple cropping, supply of bulls, setting up of industries remained disheartened as none of them could get any assistance.

4.34 *Observations made in the study report :*

(i) Irrigation wells with low-water level may be of little use for cultivation purposes and the beneficiary may not be able to repay the loan.

(ii) Cattle shed made and thatched roof may require proper maintenance.

(iii) Maintenance of milch cattle in costing more than the income, as the fodder is purchased in open market on exhorbitant rates.

(iv) Schemes of supply of sewing machines is becoming popular.

4.35 From the above discussion on the Integrated Development Projects the Commission consider that it is not enough merely to ensure that at least 20 per cent of the families assisted come from the Scheduled Caste/Scheduled Tribes. It is equally important to ensure that at least 20 percent of the subsidy released and 20 per cent of the credit mobilised should also go to Scheduled Castes/Scheduled Tribes families. On the contrary it has come to notice that in many instances, Scheduled Castes/ Scheduled Tribes families are provided a token subsidy of a small amount just to show that 20 per cent of the beneficiaries belong to Scheduled Castes/Scheduled Tribes. Every care should be taken to see that Scheduled Castes/ Scheduled Tribes families receive substantial assistance which should be sufficient to raise their income well above the poverty line.

At the block level, a more detailed monitoring is called for. It should be done in respect of each selected beneficiary. For this purpose, an identity-cum-monitoring card (IMC) has to be devised. The information should be collected for each selected beneficiary. Follow up should normally be done for a period of two years after the beneficiary takes up his activity/scheme by which time the beneficiary household would normally be able to cross the poverty line. The period may be extended in suitable cases.

4.36 The Commission, therefore, recommend that :—

(i) The flow of benefits to the Scheduled Castes/Scheduled Tribes may be specifically earmared in the I.R.D.P. and at least 50% of the beneficiaries should be from the Scheduled Castes/Scheduled Tribes.

(ii) First preference should be given to the Scheduled Castes/Scheduled Tribes in taking up subsidiary occupations like animal husbandry, dairy development, poultry, piggery, fishery etc. At least 75% subsidy should be provided for these schemes and the remaining 25% may be met by loan at DRI. Even in these schemes preference should be given to the landless, marginal farmers and small farmers in that order.

(iii) For successful implementation of these schemes adequate infrastructure in the form of roads and marketing facilities has to be provided.

Small Farmers' Development Agency

4.37 The 168 SFDA Projects covering 1,818 blocks laid emphasis on the development of crop husbandry, horticulture, minor irrigation, soil conservation, land development, dry farming, dairying, poultry, piggery, goat and sheep rearing. Small and marginal farmers and agricultural labourers are given subsidy from 25% to 33½% of the capital cost of investment. In case of tribals the subsidy rate is 50%. The total subsidy for which an individual is eligible is limited to Rs. 3,000 (Rs. 5,000 in case of tribal). Under the animal husbandry programme the first priority is accorded to the agricultural labourers. Since the inception of the SFDA programme upto March, 1980, 1.67 crore persons had participated in the programme and the percentage of Scheduled Castes/Scheduled Tribes people was 16.58% (27.82 lakhs). During 1979-80 their percentage increased to 26.71% on the implementation of the programme a sum of Rs. 3530.82 lakhs was spent in 1979-80 of Rs. 72.43 lakhs were utilised by Scheduled Castes/Scheduled Tribes persons (13.38%). As their percentage among the beneficiaries were 25.92% it is disheartening to note that smaller amount has been availed of by them. The following table shows the details of the scheme and number of Scheduled Castes/ Scheduled Tribes beneficiaries :—

Progress of schemes implemented and details of beneficiaries under SFDA programme during 1979-80

Sl. No.	Item	Beneficiaries		
		Total	SC/ST	Percentage
1.	Improved Agriculture	621290	162640	26.18
2.	Minor Irrigation	99595	24230	24.33
3.	Animal Husbandry	140137	36490	26.04
4.	Village Industries	2779	681	24.51
5.	Forestry & Pasture	2536	730	28.79
6.	Others (Tertiary Sector)	7758	1765	22.75
	TOTAL	874095	226536	25.92

4.38 As regards its implementation in various States/Union Territories is concerned it is gathered that the SFDA programme was successfully implemented in Rajasthan, Andhra Pradesh, Bihar, Madhya Pradesh and Orissa.

Statewise details of beneficiaries are given in the following table :

State/Union Territory-wise details of beneficiaries under S.F.D.A. programme during 1979-80

Sl. No.	State/Union Territory	No. of beneficiaries		
		Total	SC/ST	Percentage
1	Andhra Pradesh	49,816	19,214	38·57
2	Assam	4,192	400	9·54
3	Bihar	84,911	15,008	17·67
4	Gujarat	13,523	5,182	38·32
5	Haryana	11,622	1,472	12·67
6	Himachal Pradesh	22,164	7,348	33·15
7	Jammu & Kashmir	8,895	150	1·69
8	Karnataka	18,059	2,178	12·06
9	Kerala	20,481	2,612	12·75
10	Madhya Pradesh	69,157	25,424	36·76
11	Maharashtra	35,343	8,309	23·51
12	Manipur	5,853	4,671	79·81
13	Meghalaya	490	481	98·16
14	Nagaland	5,689	5,689	100·00
15	Orissa	88,004	29,863	33·93
16	Punjab	12,702	2,403	18·92
17	Rajasthan	37,898	16,046	42·34
18	Sikkim	430	59	13·72
19	Tamil Nadu	97,429	12,084	12·40
20	Tripura	12,238	4,801	39·23
21	Uttar Pradesh	2,24,469	48,930	21·80
22	West Bengal	44,157	13,886	31·45
23	Delhi	838	255	30·43
24	Goa, Daman & Diu	5,371	8	0·15
25	Pondicherry	364	63	17·31
	TOTAL	8,74,095	2,26,536	25·92

4.39 Under the Small Farmer Development Agency Programme the rate of subsidy provided to small farmers, marginal farmers and agricultural labours is 25%, 33 1/3% and 33 1/3% respectively. The subsidy accruing to the tribals is 50%. The Commission recommend that the rates of subsidy for Tribals and Scheduled Castes, Small farmers should be 50%. The subsidy provided for Tribals and Scheduled Castes, Marginal farmers and landless labourers should be raised to 75%. The Scheduled Caste beneficiaries should be given subsidy at par with Scheduled Tribes.

Drought Prone Area Programme

4.40 A rural works programme in drought prone areas was started during the Fourth Plan with a view to creating work opportunities through productive scheme including those resulting in the building of durable community assets. The programme is now in operation in 74 districts of 13 States, namely, Andhra Pradesh, Bihar, Gujarat, Harayana, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Karnataka, Orissa, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal, which have sizeable Scheduled Caste and Scheduled Tribe population. The number of beneficiaries during 1974-79 was estimated at about 180 million mandays. During 1979-80 the quantum of Central allocation of funds was Rs. 41.77 crores for the implementation of following schemes :—

1. Soil and moisture conservation.
2. Creation of irrigation potential.
3. Afforestation and pasture development.
4. Distribution of milch animals.
5. Organisation of milk producers cooperatives.
6. Organisation of sheep farmers cooperatives.

It is seen from Annexure II that out of 8.09 lakhs families number of Scheduled Castes/ Scheduled Tribes families benefiting out of scheme was 3.34 lakhs (41.29%) and 0.97 lakh (11.99%) respectively. The benefit out of this programme availed of by Scheduled Caste persons was large in Haryana, Tamil Nadu and Karnataka States and among Scheduled Tribes the beneficiaries were more in Karnataka State. Against an expenditure of Rs. 6,501.64 lakhs larger amount has been utilised on schemes relating to irrigation, agriculture and animal husbandry.

4.41 The Commission recommend that special programme like the Drought Prone Area Programme should continue as per requirements in the area as they are useful programmes.

Desert Development Programme

4.42 This programme was started from the year 1977-78 as a Central Sector Programme covering both the hot and cold arid regions of the country. The hot region covers 11 districts of Rajasthan, 4 districts of Haryana and 3 districts of Gujarat. The cold region covers Ladakh district in Jammu & Kashmir, the Spiti sub-division of Lahaul and Spiti district of Himachal Pradesh. The main objective of this programme is integrated development of the desert areas by increasing the productivity, income level and employment opportunities of the inhabitants through optimum utilisation of physical, human, live-stock and other resources. The major activities under the programme are as follows :—

(i) afforestation (with special emphasis on shelter belts) and grassland development;
(ii) ground-water development and utilisation;
(iii) construction of water harvesting structure such as Khadins, bunds, etc.;
(iv) rural electrification for energising pumpsets;
(v) development of agriculture/horticulture/ animal husbandry; and
(vi) road and bridges, where necessary.

The programme is being administered through the existing DPAP/SFDA agencies. During 1979-80 a sum of Rs. 1245.95 lakhs was utilised. A major share of this amount was utilised on afforestation, followed by animal husbandry, rural electrification and irrigation.

4.43 The Commission recommend that special programmes like the Desert Development Programme should continue as per requirements. Adequate funds should be provided by the Ministry of Agriculture for raising afforestation and constructing water harvesting structures on a large scale at suitable sites to conserve moisture in desert areas. Details regarding the number of beneficiaries belonging to Scheduled Castes and Scheduled Tribes out of Desert Development Programme should also be maintained by States/Union Territories.

National Scheme for Training of Rural Youth for Self Employment (Trysem)

4.44 While various plan projects enhance, to a considerable extent, opportunities for wage employment, a large proportion of the population has to depend on self-employment for their earnings. As a part of the strategy for promoting self employment the Government of India, Ministry of Rural Reconstruction sanctioned a Project on 15-8-1979 for launching a National Programme of Training Rural Youth for Self Employment to cover both IRO and non-IRO areas. The main objectives of this scheme are :

(i) Careful identification of opportunities for gainful self-employment based on an economic analysis of the developmental assets and liabilities of each Block;

(ii) Designing training programme which will help to impart the requisite skills, and identification of institutions which can impart such training on the principle of "Learning by Doing";

(iii) Organisation of post-training service such as subsidy, credit and marketing arrangements; and

(iv) Organisation of the training programmes in such a manner that the Training Institution serves the need for continuing education of the trainees and acts like an unbilical cord between the Training Institution and the trainees.

It is aimed to train at least 2 lakh rural youth every year, i.e. 40 trainees per Block. The main thrust of the scheme will be on equipping rural youth with necessary skills and technology to enable them to seek self-employment. Training under the TRYSEM will be provided in selected trades or areas of activity which can lead to self-employment in agricultural and allied sectors, small industries and service sector. The training would be imparted by the existing training institutions such as, Gram Sevek Training Centre, Gram Sevika Training Centres, Farmers Training Centres, Krishi Vigyan Kendres, Agricultural and other Universities, ITIs and other existing State and Central organisations. Selection of trainees should, therefore, be restricted to the target groups of small and marginal farmers, landless agricultural labourers, artisans and craftsmen and people below the poverty line. Initially only one trainee may be selected from such family. Preference should be given to members of Scheduled Castes and Scheduled tribes while making selections.

4.45 As regards its progress of implementation it is reported that the target fixed for 1979-80 was 1,00,220 persons. The Governments of Andhra Pradesh, Karnataka & Uttar Pradesh could identify only 48.490 persons. Of these 1,457 persons have been trained and 17,272 were undergoing training. Against 1,457 persons trained 905 persons have set up their units in Uttar Pradesh and Haryana. It is noted that the implementation of the schemes has been successful in UP, Gujarat and Haryana. In UP the rural youth have been trained and settled in blacksmithy, shoe-making carpentry, tailoring, carpet weaving and Animal Husbandary. In Haryana, the State Govt. has adopted a cluster approach on two-tier system, i.e. developing industries at District level and low technology, cottage type of industrial growth at the Block level. In Himachal Pradesh the families identified for the implementation of Antyodays programme are being covered under TRYSEM.

4.46 The Commission recommend that :—

(i) The proportion of trainees belonging to SC/ST in TRYSEM programme should be according to the proportion of SC/ST population in the Block.

(ii) Training in those trades, occupations may be imparted which have potentiality of employment generation suited to the skills and aptitude of SC/ST persons in the particular Block.

Khadi & Village Industries

4.47 The new industrial policy gives a special place to Khadi & Village Industries for the removal of unemployment and under-employment in rural areas. The KVIC is responsible for the development of 24 village industries including Khadi. By the end of 1978-79, there were 24 statutory Boards, 694 registered institutions and 27,071 cooperatives through which these programmes are being implemented. The performance of KVIC in terms of outlay, production and employment upto 1979-80 can be judged from the following figures :—

	Outlay in Rs./Crores	Production in Rs./ crores	Employment (in lakh nos.)
1977-78	44·65	250·82	23·14
1978-79	66·73	319·37	24·97
1979-80 (Target)	85·88	432·34	34·19

During the year, 1978-79 the KVI Commission conducted a detailed review of the village industries of leather, hand-made paper, carpentry, blacksmithy, pottery, gur and Khandsari, Cottage match and gobar gas etc. falling with-

in its purview. It was decided to set up raw material banks preferably with the help of institutional finance, establish special design centres for suggesting appropriate designs to the artisans, gear up the marketing of finished products, introduce improved tools, adopt quality control methods and undertake cost benefit analysis, so that the level of productivity and earning of artisans as well as the quality and marketability of the products could be improved.

There are 6 Central Training Institutes and 2 Regional Training Centres to impart necessary skills and aptitude to middle level supervisory staff engaged in production of Khadi and Village Industries products. During 1979-80 a departmental training centre was set up at Dimapur (Nagaland) to cater to the needs of North-Eastern States. There are also Khadi Gramodyog Vidalayas in most States which are being run by voluntary institutions. Two vidyalayas were set up in Haryana for Khadi weavers. A training centre at Kumarikatta (Assam) was upgarded. A training centre was set up at Yachali (Arunachal Pradesh) under the auspices of the Arunachal Seva Sangh. Inplant training is organised in production centres for new spinners and weavers. The technical directorate of KVIC runs regional training centres for imparting necessary skills and orientation to middle level and lower category of technical personnel.

The KVIC offered to bear from its own resources 50% subsidy for gobar gas plants constructed by the SC/ST living in areas other than the notified hilly and tribal areas. A massive programme to promote rural cottage industry with a view to provide gainful employment to two million people in the non-agricultural sector in rural areas during the current plan period has been drawn up by the Government of India. The progress envisages helping 200 jobless people in each of the 5,000 blocks every year to set up cottage industrial units. The KVIC and State KVI Boards will render technical assistance, including training. Financial requirements of each person will be met through a bank loan and a 33% subsidy by the Govt. of India. Initially the KVIC will arrange for the supply of raw materials to these small units by setting up 'raw material banks'.

4.48 The Commission recommend that the scope of KVIC should be enlarged because this Body has all the potentialities which could help the rural artisans. While selecting the beneficiaries all the interested and willing Scheduled Caste/Scheduled Tribe artisans should be covered first and thereafter others should be enrolled.

4.49 The Commission reiterate the following recommendations made in their first annual report in respect of the medium and large scale industries/programmes so that adequate employment opportunities could be provided to Scheduled Castes and Scheduled Tribes persons :—

(i) The Ministry of Industrial Development may ensure that crafts and industries in which the Scheduled Castes and Scheduled Tribes participate in large numbers, like leather, priority attention would be given to such crafts and industries to develop these to their fullest potential in such a manner that the primary producers' share in the net sale proceeds is maximised. Adequate financial outlay would be provided for this.

(ii) Lists of inputs for medium and large industries may be prepared to identify items which are or can be produced by the Scheduled Castes/Scheduled Tribes after necessary training at Government cost and encouragement.

(iii) It is recommended that the processing of raw material procured in tribal areas should be done in that area itself to ensure that the benefits flow to the primary workers. The Ministry of Industrial Development, should, therefore, lay down a condition to this effect in their licensing policy while setting up industries in tribal areas.

(iv) The Ministry of Industrial Development while considering the project reports should cover the following important aspects in the interests of the Scheduled Castes and Scheduled Tribes :

(a) The maximum possible of raw material and other inputs is made in the immediate hinter-land of the industry and while doing so first preference should be given to Scheduled Caste/Scheduled Tribes producers.

(b) The benefits from such major industrial projects flow to a large extent to the inhabitants of the surrounding areas, including employment for the Scheduled Castes and Scheduled Tribes.

(c) (i) The persons displaced by the projects are rehabilitated within the project itself.

(ii) In the case of these displaced families, one of the clauses of the agreement while clearing the Project should provide for obligatory employment of at least one member each of the affected Scheduled Caste/Scheduled Tribes families in the Project.

(d) The local people specially the Scheduled Castes and Scheduled Tribes are trained for identified job opportunities and the responsibility for such training is taken up by the industry itself.

(e) The control over the tertiary sector in the project area should as far as possible go to the local population shops, commercial establishments, transport agencies, etc. with a reasonable proportion, of the Scheduled Castes and Scheduled Tribes. In dealerships of goods produced by public sector Scheduled Castes and Scheduled Tribes should also be given adequate share.

Antyodaya Programme

4.50 The main aim of the various programme implemented by the Government of India and the State Governments for the welfare of weaker sections of the society is to bring them at par with the general population. In spite of this a number of SC and ST and others have not been able to get the benefit due to them out of such programme. The aim of 'Antyodaya' is to uplift the lowest of the socio-economic strata above poverty line. Antyodaya means 'unto the last' and is the most effective weapon for economic amelioration of the 'low-end poverty'. The general assumption that Scheduled Castes constitute the lowest income group in our society was fully illustrated in the first phase of identification of Antyodaya families in the various States which took up this programme. The Government of Rajasthan are the pioneers in launching this scheme and other State like, Bihar, Gujarat, Haryana, Himachal Pradesh, Orissa, Uttar Pradesh and UT of Delhi have also taken up the implementation of this programme.

4.51 The working of the scheme in a few selected States is discussed below:

Rajasthan

The programme was launched in the State on 2-10-1977 and directives were issued to the Collectors to identify 5 families from each village. The criteria for identification of these families was the following:

(i) families under severe-destitution having no economic assets and no member in the age group of 15-59 years capable of economic activities;

(ii) the families having no economic asset but having one or more persons capable of economic activities where annual family earning does not exceed Rs. 1200 p.a.;

(iii) families with some assets whose annual income is below Rs. 1800 p.a.;

(iv) remaining families having land and other assets but living below the poverty line.

On the basis of the above criteria a total number of 2,67,061 families were identified out of which 95,144 (35.63%) and 55,885 (20.93%) identified families were of Scheduled Castes and Scheduled Tribes, respectively. Out of the 95,144 Scheduled Caste identified families the benefit of this scheme had reached 76,408 families (80.30%) whereas 89.12% of Scheduled Tribe families out of 55,885 identified families got the benefit of this programme. The percentage of Scheduled Caste and Scheduled Tribe families benefited under this programme taken together comes to 56%. This programme had benefited more Scheduled Caste and Scheduled Tribe families than any other programme meant for this class of persons. As this programme is based on economic consideration and is free from disabilities of caste, creed and religion it has not generated social tension.

Besides the following social benefits were also extended to these families for the upliftment:

1. *Education:*
   (a) School going children of 'Antyodaya' families are exempted from payment of school fees and school funds upto XI Std.
   (b) Priority has been accorded in grant of scholarships.
   (c) School dresses and school books are provided free to 'Antyodaya' students.
   (d) In hostels run by the Social Welfare Deptt. 10% seats are reserved for Antyodaya students. So far 34,282 children of 'Antyodaya' families were provided free books, school uniforms.
2. *Medicare:* All the field dispensaries and hospitals undertake special health care programme of the Antyodaya families.
3. *Veterinary facilities:* Veterinary hospitals/dispensaries give priority in medical care and treatment to animals owned by Antyodaya families. Further health certificates are given free of charge to the 'Antyodaya' families in respect of the cattle and other animals purchased by them.
4. *Cattle Insurance:* Special agreement has been entered into with 3 public sector insurance companies under which animals purchased by Antyodaya families are insured at 2% of the investment cost. Cattle are also insured at 2.55% of the unit cost. Bank loan is also made available to the beneficiary for meeting his share of the premium contribution. The insurance companies have to settle claims within 21 days of its lodgement.
5. *Free legal aid:* Provision of free legal aid scheme has also been extended to 'Antyodaya' families.

6. *Employment :* The members of identified Antyodaya families are not required to get themselves registered in any employment exchanges for seeking employment in a Government/Semi Government/ Undertakings. The 'Antyodaya identity card' issued to the family is sufficient for securing a job and no sponsorment from the employment exchange is necessary. For class IV posts the maximum age for recruitment has been relaxed upto 45 years in case of a member of Antyodaya family.

Gujarat

The programme was implemented in the State of Gujarat w.e.f. 1-5-1979 so as to cover all the villages in the State. The identification and selection of Antyodaya families was done with the help of Gram Sabha and Gram Panchayats and the following order of priority was observed in the selection of poorest families for assistance under this programme :

1. Families with no productive assets and no member in the age group of 15-59 years either employed in earning profession or capable of undertaking economic activity due to physical disability, mental infirmity or old age.
2. Families having no productive assets, having one or more working members but whose annual income does not exceed Rs. 1200 for a family of 5 persons and comprise mainly families of landless labourers and artisans.
3. Families residing in rural areas having no productive assets, having one or more earning members but below the poverty line.
4. Families residing in rural areas having some land and other productive assets, but who are below the poverty line. Families of small farmers are not included in this category but the families of rural artisans and families covered under the definition of marginal farmers under the IROP etc. are benefited. These families whose per capita income is less than Rs. 57 per month i.e. a family having annual income less than Rs. 3420 per annum is the criterion of the family living below the poverty line.

On the basis of the above guidelines it was decided to cover 2 families from the villages having population upto 500, three families from the villages having population 501 to 2000 and four families from the villages having population of more than 2,000. The selection of Antyodaya Families is made by the respective Gram Sabha by a resolution to be passed in its meeting. During 1979-80, the State Government has a target of identifying about 50,000 such families.

The aim of the Government is to provide them means for their welfare on priority basis for earning wages, on construction of relief works of the State/Panchats to become self-supporting by setting up village industries and for equipments for self employment or supplementary employment such as milch cattle, goat, poultry, handpulled carts, camel driven carts etc. The assistance under this programme would generally be in the form of grant of soft loan-cum-subsidy. An outlay of Rs. 200.00 lakhs was provided for this programme during 1979-80. The implementation of the above programme was entrusted to the District Development Officers. The families which are not eligible for assistance under the on-going programmes under the general sectors as well as under the Tribal Areas Sub-Plan including Special Economic Programmes such as IRO, DPAP, SFDA, MFAL etc. will be covered under the Antyodaya programme to the possible extent.

Himachal Pradesh

The programme was launched on 2nd October, 1978 in this State. 19,068 families from all over the rural areas of the State were selected. The claim of 450 families was rejected on account of wrong selection. By the January 1979, 16,248 families were benefited from this programme. Subsidy amounting to Rs. 79.25 lakhs and loans totalling to Rs. 30.33 lakhs were given for executing this programme. The Government of Himachal Pradesh have decided to establish a Corporation to look after the interest of the families identified under the Antyodaya programme.

Bihar

In all, 1,88,350 families had been identified in 37,714 villages of 31 districts 1,01,399 applications for financial Assistance amounting to Rs. 791.28 lakhs have been passed on to the Banks. The State Government were not collecting separate data about the SC and ST beneficiaries.

4.52 The Commission recommend that :

(i) Antyodaya programme should be taken up by all the State Governments/UT Admns. for the benefit of the rural poor including the Scheduled Castes and Scheduled Tribes.

(ii) For identifying the 'Antyodaya' families survey should be undertaken by all the States/UTs which should inter-alia, indicate as to how many identified families belong to SCs and STs. The survey should also reveal the type of assisstance required by the identified families.

(iii) In the first instance it should be the endeavour of the State Government/ UTs Admns. to cover the 'Identified families' through various economic

programmes such as IRDP, DPAP, SFDA etc. and those families which are not covered under the criterion fixed under the said programmes should be given benefit under the 'Antyodaya Programme'.

(iv) In order to keep a record of the assistance given to the identified families, it is proposed that 'Family Card' system should be introduced.

(v) It has been noticed from the information received from Bihar, Gujarat and Himachal Pradesh States that Statistical details regarding the number of beneficiaries belonging to Scheduled Castes and Scheduled Tribes and the benefits that they have accrued to them out of various schemes of Antyodaya programme have not been maintained. It is, therefore recommended that all the States/UT Administrations should monitor the Antyodaya Programme in such a manner that the details of Scheduled Caste/ Scheduled Tribe beneficiaries as well as their coverage in various schemes is known.

Employment Guarantee Scheme (Maharashtra)

4.53 The aim of any economic development programme is to eliminate poverty by providing gainful employment to the weaker sections of the society. The Government of Maharashtra in order to test the possibility of providing productive employment and opportunities for increased income for the rural poor, particularly the agricultural labourers and the small and marginal farmers, launched a pilot scheme in 1965 for an integrated area development in Tasgaon block. Furthermore, since 1969 a pilot scheme for giving a guarantee of employment was also undertaken on a village basis in selected blocks. On the basis of the experience gained by the above two pilot schemes, the Govt. of Maharashtra formulated a more comprehensive scheme called the Employment Guarantee Scheme of Maharashtra which was introduced throughout the State from the year 1972-73. The scheme was given a statutory status through the Employment Guarantee Act, 1977, which was brought into force from 26th Jan. 1979.

Aims and Objectives of the Schemes

4.54 The aim of the Employment Guarantee Scheme is to provide gainful and productive employment to the individual and productive to the economy on approved works to all unskilled persons in the rural areas including the areas of 'C' class Municipal Councils, who need work and are prepared to do manual labour but cannot find it on their own. The guarantee of work is, restricted to unskilled manual work. The participant has no choice of work or the area of work. The guarantee is given at the district level, but operationally work is provided at the Panchayat Samiti level. The operation of the scheme has been so designed as to ensure that labour is deployed to the extent possible on existing construction activities in the area and care is taken to see that the Employment Guarantee Scheme does not adversely affect agricultural operations and production and that the scheme is not to be activated where work is available on plan or non-plan Schemes in progress. In fact the scheme is residual in the sense that full provision for plan and non-plan schemes should be made and expenditure on any work should not be incurred from Employment Guarantee Scheme Funds unless the budget provision is fully exhausted. Work is to be provided under the scheme within 15 days of receipt of a notice of demand for work. A fundamental objective of the scheme is that the works undertaken should result in the production of durable community assets and that wages paid to the workers should be linked with the quality and quantity of work output.

Salient Features

4.55 The salient features of the Employment Guarantee Scheme are :—

(i) Guarantee of unskilled employment is provided to all adult persons residing in the rural areas. Now under the Maharashtra Employment Guarantee Act, 1977, statutory base has been given for this guarantee.

(ii) The persons demanding work have no choice of work. The guarantee is to provide work anywhere in the district, though operationaly work is normally provided within the Panchayat Samiti area.

(iii) Work is to be provided to any person demanding employment within 15 days of such demand. The work to be provided should normally last for atleast 30 days so as to avoid frequent shifts of the labour from one work to another.

(iv) Only productive works are permitted under the scheme. The major types of works which have been taken up under the scheme are labour intensive components of major and medium irrigation projects, minor irrigation percolation and storage tanks, soil conservation and land development works, anti water logging and water training, drains and distributory canals, field channels and afforestation works. Where such productive works are not available, road works are taken up.

(v) Only such works of which the cost of unskilled component is more than 60 per cent of the total cost are permitted under the scheme.

(vi) The works are invariably executed departmentally and, therefore, there is no intermediary between the Government and the labour. Only exception is

made when skilled items of the tank works are to be executed in the interest of the speedy completion of work. Such works can be executed through piece workers on conditions that the local labour should be used and they should be paid wages according to the Schedule of rates prescribed by the Government.

(vii) The wages are linked to the quality and quantity of the output of work by the labour.

(viii) The wages prescribed for the Employment Guarantee Scheme are so designed that an average person working deligently for 7 hours should earn total wages equal to the minimum wage for agricultural labour in the lowest zone in the State. This will ensure that the operation of the scheme does not affect agricultural operations and at the same time the agricultural labour is assured of the minimum wage.

(ix) A blue print of works which can be taken up under the scheme is kept ready for each Panchayat Samiti so that there is practically no time lag between the registration of the actual demand for work and starting of the work. In order to enable the authorities responsible for implementation of the scheme to plan for the operation of the scheme, a manpower budget is being prepared in each Panchayat Samiti.

The main improvements brought about by the Employment Guarantee Act, 1977 are :—

(i) Payment of unemployment allowance to any adult person in the rural area who has registered for work under the Act and who is not provided with employment within 15 days of asking for it.

(ii) Ex-gratia payment upto Rs. 5,000 in case of death or disablement of workers and

(iii) Powers of Collector to direct the village Panchayat to take up work from the Village Employment Fund in case it is not expedient for the State Govt. to provide employment immediately on any other work.

Resources

4.56 For the establishment of Employment Guarantee fund and its utilisation for the scheme amendments have been made in the following Acts :

(1) The Bombay Sales Tax Act, 1959 (Bom. LI of 1959).

(2) The Maharashtra Education & Employment Guarantee (Cess) Act, 1962 (Mah. XXVII of 1962).

(3) The Maharashtra Increase of Land Revenue and Special Assessment Act, 1974 (Mah. XX of 1974).

(4) The Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975).

(5) The Maharashtra Tax Acts (Amendment) Act, 1975 (Mah. XVII of 1975).

The State Government has to make matching contribution equal to the net collection of taxes & levies every year. The resources raised by the net collection of taxes and levies & the matching contribution of the State Govt. are utilized for this scheme only. The unspent balance of a particular year, is carried forward to the next year.

Composition of Councils/Committees

4.57 For the periodical review & supervision of the implementation of this Act the following Councils/Committees have been constituted :—

(i) Maharashtra State Employment Guarantee Council.

(ii) District Employment Guarantee Committee in every district.

(iii) Panchayat Samiti Employment Guarantee Committee.

Implementation

4.58 The Collector of the district is responsible for the implementation of the Scheme in the district. The Collector is to prepare the blue prints of the works to be taken up under the scheme in the district, as a part of the District Plan; to be based on the Panchayat Samiti Area Development Plans prepared with a view to give employment guarantee to all adult persons for unskilled manual work and to make use of natural resources, actual, or potential, which are readily available in the respective Panchayat Samiti Areas. The blue prints are placed for approval before the District Level Committee, which gives approval after taking into consideration of the views of the Panchayat Samiti Level Committee.

The Collectors are empowered to sanction the works costing upto Rs. 10 lakhs and for the works costing more than this amount, prior approval of the State Govt. has to be obtained. Works which are technically feasible and financially viable are only taken up under the Employment Guarantee Scheme. The works are to be implemented through the several Govt. Departments, viz., Irrigation, P.W.D. Housing, Forest, Soil Conservation & the Zila Parishads. Arrangements for drinking water, sanitary arrangements & medical aid are to be provided and whenever work is provided beyond 5 kms from the village arrangements for camping have also to be made. The district Collector, who manages the scheme, has to see

that the normal labour requirements of farm and allied operations are not before the NGS becomes active in any place. At the same time the Collector must ensure that those who are employed in agricultural operations receive the minimum wages in agriculture prescribed by the State. The several regulations that apply to the provisions of employment are designed to help the Collector, maintain the balance between existing demand, wage rates and employment provided under the EGS.

Over half the EGS programme falls within the purview of the zila parishad and is executed by that agency departmentally. In Maharashtra much of the capacity to undertake development work remains in the State sector under the State level technical directorates and under the Collector as the district co-ordinator. The Collector has, therefore, been authorised to allocate works to the corresponding State sector departments wherever necessary. The decision to place the Collector is overall charge of the EGS is primarily because the guarantee is given by the State Govt. and it must be fulfilled by the highest representative of the Government at the district level. Moreover, during periods of drought when EGS stands suspended, it is the Collector who takes charge of relief works and is, therefore, in a position to shift the EGS works machinery to the relief works programme. A budget provision of Rs. 72.83 crores was made for 1979-80 and the likely sectoral distribution of expenditure for the year 1979-80 will be as follows:

Sl. No.	Sector	Likely expenditure (Rs. in crores)
1	Labour Intensive Components of Major Irrigation Projects	11·55
2	Labour Intensive Components of Medium Irrigation Projects	0·97
3	Minor Irrigation	19·50
4	Soil Conservation	12·00
5	Land Development	13·00
6	Afforestation	6·00
7	Roads	8·00
8	Other works	0·50
9	Administrative charges	1·31
	Total	72·83

The total provision of Rs. 72.83 crores was expected to generate employment of about 15 crores mandays.

4.59 The Director, Scheduled Castes and Scheduled Tribes of this Commission posted in the field office at Ahmedabad in his note on the implementation of the Employment Guarantee Scheme in Maharashtra made certain observations and recommendations. These are as given below:

1. The Employment Gurantee scheme was launched in the State in April, 1972, to provide productive employment to all-able bodied persons in rural areas who register themselves for manual and unskilled jobs. The wage rate was deliberately kept below normal in order not to affect the existing pattern of employment. However, it was found that those who registered themselves for full-time or part-time employment were far in excess of those who actually turned up at the work sites.
2. The registration bore no relationship to the actual population of the landless in the districts.
3. Even some small and marginal farmers registered their names in order to get work during slack farm activity.
4. Some landless labourers did not care to register their names.
5. More women turned up at the work sites than men.
6. The small projects like minor irrigation, soil conservation etc. which were taken up near the villages attracted a good number of labourers.
7. On large projects, which were away from the villages the labourers were not willing to go out due to poor mobility of rural workers.
8. The agricultural workers are generally paid in kind by which they are always the loser, so with the introduction of this scheme the labour prefers the EGS work not only for good wages but due to the fact that it also provides the labour, to escape the hard work he has to put while working in the fields of land owners.
9. The greatest weakness in the management of this scheme is the inability of the development Department at the district and block levels to prepare the large number of suitable works required. Owing to limited staff preliminary physical surveys were not undertaken.
10. Each department listed their works to be undertaken without having coordination at the district level.

4.60 *Suggestions*

1. A person in the age group of 15-65 years should be ensured employment throughout the year.
2. The works to be taken up should be near the villages.
3. The EGS should provide opportunity for the improved organisation of rural poor.

4. It is worthwhile to associate banks into the financing of loan (as the EGS rules allowed in 1975) for the development of private lands under a loan/subsidy arrangements (50% loan and 50% subsidy).
5. Before taking up any work 'Preliminary Physical Survey' which is a must should be undertaken.
6. The works to be undertaken under the Employment Guarantee Scheme should not be limited to non-agricultural seasons only but should be continued during the agricultural seasons also, as this will check exploitation of the landless agricultural labour etc. by the land owners and moreover they will not be in a position to dictate terms, as due to the implementation of the EGS the labour will have alternative sources of employment and that will provide enough bargaining power to them.

4.61 The Commission recommend that States/Union Territory Administrations (other than Maharashtra) should study the Maharashtra Employment Guarantee Scheme and adopt a suitable scheme for providing adequate employment opportunities to the rural poor.

4.62 The Government of Maharashtra should regularly monitor the implementation of Employment Guarantee Scheme so as to know the coverage of scheme as well as the extent of benefit that has accrued to the Scheduled Castes and Scheduled Tribes persons.

Progrmmes for cultivators (small and marginal formers).

4.63 Among the total cultivators in the country the percentage of Scheduled Castes and Scheduled Tribes cultivators is 10.35% and 10.76%, respectively. The participation rate of Scheduled Castes (10.35%) in this category is less in spite of the fact that they constitute 14.67% to the general population. It is well known that very little fertile land is in the possession of these communities. Besides this, their conditions deteriorate whenever there are droughts, floods, cyclones, etc. During the Kharif season of 1979-80 the year under report the country was hit by one of the severent droughts caused by delayed and deficient monsoon and in the Rabi season of 1980, snow and hail storms did considerable damage to crops in northern states, Andhra Pradesh was also hit by a cyclone in 1979.

Fertilizers and Manures

4.64. The annual consumption of fertilizers is a good indicator of the country's performance in crop production. During 1977-78, 42.9 lakh tonnes of nutrients were consumed and consumption increased by 19.4% in 1978-79 (51.2 lakh tonnes). During 1979-80 the growth rate came down from 19.4% to 4.8% primarily because of severe drought in several parts of the country.

4.65 With a view to helping the Scheduled Castes and Scheduled Tribe farmers it is recommended that local manurial resources programme should be strengthened. Bio-fertilizers programme should be popularised by establishing centres in prominent tribal areas and areas predominantly inhabited by Scheduled Castes.

Seeds

4.66 The Government of India has set up the State Farms Corporation of India and the National Seeds Corporation to look after the production and distribution aspects. Independent Seed Certification Agencies have also been set up in Haryana, Punjab, U.P., Rajasthan, Andhra Pradesh, Karnataka, Bihar, Orissa, Himachal Pradesh, M.P. and Tamil Nadu.

4.67 It is recommended that seed certification agencies may be set up in States like Maharashtra, Gujarat, West Bengal and Assam where population of Scheduled Castes & Scheduled Tribes is sizeable. Further, seeds suited to plateau areas like minor millets may also be developed. Requirements of tribal areas and those with sizeable Scheduled Castes population may be taken into consideration separately and distribution of seeds accorded first priority in these areas. Seed distribution centres should be set up in all the weekly market places in tribal areas and blocks having 20% Scheduled Caste population.

Agricultural machinery and implements

4.68 With a view to assisting the farmers in modernisation of agricultural operations, supply of inputs and promotion of agro-based industries, Agro-industries corporations have been set up in a few States, 3164 Agro-Service Centres (Entrepreneurs) set up so far have trained 5205 entrepreneurs.

4.69 It is suggested that Agro-Industries Corporations should set up their branches in tribal areas and those predominantly inhabited by Scheduled Castes. The Agro-Service Centres should train Scheduled Caste and Scheduled Tribe persons in the technical skills besides imparting training to farmers.

Crop Insurance

4.70 The General Insurance Corporation of India is implementing a pilot crop insurance scheme in Gujarat, West Bengal and Tamil Nadu in respect of certain crops i.e., cotton, groundnut, paddy. The Government of India shares on matching basis with the State Governments 50 per cent of the premium due from small and marginal farmers

4.71 It is recommended that Crop Insurance Scheme should be introduced in all States/ U.Ts (other than Gujarat, West Bengal and Tamil Nadu) specially in respect of small and marginal farmers so as to provide security to their crops. While doing so special care should be taken to ensure that all the Scheduled Caste/Scheduled Tribe small and marginal farmers are covered under the programme.

Farmers Training and Education

4.72 It is observed that the programmes that help in the development of Scheduled Castes and Scheduled Tribes in the agriculture sector are crop production (millets and oil seeds), control of shifting cultivation, soil conservation, poultry, duck and sheep breeding, dairy development, fisheries, lac cultivation and social forestry. It would be useful if demonstrations involving improved technology are conducted on the fields of farmers belonging to Scheduled Castes and Scheduled Tribes. At present Farmers Training and Education programme is operating in 155 selected districts in the country.

4.73 It is recommended that :

1. Farmers Training and Education Programme may be launched in each Block under Tribal Sub-Plan Area and in Blocks having 20% Scheduled Castes population.
2. The crop-oriented demonstration plots should be taken in the lands of the Scheduled Castes and Scheduled Tribes to the extent of at least 50%, if not more.
3. In respect of supply of inputs like seeds, fertilisers and pesticides the element of subsidy in respect of the Scheduled Castes and Scheduled Tribes should be increased from 50% to 75%.

Application of Science & Technology in the field of Agriculture

4.74 The Department of Science and Technology have formulated a scheme for the 'Development of Scheduled Castes/Scheduled Tribes in Science & Technology Areas'. The objective of the Department's effort would be to support the generation and field testing of improved technology for some occupation, like, Agriculture, Leather, Textiles, Food, Rural Engineering, Waste Collection, Handicrafts and Transport & Haulage etc. so that the Scheduled Caste/Scheduled Tribe communities could acquire science based production techniques and organization and thereby benefit from the improved professional efficiency. Improved technology for agriculture would be specifically directed to the requirements of landless/ agricultural labour.

4.75 The Commission made the following recommendations :

1. For evolving the right type of crops for the mostly rainfed tribal areas, adaptive research and experimentation should be taken by the ICAR and other research organisations.
2. Adequate researches should be conducted for developing crops which could be grown in dry farming areas and which do not need irrigation facilities. This would be specially helpful in the plateau areas, such as Chotanagpur.
3. Action should be taken to step up research for developing dry farming practices in tribal areas in order to augment income of tribals.

Programmes for landless Agricultural Laboures including the Rural Poor

4.76 Among the Scheduled Castes and Scheduled Tribes the landless agricultural labourers are the most backward and poverty stricken sections in the community. Out of the total 4.75 crore agricultural 'Workers' in the country, 31% and 10% of the agricultural workers belong to the Scheduled Castes and Scheduled Tribes, respectively. On further analysis it is seen that out of 18.04 crore total workers in the country 26.32% are engaged as agricultural labourers whereas out of 2.90 crores total Scheduled Caste workers the percentage of Scheduled Caste agricultural labourers is as high as 51.74%, which is more or less double the all-India percentage of agricultural labourers. Similarly so far as the Scheduled Tribes are concerned it will be seen that 33.04% work as agricultural labourers out of 1.46 crore Scheduled Tribe workers.

4.77 The problem of agricultural labourers has been drawing the attention of the Government for quite sometime. The low standard of living of the rural people is accounted for by various factors like seasonal employment, unemployment, under employment, low wages, lack of amenities, inadequate housing, lack of organisation and trade unionism, problem of landlessness, etc. They generally follow one occupation and when that is not available or they are free from that, they remain idle. They do not have any asset which can give them a regular reliable and adequate income with the result that they do not have any bargaining power. Besides, they are also paid wages at lower rates in contravention of Minimum Wages Act. It is often reported that the landless labourers are exploited by both the landowners as well as the money-lenders. Adverse working conditions and long working hours a day have made their lives miserable and pitiable.

4.78 Although the Government of India have formulated a number of employment generating schemes like the Integrated Rural Development Programme, Food for Work Programme and training for Rural Youth for Self Employment etc. still the conditions of agricultural labourers call for further remedial measures. The Commission, therefore, recommend that the following further measures should be taken to improve the conditions of the Agricultural Labourers :

1. The payment of minimum wages as fixed under the law should be ensured to the agricultural labourers.

2. The fixation of the minimum wages under the law should be periodically reviewed taking into consideration the prevailing market rates and the cost of living.

3. Similarly employment opportunities to agricultural labourers belonging to Scheduled Castes and Scheduled Tribes should be provided throughout the year including agricultural seasons through various schemes such as Food for Work Programme, National Rural Employment Programme, Employment Guarantee Scheme etc. as this would give them the requisite bargaining power and ensure the payment of minimum wages to them.

4. Other occupations in the rural areas such as poultry, farming, dairy, pig rearing etc. should also be taken up on extensive scale to provide them alternate/supplementary means of income by providing them 75% subsidy and 25% loan for carrying on these occupations.

5. The agricultural labourers should be trained in subsidiary occupations, e.g., printing of textiles, weaving etc.

6. Vocational training/Craft Centres may be set up at Block level exclusively for the young agricultural labourers and they may be provided stipend to undergo such courses.

7. In cases where land is allotted to a Scheduled Caste/Scheduled Tribe agricultural labourer he should be settled on developed land, as far as possible. When this is not possible, he should be engaged by the Government on wages for the development of land. Each such family should also be provided with an irrigation well and inputs either on 100% grant basis or with atleast 75% subsidy and 25% loan at DRI. Until the allottees start getting income from the land they should be given consumption loan at DRI for essential social purposes like marriage, funeral etc.

8. The organisation/unionisation of landless agricultural labourers should be taken up with a view to give them the necessary bargaining powerh and breaking the vicious circle of total dependence on the landlords.

Implementation of Minimum Wages Act

4.79 As indicated earlier the Commission attach great importance to payment of minimum wages fixed under the law to the agricultural labourers as this would ensure that they atleast get the requisite purchasing power for meeting their minimum consumption needs and for making their both ends meet. The Commission also reiterate that such minimum wages should be periodically reviewed keeping in view the prevailing market rates and the cost of living.

As back as 1948, the Government of India had enacted Minimum Wages Act, 1948 and employment in agriculture was regulated according to part-II of the Schedule to this Act. As bulk of the employment in agriculture falls in the State sphere the work relating to fixation/revision of minimum wages and their enforcement has been entrusted upon the State Governments. Salient features of the Minimum Wages Act, 1948 are following :

1. The State Government/UT Admns. have been empowered for the fixation of minimum rates of wages.

2. The minimum rates of wages fixed are required to be reviewed at intervals not exceeding five years.

3. The minimum rates of wages shall be fixed according to the time work and piece work basis.

4. For fixing the minimum rates of wages or in revising the rates of wages, so fixed, the State Governments/UT Admns shall appoint committees and sub-committees to enquire and advise in the fixation of rates of wages.

5. For the purpose of coordinating the work in fixing and revision of minimum rates of wages, the State Governments/UT Administrations shall appoint an Advisory Board.

6. At the Central level, the Government of India shall appoint a Central Advisory Board for advising the Central and State Governments in the matters of the fixation and revision of minimum rates of wages and for coordinating the work of the Advisory Boards.

7. Minimum wages shall be payable in cash or in kind or both.

8. While fixing the minimum rates of wages the number of hours of work on a working day, provision for a day of rest every week and provision for payment of wages on the rest day, shall also be taken into consideration.

9. The supervisory staff to ensure the implementation of this Act shall be appointed and their area of operation shall be specified.

10. Any employer paying wages less than the rates fixed under this Act shall be punishable with imprisonment for a term upto six months or with fine of Rs. 500 or both.

4.80 Despite all these provisions, reports still come in from various parts of the country regarding inadequate payment of Minimum Wages to Scheduled Castes and Scheduled Tribes. It is stated that the Minimum Wages Act could not be implemented effectively because of ineffctive and insufficient staff and inadequate budget provisions. The Commission recommend that :

1. The State Governments/UT Administrations should strengthen their administrative machinery at all levels, particularly at the field level, so as to ensure the implementation of the provisions relating to the payment of minimum wages to the agricultural labourers.

2. The State Governments/UT Admns. should also make adequate provisions in their budgets to ensure an effective implementation of Minimum Wages Act.

3. There should be special cells under the charge of senior officers at the State, District and Block levels for monitoring the implementation of Minimum Wages fixed by the State Governments/UT Administrations for the agricultural labourers.

4.81 With a view to solving the various problems of agricultural labourers the Government of Kerala enacted a legislation — Kerala Agricultural Workers Act, 1974. This Act was recommended to other States/UTs and it was suggested that a central legislation may also be enacted. The Ministry of Labour set up a Central Standing Committee on Rural Unorganized Labour and its Sub-Committee on Central Legislation for Agricultural Workers submitted its draft report during 1980. The Committee has also framed draft 'Agricultural Workers Bill, 1980'. Salient features of this Bill are as follows :

1. There shall be an Agricultural Tribunal in each State/UT.

2. For the effective implementation of this legislation there shall be Registering Officers, Conciliation Officers and Inspectors.

3. The employers shall give preference to those workers who had worked earlier.

4. Agricultural Workers Welfare Fund shall be established and contributions shall be made to this Fund by the State Govt., employers and the agricultural workers. It will be supervised by a Agricultural Workers Welfare Fund Board.

5. The State Government/UT Admn, may set up an Employment Guarantee Board tripartite in character, having representatives, of the State Governments, employers and agricultural workers to supervise Employment Guarantee and Social Security Scheme.

6. Hours of work, extra wages for overtime, daily intervals for rest, wages payable to agricultural workers, enforcement of payment of wages, settlement of agricultural disputes shall be governed as per the legislation.

7. The Registering authority shall prepare a register of agricultural workers.

8. Civil court shall have no jurisdiction under this legislation.

9. Any person who contravenes the provisions of this Legislation shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Rs. 500/- or with both.

4.82 The Commission are of the view that the proposal for enactment of Central Legislation for agricultural workers is a welcome move and the requisite legislation should be enacted as early as possible.

4.83 Apart from the measures suggested earlier for the Agricultural labourers, who constitute the bulk of the rural poor, appropriate measures should be taken for the other unorganised rural poor as well. The Commission, therefore, recommend that trade unions/cooperative societies, etc. particularly of Scheduled Castes and Scheduled Tribes artisans, marginal and small farmers, etc. should be formed so that they actively associate themselves in economic programmes vitally concerning them such as land reforms, distribution of loan, supply of inputs, provision of irrigation schemes, supply and procuring of raw materials on regular basis, marketing of finished products at competitive rates etc.

Bonded Labour

4.84 According to Section 2(9) of the Bonded Labour System (Abolition) Act, 1976, bonded labour system means the system of forced, or partly forced, labour under which a debtor enters, or has, or is presumed to have, entered, into an agreement with the creditor to the effect that,

(i) in consideration of an advance obtained by him or by any of his lineal ascendants or descendants (whether or not such advance is evidenced by any document) and in consideration of the interest, if any, due on such advance, or

(ii) in pursuance of any customary or social obligation,

(iii) in pursuance of an obligation developing on him by succession, or

(iv) for any economic consideration received by him or by any of his lineal ascendants or descendants, or

(v) by reason of his birth in any particular caste or community,

he would—

(1) render, by himself or through any member of his family, or any person dependent on him, labour or service to the creditor, or for the benefit of the creditor, for a specified period or for an unspecified period, either without wages or for nominal wages, or

(2) forfeit the freedom of employment or other means of livelihood for a specified period or for an unspecified period, or

(3) forfeit the right to move freely throughout the territory of India, or

(4) forfeit the right to appropriate or sell at market value any of his property or product of his labour or the labour of a member of his family or any person dependent on him, and includes the system of forced, or partly forced, labour under which a surety for a debtor enters, or has, or is presumed to have, entered, into an agreement with the creditor to the effect that in the event of the failure of the debtor to repay the debt, he would render the bonded labour on behalf of the debtor.

4.85 The bonded labourers represent the extreme situation of object prostration of landless agricultural labourers in the rural economy. The bonded labour system has been abolished and all the bonded labourers in this country now stand released under the Bonded Labour System (Abolition) Act, 1976. But, in practice, the system is still prevailing in some form or the other in many parts of our country. The Gandhi Peace Foundation, in collaboration with National Labour Institute have estimated in their survey conducted during 1978 that nearly 22.4 lakhs persons were working as bonded labourers. The National Sample Survey Organisation of the Department of Statistics, Government of India, also undertook as part of their 32nd round of National Sample Survey (July 1977—June 1978) on employment and unemployment at the National level and have reported the number, as 3.4 lakhs. From the position as reported by various State Govts. as on 30-11-80 it is noticed that their number was around 1.20 lakhs. The sub-committee on Bonded Labour set up by the Ministry of Labour in their report of November 1979 have stated that as most of the bonded labourers are found among the agricultural labourers, it is of utmost importance that the State Governments should fix and periodically revise minimum wages. As most of the ills spring from underpayment of wages by powerful landlords to their helpless poor and unorganised labourers, the importance of strict enforcement of the Minimum Wages Act in Agricultural sector can hardly be over emphasised. During 1978-79 and 1979-80 Rs. 97.64 lakhs and Rs. 53.62 lakhs were released to State Governments towards central financial assistance. The details are given below :

Sl. No.	State	Central Allocation approved for 1979-80	No. of bonded labourers likely to be benefited
1	2	3	4
1	Andhra Pradesh	17·73	1,586
2	Bihar	6·62	369
3	Karnataka	7·14	1,521
4	Kerala	0·60	60
5	Madhya Pradesh	..	..
6	Orissa	1·00	100
7	Rajasthan	10·53	700
8	Tamil Nadu*	..	..
9	Uttar Pradesh	10·00	2,606
	TOTAL	53·62	6,942

*No proposals were received from State Governments.

4.86 Schemes drawn up by various State Governments for rehabilitation of bonded labourers are as given below :

1. Andhra Pradesh — Immediate cash relief of Rs. 200/ to each bonded labourer by way of sustenance allawance and provision of which animals/ploughs/bullock carts/new wells/Sheep /oil engines/land developments and reclamation suited to his needs. The State Government have directed all the District Collectors and the Directors of Tribal/Harijan Backward Classes Welfares to allot *inter-alia* house-sites to freed bonded labourers irrespective of their community.

2. Bihar — Provision of bullocks/agricultural implements/seeds/well for irrigation/milch/cattle poultry/ goats/pigs/crafts.

3. Karnataka — Provision of sheep/cows/pigs/ land and agricultural implements/ bullocks/carts. Provision of House sites to freed bonded labourers and houses under Janta Housing Programme under which more Bonded Labourers and house under Janta Housing Programme under which more Bonded Labourers are proposed to be benefited.

4.	Kerala	Collective farm of about 420 hectares—dairy / plantation/food crops. Provision of housing grants to bonded labour tribals.
5.	Madhya Pradesh	Subsistence allowance Rs. 500/- each and further assistance on land non-land/skill craft based programmes.
6.	Orissa	Reclamation/development of land seeds and other inputs/ bullocks/goats/milch cows, monthly subsistence allowance Rs. 60/- p.m. for 6 months and marriage grants @Rs. 500/- each for 47 women bonded labourers. Dwelling units were proposed for @Rs. 2000/- each freed women bonded labour.
7.	Rajasthan	Subsistance allowance @Rs. 500/ each land reclamation plough bullocks/agricultural implements and inputs, fishery/ animal husbandary programmes, carpet/bamboo/breem/ dyemaking/forest / tussar-based industry. Allotments of house sites to bonded labourers.
8.	Tamil Nadu	Supply of milch animals/ poultry units/farming assistance/ land conlonisation scheme for agriculture/mulberry cultivation; match making and bee-keeping industry. A scheme has been approved for assistance in the form of materials for house construction @Rs. 1000/- per house. Under the scheme, 25% of released bonded labourers are provided with houses.
9.	Uttar Pradesh	Land development/inputs horticulture/minor irrigation/animal husbandry development of handicrafts. During 1979-80 a provision of Rs. 1.65 lakhs was proposed for housing assistance to bonded labour in Hill districts.

According to the available information (as on 30-11-1980). 1,20,561 bonded labourers were identified/freed and 95,457 (79.78%) persons were rehabilitated. Statewise details are given below :

Sl. No.	State	Number of bonded labourers	Rehabilitated	Percentage
		Identified/ freed		
1	2	3	4	5
1.	Andhra Pradesh	12,701	7,386	58·15
2.	Bihar	4,218	2,785	66·03
3	Gujarat	42	42	100·00
4.	Karnataka	62,689	46,418	74·05
5.	Kerala	700	308	44·00
6.	Madhya Pradesh	1,531	58	3·79
7.	Orissa	337	321	95·25
8.	Rajasthan	6,000	6,000	100·00
9.	Tamil Nadu	27,874	27,670	99·29
10.	Uttar Pradesh	4,469	4,469	100·00
	TOTAL	1,20,561	95,457	79·78

It will be seen that the progress of rehabilitation of bonded labourers in Gujarat, Orissa, Rajasthan, Tamil Nadu and Uttar Pradesh was appreciable while the efforts made by Government of Andhra Pradesh, Bihar, Karnataka, Kerala were slow. The performance of Govt. of M.P. was rather very poor, as out of 1,531 bonded labourers identified upto 30-11-1980 only 58 (3.79%) persons could be rehabilitated.

4.87 Considering the urgency of effectively eliminating the bonded labour system the Ministry of Labour had set up a central standing Committee on rural unorganised labour. The Sub-Committee on Bonded labour has reviewed the procedures and practices in identifying, freeing and rehabilitating bonded labourers. The report of this sub-committee is under the consideration of the Government of India.

4.88 The Commission make following recommendations:

(1) The Gandhi Peace Foundations in collaboration with the National Labour Institute have estimated in their Survey conducted during 1978 that nearly 22.4 lakhs persons were working as bonded labourers. From the position as reported by various State Governments as on 30-11-80 it is noticed that their number was around 1.20 lakhs. As a majority of bonded labourers are Scheduled Castes/Scheduled Tribes, it is recommended that Labour Ministry should set up a High Power Working Group to go into this matter in depth and reconcile the difference in figures of bonded labourers as declared by the States and as brought out by the Gandhi Peace Foundation in their survey. The Working Group should make this review State/Uunion Territorywise so that the correct position about the existence of bonded labour in each State/Union Territory is brought out. Thereafter appropriate steps should be taken by each State/Union Territory to free the identified bonded labourers concerned and to fully rehabilitate them at Government cost.

(2) After the enactment of the Bonded Labour System (Abolition) Act in February 1976 the number of bonded labourers identified in next four months, i.e., by June 1976 was 75,337, and thereafter over a period of four years (June 1976 and November 1980) 45,224 more could be identified. It shows that while there was a spurt in the identification of bonded labour during first two years the progress declined subsequently.

It is, therefore, recommended that the attention of the District Magistrates should be drawn on Sec. 12 of the Bonded Labour System (Abolition) Act, 1976, wherein their duties have been specified to ascertain whether any bonded labour system is being enforced within the Local limits of their jurisdiction.

(3) Alongwith the programme of releasing the bonded labour a simultaneous crash programme of their rehabilitation preferably on land should be implemented. Rehabilitation programme for bonded labourers should be carried out as a Centrally Sponsored Programmes on 100% basis.

(4) Even in the minimum elementary things to be done, some State Governments (e.g., Tamil Nadu, Andhra Pradesh) have not set up Vigilance Committees as required under the Act, which should now be done. The representatives of released bonded labourers may also be nominated in such committees.

(5) As vast number of agricultural labourers are the potential recruits to the bonded labour system by incurring debt bondage, it is recommended that Debt Relief Acts should be strictly enforced and flow of credit channelised through financial institutions for both productive and consumption purposes.

(6) Schemes like conferment of ownership rights in house-sites, allotment of house sites, housing facilities, employment on regular basis, formation of industrial co-operative societies, cooperative forming may be popularised among the released bonded labourers.

(7) The Minimum Wages Act for agricultural labourers should be implemented both in letter and spirit.

(8) One senior functionary under each District Magistrate should be made responsible exclusively for bonded labour and rural poor.

(9) Section 22 of the Bonded Labour System (Abolition) Act, 1976 provides that every offence under this Act shall be cognizable. It is, therefore, recommended that Ministry of Labour should collect information on number of cases registered, number of masters against whom challans were put up, number of cases ended in acquittal/punishment etc.

(10) A report on the working of the Bonded Labour System (Abolition) Act, 1976 should be placed annually on the tables of both Houses of Parliament. It should also be discussed in the Parliament. Similar procedure should be followed in the States' Legislatures also.

(b) *Specific programmes for professional occupational groups*

Artisan Groups

4.89 A sizeable population amongst Scheduled Castes still follow skilled occupations, which are low in income and low in the heirarchy of social prestige and status. With increasing use of Science and Technology, the community is gradually being pushed out from the more lucrative parts of this profession. The entire benefits of the package of economic programme is taken by the middlemen, the manager and the overseer.

4.90 The main problems of the artisans and craftsmen amongst the Scheduled Castes are the following :—

(1) Very low returns for their labour even though they contribute substantially to the total value of the end-product. This is primarily because middlemen are able to claim the lion's share of the net proceeds of the sale of the product.

(2) Lack of infrastructure facilities and services including the supply of raw material and other inputs, adequate and a convenient common facilities and work-place, lack of access to markets and unfamiliarity with demand projection and consumer preferences.

(3) The continued dependence on traditional work methods and technology, even in situations where more efficient and yet appropriate and relevant technologies are available.

(4) Their being pushed out of the more lucrative positions in their traditional profession, on account of the benefits of science and technology and growing markets not reaching them.

(5) Unequal competition from industries producing substitute products, like plastic footwear against leather footwear.

4.91 The Commission recommend that:

(1) The State Governments/U.T. Administrations should ensure that traditional artisans get regular supply of raw materials as per their requirements. For this adequate organisational and infrastructural arrangements should be made by the State Governments/U.T. Administrations. Similarly, there should be reservation in the market for the products made by the traditional artisans. The experience shows that it is difficult for the artisans to arrange for the marketing of their products on their own. It is, therefore, necessary that State Governments/U.T. Administrations should set up appropriate marketing organisation through cooperatives/ Corporations/Handloom Board/Khadi and Village Industries Commission for

taking over the task of marketing of the products of the artisans and for ensuring adequate prices to the artisans for their products.

(2) All Government agencies and other organisations which receive the support and assistance of Government, whether at the State or at the Centre, should be required to buy from the traditional artisan sector all items which they need and which are produced by the traditional artisans, purchase of such items should be made from the modern sector only when the entire production (of those items) of the traditional artisans is fully and satisfactorily covered.

(3) The skills of Scheduled Caste/Scheduled Tribe traditional artisans should be upgraded with Government assistance. Raw materials should be made available to them at subsidised rates. Adequate marketing arrangements are necessary including on-the-spot payment to the artisans for their products.

(4) The Scheduled Castes/Scheduled Tribes artisans should also be assisted in taking to new skills as well as small and cottage industries.

(5) With a view to arranging adequate supply of raw material and ensuring marketing facilities to the traditional artisans it is suggested that the State Governments/U.T. Administrations should adopt such a policy that financial institutions are linked with this programme so that necessary financial support is available to the artisans.

Leather workers

4.92 Leather industry is an ancient industry in the country giving employment to more than 12 lakh families mostly belonging to Scheduled Castes communities. Leather worker category is the largest category among traditional artisans. They also constitute the third major category next only to agricultural labourers and cultivators in the country as a whole and in almost all the States. No firm statistics regarding the number of Scheduled Castes engaged in different leather activities is available. However, the following table gives a broad picture.

	No. in lakhs				
	Footwear Finishing			Other leather products	Total
	Playing	Tanning	Footwear Finishing		
Cottage Sector .	5·00	2·28	3·40	0·09	10.77
Small Scale (Organised) .	—	0·33	0·64	0·20	1·17
Large Scale .	—	0·05	0·06	—	0·11
Total .	5·00	2·66	4·10	0·29	12·05.

The requirements of the leather workers are adequate supply of raw material, technical know-how, credit facility on easy terms, accessibility to designs in need and perfect marketing facilities. An important problem faced by primary leather workers is that large quantities of hides and skins are moving from the areas where they originate to export centres. Arrangements should be so made that export of hides and skins should be done only when demands of local artisans for raw material have been met.

4.93 For better carcass utilisation a model training-cum-production centre (Hide leather and footwear was set up at Lucknow). Carcass utilisation centres have been functioning at Delhi, Jhansi, Mathura, Dehradun, Madras, Koothitukulam and Bombay. Two new centres are likely to function at Srinagar and Cuttack. These centres convert the dead animal carcasses into hides, skins, meat meal, bone meal, meat cum bone meal, fat etc. Hides and skins are converted into leather and thereafter leather is utilised for the manufacture of footwear and other leather goods. Dog biscuits and minerals mixtures for poultry, pigs and cattle are also prepared.

4.94 The Commission recommend that :—

(1) Each state must have a model training-cum-production centre for hides, leathers and footwear on the lines of one set up at Lucknow. Carcass utilisation centres may also be opened in Rajasthan, Punjab, Gujarat, Bihar, Madhya Pradesh and Karnataka.

(2) A definite and precise programme, covering all aspects of leather production namely flaying, tanning, manufacturing of footwear and other products needs to be drawn up with the focus on the primary leather worker.

(3) In very State, clusters of concentration of leather workers should be identified, the pattern of the existing trade understood and projects taken up and included in the Special Component Plan.

(4) On the marketing side, valuable support to the leather workers should be extended by the Ministry of Supply, Ministries incharge of public sector organisations and corresponding State Departments by taking a policy decision that all governmental and public sector purchases, whether it be for internal use or for export purposes should be made directly from the producers, without any scope for middlemen, and on the basis of reasonable costs, particularly allowing for fair return to the leather workers.

(5) The Ministry of Commerce must reorient the export policy from the point of view of the primary leather workers. Sufficient raw materials at reasonable cost should be left with the producers of footwear and other leather goods in the country in order to meet the international demand. Supply for the export market should also be so organised that the full benefit of the high margins of the international market becomes available to the primary leather workers.

(6) Steps to improve the working and living conditions of the leather workers should be taken and provided for in the Special Component Plans in appropriate sectors.

(7) A large number of traditional artisans engaged in leather work require upgrading of their skills for which raw materials at subsidised rates and marketing facilities, should be provided by the Government.

(8) For the proper development of the industry and to protect the interest of these artisans a Leather Development Corporation/Board should be set up at the Centre as well as the States.

Weavers

4.95 According to 1971 census, nearly, 4,708,027 persons belonging to different communities are practising the weaving occupations in the States/U.Ts. namely, West Bengal, M.P., Maharashtra, Rajasthan, U.P., Delhi, Tamil Nadu, Bihar, Orissa, Arunachal Pradesh, Punjab, Andhra Pradesh, Gujarat, Karnataka, Dadra and Nagar Haveli, Kerala, Jammu and Kashmir. The handloom weavers are predominantly from the Scheduled Castes in the western and north western states of the country. The weaver today receives wages or returns which are very low. The overall responsibility for drawing up comprehensive programme for weavers right from the stage of arranging raw material must be borne by the Ministry of Commerce and the Development Commissioner, Handlooms. The specific roles of the State Governments, the K.V.I.C., the State Handloom Corporations, the National Textile Corporation, the Spinning Mills, etc. must be clearly set out in a time-bound programme. As in the case of the leather industry, the Central Ministries and State Departments and Public Sector organisations, which purchase textile goods, can give valuable support on the marketing front to the handloom weavers by making all their purchases of textile goods only from handloom weaver (except to the extent khadi goods are purchased), liaising with promotional/developmental Ministries/Departments/Corporations and other public agencies to organise production with all inputs and linkages required. Designs and specifications can be fed to the handloom weavers through the promotional/developmental Ministries/Departments/Corporations, etc. As in the case of purchase of leather goods, the pricing should be worked out on the basis of reasonable cost, particularly allowing for fair return to the weavers. A beginning has been made in the preparation of house-cum-work places for the weavers which must be further extended and made an integral part of the handloom development programme.

4.96 The Commission recommend that:

(1) Scheduled Caste weavers should be enabled to become members of weavers corporatives and other organisations and to secure their due share of benefits in full.

(2) House-cum-work places for the weavers should be further extended and made an integral part of the handloom development programme.

(3) The Ministry of Industrial Development may consider the following suggestions relating to handloom industry:

(a) There is a large proportion of the Scheduled Castes and Scheduled Tribes among weavers. Their standards need improvement. Programmes of handloom development may cover them as a priority target group.

(b) In the various other development programmes for existing handloom weavers including marketing, designs, etc., intensive attention may be given to weavers belonging to the Scheduled Castes and Scheduled Tribes as priority target group.

(4) If and to the extent the market permits new-comers to be admitted to the profession in an organised manner, a substantial proportion of such new admission may be earmarked for the Scheduled Castes and Scheduled Tribes.

(5) The Ministry and the Development Commissioner, Handloom may make efforts to get loans at DRI for Handloom Boards/Corporations to the extent they are intended for the Scheduled Castes/Scheduled Tribes weavers.

Other handicrafts artisans of Cottage and Village Industrial Sector

4.97 The Scheduled Castes are traditionally engaged in the manufacture of products based on cane and bamboo, palm leaves and other leaves, roads and grasses etc. and some other handicrafts like leather embroidary and metalware. These workers (whether belonging to the Scheduled Castes or other communities)

have the problem of getting the raw materials. There are reserved forests nearby but they have to get their raw materials from distant places and through the private market. The alternative producer-based model should provide for growing the species of wood required by them in reserved forests or other Government land in the nearest vicinity possible, in quantities adequate to meet their requirements in full regularly from year to year. The supply of the resultant wood should then be made directly to the producers through appropriate linkages and arrangements. This will require an integrated approach on the part of the State Departments incharge of forests and industries and the related corporations and other agencies.

4.98 It is, therefore, recommended:

(1) that a comprehensive programme for handicrafts artisans, spinning arrangements for the supply of raw materials, technology inputs and training, common facility centres, marketing etc. needs to be taken up. The Ministry of Commorce and the All India Handicrafts Board and similarly the Ministry of Rural Reconstruction and KVIC should be primarily made responsible for them.

(2) that at least 50% of the new entrants into the training centres organised by All India Handicrafts Board as well as State organisations should be from the Scheduled Castes and Scheduled Tribes.

Fishermen

4.99 It is estimated that 30 lakhs Scheduled Caste persons and nearly 15 lakhs Scheduled Tribe persons are engaged in Fisheries. The impact of the developmental schemes on the Socio-economic conditions of the Fishermen has been very limited with the increasing mechanisation of Fishing operation, the traditional Fishermen's interest are coming in clash with the owners of mechanised boats. The fishing is also practised to supplement the Food in tribal areas. The Commission recommend that:

(i) The States/U.Ts. where Fishing is an important occupation among the Scheduled Castes and Scheduled Tribes should enact suitable legislations to safeguard the interest of traditional Fishermen.

(ii) The States/U.Ts. having Scheduled Caste/Scheduled Tribe Fishermen should also establish Fish seed Development Corporation to produce fish seed of good quality.

(iii) The Fisheries development programme should also be linked with the Institutional Finance system so that adequate financial support is available.

Rickshaw pullers

4.100 Rickshaws are an important means of urban transport. A good number of members of Scheduled Castes and Scheduled Tribes are engaged in occupations like Rickshaw pulling. At present many of the rickshaws are owned by non-workers, who hire them out to rickshaw pullers. A good part of the earnings of the rickshaw pullers' strenuous labour goes to the investor.

4.101 The Commission recommend that:

(1) Financial assistance may be provided to Scheduled Castes and Scheduled Tribes rickshaw pullers to own the transport so that the middlemen are avoided and they become the owners of the rickshaw.

(2) Rest Shelters for rickshaw pullers should be constructed at different points in the towns and cities extending facilities like toilet, benches and tea and subsidised meals stalls etc.

(3) Wherever possible loans and grants on 25%—75% basis may be provided to Scheduled Caste and Scheduled Tribe persons to fit in the motors into cycle rickshaws.

Cart pullers

4.102 Another occupation in which a good number of Scheduled Castes and Scheduled Tribes are in physically strenuous occupation is the cart pulling. With the growth of trade and commerce in the mandis and market places in urban and semi-urban areas need for cart pullers is increasing manifold. They are engaged in the transport of goods and also for removing municipal refuse.

4.103 To cover them under the economic development programme it is recommended that:

(1) The cart pullers should be made owners of the carts by providing them financial assistance.

(2) Rest Shelters should be constructed with facilities like toilet, benches and subsidised meals stalls etc.

(3) Wherever possible the traditional wheels of the carts may be replaced by tyre wheels.

(4) Good quality of timber for preparing carts required by Scheduled Castes/Scheduled Tribes cart pullers should be made available to carpenters on subsidised rates.

(5) Facilities like 75% subsidy and 25% loan should also be made available to Scheduled Castes and Scheduled Tribes owners of animal driven carts to purchase bulloks/horses/buffaloes.

(6) They may be encouraged to form co-operatives and such cooperatives should be assisted to have a few animals in reserve, so that when animal of one person falls sick or dies, he is not deprived of regular employment.

Head Load Workers

4.104 A large number of head load workers mostly belonging to Scheduled Castes and Scheduled Tribes move around bus stands, railway stations, market places, commercial centres for employment as head load workers. The small amount of wages which they earn after putting continuous work through abnormal hours without rest, remain insufficient for them. Sometimes when they do not get wages worth two times meals they fall prey to other unsocial tactics in the company of fellowmen.

4.105 It is, therefore, recommended that:

(1) Rest shelters near mandis, markets and commercial complexes etc. should be constructed.

(2) There is no uniform rate fixed to be paid to head load workers as has been fixed in respect of 'Railway Coolies'. Rates of head load workers should be fixed by the Local Administration and the rates should be displayed at prominent places like market places, commercial centres etc.

(3) Efforts should also be made to form the unions and cooperative societies for head load workers.

(4) The Cooperative Societies should make them available small loans on occasions when the labour is not in demand.

(5) The workers should contribute part of their income to the cooperatives in a pool so that they get money on loan during illness, health hazards etc.

4.106 It is understood that Government of Kerala have recently enacted a new Act to regularise the wages and service conditions of head load workers. Some of the salient features of the Act are as given below:

(i) It applies to head load workers only after central establishments in Kerala have been exempted from its purview.

(ii) It defines a head load worker as a person engaged directly or through a contractor in or for an establishment for carrying load.

(iii) Their recruitment and registration will be regulated and wages fixed by the Government.

(iv) Provision of leave with pay, maternity benefits, gratuity, weekly holidays and an eight hours working per day.

(v) The institution of a welfare fund to be operated by a board of representatives of the Government employers and workers.

(vi) Provisions of the workmen's compensation Act too are applicable to them.

(vii) The disputes are to be referred to the Labour Department where conciliation proceedings will be the charge of a Deputy Labour Officer.

(viii) Offences under the Act are punishable with a maximum of six months imprisonment or a fine of Rs. 1000 or both.

For improving the economic conditions of the head load workers the Government of Kerala has taken a very good step in the right direction.

Construction workers

4.107 It is estimated that out of 18.04 crores 'Workers' in the country nearly 22.20 lakh (1.22%) persons worked in occupations of construction. Out of the 22.20 lakh workers, nearly 3.51 lakhs were Scheduled Castes and 0.59 lakh Scheduled Tribes. The representation of Scheduled Castes in the occupation was 1.21% and that of Scheduled Tribes 0.41 as compared to 1.22% of general population. It shows that participation of tribals in this occupation is less as compared to Scheduled Castes.

4.108 To cover them under the economic development programmes the following recommendations are made:

(i) The Construction workers belonging to Scheduled Castes/Scheduled Tribes be helped to form cooperative societies and encouraged to take petty contracts in construction activity.

(ii) The Scheduled Caste and Scheduled Tribe persons engaged in construction activity may also be helped to learn associated skills like masonary, plumbing etc.

(iii) The tribals labour cooperatives may be formed and encouraged to undertake works in adjoining areas. With a view to avoid exploitation of tribals their cooperatives may be supervised by responsible Government officers.

Bidi workers

4.109 A good number of members of Scheduled Castes are engaged in occupation of bidi making in many towns of the country. It is seen that wages that they earn are not commensurate with the value of their labour. The middlemen and musclemen associated with this industry exploit the workers in many ways.

4.110 To cover the bidi makers under the economic development programme it is recommended that:

(1) Monopoly of collecting bidi leaves and preparing bidis should be given to the cooperatives of members of Scheduled Castes and Scheduled Tribes and other weaker sections of society.

(2) Marketing of bidis generally goes by brand name. For marketing purposes, their bidis can be linked with reputed organisations enjoying good brand names.

(3) In each of the States, which are known for bidi making, a Bidi Corporation should be set up. This would arrest the monopolistic attitude of private persons. The societies of unorganised bidi workers may be formed and linked with this proposed Corporation.

Traditional Dais

4.111 Improvement in the status of Scheduled Caste dais will contribute a great deal towards the removal of social disabilities of Scheduled Castes and improving their economic status. Therefore, special attention has to be given to the improvement of the Scheduled Castes women and girls in the field of profession like Dai (midwife) in the rural society. The profession of 'Dai' (midwife) is a caste-based profession followed by Dhanuks, Basons and a few other castes. The women belonging to these communities attend to the pregnant women, help them during delivery and provide assistance in the aftercare of child and the mother. Programmes have already been drawn to train the dais to provide them with better kits and pay them remuneration for deliveries attended by them after training. But all these attempts so far have been isolated and have not made any impact either on the profession or on the condition of the traditional Dais. They are performing an important service for which they are being remunerated by their clients according to custom established over a long period. The remuneration which they get is much too inadequate in the changing economic situations. Whereas all other services are getting monetised these traditional services continue to be linked with custom.

4.112 To improve their economic conditions the Commission recommend that:

(1) The services of the Dais should be organised under the aegis of the Panchanyats, each Dai being paid adequate amount as fees for each delivery performed by them. This expenditure of the Panchayats should be reimbursed by the State on a hundred percent basis.

(2) All dais within the jurisdiction of a primary sub-centre should undergo intensive refresher/training periodically. Scientific instruments and first aid kits for pre-natal and post-natal service should also be provided.

(3) Every 'Dai' in the village should be provided with a specious house and a pair of saris on Government cost so that she maintains neatness and imparts lessons in hygiene and environmental sanitation among the rural women. She may be so equipped that she takes the role of an agent of change so far as health is concerned.

(c) *Need Based Implementation of Economic Development Programmes :*

Animal Husbandry

4.113 (a) Cattle Development—Cattle and buffalow development has a considerable potentiality as a major rural industry for increasing milk production to meet the nutritional requirements of people as well as providing subsidiary occupation for gainful employment specially to marginal and small farmers and landless agricultural labourers. At present the programme of intensive cattle development is being implemented in 600 key village blocks and 92 intensive Cattle Development Projects in the country.

4.114 It is recommended that cattle development programme should be implemented on priority basis in all the Blocks covered under Tribal Sub-Plan Area and Blocks having 20% Scheduled Caste population and Scheduled Caste and Scheduled Tribe persons be accorded priority.

Sheep and goat development

4.115 (b) India stands 4th in sheep population and first in the goat population among the countries in the world. With the increasing demand for carpet wool in the developed countries sheep and wool industry can be boosted up manifold.

4.116 It is recommended that such Scheduled Caste/Scheduled Tribe family engaged in sheep rearing and desirous of taking this profession should be encouraged. Intensive encouragement may be given to Scheduled Caste/Scheduled Tribe people in States like Jammu and Kashmir, Himachal Pradesh, Uttar Pradesh and Rajasthan. Adequate grazing facilities for summer as well as winter months should be provided even if the grazing problem has to be solved on an inter-State level. It should be treated as a National Issue.

Piggery Development

4.117 (c) Pig rearing is commonly practised by some tribal groups and a few Scheduled Caste communities. With the increasing demand for good quality pork and pork products, rearing has become of greater significance.

4.118 It is recommended that liberal financial assistance and other package of inputs may be provided to Scheduled Caste/Scheduled Tribe persons to make pig rearing an economic preposition. The number of Regional pig breeding farms at present is 10 which may be raised. Number of State pig breading farms may also be increased.

Poultry Development

4.119 (d) The national egg production has recorded a four fold increase in 1979 as compared to 1963 in the country and its requirements are sure to increase in times to come. At present there are only three Central Poultry Breeding Farms at Bangalore, Bombay and Bhubaneswar.

4.120 It is recommended that more central Poultry Breedings Farms may be set up, particularly in North-eastern zone and in northern zone which are not covered by such central poultry farms at present.

Cattle Insurance

4.121 Out of 250 million cattle in the country only 40 lakhs cattle could be insured so far. The rate of premium in the case of cattle owned by individual is 3.2 per cent and insurance covers full amount of market value. In SFDA/MFAL areas rates of premium is 2.25%. It is understood that cattle insurance scheme has been recently introduced in Kerala State.

4.122 The Commission recommend that cattle insurance scheme should be extended to Tribal Sub-Plan Area and Blocks having 20% + Scheduled Caste population and rate of premium may be fixed at 2.25% instead of 3.2 per cent for Scheduled Caste/Scheduled Tribe persons. Arrangement for 75 per cent subsidy for Scheduled Castes and Scheduled Tribes may be introduced in the premium under Cattle Insurance Scheme.

Special Livestock Production Programmes

4.123 This programme is aimed at providing employment opportunities to the weaker sections and the rural masses. During 1979-80, 268 projects (99 for calf-rearing, 68 for poultry, 51 for sheep and 50 for piggery) were functioning in 183 districts of various States/Union Territories. Upto September 1979, 94,830 additional beneficiaries consisting of small farmers/marginal farmers/agricultural labourers, members of the Scheduled Castes and Scheduled Tribes were brought within the fold of various items of programme. The total number of persons benefited was 2,55,300.

4.124 This programme is being implemented on subsidy-cum-loan basis. Loans are arranged through the nationalised and the cooperative banks. The Centrally Sponsored Scheme for cross-breed calf rearing provides feed subsidy at the rate of 50% to small and marginal farmers and 66-2/3% to agricultural labourers. It is recommended that the rates of subsidy may be raised to 75% for marginal farmers and agricultural labourers. Under the central sector scheme for poultry, piggery and sheep production, the subsidy is given to the extent of 25% to small farmers and 33-1/2% to marginal farmers and agricultural labourers and 50% to the members of the Scheduled Tribes. It is recommended that rates of subsidy for poultry, piggery and sheep rearing for small farmers belonging to both the Scheduled Castes and Scheduled Tribes may be raised to 50% and to marginal farmers and agricultural labourers belonging to Scheduled Castes and Scheduled Tribes to 75%.

Dairy Development

4.125 Milk supply in four metropolitan cities, i.e., Delhi, Bombay, Madras and Calcutta has been achieved by setting up packaging plants in Rajasthan, Gujarat, Andhra Pradesh and Bihar. New plants are coming up at Bokaro, Faridabad and Faizabad. Three Integrated Dairy Development Projects have also been set up in Madhya Pradesh, Karnataka and Rajasthan.

4.126 It is recommended that:

(1) Integrated Dairy Development Projects may also be set up in remaining States having sizeable Scheduled Caste/Scheduled Tribe population, namely Assam, Himachal Pradesh, Jammu and Kashmir, Kerala, Meghalaya and Orissa etc.

(2) A National Milk Grid may be created in such a manner that all the class A, BI, BII and C cities are catered to by the areas predominantly inhabited by Scheduled Castes and Scheduled Tribes, so far as feasible.

(3) The Scheduled Tribes and Scheduled Castes may be given adequate assistance to grow fooder grass and rear milch cattle.

(4) To meet the increasing demand for dairy products in mining and industrial townships in the tribal areas, animal husbandry and dairying may be popularised among the tribals. The infrastructure such as roads, marketing, etc. will also have to be developed on a priority basis.

(5) Income flow from the Operation Flood II Programme to the Scheduled Castes/Scheduled Tribes may be ensured on top priority. Milk chilling plants may be set up at suitable centres near the village/hamlets inhabited by the Scheduled Castes/Scheduled Tribes as far as possible.

Shifting cultivation

4.127 The exact area of shifting cultivation should be assessed from the data obtained from pre-investment survey, aerial photography and ground survey methods. The diverse agricultural practices by different methods may be studied and appropriate cultivation techniques and cropping patterns for different agro-climatic zones may be recommended after proper research. The harmful effects of shifting cultivation should be explained to the tribals. Control of shifting cultivation should be kept as a core sector in Sixth Plan through a Centrally Sponsored Programme for which adequate funding may be made.

4.128 It is recommended that :

1. Tribals still practising shifting cultivation should be settled on Government land or acquired land, if available, which may bere claimed and developed by employing these tribals on wages. Inputs should also be made available to them on a highly subsidised basis (75% grant and 25% loan at Differential Rate of Interest).
2. The shifting cultivators may also be settled in non-land based occupations and cottage industries, keeping in view their aptitudes.

Minor Irrigation

4.129 Under this programme following schemes were undertaken during 1979-80 :

(i) Creation of net additional irrigation potential of 14 lakh hectares against 13 lakh hectares during 1978-79.

(ii) Construction of additional 1.75 lakh dug wells, 2.10 lakh private tube wells and 3,100 public tube wells.

(iii) Energisation of 3.5 lakh pump sets as against 3 lakhs during 1978-79.

4.130 It is recommended that :

1. Irrigation should be given top priority in the programme of development of land.
2. Irrigation wells should be dug at Government cost for Scheduled Caste/ Scheduled Tribe farmers or at least 75% subsidy and 25% loan at Differential Rate of Interest may be made available by the Government to meet the cost.
3. Wherever necessary tube wells may also be provided by the Government and irrigation water made available to Scheduled Caste/Scheduled Tribe farmers particularly small and marginal farmers on concessional irrigation rate which should not be more than half the normal rates.
4. In all major, medium and minor irrigation projects preference should be given to those areas where the majority population comprises the Scheduled Tribes and in the case of the Scheduled Castes and dispersed Scheduled Tribes, where their population is 20% or more.
5. Lift irrigation projects, bunds and dams should be taken up in areas having preponderant Scheduled Tribe population.
6. In tribal areas minor irrigation schemes should be given a high priority to raise the low level of productivity.
7. As the Scheduled Castes and even the majority of the Scheduled Tribes are very small holders of land, generally speaking individual irrigation wells would be more beneficial for them. Here also there should be an element of subsidy to the extent of 75%. Where any area schemes of minor irrigation are feasible in Scheduled Caste Bastis, Tribal villages/Hamlets they should also be given preference over other minor irrigation schemes in case there are constraints of availability of finance. In the case of such minor irrigation schemes the Scheduled Castes/Scheduled Tribes should be exempted from payment of any taxes until their farms become remunerative, i.e. for about three to five years and even thereafter the rate of levy should be half of the normal rate.
8. To ensure the maximum coverage of holdings' of the Scheduled Castes/ Scheduled Tribes by irrigation wells, self-contained teams including ground water specialists, revenue and agricultural officers, individuals from credit agencies, etc., should be formed and these units should be adequate in number of exploit the entire ground water potential in areas where there is a fair amount of land holdings of the Scheduled Castes and Scheduled Tribes in a time bound programme say, within five years. Such units should be provided with sufficient physical and financial resources including drilling machines etc.
9. In respect of surface water irrigation it should be ensured that the land holdings of the Scheduled Castes in the command areas are fully covered through channels and necessary physical and financial support is made available.
10. As many minor irrigation schemes as feasible should be located in the tribal areas to raise the low level of productivity. The Ministry of Agriculture may prepare a Master Plan based on State surveys for the entire country and relate it to the higher production. They may also provide resources to match the perspective plan.

Evaluation study of the schemes of supply of electric pump sets to tribal agriculturists

4.131 The Directorate of Economics and Statistics, Bombay, 1979-80, conducted an evaluation Study relating to the scheme of supply of electric pump sets to Scheduled Tribe Agriculturists in Maharashtra. The study was conducted to find out (i) whether the pump sets and oil engines have been distributed to the cultivators who qualify for it; (ii) whether the pump sets were in working conditions and, if not, the reason thereof, and (iii) arrangement for maintenace.

A scheme to distribute pump sets at 100 per cent subsidy was put into operation from the year 1973 to enable the Scheduled Tribes of Maharashtra to increase their agricultural production. The electric pump sets were given throughout the State while oil engine were given in tribal Sub-Plan Areas. The scheme was open only to those Scheduled Tribes beneficiaries who held land measuring 2.5 to 16 acres and who had an assured perennial source of water supply. For the purpose of this study, districts falling in Tribal Sub-Plan area, three Tehsils which has maximum number of beneficiaries were selected in the first instance and then two villages with maximum number of beneficiaries were chosen. Thus 585 beneficiaries from 58 villages located in 28 Tehsils, falling in 13 districts were selected. The study revealed that no doubt only Scheduled Tribes have received benefits from the scheme, but only those with the necessary laid down size were not necessarily chosen. Regarding assurance of perennial source of water supply, about one-tenth of beneficiaries did not fulfil this condition. The proportion of pumps not in use was alarmingly high. In the agriculture season 1978-79, one out of three pumps was not in use. It was also noted that nearly forty per cent of pumps were not in use for one year or more. More than 50% of pump sets in Thana, Nanded, Nagar and Kulaba districts were not in use. The main reason for this non-use was lack of power connections and lack of water. Majority of the reporting beneficiaries were not happy with the maintenance arrangements, while most of the reporting beneficiaries wanted further subsidy from the Government for improvement of land etc.

4.132 With a view to ensuring adequate utilisation of electric pump sets in tribal areas the Commission recommend that while selecting beneficiaries care should be taken to select only those persons whose wells have adequate ground water source as well as adequate land. To ensure full utilisation of the pump sets and provision of irrigation facilities, suitable arrangements should be made for regular availability of power or diesel supply as the case may be for the operation of the pumps.

Soil conservation

4.133 Soil conservation schemes should be accorded top priority in plateau areas. The Scheduled Caste/Scheduled Tribe farmers may be given 100% grant for these schemes or at least 75% grant and 25% loan at Differential Rate of Interest.

Sericulture

4.134 Sericulture is an important labour agricultural based cottage industry providing gainful occupation. According to an estimate over 3.79 million persons are engaged in sericulture of which 30% belong to the weaker sections of the society, particularly the Scheduled Castes and Scheduled Tribes. There are two kinds of sericulture prevalent viz., tassar and mulberry, muga and eri are also in practice but on small scale. The mulberry sericulture is practised in Karnataka, West Bengal, Jammu & Kashmir, Tamil Nadu, Andhra Pradesh and Uttar Pradesh. The tassar silk industry is established in Bihar, Madhya Pradesh, Orissa, Maharashtra, Andhra Pradesh, West Bengal and in many north-Eastern States. During the Fifth Plan period the various development programmes formulated for the development of sericulture aimed at the establishment of Block plantation of tassar and Muga host plants for increasing leaf yield, supply of disease-free silk worm seed, etc. Some specific schemes were also formulated to introduce national marketing organisation with a view to preventing the exploitation of rearers by the middlemen and to help them to get an economic return for their produce. More than 12.7 million tribals are said to be living right in the tropical tassar belt of whom hardly 1.04 lakh tribal families are presently engaged in tassar rearing. Similarly, out of 11 million hectares of tassar food plants hardly 0.55 million are reported to have been put to use. With the increasing demand for silk cloth in the foreign market sericulture has gained considerable significance. As tribals are engaged in cocoon rearing this programme should be launched on intensive scale in selected Blocks in the tribal areas by giving grants for the plantation of Assan and Arjun trees. This industry should be so developed that it has absolute impact not only as a subsidiary occupation but as a main occupation to a few families at least. The Scheduled Caste and Scheduled Tribe can be benefitted out of this programme only when middlemen are completely eliminated. Besides rearing of cocoons, processing centres should also be set up in tribal areas and silk weaving, popularised as a house hold industry. Forest Development Corporations should be actively associated in rearing of silk cocoons and Industries Department in processing and marketing etc.

4.135 It is recommended that:

1. Sericulture (mullberry, tassar, eri, etc.) should be popularised among the Scheduled Castes/Scheduled Tribes as there is great potential for this industry both for the internal market and export market.

2. A suitable and comprehensive package programme of mulberry silk production should be worked out which would link up all stages from the supply of the leaf to marketing, covering also training and technical supervision with emphasis on the Scheduled Castes and Scheduled Tribes.

3. The Ministry of Industrial Development may give due consideration to the following aspects of sericulture :

   (a) In actually reaching the primary workers both for the supply of raw material and for purchase, while infrastructure development is important, it is necessary to keep the ultimate objective in mind that the benefits have to flow to the primary worker.

   (b) The training of Scheduled Caste/ Scheduled Tribe persons as weavers is important. The Weavers' Service Centres started by the Ministry in the States had tried to tackle the problems but this perhaps could be pursued more effectively. In training programmes a large percentage of the trainees may be earmarked for members of the Scheduled Castes and Scheduled Tribes.

   (c) This is a programme with enormous potential of development for landless agricultural workers among whom the Scheduled Castes and Scheduled Tribes predominate. Hence, the bulk of the benefits, at least 50% from this sector could be earmarked for them.

Horticulture

4.136 The present area under horticulture crops in the country, including all fruits, vegetables, and tuber crops is estimated at 4.6 million hectares and production is in the neighbourhood of 45 million tonnes of vegetables and tuber crops. Schemes to grow banana, apple, mango, pine-apple, citrus and dry fruits are also in operation.

4.137 It is recommended that :

1. Horticulture schemes may be popularised in tribal areas and in a areas predominantly inhabited by Scheduled Castes as a centrally sponsored programme on the same lines as that of introducing pine-apple in Arunachal Pradesh and Andaman and Nicobar Islands and banana in Goa.

2. With a view to removing nutrition deficiency among the weaker sections of society importance of horticulture schemes cannot be under estimated, therefore, lack of marketing facilities should not stand in the way. If found feasible a separate Directorates of Horticulture should be set up for Scheduled Castes and Scheduled Tribes in major states and 50% of the schemes be launched on 100% grant and remaining 50% schemes on 75% grant and 25% loan basis be taken up as a centrally Sponsored Programme during the Sixth Five Year Plan. This programme required a massive support especially for weak and nutritionally deficient people. Investment on this programme will automatically reduce expenditure on health up keep.

3. Large areas are easily identifiable as a base for horticulture programmes in tribal areas including lands over which shifting cultivation is practised. Where the programme is taken upon lands owned by the Government the rights for usufruct can rest with the individual.

4. The Government of Orissa have taken up a major programme of plantations. The remaining State Government may take similar action.

Forest

4.138 Forests occupy an area of 74.8 million hectares which is about 22.7% of the total geographical area of the country. The National Forest Policy, 1952 has recommended that a minimum area of 33-1/2% should be put under forests. Thus the main thrust of forestry programme would be on raising plantations of fast growing nature and which have economic and industrial importance. To promote afforestation, community lands, private lands, degraded forest lands will have to be brought under the programme. It is observed that major common factors between the tribals and programmes of forest conservation are :

(a) Persistent demand from tribal people for dereservation of forest lands.

(b) Excessive tapping of minor forest produce.

(c) Inadequate daily wages paid to tribals.

Looking into wide spread resentment against plantation of teak trees by replacing Sal in Bihar and by planting pine in Bastar (Madhya Pradesh) it is recommended that indigenous forest species should be disturbed only after taking local people into confidence. Customary rights of tribals in meeting day-to-day requirements should be codified and consulted while preparing Government notifications. The State Forest Development Corporations, wherever set up, should have Advisory Boards in which 50% or more representation should be given to tribals, representing all the regions of the State. In the trainng curricula of the forest staff "Forest Societies" should be included so that the forest personnel consider understanding the tribal ethics and culture useful. There is need

to remove from the tribal mind a feeling that they are gradually being weaned away from the forest life by forest personnel. The Commission consider that the task of forest development of tribals living in forests is interwoven and, therefore, whenever forest is to be preserved the tribals' interests will also have to be protected. As far as possible forest produce should be nationalised and role of middleman minimised. The task of collection of minor forest produce and its marketing and processing should be given to the cooperatives of tribals and in such cooperatives forest personnel may be actively associated. In the management of "Forest Villagers" the flow of developmental programmes should be speeded up.

4.139 The Commission make the following recommendations with regard to the Forest Management in tribal areas :—

1. Social Forestry should be done with popularisation of plantations of lemons, papaya, drumstick, etc. for the economic betterment of Scheduled Caste/ Scheduled Tribe people. Edible and commercial fruits and oil seed bearing trees and fodder species may be planted as mixtures in all plantation programmes in the vicinity of villages.

2. The rights of the tribal people on the forest adjoining their villages and their ownership right, where traditionally recognised, over the forest lands should be restored and recognised so that their participation in raising and maintaining the forests can be ensured.

3. The traditional rights of the tribals over the forest produce should be preserved. In collection and marketing of MFP (Minor Forest Produce) contractors should be completely eliminated. The Tribal Cooperative Development Corporations/LAMPS should have the sole rights to procure minor forest produce directly from the tribal sellers. Further the tribals who sell the minor forest produce to the Corporation/ LAMPS should be given on the spot payment on the delivery of the minor forest produce by the tribal sellers.

4. Long lease of tree pattas over forest land for cultivation of fruit trees may be given.

5. The Forest Department should impart training to labourers in improved logging and plantations.

6. Forest Department should also implement some welfare schemes especially in the field of health care and providing basic necessities of life.

7. The role of a Forester from that of policing duties in the protection of forests in tribal tracts may be widened to that of a Social Welfare Worker also.

8. It is a well known fact that traditional village leaders in tribal areas known as Manjhi, Munda, Mukhia, Patel, etc., still weild influence in the management of forest wealth and their exploitation. With the implementation of democratic decentralisation in the form of Panchayats, a new set of leaders has come in the tribal areas. Besides this, the M.L.As and M.Ps are also potential leaders. It has been reported that sometimes traditional village/tribe leaders also have influence on the village folk as compared to the elected leaders and they command sizeable influence. With a view to conserving forest wealth and managing its harvest properly the Commission suggest that traditional tribal leaders should also be associated in the management of forest policy at the village/Block/Forest/Range level.

9. The areas of reserved forests may be so developed that primitive tribals are fully protected and developed.

10. There is need for bridging communication gap between the tribals on one hand and Administration on the other over sensitive issues involving land and forest around which their life revolves.

11. In the hills during the winter the grass land for cattle lies totally covered under snow and the flock owners have to move down to lower altitudes. They have to cross inter-State borders in search of grazing fields and face numerous difficulties from the Forest Department. Adequate grazing facilities for summer as well as winter months should be provided even if the graizng probelm has to be solved on an inter-State level. It should be treated as a national issue.

12. Social forestry should be encouraged and species which could be used for fuel may be grown. Fruit-bearing plants may be popularised and the tribals given assistance in kind free of charge.

13. Privileges and concessions may be further liberalised to tribals so far as forest produce is concerned in the following manner:

    (i) free collection of firewood head loads, and minor forest produce;

    (ii) free grant of small timber and bamboos either for reconstruction of houses destroyed by fire or for periodic repairs of houses;

    (iii) to enable the tribals to have small timber and bamboos for manufacture of agricultural implements, 10% of materials from the coupes

worked by the Forest Labour Co-operative Societies as well as by the Department may be set apart and sold at society depots at a concessional rate;

(iv) grant of occupancy rights to Scheduled Tribes over forest land that are being cultivated by them;

(v) cash compensation for domestic animals killed by wild life;

(vi) scheme for tree plantation in tribal's own lands;

(vii) Forest works may also be given to the Scheduled Tribes through labour contract societies without middlemen.

Minimum Needs Programme

4.140 In order to improve the quality of life of the weaker sections of the society, it was considered necessary to have some sepcific programmes out of the general sectoral schemes which could give direct benefit to the target group, without waiting for the implementation of sectoral schemes. For making this concept a reality the Minimum Needs Programme was introduced in the Fifth Five Year Plan (1974—79). The main aim of this programme as envisaged was "to fulfil the promise of providing essential infrastructure and social services, which the public sector alone can supply to the weaker sections of the population, particuraly in rural areas". The items included in this programme were (i) elementary education, (ii) rural health, (iii) rural water supply, (iv) rural roads, (v) rural electrification (vi) house sites for landless labourers, (vii) environmental improvement of urban slums and (viii) nutrition. The programme was named as the Revised Minimum Needs Programme in the 1978—83 Plan. The adult education programme was also added under this Programme. The programme of house-sites for landless labourers was redefined as sites and other help for housing landless rural labour households. Under the Revised Minimum Needs Programme elementary education, adult education & nutrition were both for urban as well as rural areas, where as the programme of environmental improvement related to urban areas. The rest of the programmes were meant for rural areas only.

4.141 Norms adopted for Minimum Needs Programme during Fifth Plan (1974—79), 1978—83 Plan and Sixth Plan (1980—85) are furnished at Annexure-III. Following are the salient features of the Programme during the Sixth Plan.

Education

4.142 (a) *Elementary Education:*

During Fifth Plan the target for coverage for 6—11 years age group children was estimated at 97%. The achievement is not known. During the Sixth Plan the target is 95%. As regards covering children in the 11—14 years age group target of 50% has been kept. It is noted that separate target for the coverage of Scheduled Caste/Scheduled Tribe children of 6—14 years age group has not been separately spelt out in the Minimum Needs Programme. Considering the educational backwardness of Scheduled Castes and Scheduled Tribes children in the elementary stages of education, the Commission have made appropriate recommendationis in Chapter VI—Educational Development of this Report.

(b) *Adult Education*

It is aimed to cover 100% adults in the age group of 15—35 years by 1990 in the Adult Education Programme. Looking into poor literacy rate among Scheduled Caste/Scheduled Tribe persons it is suggested that persons in the age group of 35 years and above (belonging to Scheduled Castes/Scheduled Tribes) may also be brought into the fold of Adult Education Programme.

Rural Health

4.143 (a) The norm for primary health centre during V Plan was 1 Primary Health Centre for each Community Development Block in 1978—83 plan it was 1 Primary Health Centre for every 50,000 population and in VI Plan it is one Primary Health Centre for 30,000 population in plains and 20,000 in Hilly and Tribal Areas to be covered by 2000 A.D. The target for 1985 has been kept at 45% of the norms. Relaxation of norms at 20,000 population in Hilly and Tribal Areas during VI Plan is noticeable. During 1978—83 Plan it was 1 Primary Health Centre for 50,000 population.

(b) With regard to sub-centres the norm in V Plan was 1 sub-centre for 10,000 population, in the 1978—83 Plan it was 5,000 population where as during VI Plan it has been kept as 5,000 population for plain areas and relaxed to 2000 in hilly and tribal areas. During VI Plan period the coverage has been fixed at 45% of the target.

(c) As regards posting of community health workers in 1978-83 Plan it was one such worker for each village whereas in VI Plan in addition to one Community Health Worker in each village, the villages having more than 1,000 population will also have additional community health workers. By 1985 the number of community health workers would be raised from 1.40 lakhs to 3.60 lakhs. Although the norms are suited to the plain and rural areas, tribal villages tend to remain unattended to as these are sparsely populated and settlements are spread over in several hamlets. It is, therefore, suggested that norms of population for tribal villages should be brought down from 1,000 to 500 and instead of village as a unit it should be a group of hamlets in the tribal village. Such

a provision will facilitate the ailing children, and pregnant and lactating mothers to draw full advantage of the community health workers.

Rural Water Supply

4.144 With regard to difficult hilly and desert regions no target has been fixed. It is in these areas that Scheduled Castes and Scheduled Tribes inhabit in fair proportions. Efforts should be made to identify such villages and 100% of them should be covered in the VIth Plan itself. Human population living in these difficult areas cannot wait for drinking water supply for the successive plans.

4.145 *Rural Roads.*—The norms during V Plan were to link all villages with a population of 1500 or more and it was relaxed to 1,000 population during 1978—83 plan where as in VI Plan it is aimed to link the villages having a population of 1,500 and above and also to cover 50% of villages in the population of 1000—1500 by 1990. The target for VI Plan has been kept at 50%.

4.146 The Commission recommend that 100 percent coverage may be ensured for the villages having population of 1,000 and more by the VI Plan period itself and priority given to linking of such villages in tribal areas with Weekly market places and other adjoining places were community services are available.

4.147 *House-sites & Housing.*—It is estimated that assistance for construction of houses would be given to 25% house-holds which appears to be quite inadequate. It is recommended that it should be raised to at least 50% in case of Scheduled Castes/Scheduled Tribes.

4.148 *Environmental Improvement of Urban slums.*—The problem of urban slums is very much related to the development of sweepers & scavengers. In this light the estimated coverage of 40% of the urban slums in the VIth Plan is far short of requirements. It is therefore, recommended that the coverage of Scheduled Caste bastis inhabited by sweepers & scavengers should be raised to 100% and top priority given in the VIth Plan period itself.

Nutrition

4.149 During V Plan it was aimed to cover tribal areas, urban slums and chronically drought affected areas by providing supplementary feeding and during 1978—83 priority was given for Blocks with high concentration of Scheduled Castes and Scheduled Tribes. In VI Plan it is mentioned that nearly 5 million children and 5 lakh women are likely to draw benefits out of Special Nutrition Programme from 600 Integrated Child Development Services blocks in the country. As the number of blocks in the country is more than 5,000 and the intention of the Government is to help Scheduled Castes/Scheduled Tribes families, it is recommended that the Nutirition Programme should be introduced in at least 50% of the blocks in the country i.e. 2,500 blocks by selecting all the Blocks in the Tribal Sub-Plan areas and those Blocks which have 20% Scheduled Castes population. The estimated coverage of 17.4 million children in the Mid-Day-Meals Programme is also too small considering the number of 86 million children in Classes I to VIII. The target in the Plan needs to be enhanced.

Outlay's/Expenditure 1979-80

The Annexure IV indicates the agreed outlays and anticipated expenditure for Annual Plan 1979-80 in respect of all the States. During 1979-80 an expenditure of Rs. 585.62 crores was reported to have been incurred as against the outlay of Rs. 519.01 crores, which indicates that the expenditure exceeded the outlay. The 12 States which have exceeded the expenditure against the outlay were Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Maharashtra, Manipur, Meghalaya, Orissa, Rajasthan, Sikkim & Uttar Pradesh. In 10 States namely Andhra Pradesh, Assam, Bihar, Gujarat, Madhya Pradesh, Nagaland, Punjab, Tamil Nadu, Tripura & West Bengal the expenditure was less than the outlay fixed under this programme. The Commission, therefore, recommend that the funds earmarked under the Minimum Needs Programme should be fully utilized by those States in which shortfall has been noticed.

Outlays for 1980-81

4.150 For the implementation of this programme during 1980-81 the Planning Commission had approved an outlay of Rs. 758.24 crores (Rs. 729.85 crores for 22 States and Rs. 28.39 crores for 9 Union Territories).

4.151 It is recommended that:

(1) Funds allocated under the Minimum Needs Programme should be included in the hard coreplan.

(2) In the various items of the Minimum Needs Programmes during the VIth Plan the financial and physical targets should be earmarked for the Scheduled Castes/ Scheduled Tribes separately. Keeping in view the extreme backwardness of Scheduled Castes and Scheduled Tribes communities the allocations should be more than proportionate to their population in the target group.

Dealership/Distributive Agencies for Petroleum Products

4.152 Four Public Corporations namely, Indian Oil Corporation Ltd., Hindustan Petroleum Corporation Ltd., Bharat Petroleum Corporation Ltd. and I. B. Petroleum Ltd. confer the dealership/distributive agencies for petrol, diesel,

SKO/LDO and LPG. 25% of all these dealerships are reserved for Scheduled Castes/Scheduled Tribes. The Indian Oil Corporation which was established as a nationalised company began implementing reservation orders from 1-1-1974 for all their agencies/dealership except 'B' site retail outlets, i.e. dealer owned and dealer operated outlets. Other Companies were nationalised later and reservation of dealership were made effective in respect of these companies only from 23-9-77. The information regarding number of dealership/agencies distributed and number of dealership/agents belonging to Scheduled Castes/Scheduled Tribes as on 31-3-1980, as furnished by the Ministry of Petroluem, Chemical and Fertilizers, Department of Petroleum is as given below :

Petrol/Diesel pump			L. P. N.			Kerosene/LCG		
Total	SC	ST	Total	SC	ST	Total	SC	ST
405	94 (23·21%)	12 (2·96%)	195	39** 20(%)	8 (14·10%)	368	86 (23·91%)	8 (2·17%)

**including 5 letters of intent

It will be seen that due representation for Scheduled Castes and Scheduled Tribes has been given i.e. the representation percentage from 24.10 to 26.17 as against 25% of reservation laid down for all dealership for all items.

Dealership/Distributive Agencies of Fertilizers

4.153 In September 1978 the Ministry of Petroleum, Chemicals and Fertilizers, Government of India had taken a decision that atleast 25% of all future appointments regarding Fertilizer dealership awarded by the Fertilizer Corporation of India would be reserved for the persons belonging to the Scheduled Castes and Scheduled Tribes. They are not required to furnish any security deposit. Preference is given to them in the supply of fast moving material for the first three years of their tenures as dealers. They can undertake the business with low investment of Rs. 10,000.

To start with the scheme the Fertilizer Corporation of India during April 1979 advertised for 50 fertilizer dealership in Uttar Pradesh exclusively for Scheduled Castes and Scheduled Tribes. In response to this advertisement a number of applications from Scheduled Castes/Scheduled Tribes were received by the Corporation. Only 46 candidates belonging to Scheduled Castes/Scheduled Tribes were finally selected and appointment letters were issued to them. Out of the 46 selected parties only 45 joined and one party did not turn up. Out of the 45 parties who joined, 3 parties were not allowed by the Corporation to continue as their performance as dealer was not found satisfactory. At the end of the year under report only 42 dealers belonging to Scheduled Castes/Scheduled Tribes were working in Uttar Pradesh. The facility has so far not been extended to other States.

4.154 It is therefore, recommended that the Fertilizer Corporation of India should reserve the dealership/distributive agencies to Scheduled Castes/Scheduled Tribes persons in proportion to their population in each State. Fertilizer distribution centres should be set up in all the weekly market places in tribal areas and blocks having 20% + Scheduled Caste population.

Distribution of Fertilizers

4.155 The Rashtriya Chemicals and Fertilizers Limited have been running a scheme exclusively drawn for the benefit of Scheduled Castes/Scheduled Tribes by appointing them as dealers for sale, of chemicals and fertilizers. The following facilities/incentives are given to them :

(1) 10 days training in any of three Regional offices headquarters.

(2) The Rashtriya Chemicals and Fertilizers Limited arrange credit facilities for Scheduled Castes/Scheduled Tribes under the scheme of the Nationalised Banks and with the help of Government of India.

(3) No security deposit is taken from these categories (Scheduled Castes/Scheduled Tribes) of dealers.

(4) Delivery from warehouses to Scheduled Castes/Scheduled Tribes dealers is given without recovering additional warehouse charges, even though the delivery is in small quantities.

During the year 1979-80, the Rashtriya Chemicals and Fertilizers Limited made a financial allocation of Rs. 25,000 for the benefit of tribal farmers and the same was incurred during that year. The Rashtriya Chemicals and Fertilizers Limited selected 146 candidates under their Scheduled Castes/Scheduled Tribes dealership during 1979-80 and 26 candidates were active at present. They have lifted 445 tonnes of complex fertilizer (suphals) and 216 tonnes of urea between June 1979 and September 1980. The scheme is continued for the year 1980-81. It is disheartening to note that 120 Scheduled Caste/Scheduled Tribe persons out of 146 selected have not taken up this occupation. It is, therefore, recommended that dealership arrangements may be made more attractive so that the selected Scheduled Caste/Scheduled Tribe candidates may continue this occupation.

Allotment of Fair Price Shops to Scheduled Castes and Scheduled Tribes

4.156 The State Governments/UT Administrations which allot distributive agencies like fair price shops were addressed to send information about the allotment of fair price shops to Scheduled Castes and Scheduled Tribes. Available State/UT-wise information is given below :

1. *Bihar :* During 1979-80, 30,155 fair price shops were functioning out of which 1,256 (4.17%) fair price shops were being run by the persons belonging to Scheduled Castes/Scheduled Tribes.

2. *Meghalaya :* In the 5 districts of Meghalaya, out of 1601 fair price shops, 1278 shops (79.83%) were allotted to Scheduled Tribes and 5 shops to Scheduled Castes (0.31%).

3. *Lakshdweep :* There are no fair price shops in these Islands. Essential commodities are distributed through Cooperative Supply and Marketing Societies at prices fixed by the Administartion. Their benefits are enjoyed directly by the Scheduled Tribes.

4.157 The matter of allotment of fair price shops/distributive agencies to the persons belonging to Scheduled Castes/Scheduled Tribes had not so far received sufficient attention of the State/Union Territory Administrations. It is therefore, recommended that :

1. Allotment of fair price shops to the persons belonging to Scheduled Castes/Scheduled Tribes should be taken up by all the State/Union Territory Administrations at least in proportion of their population in the States/Union Territories.

2. The State Governments/Union Territory Administrations should after making reservation ensure that regular returns are prescribed so that the participation of Scheduled Caste/Scheduled Tribe persons in this field can be watched. An officer of the Harijan and Social Tribal Welfare Department should keep liaison with the District Supply Officers and other authorities in order to promote the interests of Scheduled Caste persons, in this field.

Ministry of railways

4.158 For award of catering/vending and fruit vending contracts a system of licensing as opposed to tender system is being followed on the Indian Railways. Small contracts upto 1/2 unit such as train-side vending and small stalls are allotted to persons belonging to Scheduled Castes/Tribes only. For bigger contracts, first preference is given to persons belonging to Scheduled Castes/Scheduled Tribes. All vacancies for book-stalls are exclusively reserved for unemployed graduates, their associations/partnership and cooperatives of unemployed graduates and of actual workers/vendors. There are, however, no reservation for persons belonging to Scheduled Castes/Scheduled Tribes. Out of about 7056 stations on the Indian Railways, book-stalls have been provided at 734 stations. There are about 241 book-stall contractors managing about 847 book-stalls. M/s Wheeler and Co. (P) Ltd., M/s Gulab Singh and Sons and M/s Higginbothams (P) Ltd. hold a large number of book-stalls. They have all been given contracts for period 1-1-1976 to December 1984.

The number of catering/vending contracts allotted the persons belonging to Scheduled Caste/Scheduled Tribe during 1979-80 is as given below :

Railways	No. of catering vending contracts allotted		
	Total	SC/ST	%
1.Central Railway . . .	2	2	100
2. Estern Railways . . .	N.A.	1	—
3. Northern Railway . .	5	5	100
4. North Eastern Railway .	8	5	62
5. North East Frontier Railway	N.A.	N.A.	—
6. Southern Railway . .	N.A.	N.A.	—
7. South Central Railway .	6	3	50
8. South Eastern Railway .	N.A.	N.A.	—
9. Western Railway . .	N.A.	N.A.	—

4.159 The Commission recommend that :

(1) While giving small contracts such as trains-side vending and small stalls, adequate reservations should be made for Scheduled Caste and Scheduled Tribe persons.

(2) Reservation in the allotment/contract of book-stalls may also be provided to Scheduled Caste/Scheduled Tribe persons.

(d) *Role of Financial Institutions*

4.160 The financial support through Tribal Sub-Plan and Special Component Plan for Scheduled Castes have been dealt with in the relevant Chapters respectively, therefore, in this Chapter the financial support through General Sector programmes, financial Institutions, cooperative Institutions, etc., only have been discussed.

With a view to giving relief by imposing moratorium on recovery of debt and total discharge or scaling down of debt as a permanent measure to small and marginal farmers, agricultural labourers and rural artisans, a few States had taken legislative measures. It is observed

that enforcement of the legislation regarding money lenders has not received adequate attention so far. As indebtedness is the root cause of many evils the strengthening of the co-operative structure, liberalisation of loan procedures, provision of consumption credit and liberal financial support for land development schemes are some of the measures which need urgent consideration.

With a view to helping the weaker sections of the people, the Reserve Bank of India had issued guidelines to Central Cooperative Banks not to draw in excess of 70% of the limits unless the proportion of advances to small farmers was maintained at a specified percentage (usually 20%) of their total short term advance to the affiliated primary societies. Consequently cooperative banks were permitted to sanction loans for purchase of milch cattle, poultry birds, sheep, etc. upto the cost of one economic unit against personal surety of borrower, who has no tangible security to offer. The Commission observe that proper monitoring in this regard is needed and it requires that proper tie up arrangements be made. In order to provide loans and other credit facilities 1.02 lakh primary agricultural credit societies, covering 43% of the rural population, have been set up in the country by June 1979 (excepting Himachal Pradesh and Jammu & Kashmir). As regards tribal areas large sized multi-purpose cooperative societies have been set up (1581 LAMPS as on 30-6-1979). The Primary Agricultural Credit Societies in 121 districts are being financed by 24 commercial banks in 13 States/Union Territories viz., Andhra Pradesh, Haryana, Madhya Pradesh, Karnataka, Uttar Pradesh, Orissa, Jammu & Kashmir, West Bengal, Bihar, Maharashtra, Tripura, Assam and Manipur. Punjab have evolved 'Cheque and pass Book' system, in which maximum credit limit of a member is indicated. With a view to introducing Credit Pass Books indicating the details of land holding and rights therein to all agriculturists, the Government of India is considering to bring a central legislation.

4.161 It is recommended that :—

(i) In all the schemes relating to land and agriculture, irrigation, horticulture cottage industries, etc. where financial assistance is provided by the Government, the element of subsidy should be at least 75% and that of loan 25% at DRI (differential rate of interest). The financial assistance, should be in kind as far as possible.

(ii) Credit facilities to cultivators in kind and/or cash provided by some State Governments should be wholly reserved for the landless, marginal and small farmers.

(iii) Institutional finance through cooperatives should be exclusively available to landless labourers, marginal farmers and small farmers in that order in rural areas.

Assistance rendered by the Nationalised Banks to Scheduled Castes and Scheduled Tribes

4.162 The Framework document for Sixth Plan of the Planning Commission has emphasized the importance of credit as "a key input in programmes of production and self-employment and in creation of productive assets". It has also noted with commendable perception that "while there has undoubtedly been an impressive step-up in credit availability to the weaker sections, its dispersal among various strata of the rural poor has been extremely desperate".

Differential Rate of Interest Scheme

4.163 The scheme of Differential Rate of Interest was formulated by Government of India in March, 1972. The scheme is basically meant to cater to the credit requirements of the weakest among the weak and assist them in their efforts to better their economic conditions by small productive endeavours. The scheme prescribed a rate of interest of 4% per annum in urban or semi-urban areas or Rs. 2,000 per annum in rural areas. Besides, he should either not own any land or if he owns, the size of his holdings should not exceed one acre in the case of irrigated land and 2.5 acres in the case of unirrigated land. The members of the Scheduled Castes and Scheduled Tribes are eligible for such loans irrespective of their land holdings, provided they satisfy the income criteria. Under the scheme, advances are also given for agriculture and allied activities, cottage and rural industires etc. The scheme introduced in 1972 was originally intended to be implemented in a few backward districts of the country. It was modified in May, 1977 so as to cover the entire country.

4.164 In order to ensure that the weaker sections in rural areas derive the maximum benefit, banks were advised to ensure that atleast 2/3rd of the advances are made through their rural and semi-urban branches. Likewise, with a view to ensuring that persons belonging to Scheduled Castes/Scheduled Tribes get their due share of benefit under the Scheme, banks were advised that atleast 1/3rd of their aggregate advances are given to members of Scheduled Castes/Scheduled Tribes. The share of benefit to Scheduled Castes/Scheduled Tribes was stepped up to 40% in November, 1978. As against the original target of 1/2% of the aggregate advances as at the end of the previous year for lendings under the scheme, the overall target was raised to a minimum of 1% of the aggregate advances in November, 1978. The bankwise position of outstanding advances of public sector banks as at the end of December,

1979 is given at Annexure V. It will be seen that the State Bank of India and four Nationalised Banks have exceeded the target of 1% of total advances under the scheme. The private sector Banks have not made much headway in the implementation of the Scheme as the normal obligation to lend under the Scheme was extended to them only in April, 1978.

4.165 It is noted that Differential Rate of Interest Scheme has gained popularity now as is clear from the fact that as against 2.6 lakhs accounts in March 1974, the number increased to 17.6 lakhs by March, 1979. Keeping in view the situation that Scheduled Castes and Scheduled Tribes put together form a majority of poverty stricken people to minimum limit of 40% of the credit should be raised to atleast 50% for persons belonging to Scheduled Castes and Scheduled Tribes.

Regional Rural Banks

4.166 The Regional Rural Banks are set up mainly to benefit small and marginal farmers, agricultural labourers and rural artisans. As on 17-12-1980, the total number of Regional Rural Banks was 85, spread over 17 States. The total number of branches as at the end of March, 1980 was 2521. As on March 1980 their deposits totalled Rs. 140.27 crores and their advances Rs. 168.41 crores. As on 30-6-1979 the total number of borrowal accounts of small and marginal farmers was 10,47,174 and the amount disbursed was Rs. 106.60 crores. For the rural artisans, as on the same date, the number of accounts was 5,17,100 and the amount disbursed was of an order of Rs. 55.62 crores. Thus it would be seen that even within a short period, Regional Rural Banks have become effective instruments for disbursal of credit to the weaker sections in rural areas. To enable Regional Rural Banks to achieve viability within a reasonable time certain concessions have been allowed to these banks by the Reserve Bank of India, sponsoring banks and the Government of India. Subsidy has been provided to the identified small and marginal farmers and agricultural labourers in special projects areas like Small Farmers Development Agency, Drought Prone Area Project etc. and to the tribals in the Tribal Development Projects towards investment credit for agricultural development. In the case of small and marginal farmers belonging to the Scheduled Tribes, the rate of subsidy has been raised to 50% and a ceiling of Rs. 5,000 fixed in the case of individual beneficiaries.

4.167 Reserve Bank of India has issued detailed instructions in October 1979 to all commercial banks to simplifiy lending procedures and make them uniform in all the banks. An important concession is that for crop loans to small and marginal farmers upto Rs. 5,000 sanctioned according to the standard scale of finance, there need be no margin. For terms loans upto the cost of economic unit or Rs. 5,000 whichever is lower in each case and term loans aggregating not more than Rs. 5,000 for small/marginal farmers, agricultural labourers and other specified categories of borrowers where subsidy is available under special agricultural development programmes like Small Farmers Development Agency, Drought Prone Area Project, Integrated Rural Development Programme, Tribal Development Agency, there would be no margin stipulation. Similarly, security norms for small loans too have been considerably relaxed. For instance, for crop loans upto Rs. 1,000 demand promissory note/loan agreement would suffice. For investment loan upto the cost of economic unit or Rs. 5,000 whichever is lower, the hypothecation of assets would be considered adequate. Moreover, the banks have been asked to cover low income groups by the group guarantee approach.

4.168 It is recommended that branches of Rural Banks should be opened at each Block in tribal areas and in Blocks with 20% + Scheduled Castes population.

Cooperation

4.169 The year 1979 marked the completion of 75 years of the corporative movement in India. The movement involves about 80 million members of whom 60 million are from rural/farming families. While 'Cooperative Societies' is a State subject, the legislative and executive responsibility vests in the Central Government. These societies are at present governed by the Multi-unit Cooperative Societies Act, 1942. With a view to amend this Act a comprehensive Multi-State Cooperative Societies Bill is being drafted by an Expert Group in the Ministry of Agriculture. It has been observed that the benefits of cooperatives have been monopolised by a few to the detriment of deserving sections of the community. The central sector schemes for cooperative development are as given below :

(1) Assistance to National Cooperative Development Corporation.

(2) Cooperative Fertiliser Projects.

(3) Cooperative Training and Education Programme.

(4) Assistance to National Cooperative Federations.

4.170 The National Cooperative Development Corporation implements Rural Consumer Scheme to undertake effective distribution of consumer goods in tribal and rural areas. It has constructed 45.13 lakhs tonnes capacity godowns in the country. The Commission recommend that these facilities should first be introduced and developed in the tribal areas and Blocks with 20% + Scheduled Caste population. There are various types of cooperatives, namely, Dairy, Fishery, Poultry, Coir, Sericulture, Lac, Handloom, Rickshaw and Rehra Pullers, Rural

Electric, Non-agricultural, Housing etc. It is suggested that Scheduled Castes/Scheduled Tribes people may be encouraged to form similar societies. The National Agricultural Cooperative Marketing Federation of India Ltd. (NAFED) has set up a tribal cell to exclusively look after the matters relating to minor forest produce and other marketing problems. Although Rs. 11.27 crores were sanctioned till the end of March 1979 for tribal areas for strengthening cooperative movement the amount released was only Rs. 6.07 crores, which shows that tribal areas have remained neglected.

4.171 The Commission recommend that :

(1) National Agricultural Cooperative Marketing Federation should strengthen its machinery in Tribal Sub Plan areas of the country.

(2) Weekly markets/mobile shops of marketing federation may be set up in tribal areas and blocks with 20% + Scheduled Castes population so that these groups have the facility within 8 kms. of their residence, alternatively consumers cooperative societies may be organised.

(3) There should be adequate credit flow the tribal areas. Where Large Area Multi-purpose Societies are not organised, they should be organised and adequate credit flow ensured.

(4) All landless labourers, marginal farmers and small farmers among the Scheduled Castes and Scheduled Tribes should be compulsorily made members of cooperatives. For landless labourers registration fee and share-money should be met entirely at Government cost. Funds should be made available not only for agricultural and allied purposes but also for non-land based economic activities.

(5) Cooperative Managers, though paid by the cooperatives, should be selected, trained and appointed by the Government and there should be a State cadre of such Managers. Adequate reservation for the Scheduled Castes and Scheduled Tribes should be made in the cadre of such managers.

Scheduled Castes Development Corporations

4.172 Sixteen States/Union Territories, namely Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Punjab, Orissa, Rajasthan, Tripura, Uttar Pradesh, West Bengal and Himachal Pradesh have so far set up Scheduled Castes Development Corporations. During 1978-79 Central Assistance of Rs. 50 lakhs was provided to 9 States and in 1979-80 Rs. 1.224 lakhs were released to 16 States. Andhra Pradesh has been given largest share, i.e. Rs. 466 lakhs, followed by Bihar (Rs. 152.40 lakhs) and Uttar Pradesh (Rs. 130 lakhs) during 1979-80. The details of amount released as Central assistance are as given below :

(Rs. in lakhs)

S. No.	State	Allocations 1978-79	1979-80
1.	Andhra Pradesh	9·25	466·00
2.	Bihar	9·25	152·40
3.	Gujarat	..	59·00
4.	Haryana	9·25	25·75
5.	Karnataka	3·00	23·50
6.	Kerala	3·00	45·20
7.	Madhya Pradesh	9·25	88·00
8.	Punjab	..	49·00
9.	Orissa	..	37·60
10.	Tripura	..	4·95
11.	Uttar Pradesh	3·00	130·00
12.	West Bengal	3·00	37·00
13.	Maharashtra	1·00	32·60
14.	Assam	..	20·20
15.	Himachal Pradesh	..	43·00
16.	Rajasthan	..	9·00
	TOTAL	50·00	1,224·00

As corporations for Scheduled Castes are still in the stage of formation, very little can be said about their efficacy.

4.173 It has been reported that the Scheduled Castes Development Corporations are facing teething troubles on account of various problems faced by them. Some of these requiring immediate attention of the Government of India are as given below :

(i) Neither the State Governments nor the Government of India have undertaken to meet the managerial cost towards running of the Corporations with the result that some of the Corporations are making payment of salaries to staff out of the interest earned by them from the fixed deposits lying with the banks while others are meeting the charges from out of their share capital. Both result in depletion, blocking of the capital meant for betterment of the Scheduled Castes. The Central Government should share managerial cost with the State Governments on the same basis as they are participating in the equity contribution that is, 49:51 basis for a period of 5 years so as to make the Corporations stable and viable units.

(ii) At present individual benefit-oriented schemes of the Scheduled Castes Development Corporations are not being extended to the Scheduled Tribes living outside the Sub-Plan Area. There is

quite a large tribal population outside the Sub-Plan Area which is not fully covered by the Modified Area Development Approach Programme. The Government of India should request all the State Governments to extend these facilities to the Scheduled Tribes living outside the Sub-Plan Area through the agency of the Scheduled Castes Development Corporations. There is no need to establish separate Corporations for the economic benefit of the Scheduled Tribes outside the Sub-Plan Areas as the same work can be entrusted to the Scheduled Castes Development Corporations by suitably amending the concerned Acts. This will mean considerable saving in overheads.

(iii) The Government of Tamil Nadu have not set up Scheduled Castes Finance and Development Corporation so far although population of Scheduled Castes is sizeable in this State. They should set up such Corporation immediately.

(iv) Scheduled Castes Development Corporations should accord priority to those areas/families where banks and other financial institutions have not started operating.

(v) The State Government should make suitable organisational arrangements to ensure co-ordination and monitoring of the Financial Institutions to the Scheduled Caste and Scheduled Tribe beneficiaries with a view to ensuring that particular families do not avail of the same benefits from different Financial Institutions.

(vi) The Scheduled Castes Development Corporations should provide seed money and stand as guarantors. At least 50% of the Scheduled Castes families should be covered by some economic development programme or the other by the end of the Five Year Plan 1980—85 by the active initiative of these Corporations.

ANNEXURE I

Occupational Classification of 'Workers'—1971 Census

	Category	All India	%	Sch. Castes	%	Sch. Tribes	%
1		2	3	4	5	6	7
I	Cultivators	7,82,67,087	43·38	81,01,567	27·87	84,18,491	57·56
II	Agricultural Labourers	4,74,93,990	26·32	1,50,44,761	51.74	48,32,427	33·04
III	Livestock, Forestry, Fishing and Plantation of Orchards and allied activities	42,97,420	2·38	6,30,919	2·17	3,43,968	2·35
IV	Mining and Quarrying	9,22,821	0·50	1,67,210	0·64	89,264	0·61
V	Manufacturing, Processing, Servicing and repairs						
	(a) Household industry	63,52,120	3·55	9,67,225	3·33	1,50,486	1·03
	(b) Other than household industry	1,07,16,838	5·92	10,34,171	3·56	1,62,132	1·11
VI	Construction	22,19,101	1·22	3,51,451	1·21	59,311	8·41
VII	Trade and Commerce	1,00,40,631	5·54	3,85,369	1·33	87,398	0·60
VIII	Transports, Storage and Communications	44,02,979	2·44	4,99,667	1·72	84,348	0·50
IX	Other Services	1,57,72,419	9.75	18,68,999	6.43	3,96,616	2.71
	TOTAL I to IX	18,04,85,006	100%	2,90,71,359	100%	1,46,24,441	100%

ANNEXURE III

Drought Prone Area Programme

(Key Indicators of Physical Achievements during the year 1979-80)

State/Sectors	Soil and moisture conservation (00 Hects)	Creation of Irrigation Potential (N.I.) (00 Hects)	Afforestation & Pasture (00 Hects)	Distribution of Milch Animals (Nos.)	Milk Societies established (Nos.)	Sheep Societies established (Nos.)	No. of Beneficiaries Families Assisted			(i.e. Employment generated 000 mandays)
							Total	SC	ST	
1. Andhra Pradesh	205	32	29	1,404	..	..	1,56,820	8,675	1,855	3,431
2. Bihar	15	13	11*	503	..	..	65,366	33,519	8,560	1,686
3. Gujarat	11*	11	1,102	163	103	7	7,480	819	358	1,596
4. Haryana	..	..	15	1,815	21	179	2,19,167	1,63,617	..	247
5. Jammu & Kashmir	..	..	..	..	..	..	..	184	920	114
6. Karnataka	321	12	29*	953	11	5	1,18,270	45,533	63,999	1,949
7. Madhya Pradesh	13*	21	26	..	16	..	8,802	420	5,995	2,253
8. Maharashtra	143	24	73	2,527	91	..	72,050	3,167	1,468	3,628
9. Orissa	11	17	28	88	6	..	16,340	3,339	6,462	1,493
10. Rajasthan	30	23	225	1,442	33	12	41,151	23,144	6,776	1,768
11. Tamil Nadu	13	4	43	329	..	..	87,273	49,615	..	633
12. Uttar Pradesh	61	19	28	170	48	..	12,262	1,647	5	1,385
13. West Bengal	6	36	38	23	..	..	4,699	1,010	1,212	466
TOTAL	829	212	1,652	9,417	329	203	8,09,680	3,34,729	97,610	20,649

*Revised.

ANNEXURE III

Minimum Needs Programme

	Fifth plan	1978—83	Sixth Plan	Targets by
	Norms (1974—79)	Plan	1980—85	1985
1. *Elementary Education*				
(a) Coverage of Children :				
(i) 6—11 years age group.	97%	100% by 1988	100% by 1990	95%
(ii) 11—14 years age group.	47%	90% by 1983		50%
(b) Adult Education age group 15—35 years.	'Nil'	100% coverage by 1988	100% coverage by 1990	Not fixed
2. *Rural Health*				
(i) Primary Health Centre.	1 for each CD Block	1 for every 50,000 population	1 for every 30,000 in Plains & 20,000 in Hilly & Tribal Areas by 2000 AD	45% coverage
(ii) Sub-Centre	1 for every 10,000 population.	1 for every 5000 population	1 for every 5000 in Plains and 3000 in Hilly & TA by 2000 AD	45% coverage
(iii) Drugs	(a) Rs. 12,000 p.a. per PHC (b) Rs. 2000 p.a. each such-centre.	..	..	..
(iv) Community Health worker.	..	1 for each village	1 for each village or for a population of 1000 & 1990.	From 1·40 lakh workers to 3·60 lakhs.
(v) Community Health Centre.	..	..	1 for a population of 1 lakh or 1 CD Block & 2000 AD	20 estalish 174 centre plains upgradation of 430 PHCs
3. Rural Water Supply	All problem villages	All left over problems villages by 1983	..	Covering of all problem villages by 1985 except in some difficult hilly & desert regions.
4. *Rural Roads*	Linking of all villages with a population of 1500 or more.	Linking of all villages with a population of 1000 or more.	Linking of all remaining villages with a population of 1500 & above and 50% coverage of villages with population of 1000—1500 by 1990.	50% coverage
5. *Rural Electrification*	Assistance to these States which have not achieved 40% coverage by the end of IV Plan.	Coverage of 50% of villages in each State & UT	At least 60% of the villages by 1990.	40% coverage.
6. *Housing and House Sites.*	4 Million House sites	Housing assistance to all rural landless labourer house holds.	Housing assistance to all landless labourer house holds by 1990.	100% coverge House sites 25% coverage construction of Houses.
7. *Environmental improvement of Urban Schemes.*	(i) Financial assistance to States for (a) Expansion of water supply. (b) Sewerage (c) Paving of streets (d) provision of community labourers in slum areas which are	Environ mental improvements comprehending (a) Expansion of water supply (b) Sewerage (c) paving of community labourers in slum areas. Areas inhabited by	100% coverage by 1990. Facilities. (a) Water supply (b) Sewerage (c) paving of streets. (e) Community labourers	40% coverage

	Fifth plan	1978—83	Sixth Plan	Targets by
	Norms (1974—79)	Plan	1980—85	1985
	not likely to be cleared within next 10 years but so emanable to improvements.	Scheduled Castes particularly scavengers etc. to be given due priority		
	(ii) Extension of scheme to all towns with population of 3 lakhs and above. Where a town of this size does not exist one line for each such State would be by Scheduled Cates particularly, scavengers etc. to be given due priority.			
8. *Nutrition*	(a) Mid-day meals for children of 6—11 years age group.	(a) Mid-day-meals for 1/4th of children of 6—11 years age group.	..	*SEP* 5 million children in 600 ICDS Blocks and 5 lakhs women.
	(b) Supplementary feeding programmes for children in the age group 0—6 years, pregnant women, & lactating mothers in tribal areas, urban slums & chronically drought prone areas.	(b) Supplementary feeding programme for under nourished children in the age group 0—6, pregnant women & nursing mothers in blocks with high concentration of Scheduled Castes & Scheduled Tribes.	..	*MDN* 17·4 million children beneficiaries to be continued.

ANNEXURE IV

Revised Minimum Needs Programme

Agreed outlays and anticipated expenditure for Annual Plan 1979-80

(Rs. in lakhs)

	Rural Electrification		Rural Roads		Elementary Education		Adult Education		Rural Health		Rural Water Supply		Housing for rural landless households		Environmental improvement urban slums		Nutrition Programme		Total	
	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure	Outlay	Anticipated expenditure
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
22 States	5087	4320	11914	17162	8391	7338	1251	953	4017	4128	14562	17673	3190	3319	1441	1219	2048	2450	51901	58562
9 Union Territories.	NA	189.00	NA	263.68	NA	627.96	NA	42.90	NA	115.91	NA	564.80	NA	41.00	NA	114.25	NA	96.95	NA	2056.5

ANNEXURE V

Advances of Public Sector Banks under D.R.I. Schemes as at the end of December 1979

(Rs. in lakhs)

Name of the Bank	No. of Borrowal Accounts	Amount outstanding	Of which to SC/ST		% of total under DRI advances	Of which by Rural/ Semi-urban branches		% of DRI advances as % of total advances at the end of previous year
			No. of Borrowal Accounts	Amount outstanding		Amount outstanding	% to total under DRI	
1	2	3	4	5	6	7	8	9
State Bank of India	837053	4989·77	338872	1983·50	38·1	3726·25	74·7	1·14
Subsidiaries of S.B.I.	173054	1072·92	65946	476·22	44·4	876·43	81·7	0·97
Central Bank of India	145513	1314·06	66285	645·50	49·1	887·67	67·5	1·11
Bank of India	128783	787·62	78269	387·68	49·2	519·13	05·9	0·76
Punjab National Bank	89981	1230·76	41583	634·26	51·5	885·80	72·0	1·19
Bank of Baroda	154087	1218·99	72486	616·27	50·6	882·78	72·4	1·19
United Commercial Bank	61519	457.47	23460	201·05	43·9	332·62	70·5	0·67
Canara Bank	99724	427·09	37979	156·04	36·5	315·94	74·0	0·51
United Bank of India	42302	206·21	16756	81·46	39·5	181·56	88·0	0·36
Dena Bank	32767	279·08	18074	175·82	63·0	186·67	66·9	0·75
Syndicate Bank	80880	412·61	27853	151·33	36·7	305·02	73·9	0·61
Union Bank of India	92387	684·10	35915	203·83	41·4	496·68	72·6	1.11
Allahabad Bank	19829	163·30	7947	74·03	45·9	103·20	64·0	0·46
Indian Bank	38684	238·39	10263	69·28	29·1	183·56	75·9	0·56
Bank of Maharashtra	24640	197·83	12570	103·93	52·5	124·26	63·8	0·60
Indian Overseas Bank	64204	417·35	24228	153·26	36·7	257·94	61·8	0·94
TOTAL	2085407	14095·55	878466	6113·46	43·4	10255·41	72·8	0·94

(Data provisional)

CHAPTER V

SOCIAL DEVELOPMENT

Conditions of poverty, a caste structure which forces particular sections to follow certain traditional occupations and the discriminatory practice of untouchability, have hampered the social and educational development of Scheduled Castes since ages. The unclean occupations followed by the Scheduled Castes and their segregation have been the factors which have brought about an environment in their localities which is unhealthy. In the case of Scheduled Tribes, their living in inaccessible and hilly areas contributes to similar conditions. Thus, there are factors impeding the social development of Scheduled Castes and Scheduled Tribes, in general, and these factors are accentuated in the case of certain communities which follow unclean occupations.

5.2 In their last report, the Commission had covered some of these grounds namely, supply of potable drinking water, improvement in the living and working conditions of scavengers and sweepers and others engaged in the unclean occupation, improvement in the housing conditions etc. by referring to the recommendations in the policy paper sent to the Prime Minister, the Deputy Chairman, Planning Commission and the Minister of State for Home Affairs. In this Chapter an attempt has been made to examine the position obtaining in various States/UTs which made the information available in respect of important aspects of social development of the Scheduled Castes and Scheduled Tribes and the environmental development of their habitations. In so far as education which is a very important factor contributing to the social development of these people is concerned, a separate chapter has been devoted to it.

Special Programme for the Improvement in the Living and Working Conditions of Scheduled Castes engaged in Sweeping and Scavenging.

5.3 According to 1961 Census, the total population of those engaged in sweeping and scavenging was 8.02 lakhs (separate figures for sweepers were not collected during the 1971 Census). The members of these communities suffer from the worst form of untouchability. Improvement in the working conditions of sweepers and scavengers is primarily the responsibility of the local bodies. It was, however, felt that in the absence of adequate financial resources, the local bodies may not be able to ameliorate the conditions of these groups. A scheme was, therefore, initiated in 1957-58 under the Backward Classes Sector for supply of wheel barrows and other accessories with a view to eradicating the practice of carrying night soil as head loads. Financial assistance was provided upto 50% of the purchase cost. Based on the recommendations of Prof. M. R. Malkani Committee, financial assistance was increased from 50% to 75% in the case of towns having a population of less than 1 lakh, and for municipalities having a population of more than 1 lakh it continued to be 50%. Coverage of the scheme was expanded by including the supply of implements, like scrappers and protective devices such as gumboots and hand gloves. During the Third Plan, another scheme, "housing and house-sites to Scheduled Castes engaged in unclean occupations and landless labourers", was added to the Centrally Sponsored Programme. During the IVth Plan, a provision of Rs. 300 lakhs was made for the composite scheme, viz. improvement in working and living conditions of those engaged in unclean occupations. The Planning Commission was of the view that the civic bodies should be provided with sufficient resources to undertake the programme of flush-out latrines on a large scale. They suggested that a case for this purpose might be levied so that the municipalities could take up this programme in a big way. The facilities under the existing scheme under the Centrally Sponsored Programme were not adequate to meet the demands. In view of this, the Planning Commission did not agree to the continuation of this scheme under the Centrally Sponsored Programme of backward classes sector in the Fifth Plan. The State Governments/UT Administrations were asked to include this scheme under the General Sector.

5.4 During 1979-80, the year under report, Government of India had cleared only one scheme under the Centrally Sponsored Programme, i.e. pre-matric scholarships for children of those engaged in unclean occupations. This scheme has been referred to in Chapter on 'Education' in this report. The development of Scheduled Castes engaged in sweeping and scavenging is related to the following aspects :

(a) Conversion of dry latrines into sanitary ones;

(b) Stoppage of private scavenging and its municipalisation;

(c) Stoppage of carrying night soil as head load;

(d) Working conditions;

(e) Living conditions;

(f) Welfare measures.

Conversion of Dry Latrines

5.5 As regards conversion of dry latrines into sanitary ones, it is mentioned in the Draft Five Year Plan, 1978-83, that the scheme would be covered under urban water supply and sewerage. In the Annual Report of the Ministry of Works and Housing for 1979-80, it is mentioned that the scheme has been transferred to States under General Sector. The work done by the selected States/UT Administrations, in this regard, is given at Annexure I. It is seen that progress in this regard is encouraging in Gujarat followed by Maharashtra. Bihar and Assam States have stated that they required Rs. 17.50 crores and Rs. 15 crores, respectively for this purpose, whereas Gujarat State required only Rs. 50 lakhs to cover the remaining latrines. The cost of construction of a sanitary type of latrines in Gujarat works out in between Rs. 800-1000 and it is shared on the following basis :

(a) House owner . . .	50%
(b) Municipality . . .	25%
(c) Government . . .	25%

The Gujarat State Legislature have passed a Bill on 23-9-1980 (yet to become an Act), wherein Chief Executive Officers of the Municipalities have been empowered to construct such type latrines on behalf of owners who do not avail themselves of the scheme for conversion of dry latrines. In Maharashtra, the cost of existing improved latrines in Rs. 1500. The Government is considering to introduce pit-type latrine as it costs Rs. 500 per latrine only. In Andhra Pradesh the State Government have approved a scheme on 9-10-1980 permitting 21 Municipalities to advance loans from out of revolving funds to the owner of the building for the purpose of conversion of dry type latrines into sanitary ones. As regards common latrines on an average, each Municipality has nearly 15 latrines (one latrine with 20 seats each). In larger Municipalities like Vijayawada and Guntur, the number will be more. For such latrines, there is no programme of conversion into water-borne ones for want of water supply and drainage. In Bihar, house owners are given an amount upto Rs. 500 for the conversion of dry latrines on the basis of 50% loan and 50% grant through Municipalities/ Local Bodies. The Government of Tamil Nadu have introduced Research-*cum*-Action Project latrines since 1973-74 in four districts, viz., Thanjavur, Madurai, Chengalputtu and Tirunelveli. In Meghalaya, the work was taken up in 1975 but people did not cooperate and, thereafter, it was not pursued. It is noted from the details given above that Local Bodies alone may perhaps not be able to bear the burden of this scheme. Loans on easy instalments may, therefore, be arranged for this purpose by the State Governments to both the agencies, i.e. the Local Bdoies as well as the House owners.

Stoppage of private scavenging and its Municipalisation

5.6 In Maharashtra, the 'Gharki' system is being municipalised gradually. In Gujarat, scavening has been municipalised in 47 local bodies, excepting municipalities of Mangrol, Morvi, Wadhwan, Junagarh and Bhavnagar, where 'Yajmani' system is still prevalent. The State Government have advised these five municipalities to take sanitary case on high rates. In Andhra Pradesh, private scavenging has been stopped in Andhra region but it is prevalent in Telangana region. In public latrines, however, scavengers of municipal bodies attend to this work. In Assam scavenging has been municipalised. Government of Andhra Pradesh Housing, Municipal Administration and Urban Development Department have informed that municipalisation of private scavenging, specially in Telangana region has not been undertaken because there is no public demand. Further, in the present days of labour unrest and frequent strikes by municipal scavengers, there is a feeling that the practice now existing in Telangana municipalities appears to be an advantage over the Andhra Region. In the event of municipalising the scavenging system in Telangana, the municapalities will have to incur huge sums by way of salaries on the scavengers for the first time and the expenditure will run above Rs. 1 lakh depending upon the grade of Municipality. The municipalities may come forward for grants. The income derived by way of scavenging tax is very meagre and it is now used for the salaries of the scavengers. The Commission do not agree with the views expressed by the Government of Andhra Pradesh in not municipalising the private scavenging work in Telangana region. There is no question of 'public demand' when it has been decided as a policy that private scavenging should be municipalised in a phased manner. On the pretext of labour unrest and frequent strikes by municipal scavengers, making no efforts to municipalise private scavenging, is no excuse and it shows that municipal bodies pay very little attention towards the betterment of working and living conditions of sweepers and scavengers. The argument that the scavengers will have to be paid salaries, in case of municipalisation of private scavenging and that the financial burden would be more than the revenue earned by way of scavenging tax, appears to be untenable, when we are committed to bring the level of scavengers to that of a class IV employees in the State Government. The Government of Andhra Pradesh, are therefore, requested to review their policy of municipalising the private scavenging in Telegana region in the light of national policy.

5.7 The Commission are of the view that scavenging should be municipalised wherever it has not been done in a time-bound manner within a period of five years.

Stoppage of carrying of night soil as head loads

5.8 The system of carrying night soil as head load is not in vogue in New Delhi Municipal Corporation Area, Chandigarh City, Punjab, Arunachal Pradesh, Mizoram and Meghalaya. In Andhra Pradesh, in no municipality nightsoil is carried as head load now. However, in smaller municipalities, it is carried through hand bucket, and wheel barrows, tractor-lorry are used for transportation. Scavengers are provided gumboots and hand gloves. In Haryana, under section 164 of Municipalities Act, 1973 practice of carrying night soil as head load has been declared as an offence and the offender may be punished with a fine of Rs. 25 upto a maximum of Rs. 200. In rural areas, however, this practice continues. In Maharashtra, the system has been abolished with effect from 8-8-1979 in the municipal areas. All the municipalities have been covered in so far as the supply of wheel barrows, handcarts and improved devices, such as scrappers, gumboots etc. are concerned. The Government had incurred an expenditure of nearly Rs. 11 lakhs for this purpose. In Dadra and Nagar Haveli, Silvasa town has a population of nearly 5,000 persons and septic tanks have been provided in all the houses. In the rural areas (72 villages) people go in open. Families of sweepers and scavengers are employed in hospital/village Panchayats and they do not carry night soil as head load.

5.9 The Commission are of the view that carrying of night soil as head load may be stopped forthwith in all the local bodies and dry latrines should be converted into water borne ones. Pending that, gumboots, scrappers, handgloves and wheel barrows should be provided to the scavengers for improving the conditions of scavenging.

Working Conditions

5.10 (i) *Wage Structure:* The pay and allowances admissible to sweepers and scavengers in selected States/Union Territories are as given below :

Sr. No.	Name of State/ Union Territory	Pay Scale
1	Andhra Pradesh	Rs. 290-425 (w.e.f. 1-4-1977) at par with class IV employees and DA, HRA, pension, gratuity and leave as per rules.
2	Assam	Municipal Board Rs. 287+21 Town Committees Rs. 273+21
3	Bihar	Rs. 75-90+40 DA+62 Interim relief —total Rs. 177 minimum.
4	Gujarat	At par with the class IV employees of the State Government.
5	Maharashtra	Rs. 200-280+allowances as per Municipal Council's (Revised Pay) Rules, 1978.
6	Meghalaya	Rs. 190-250

5.11 The Commission recommend that the practice of appointing sweepers and scavengers working in the local bodies on 'temporary' basis or on casual (daily wage) basis, should be stopped and they may be appointed on a 'regular' basis. Their service conditions should be at par with other class IV employees, such as, peons in the local bodies/State Governments/UT Administrations for the purpose of grant of comprehensive fringe benefits like Provident Fund, maternity leave, etc. to them.

5.12 (ii) *Supply of wheel barrows, scrappers, pans, gumboots, hand gloves, buckets, hand driven trollies, etc.* Excepting Bihar, other States/UTs viz. Andhra Pradesh, Assam, Gujarat, Jammu & Kashmir, Maharashtra, Meghalaya, Tamil Nadu and Delhi Union Territory have stated that sweepers and scavengers were using wheel barrows, scrappers, pans, gumboots, hand gloves, buckets and hand-driven trollies. Although these instruments were provided in Bihar, the sweepers have not used them and, therefore, no budget provision was made during 1979-80. The work done in this regard in a few selected States is as shown below :

S. No.	Name of State/UT	Wheel barrows		other implements	
		No.	Amount (Rs. in'000)	No. of workers	Amount (Rs in '000)
1	2	3	4	5	6
1	Gujarat	140	14 (1978-79)	360	33 (1979-80)
2	Tamil Nadu	432 (1977-78)	NA	216 (1977-78)	NA

5.13 It is suggested that paucity of funds should not be allowed to come in way in the replacement of worn out articles; on the other hand supply of these articles should be kept up adequately.

5.14 (iii) *Supply of Uniforms:* Government of Andhra Pradesh have informed that each sweeper and scavenger is provided with two pairs of uniforms. one pair of chappals, oil, towel and soap. In Assam, they are given two pairs of uniforms each. In Bihar, dresses are given on festivals. Soaps are also distributed to them. The Local Bodies in Haryana provide Rs. 2/- p.m. per head as washing allowanee besides supply of dresses.

5.15 It is suggested that uniforms/dresses must be made available to the workers both for winter and summer seasons, wherever required.

5.16 (iv) *Living Conditions - Housing:* For improving the Living conditions of sweepers and scavengers, scheme of providing houses is also implemented. The Government of Maharashtra first introduced the Sweepers' Housing

Scheme for sweepers and scavengers working in the local bodies. According to this scheme, the local bodies were eligible for maximum financial assistance, namely, loan equal to 2/3 of the ceiling cost and subsidy equal to 1/3 of the ceiling cost or the actual cost, whichever is less. Subsequently the scheme was modified. According to this modification, subsidy equal to 50% and loan equal to 50% of the approved ceiling cost was admissible. By another resolution, the pattern for financial assistance has further been changed eliminating subsidy. The scheme has now remained only on 50% loan assistance. This change has not been desirable, and, it is recommended that subsidy should be restored by the Government of Maharashtra to the local bodies to enable them to construct more houses for sweepers/scavengers. Government of Andhra Pradesh provide house-sites free of cost irrespective of income and property limits. In Bihar, during 1969-74, 999 houses costing Rs. 1,200/- per house were constructed but the scheme was not found successful as amount of grant i.e. Rs. 1,200/- per house was inadequate. In Assam and Haryana these persons are provided houses and in lieu thereof house rent allowance is given. In Meghalaya, most of these persons have been given houses. Government of Tamil Nadu sanctioned Rs. 5 lakhs during 1975-76 for the construction of 125 houses @ Rs. 4,000/- each. It has been reported that as on 31-3-1978, only 39 houses could be completed. The occupants are not charged any rent. It has been reported that the sweepers and scavengers do not own the houses provided to them by the local bodies. They continue to live in such houses so long as they are in employment with the local bodies. After their retirement they are required to vacate these houses. In the temptation of retaining their houses, sometimes, even the educated children of the sweepers and scavengers are forced to continue their traditional occupations. The Commission, therefore, recommend that sweepers and scavengers should be provided house sites free of cost as well as 75% subsidy and 25% loan towards the cost of house construction by the local bodies, so as to enable them to own the houses. The State Governments/UT Administrations should give suitable financial assistance to the local bodies for this purpose. Government of Tamil Nadu have issued orders for launching a self-sufficiency scheme in 69 blocks in the State at the rate of 5 blocks in each district during 1980-81. The following essential basic amenities will be provided in selected blocks by the Local Administration authorities (a) drinking water supply, (b) link roads, (c) culverts, (d) pathways to burial grounds for Harijan habitations, (e) improvement to minor irrigation sources, (f) rural dispensaries, (g) maternity and child welfare, (h) school buildings and (i) house for Harijans (Rural Housing Scheme) and house light facility. A sum of Rs. 75 lakhs has been set apart for this purpose. The Commission are of the view that such an integrated approach with modifications as per needs may also be thought of for sweepers and scavengers in urban areas.

5.17 (v) *Other Welfare Schemes :* In Andhra Pradesh a sum of Rs. 7.50 is deducted every month from the salaries of sweepers and scavengers towards group 'Insurance Scheme' and in the event of death of a worker, his family member is paid a sum of Rs. 7,500 besides contribution paid by him. This scheme has been introduced in lieu of Family Benefit Scheme applicable to non-sweepers and scavengers. It is suggested that the details of the scheme should be studied by other States/UTs and thereafter its feasibility for implementation may be examined. The Government of Gujarat have stated that main constraints in the implementation of scheme are private scavenging (*Gherki*) system, damaged instruments, narrow lanes, lack of aptitude for using improved implements and lethargy on the part of local bodies. The Government of Andhra Pradesh have reported that poor financial capacity of Municipal Bodies for providing underground drainage system and ensuring proper water supply are the main handicaps.

5.18 With a view to accelerating the educational development of the children of those engaged in unclean occupations, the Government of India have been implementing a scheme for providing pre-matric scholarship to their children. As their education suffers mostly at primary and middle levels of education, it is recommended that adequate number of residential schools may be opened for the children of sweepers and scavengers.

Programme for improving the living and working conditions of Scheduled Castes engaged in hereditary unclean occupations other than sweeping and scavenging :

5.19 According to 1961 Census, the total population of those engaged in unclean occupations like those of tanning and flaying was 2.38 lakhs. Separate data was not collected about tanners and flayers at the time of 1971 Census. It is well known that the members of these communities suffer from the worst form of untouchability and they are the lowest in the caste hierarchy in our country. They also suffer from extreme disabilities, social and economic because of the nature of the occupation in which they are engaged. The flayers are dispersed throughout the rural areas. They have to work in and around the villages, sometimes even in their own houses. This results in extreme unhygenic conditions and their low status. The programmes undertaken by the Khadi and Village Industries Commission and the State Governments for improving the conditions of work for tanners had limited success as it required centralised working. In relation to flaying nothing substantial could be done. Before we attempt in providing adequate economic support to these groups, we have to study in detail the mechanisms involved, therein

right from the death of an animal, its transportation, processing of the skin, collection of bones, rates of wages paid for different works from the lifting of the dead cattle to final processing, fixation of sale price and the quantum of ultimate profit that comes in the hands of Scheduled Castes persons. So far no concerted efforts seem to have been made in this direction by those working in this field of welfare of Scheduled Castes. It is reported that the techniques used by the flayers are still traditional. The relationship between the flayer and tanner and the leather market is entirely in the control of the traders. Although in the organised sector some modification in the processing has come in but it has hardly been taken to the rural areas to the Scheduled Castes families who pursue this occupation. What is, therefore, needed is to organise these groups in the first instance and then link their trade with the available market. The work done by the Khadi & Village Industries Commission in this respect is discussed in the following paragraph.

Khadi & Village Industries Commission :

5.20 The main directions of the Khadi & Village Industries Commission's developmental activities, in the efforts for the promotion of the welfare of Scheduled Castes and Scheduled Tribes lie in the supply of improved tools, equipments, implements and training them in the use of improved technology. The important thrust of this strategy is to raise the level of the productivity, earnings and thereby an improvement in the standard of living. Khadi & Village Industries Commission also proposed (a) to set apart 25% of the Government allocation exclusively for the welfare of Scheduled Castes and Scheduled Tribes and (b) provide employment opportunities to about 25 lakhs Scheduled Castes and Scheduled Tribes persons in the Sixth Five Year Plan. In the leather industry, works undertaken by the Khadi & Village Industries Commission nearly 98% workers belong to Scheduled Caste communities. In regard to flayers and tanners the Khadi & Village Industries Commission's schedule for village industries includes "flaying, curing and tanning of hides and skins and ancillary industries connected with the cottage leather industries". In 1978-79, the total production under village leather industry aggregated to Rs. 24.91 crores in the following manner.

S. No.	Item	Rs. in Crores	Employment generated
1	Tanning . . .	3·72	4,366
2	Flaying . . .	0·46	1,015
3	Footwear and leather goods	3·43	6,427
4	Individual tanning .	3·58	11,014
5	Individual footwear and leather goods	6·88	19,198
6	Special schemes for working capital finance	3·19	7,217
7	Employment guarantee scheme	3·65	27,500+914 (Marketing)
	Total .	24·91	77,651

In 1978-79, Khadi & Village Industries Commission disbursed Rs. 2.79 crores on village leather industry (Rs. 0.39 crore as grants and Rs. 2.40 crores as loans). Public sector undertakings dealing with the promotion of leather industries in the country are Bharat Leather Corporation and Tannery & Footwear Corporation of India Ltd., Kanpur. The Bharat Leather Corporation was set up in March, 1976 to act as an apex body for the promotion and development of leather and leather goods industry in the country. As part of its programme to provide assistance to the decentralised sector in marketing its products, a National Leather Emporium has been set up at New Delhi to act as a show window for the entire leather industry in the country. The trend of the sales at the Emporium has been quite satisfactory. The Tannery and Footwear Corporation of India Ltd., Kanpur was set up in February, 1969 by taking over two sick units viz. Cooper Allen, North West Tannery branches of the British Indian Corporation, Kanpur. The Corporation has been incurring losses due to various reasons, like old plant and machinery, high over-heads, under-utilisation of the plant capacity, power cuts etc. The Government of Haryana instead of formulating any scheme for bringing improvement in flaying and tanning techniques have adopted an approach of bringing a shift from the traditional occupation to rickshaw pulling. During 1979-80, 300 persons were helped with a sum of Rs. 90,000 (Rs. 300 as grant by the Social Welfare Department and remaining amount as loan by the Banks) in that State. No scheme was formulated for these persons by the Governments of Gujarat, Uttar Pradesh, and UT Administration of Pondicherry. The Government of Madhya Pradesh are examining a proposal to set up a Leather Board in the State.

5.21 *Following Recommendations are made :*

1. The Khadi & Village Industries Commission may be further associated in this work.

2. Institute of Leather Technology, Madras may be given financial assistance to undertake surveys in a few selected States like Uttar Pradesh, Bihar, West Bengal and Tamil Nadu where a little more than half of the number of Scheduled Castes live, and on the basis of the study reports the Department of Industrial Development, Khadi & Village Industries Commission and the representatives of State Governments should submit their Action Plan.

3. The Indian Veterinary Research Institute should study the traditional techniques of flaying and work out a simple technology to individual flayers dispersed in villages.

4. The economics of this trade may be studied and a suitable scheme prepared to ensure adequate return to the flayer for each animal flayed either through a system of purchasing the skin at a support price or paying him fees for flaying the animal.

5. Scheme to diversify persons from pursuing the unclean occupations may also be prepared by all the States/UTs and 75% subsidy and 25% loan from banks provided for the purpose in a liberal manner.

Drinking Water Supply

5.22 It has been accepted that the provision of safe and convenient water supply and basic sanitation services are of paramount importance to the health and well being of people. The magnitude of the problem is so large that it does not fully portray the hardship and the inconvenience that is experienced by the poor, especially women and children in areas where water is scares or inadequate or polluted. Supply of adequate and safe drinking water for the population is a necessary condition for economic development and an important element of the basic minimum needs for upgrading the living conditions of the poor. In the long run it is more effective and less expensive than preventive health measures to combat water-borns diseases such as typhoid and cholera. The problem is worse in the rural countryside in relation to the Scheduled Castes because they are sometimes not allowed to take water from the public water sources by the Caste Hindus. In the past the programme, however, has received a rather low order of priority in the national planning process. Since this falls in the State Sector the constraint of resources and other competing demands obliged the States and the local Governments to give comparatively lower priority to water and sanitation. Parlicularly, the programme did not make any appreciable impact during the last two decades in the rural sector. From the inception of the programme in 1954, approximately Rs. 600 crores were spent on rural water supply. Even during the Fifth Five Year Plan, against an allocation of Rs. 564 crores, only Rs. 329 crores were actually spent by the State Governments with the result that only 64,000 villages out of 5,75,000 villages could be covered till the end of March 1977 out of which 40,000 villages fall in the problem category. The Government has accorded high priority to the provision of potable drinking water to problem villages. It is also proposed to implement the United Nations Resolution to provide drinking water to all human settlements in India by the year 1990. In order to assess the dimensions of the rural water supply programmes, a survey was undertaken by the Government of India through the State Governments, during 1971-72. This revealed that out of 5.76 lakh villages containing a population of 440 million, about 1.53 lakhs villages should be categorised as problem villages. It was estimated that 40,000 problem villages had been covered by the various State Governments till the end of March 1977. 1.13 lakhs problem villages remained to be covered as on 1-4-1977. Provision of a suitable source of drinking water to all is an accepted programme under the Minimum Needs Programme. Though the responsibility for providing safe and adequate water supply to the community entirely rests with the State Governments, the Government of India initiated in 1977-78, the Accelerated Rural Water Supply Programme under which financial assistance in the shape of 100% grant-in-aid is given to the States to supplement the provisions made under the Revised Minimum Needs Programme in order that the identified "Problem Villages", may be covered. It is understood that the list of problem villages made in 1971-72 has become outdated now. Because of drought conditions thereafter in certain parts of the country, the number of problem villages may be about 2 1/2 lakhs now and not 1.13 lakhs as estimated on 1-4-1977. It is estimated that nearly Rs. 2,000 crores would be required for this purpose. With a view to ensuring adequate attention in the tribal areas in providing water supply, Ministry of Home Affairs suggested that each tribal hamlet should be provided with a source of drinking water. In order to identify the extent to which the tribal population has been provided with safe drinking water, the Ministry of Works and Housing and the Planning Commission have sent circulars to various State Governments requesting them to undertake comprehensive surveys of the tribal population in order to estimate their progressive coverage as also the requirement of additional funds to cover the balance population. The Ministry of Works and Housing further suggested that the quantum of funds to provide drinking water supply to Scheduled Caste habitations in rural areas should also be assessed and the rural water supply should contain a Scheduled Castes component.

Drinking Water Supply in States/UTs

5.23 A brief resume of work done in a few selected States/UTs in this regard is as given below :

(I) ANDHRA PRADESH :

No survey has been conducted so far by the State Government to determine the extent of the problem of providing drinking water facilities in the Harijan bastis and hamlets of Scheduled Tribes. State Government have called for a list of problem villages conforming to the guidelines of Government of India for providing water supply from the Collectors concerned. During 1978-79 and 1979-80 an amount of Rs. 25.00 lakhs and Rs. 35.00 lakhs respectively was released under trible sub-plan for providing drinking water facilities in tribal areas with bore well programme. With this amount about 500 bore wells were drilled in tribal areas. No separate grants were released for the benefit of Scheduled Castes during 1978-79 and 1979-80 but the State Government have issued instructions to all concerned officers of the Social Welfare Department to utilise not less than 15% of the grants available during

the years for the benefit of Scheduled Castes. During 1979-80, an amount of Rs. 142.56 lakhs was spent on various schemes taken up under rural water supply programme to provide drinking water.

(II) BIHAR :

Of the 24,425 villages/tolas, drinking water supply sources have been provided in about 21,000 villages/tolas. The achievement in tribal sub-plan and Special Component Plan for Scheduled Castes are as follows :

Year	Minimum Needs Programme			A.R.P.	
	Allocation (Rs. in lakh)	Expdr. (Rs. in lakh)	Population covered (in lakh)	Expenditure (Rs. in lakh)	Population covered (in lakh)
(a) Tribal Sub-Plan Areas :					
1978-79	275·00	290·15	3·07	31·50	0·600
1979-80	314·00	314·00	3·68	36·00	0·640
(b) Special Component Plan :					
1979-80	57·60	64·90	1·44	28·00	0·94

In 1980-81, the allocation for Special Component Plan has been increased to 30% for dispersed sources and 15% earmarked for piped water supply. 3425 villages/tolas still remain to be covered for which schems are being prepared.

(III) GUJARAT :

The State Government have identified 9600 villages as problem villages which includes 2200 villages of tribal areas. Details of expenditure and physical achievements during 1978-79 and 1979-80 under Rural Water Supply Programme were as under :

Year	Expenditure (Rs. in lakh)	Physical achievements villages/hamlets
1978-79	593·98	782
1979-80	1081·65	816
Total	2075·63	1598

The State Government had planned to cover all the remaining problem villages by the end of March, 1983.

(IV) HARYANA :

Of the 6731 villages in Haryana, 4180 villages were identified as problem villages. There are 966 problem villages where population of Scheduled Castes is more than 25%. Of these 966 problem villages, 271 villages have been provided with water supply, and in 119 villages the work is in hand; 576 villages are yet to be covered under this programme. During 1979-80, Rs. 750/- lakhs were provided for water supply to problem villages and expenditure of Rs. 910.6 lakhs was incurred. Scheduled Castes are given separate taps on priority basis.

(V) HIMACHAL PRADESH :

Out of the 484 villages in the tribal areas of Himachal Pradesh about 53% (250) are problem villages. During 1978-79 and 1979-80 only 16 and 54 tribal villages could be covered benefiting 5,000 and 9,000 tribals respectively. Similarly, 52,000 Scheduled Castes of 1356 villages were benefited in 1978-79 and 68,000 Scheduled Castes of 1301 villages during 1979-80. The State Government have proposed an outlay of Rs. 20 crores to be spent during the VI Plan period with a view to cover all the scarcity villages.

(VI) JAMMU & KASHMIR :

Schemes of supply of drinking water are not taken on community basis. Such schemes are taken up for the benefit of all. In this State Scheduled Castes are not confined exclusively to any particular area.

(VII) MANIPUR :

The State Government have drawn up a comprehensive programme to cover all the problem villages inhabited by Scheduled Castes during VI Plan and to cover 450 tribal villages having a population of 25 lakhs by the end of VI Plan and to complete remaining tribal villages during VII Plan. The State Government had the following allocations during the III, IV and V Plans :

	Allocation	% of total State Plan
1 III Plan	NA	1·8%
2 IV Plan	Rs. 54·4 lakhs	1·64%
3 V Plan	Rs. 500·00 lakhs	3·5%

(VIII) NAGALAND :

In the State of Nagaland there are no Harijan bastis. All the villages are Scheduled Tribes villages. All the villages are earmarked as problem villages. At present there are 966 villages and 122 hamlets in this State. As on 1-4-1980 drinking water supply facilities have been provided to 397 villages only. Details of progress achieved and likely to be achieved during 1978-79 were as below :

Year	Expenditure incurred (Rs. in lakhs)	Target achieved
1977-78	227·13	204 (completed upto 1976-77—45 wells)
1978-79	287·62	74
1979-80	356·33	74

During 1979-80, the Central funds were available only for continuing schemes under the A.R.P. Owing to paucity of funds the State Government was not in a position to allot more funds under Revised Minimum Needs Programme.

(IX) PUNJAB :

3,800 villages were identified as scarcity villages in the State. These are located both in sub-mountaneous areas and the plains. For the year 1979-80, an out of Rs. 5.00 crores was laid down for this scheme in 135 villages. A sum of Rs. 4.00 lakhs was also sanctioned by the Social Welfare Department of the State for installation of hand pumps and repairs of old wells. Under this scheme for Scheduled Castes and Backward Classes 763 villages so far were covered.

(X) TAMIL NADU :

Out of about 25,000 Harijan colonies, 1,646 colonies are yet to be provided drinking water facilities. The District Harijan Welfare Officers were instructed to give top priority to provide drinking water facilities to the bastis which are coming under categories classified by Tamil Nadu Water Supply and Drainage Board. A sum of Rs. 20.5 lakhs was spent for the purpose during the year 1979-80. During 1980-81 a total number of 60 tribal habitation in Salem, North Arcot, Dharmapuri, Tiruchirapalli and South Arcot districts will be provided with drinking water supply at a cost of Rs. 14.50 lakhs.

(XI) UTTAR PRADESH :

Scheme for the construction of wells for providing safe drinking water to Scheduled Castes in rural areas was undertaken from the First Five Year Plan and is now being implemented by the Rural Development Department. The Department conducted a survey in the year 1977 wherein it was reported that nearly 29,061 drinking water wells in the plains and 2802 diggis in the hills would be required to ensure provision of atleast one water well/diggi for every Harijan abadi. The table below indicates the progress achieved under this scheme from 1977-78 onwards :

Year	Allotment (Rs. in (lakhs)	Proposed/constructed			Remarks
		Wells	Hand-pumps	Diggis	
1977-78	305·00	5145	..	56	..
1978-79	740·00	15428	..	107	..
1979-80	358·00	4377	2673	574	(under progress)
1980-81	200·00	2500 (approximate)	..	..	
Total		27450	2673	737	

(XII) DADRA & NAGAR HAVELI :

The Territory of Dadra & Nagar Haveli have 72 villages consisting 516 hamlets. During the year 1979-80, there were 35 problem villages which were required to be covered. 6 Harijan bastis were provided with drinking water facilities with open wells. The entire area of the Teritorry is rural/tribal and, therefore, open wells and bore wells only are feasible and economically sound. Expenditure incurred upto 1979-80 was Rs. 14 lakhs. Out of 54 well works, 3 and 10 well works were completed during 1978-79 and 1979-80. The expenditure incurred by the Block Department during 1978-79 and 1979-80 was Rs. 177 lakhs and Rs. 0.25 lakh, respectively. 22 and 6 well works (old spillover works) were completed during 1978-79 and 1979-80 respectively.

(XIII) LAKSHADWEEP :

The main source of drinking wate islands are draw wells. There is no organized water supply system made available to these islands. A scheme has been chalked out to solve the problem of minor islands. The Central Salt and Marine Chemical Research institute, Bhavnagar has been approached for the purpose and they had sent their project report for installation of solar still disalination plant for a capacity of producing 2,000 litres of fresh water per day. The Union Territory have decided to install 3 such plants, one in each island during VI Plan period.

Progress and target for 1978-81

Item	1978-79		1979-80		1980-81	1981-82	1982-83	Total
	Target	Achievement	Target	Achievement	Target	Target	Target	
Installation of solar still disalination plan :								
(a) Physical			1 (Plant at Mitra)	..	1 plant	1 plant		3 plant
(b) Financial			2·50 lakhs	0·83 lakhs	3·25 lakhs	3·50 lakhs	2·75 lakhs	11·80 lakhs

(XIV) CHANDIGARH ADMINISTRATION :

The inhabitants of this Union Territory have been provided with piped water.

5.24 *Constraints in the Implementation of Scheme :*

(1) The availability of cement, pipes and other accessories are the main difficulties faced by the States/UTs. Shortage of engineering material also hampered the execution of Rural Water Supply scheme.

(2) Difficulties are also faced in the transportation of material due to non-availability of Railway wagons.

(3) As the planning for drinking water requires advance planning by at least two years, a few State Governments/UTs have suggested that quantum of Central Assistance may be made known to them much ahead of the schedule.

5.25 *Following Recommendations are made :*

1. As safe drinking water is not only a basic human need, it also prevents water borne diseases and further it is an important problem because of the fact that water sources are inaccessible to Scheduled Castes on account of the practice of untouchability, this subject needs priority. It is recommended that safe drinking water sources are provided in all the Scheduled Castes villages/hamlets and Tribal hamlets by the end of the VI Plan. Adequate resources and administrative machinery should be provided by the Government to fulfil this objective.

2. For assessing the problem of drinking water in tribal areas each hamlet rather than a village may be adopted as a criterion and accordingly the problem villages/hamlets identified. In villages, efforts may be made to provide one well/water source to each Harijan basti/Tola. In case common wells are provided in the villages these may be constructed in the Harijan Basti.

3. It is possible that despite covering all the problem villages listed earlier a few tribal villages/hamlets and Scheduled Caste Bastis would remain uncovered and, therefore, it is recommended that State Governments/UT Administrations should check up from the lists prepared so far whether needy Tribal pockets and Scheduled Castes Bastis have been included. In case it is found that there are certain areas still left uncovered these should immediately be brought to the notice of Government of India and a programme formulated for these villages also.

4. With a view to laying high priority for the execution of drinking water supply scheme and ensuring its coverage in a time bound manner it is suggested that a Rural Water Supply Corporation may be set up in the Centre with its branches in the States. Alternatively State Governments should set up Rural Water Supply Corporations in their States.

Health

5.26 The Ministry of Health and Family Welfare have reported that as 1979 was the International Year of the Child, so they undertook measures to immunise children against common diseases of childhood. Long term measures were also formulated to expand the network of Primary Health Centres and training centres to establish special units for paediatric and obstetric care in hospitals and to train medical and para-medical staff and Dais with the ultimate aim of providing the basic modicum of health services to the community as a whole and to children in particular. Medical care was taken to rural areas through 5423 Public Health Centres and 40,124 Sub-Centres in rural areas. About 1.8 lakh community health workers, duly trained, worked in villages. It is proposed to cover every village with Community Health Worker by 1982-83. A massive programme of trianing one lakh mid-wives 'Dais' during 1979-80 was also taken up.

Indian Systems of Medicine

5.27 The Indian Systems of Medicine (Ayurveda, Siddha, Unani, Yoga and Naturopathy) are being gradually developed to narrow the gap existing in medical care between the rural and urban areas which at present is tilted towards urban sector. During 1979-80 there were 53 Public Health Centres in the country without a doctor. The details are as given below :

S. No.	Name of State/UT	No. of Public Health Centre without doctor
1	Arunachal Pradesh	10
2	Bihar	8
3	Madhya Pradesh	7
4	Orissa	6
5	Meghalaya	4
6	Punjab	4
7	Nagaland	3
8	Himachal Pradesh	3
9	Gujarat	3
10	Haryana	2
11	Sikkim	2
12	Mizoram	1
	Total	53

It is noted from the above table that Arunachal Pradesh, Bihar, Madhya Pradesh, Orissa and Meghalaya are those States/UTs which have sizeable Scheduled Castes and Scheduled Tribes population and it is in these States/UTs that doctors are not available to man the Primary Health Centres. This shows that medical personnel are reluctant to serve in remote/tribal

areas. The level of health services in the tribal areas is considerably lower than in other areas. In view of the sparseness of population and difficult terrain in such areas there should be a Primary Health Centre for 20,000 population. Some of the tribal communities are small and declining in number. The position in relation to the primitive groups facing special health problems needs urgent attention by the highest medical body in the country. The incidence of Tuberculosis Veneral Disease and Leprosy in some of the tribal areas is quite high. Amongst a number of tribes, the incidence of sickle cell anemia is reducing the average expectance to a very low age. Some of the diseases are genetically transmitted. In the villages traditional Dais attend to the maternity cases and most of them belong to Chamar or Basor community, which is recognised as a Scheduled Caste. The remuneration that they receive is very low and, therefore, Working Group on Scheduled Castes and Other Backward Classes set up by the Ministry of Home Affairs on 8-12-1977 recommended in their report that each 'Dai' may be paid a minimum fee of Rs. 25/- for each delivery performed by her. The expenditure on this service should be met by the Government of India and the State Governments. All 'Dais' may be imparted intensive training in health education and first aid medicines for pre-natal and post-natal services. Among the Scheduled Castes and Scheduled Tribes there are a large number of persons working as agricultural labourers. They are required to work in the fields constantly under knee deep water. A few among them work as Rickshaw pullers. Scavengers are exposed to bacterial infections. Flayers and Tanners have peculiar health hazards. Grass cutting among Scheduled Castes and Scheduled Tribes die of snake bites. Fishermen have their own peculiar diseases. In Mandsaur district of Madhya Pradesh, Scheduled Caste persons working in slate pencil industry die early on account of silicosis. Thus we know that for their poor health care many factors are responsible, such as, illiteracy, lack of knowledge, lack of money, costly medicines, non-availability of medical services, malnutrition, polluted environment, unsafe drinking water, etc.

5.28 Under the aforesaid circumstances, it is, therefore, necessary that identification of special health problems in the tribal areas and those of Scheduled Castes in different occupational groups is taken up in a systematic manner. As regards family welfare programmes the target for the tribal areas should be tailored according to peculiar conditions of the area and not according to general targets for the State as a whole. Although efforts have been made to eradicate malaria by investing nearly 40% of the total budget outlay on health yet its incidence is quite high in tribal areas (Manipur, Nagaland, Meghalaya, Sikkim, Tamil Nadu, Tripura, Andaman & Nicobar Islands, Mizoram and Pondicherry) which needs to be arrested. Special drive may have to be launched in expanding the programme of immunisation in tribal areas and Scheduled Castes bastis so as to protect children against infectious diseases like Tuberculosis, diptheria, whooping cough, poliomyslitis, tetanus and typhoid. Efforts are also necessary to control leprosy in Tamil Nadu, Orissa and Madhya Pradesh as these States have sizeable population of Scheduled Castes and Scheduled Tribes. Iodine deficiency may have to be removed from the tribal areas of Sidhi (Madhya Pradesh), Pithoragarh and Almora of Uttar Pradesh, Champaran of Bihar and Nagaland.

5.29 The Commission are of the view that criteria for opening of Primary Health Centres and Sub-Centres should not merely be the number of blocks and the total population but the following other factors may also be taken into account :

(1) areas having concentration of tribal population (50% or more Scheduled Tribes population at Panchayat level);

(2) areas having concentration of Scheduled Caste population (20% + Scheduled Caste population at Panchayat level);

(3) inaccessible areas (although population may be sparse);

(4) areas where incidence of communicable diseases is high;

(5) areas where death rate and child mortality are proportionately higher.

Allotment of House-sites and assistance for construction of houses in rural areas

5.30 The distribution of house-sites to landless labourers was an important progress during the Fifth Five Year Plan. The provision of house-sites did give them a foot hold but that by itself was not adequate. In some cases the sites were not suitable as house-sites and, therefore, the allotment was notional. In few States, besides allotment of house-sites substantial programmes of building up the houses was also taken. The problem of house-sites did not exist in Manipur, Nagaland, Arunachal Pradesh, Goa, Daman & Diu, Lakshadweep and Mizoram. Some States like those of Andhra Pradesh, Karnataka, Rajasthan, Tamil Nadu, Uttar Pradesh had set up Housing Corporations for this purpose. Housing Boards in some of the States/UTs have also been set up which accord priority in the matter of allotment of plots/built-up houses to the Scheduled Caste and Scheduled Tribe persons.

5.31 The details of various Social Housing Schemes implemented in the country since their inception to 30-9-1980 are given in the following table :

Statement showing the physical progress under various Social Housing Schemes since their inception

(As on 30-9-1980)

S. No.	Name of Scheme	No. of houses		Percentage	Amount sanctioned (Rs. in crores)
		Sanctioned	Completed		
1	2	3	4	5	6
1.	Integrated Subsidised Housing Scheme for Industrial workers and economically weaker sections of the community	2,51,018	187580	74·72	125·10
2.	Low Income Group Housing Scheme	4,28,008	337470	78·84	232·44
3.	Subsidised Housing Scheme for Plantation Workers	35,437	21079	59·48	..
4.	Middle Income Group Housing Scheme	53,998	43600	80·74	117·04
5.	Rental Housing Scheme for State Government Employees	39,373	34213	86·89	58·03
6.	Slum Clearance/Improvement Scheme	1,69,475	124694	73·57	..
7.	Village Housing Project Scheme	1,03,556	69777	67·38	26·41
		10,88,865	818413	75·71	
	Area of Land	*Acquired*	*Developed*		
8.	Land Acquisition and Development scheme	33,853·13	17890·53	52·84	181·97

	Total No. of families		No. of house-sites developed out of col. 2
	Eligible in States/UTs	Allotted house-sites including undeveloped	
	1	2	3
9. Provision of House-sites-cum-hut construction to landless workers in rural areas	11816213	7792428 (65·94%)	2052901 (26·34%)

Total number of houses constructed on allotted house-sites
4
962282 (% col. 4 to col. 2)

It is noted from the above table that 75.71% of the houses sanctioned under various schemes were completed. The performance with regard to development of land as compared to land acquired has been poor i.e. 62.84%. As regards number of landless workers in rural areas their number in the country was 118.16 lakhs, of whom 65.95% persons could be allotted house-sites and only 12.34% persons of those allotted house-sites could construct the houses. Physical progress made under the scheme for Rural House-site-cum-hut construction for landless workers as on 30-9-80 as compiled by the Ministry of Works and Housing is placed at Annexure-II. It is seen therefrom that out of 116.16 lakh persons in need of house-sites in the country largest number of persons were reported from Bihar, Andhra Pradesh, Tamil Nadu and Uttar Pradesh. Of these persons house-sites could be allotted to 65.95% persons. Coverage of providing house-sites was better in West Bengal, Rajasthan, Punjab, Uttar Pradesh and Haryana as compared to Tamil Nadu, Orissa and Bihar. The problem is acute in Kerala. As regards construction of houses/huts over the house-sites allotted to them it is gathered that nearly 12.39% of the allottees could only construct the houses on an average in the country. The progress of construction has been reported to be satisfactory in Maharashtra and Himachal Pradesh.

5.32 Implementation of the scheme in a few selected States/UTs has been analysed in the following paragraphs. As regards house-sites it is gathered that size of house-sites varies from 50 sq. yards (Rajasthan) to 100 sq. yards (Gujarat and Punjab) and 100 to 150 sq. yards

in Uttar Pradesh. By 1979-80, the coverage has been as given below :

States	Scheduled Castes	Scheduled Tribes	Total
Gujarat . . .	87600	93020	1,80,620
Orissa . . .	52320	70359	1,22,679
Punjab . . .	NA	NA	3,03,731
Tamil Nadu . .	NA	NA	3,38,303
Uttar Pradesh . . .	NA	NA	12,36,139

In the Union Territory of Goa, financial assistance upto Rs. 200 is also given to obtain a house-site. Similarly, other States/UTs could extend this facility to Scheduled Castes and Scheduled Tribes. So far as the financial assistance for house-construction is concerned pattern is of three types i.e. loan/subsidy, loan and subsidy, as shown below :

Gujarat . . .	Rs. 1500 subsidy
Madhya Pradesh .	Rs. 3,000 subsidy
Orissa . . .	Rs. 5,000 loan
Punjab . . .	Rs. 6,500 loan
Rajasthan . .	Rs. 3,000 loan
Uttar Pradesh .	Rs. 1,000 to 1600 subsidy
Goa, Daman & Diu	Rs. 2,000 to 2,500 (75% subsidy 25% interest free loan repayable in 20 yearly instalments)

Keeping in view the rise in the cost of material for house construction a good house cannot be constructed for less than Rs. 4,000 to Rs. 6,000 and it would be in fitness of things if element of subsidy and loan is kept at 75% and 25% respectively.

5.33 Available State-wise/Union Territory-wise information regarding actual benefits derived by the persons belonging to Scheduled Castes and Scheduled Tribes in the matter of allotment of house-sites/plots is given below :

(i) *GUJARAT*

Upto 31-3-1980, 87600 Scheduled Caste and 93020 Scheduled Tribe persons had been allotted an area of 87,60,000 sq. yards and 93,02,000 sq. yards respectively. All of them have been given possession thereof. During 1978-79, 5279 Scheduled Caste and 5923 Scheduled Tribe persons were given assistance in the form of subsidy for construction of houses. Similarly during 1979-80, 6687 Scheduled Caste and 11,537 Scheduled Tribe persons were also given the assistance. All the beneficiaries are treated alike and durable houses costing about Rs. 1800 are constructed with Government assistance by way of subsidy, construction by District Panchayats and voluntary agencies, loans from Bank and manual labour by the beneficiary.

Financial achievements

Year	Financial allocation for Scheduled Castes	Amount utilised	Financial allocation for Scheduled Tribes*	Amount utilised*
	Construction of houses			
1978-79	16·10	20·44	70·00	29·38
1979-80	60·00	28·00	40·00	38·63
	Development of plots			
1978-79	1·61	5·53	12·00	1.08
1979-80	3·00	3·37	7·00	2·03

*For Tribal Sub-Plan also

(ii) *MADHYA PRADESH*

The Madhya Pradesh Housing Board has informed that at 16 places 382 Economically Weaker Sections type of houses have been provided during 1978-79 and 350 Economically Weaker Sections houses at 10 places in 1979-80 to Harijan beneficiaries. The Tribal and Harijan Welfare Department had sanctioned subsidy @Rs. 3,000 per house for this purpose. The balance cost of the house is recovered from the beneficiaries under normal hire purchase scheme of the Board.

(iii) *MAHARASHTRA*

During 1978-79, 51 Scheduled Castes and 56 Scheduled Tribes were given assistance in the form of subsidy/material for construction of houses under the Rural Housing Scheme. Similarly, during 1979-80 34 Scheduled Caste and 104 Scheduled Tribe persons were given the above assistance. No Scheduled Caste/Scheduled Tribe persons were allotted house-sites by the end of 1979-80.

(iv) *ORISSA*

By the end of 1979-80, 52,320 Scheduled Castes and 70,359 Scheduled Tribes were provided with 2854.760 acres and 4205.254 acres of homestead land, respectively. There is no scheme for providing financial assistance either in the form of subsidy or by way of supply of material for construction of houses. However, under the Integrated Housing Scheme, built-up houses are provided to homesteadless persons including Scheduled Castes and Scheduled Tribes. Under the Village Housing Project executed by the Housing Department in the rural areas of the State, a maximum loan of Rs. 5000 is given to individual persons for construction of houses at an estimated cost of Rs. 8000. Allocation under the Integrated Housing Scheme during the year 1978-79 and 1979-80 were Rs. 15 lakhs and Rs. 45 lakhs,

respectively. The number of houses allotted to Scheduled Castes and Scheduled Tribes under the said scheme was as below:

Category	No. of houses allotted	
	1978-79	1979-80
1. Scheduled Castes . .	1559	1242
2. Scheduled Tribes . . .	1009	1693

(v) *PUNJAB*

The scheme for construction of houses for Harijans is being implemented through Housing Development Board. An outlay of Rs. 70 lakhs was provided for 1979-80 which has enabled the Board to construct 3500 houses. The construction of 8946 houses was in hand in 1978-79. Persons with an annual income of below Rs. 7200 had been provided loans. The Board does not allot house-sites. There is no separate reservation for members of Scheduled Caste and also there is no such scheme with this Board to give any financial assistance to Scheduled Castes and Scheduled Tribes in matter of housing. However, the Punjab Government have allotted 303731 house-sites of 100 sq. yards each to landless workers including Scheduled Castes under 20 Point Programme. The Board is determined to build up at least 10,000 houses of Rs. 6,500 each in due course of time.

(vi) *RAJASTHAN*

By the end of 1979-80, 1103 Scheduled Caste persons were allotted house-sites (plots). The area of each plot was approximately 52.08 sq. yards. Possession of 520 plots has been given. There is no provision for subsidy/material for construction of houses. However, tin-sheets, ballies were provided to them for construction of temporary sheds. Under the Government scheme loan upto Rs. 3000 each plot/family of the Scheduled Castes and Scheduled Tribes for construction of house is given through State Bank of India. During 1978-79 and 1979-80 no physical targets were fixed for housing scheme for the Scheduled Tribes.

(vii) *SIKKIM*

By the end of 1979-80, 26 Scheduled Caste persons were allotted an area of 13,130 sq. ft. for house-sites and 75 Scheduled Tribe persons were allotted an area of 36,000 sq. ft. for this purpose. All of them have been given possession of the house-sites. The Local Self Government and Housing Department which runs this scheme has not given any assistance in the form of subsidy/material for construction of houses during the year 1978-79 and 1979-80. The Forest Department allows building materials like timber, bamboos etc. for house construction on demand but specific instructions have been issued for providing such facilities to Scheduled Castes and Scheduled Tribes also.

(viii) *TAMIL NADU*

80% of the house-sites required was assigned to Harijans free of cost, 10% of the house-sites acquired was assigned to poor backward classes free of cost and the remaining 10% of house-sites acquired are assigned to poor forward classes free of cost. Houses are constructed in a group without any segregation so that the Scheduled Castes, Backward Classes and Forward Classes mingle with each other. While allotting the houses, as far as possible Scheduled Castes and non-Scheduled Castes are brought together as next door neighbours. During 1978-79, 31,304 house-sites covering an extent of 1842.36 acres of land were acquired and a sum of Rs. 111.29 lakhs was spent on the acquisition of lands for provision of house-sites to Scheduled Castes. Upto 31-3-80 a total number of 3,38,303 house-sites with an extent of 31,431 acres have been acquired at a cost of Rs. 765.84 lakhs and distributed to Scheduled Caste families. During 1979-80, an amount of Rs. 100.00 lakhs was sanctioned for this scheme and the same amount has been provided for 1980-81. Under the Rural Housing Scheme, 8,005 houses have been constructed for Scheduled Castes. This scheme is implemented through Rural Housing Cooperative Societies. 25% membership in these societies are reserved for Scheduled Castes. The loan sanctioned to Scheduled Castes by these societies are interest free. The Government of Tamil Nadu have also got a Housing programme for welfare of Denotified Tribes to construct houses at a cost of Rs. 1200 per house — Rs. 900 subsidy and Rs. 300 as contribution from beneficiary by way of cash, free labour or materials.

(ix) *UTTAR PRADESH*

The programme of allotment of house-sites was taken up by the State Government from 1973. According to the survey conducted by the Revenue Department, upto March, 1979, 12,40,340 persons were found eligible for the allotment of house-sites, of whom as many as 12,36,139 persons were allotted house-sites. Separate figures of allotments of house-sites for Scheduled Castes and Scheduled Tribes are not available. The area of house-sites, allotted was 100 to 150 sq. yards each. All the Scheduled Caste and Scheduled Tribe persons have been given possession of the house-sites so allotted. The Harijan Welfare Department gives subsidy for the construction of houses to Scheduled Castes residing in rural areas and 10% of Scheduled Castes living in urban areas. This scheme is being implemented by the Harijan Evam Nirbal Varg Avas Nigam. The Nigam is constructing houses in a cluster form costing between Rs. 1000 to Rs. 4500. The subsidy for the plain and hill areas is Rs. 1000 and Rs. 1600, respectively and the rest of the amount is made available through Banks. The

tables below gives amount given to the Nigam during 1979 :

Scheduled Castes	Rs. in lakhs
Plains	30·00
Hills	5·00
TOTAL .	35·00

899 houses in respect of Scheduled Castes and Denotified Tribes have been constructed. The Nigam is also constructing houses for the Scheduled Tribes. The rate of subsidy given is Rs. 1600. The beneficiary is not required to contribute anything from his own source. The financial and physical targets achieved during 1979-80 are as given below :

	Outlay (Rs. in lakh)	Expenditure (Rs. in lakh)	No. of beneficiaries (Plain+Hill)
Plain areas	5·00	NA	625 (Anticipated)
Hills areas	5·00	NA	

The Board of Directors of this Nigam have decided to set up their own construction units in the fields in order to directly implement the programme of housing for Scheduled Castes. With the setting up of its own task force the Nigam is likely to extend the work of house-building in all parts of the State.

During 1979-80 the Uttar Pradesh Government launched a Special Housing Scheme under the Minimum Needs Programme on a massive scale for providing housing facility to Scheduled Castes and Scheduled Tribes and other weaker sections of the society in rural Uttar Pradesh. The programme is being executed by the Rural Development Department. Under this scheme, low cost houses are being built for agricultural labourers and other Backward Classes who are either landless or whose land holdings do not exceed 0.404 hectares of irrigated or one hectare of unirrigated area. Clusters of 5 to 10 houses are being built in villages at sites which are not prone to water-logging and floods and area close to the inhabited areas and link roads. The beneficiaries themselves are given the choice to select house-sites for their houses. Under the programme 27,000 low cost houses are planned to be constructed in the first phase by the end of 1980-81 in 48 districts of Uttar Pradesh at an estimated expenditure of Rs. 5.78 crores. The State Government are providing 75% of Rs. 2000 as subsidy for each house in the shape of building material and skilled labour while the remaining 25% of the cost will be borne by the beneficiary in the shape of manual labour. Each house will cost Rs. 2100 to Rs. 2600. Upto the end of June, 1980, 7172 houses were constructed. Besides, the work on construction of 16033 more houses are nearing completion. On completion, 50% of these houses will be handed over to the Scheduled Castes.

(x) *ARUNACHAL PRADESH*

In Arunachal Pradesh a Rural Housing Scheme with the object of providing assistance to the Tribal village population for the improvement of their dwelling houses was launched. Subsidy to the extent of 25% of the cost of construction of house or Rs. 2000, whichever is less, is given to the individual tribal persons for construction of houses.

(xi) *GOA, DAMAN & DIU*

There is a Housing scheme for construction of new residential houses for Scheduled Castes and Scheduled Tribes. Under this scheme, financial assistance amounting to Rs. 2500 in five Talukes, viz. Pernam, Canacanam, Gattari, Sanguam and Duapan and Rs. 2000 in the case of remaining talukes is given to the Scheduled Caste and Scheduled Tribe persons. 75% of the said financial assistance is given as subsidy on remaining 25% as loan repayable in 20 yearly equal instalments without interest. The important conditions for sanction of financial assistance is that the applicant should belong to Scheduled Caste/Scheduled Tribe and he should have a clear title over the land on which a house is to be constructed. In Goa district, 320 houses have been constructed for Scheduled Castes during the last four years and the expenditure incurred was Rs. 4,73,975. For purchase of house-sites financial assistance amounting to Rs. 200 or the actual cost of the land whichever is less is given to the eligible Scheduled Caste and Scheduled Tribe applicants. For repair of houses financial assistance amounting to Rs. 1000 is given to the eligible persons out of which 25% is treated as loan and remaining 75% as subsidy.

(xii) *LAKSHADWEEP*

The entire local inhabitants in the Union Territory of Lakshadweep are Scheduled Tribes. There is none among them without a homestead of his own. No surplus land in this Union Territory is available for distribution. The Administration have given assistance in the form of subsidy to 166 and 32 beneficiaries during 1978-79 and 1979-80, respectively. The Administration also sanctioned loan to one beneficiary during 1978-79 and to 5 beneficiaries during 1979-80.

(xiii) *PONDICHERRY*

The Union Territory of Pondicherry have framed rules for allotment of house-sites to Scheduled Castes. The size of the plot given to each beneficiary is 2 to 3 cents. The landless workers in the rural areas who do not own a house-site or a built up house or a hut or land of their own are provided house-sites and

beneficiaries are required to construct a house on the site allotted to them within a period of 6 months. 20% of the plots are allotted to non-Scheduled Castes in order to avoid segregation of Scheduled Castes. Upto 1979-80, 3902 house-sites have been distributed by the Department of the Welfare of Scheduled Castes in 66 villages. About 36 hectares of land are under acquisition in 37 villages and about 2,300 homeless Scheduled Caste families are expected to be benefited by this acquisition.

5.34 The following recommendations are made :

1. The Scheduled Caste and Scheduled Tribe persons are very much attached to their places of birth and are, therefore, not willing to leave the existing place of residence. It is, therefore, recommended that house-sites may be acquired in or around the same village. The land should not be low lying and must be suitable for dwelling purposes.

2. In order to minimise delay in allotment of house-sites it is necessary that the procedure of acquisition of land for Scheduled Castes and Scheduled Tribes should be simplified.

3. Keeping in view the poor economic conditions of the Scheduled Castes and Scheduled Tribes their colonies should also be provided with facilities like provision of drinking water, communication, electricity, school, community centres and health facilities.

4. According to the information available with this Commission, as on 30-9-1980, out of 118.16 lakh landless workers in rural areas, house-sites could be provided for 77.92 lakh (66%) families. The Commission, therefore, recommend that urgent steps should be taken to provide house-sites to remaining 34% families also.

5. The house-sites allotted to Scheduled Castes and Scheduled Tribes remain vacant for long period and the real purpose of allotting the same to these classes is lost. It is, therefore, necessary that the scheme of construction of houses alongwith allotment of house-sites be taken up simultaneously to help Scheduled Caste and Scheduled Tribe get the desired relief.

6. It is suggested that the size of the house-site allotted to Scheduled Caste and Scheduled Tribe persons should in no case be less than 100 sq. yards.

7. Keeping in view that a good house can be constructed for not less than Rs. 4,000 to Rs. 6,000 it is suggested that amount upto 75% may be granted as subsidy and remaining 25% as interest free loan repayable in 20 yearly instalments for Scheduled Caste and Scheduled Tribe persons.

Allotment of house-sites and assistance for construction of houses in Urban areas to Scheduled Castes and Scheduled Tribes

5.35 Urbanization in India has grown at a much faster rate than the provision of the infrastructure mainly because of the low living standards of a large proportion of the rural population who migrate to the towns in search of livelihood. During the decade 1961—1971 while the overall population grew by 24.7% the urban population grew by 37.9%. The other significant feature of the urbanization process has been larger rate of growth of the large and metropolitan cities as compared to the small and medium towns. It is estimated that nearly 20% of the population live in urban settlements (8 metropolitan cities, 143 cities besides other towns). On the basis of the 1971 Census, the National Building Organisation estimated the housing shortage as 16.6 million units on the eve of the Fifth Five Year Plan. By the end of March, 1980 the housing shortage was expected to increase to 20.1 million units — 15.1 million units in rural areas and 5.0 million units in urban areas. Though Housing is a State subject under the Constitution, the enormity and complexity of the problem calls for joint effort by the Central and State Governments. The problem of housing is vast and complex and it requires huge finances and building materials some of which are in short supply, and its solution depends on the concerted efforts of individuals, cooperatives and Central and State Governments, to be planned and executed over a number of years. The effort so far has been directed to (i) preserve and improve the existing housing stock, (ii) provide house-sites to landless labourers, (iii) expand support to institutional agencies such as the Housing & Urban Development Corporation and the State Housing Boards to enable them to provide housing to the low and middle income groups, (iv) encourage construction of houses for the economically weaker sections of society under Section 21 of the Urban Land (Ceiling & Regulation) Act, 1976 (v) emphasise the utilisation of public funds for the construction of houses for the economically weaker sections of the society, and (vi) intensify research and development of cheap building material. The Draft Five Year Plan (1978—83) envisaged an outlay of Rs. 1538 crores for housing in public sector. This included Rs. 500 crores exclusively for rural housing. During the first two years of the Plan, the following outlays were made for housing :

(Rs. in crores)

	State Sector	Central Sector	Total
1978-79	137·73	40·79	178·52
1979-80	134·52	70·67	205·19

The State Governments were also provided funds by the Life Insurance Corporation and General Insurance Corporation for the implementation of Social Housing Programmes to the extent of Rs. 21.54 crores and Rs. 14 crores during 1979-80, respectively. The Reserve

Bank of India has issued guidelines to all Scheduled Commercial Banks to provide funds of the order of Rs. 75 crores every year under the category "Housing Finance" for various housing activities. These loans will carry interest at the rate of 12% per annum with ½% rebate for regular payment of instalments. However, the rate of interest on direct loans to Scheduled Castes and Scheduled Tribes will be 4% provided the housing loan given to an individual does not exceed Rs. 2,500. The repayment period will not be more than 10 years.

5.36 With a view to manage housing problem in urban areas, Government of India set up a Housing and Urban Development Corporation (HUDCO) in April, 1970 to finance and undertake, *inter alia* housing and urban development programmes, development of new satellite towns and setting up of building material industries. The types of schemes financed by the Housing and Urban Development Corporation as on 31-3-1980 are as given below :

Type of scheme financed

(Rs. in crores)

Types of Scheme	No. of Schemes	Loan sanctioned	Percentage
1. Urban Housing Schemes including plotted development	987	468·30	04·30
2. Urban Development Scheme	2	0·50	0·09
3. Staff Housing	62	42·41	7·64
4. Rural Housing	44	30·62	5·51
5. Site and Services	28	6·38	1·15
6. Cooperative Housing	23	5·40	0·97
7. Building materials	13	1·33	0·25
8. Private Builder	..	..	..
TOTAL	1,159	554·94	100·00

These 1,159 housing and building material schemes are spread over in 308 towns/cities in 17 States and 4 Union Territories and several villages in States of Andhra Pradesh, Gujarat, Karnataka, Kerala, Madhya Pradesh, Punjab, Tamil Nadu, West Bengal and 50 focal points in 12 districts of Punjab, as shown in following table :

State by State Statistical data

(As on 31-3-1980)

States/UTs	No. of Schemes	Cities covered	Project cost	Loan amount	Dwellings sanctioned numbers	Plots sanctioned
1	2	3	4	5	6	7
Andhra Pradesh	113	54	66·40	45·40	65,489	23
Assam	4	19	3·12	2·19	1,876	..
Bihar	20	14	25·93	18·30	10,494	3,045
Gujarat	173	32	122·04	74·54	97,789	2,974
Haryana	51	14	33·62	25·30	15,789	109
Himachal Pradesh	17	7	4·24	3·00	1,401	540
J & K	7	5	6·07	4·90	3,742	2,237
Karnataka	63	19	60·07	35·87	1,12,474	3,575
Kerala	38	8	44·13	27·56	64,043	36
Madhya Pradesh	89	19	39·57	30·82	20,849	17,289
Maharashtra	95	16	53·89	36·83	32,058	955
Orissa	34	7	21·33	16·04	11,507	792
Punjab	31	7	21·66	15·12	16,018	1,969
Rajasthan	91	16	55·81	41·83	32,753	675
Tamil Nadu	191	37	78·74	56·42	52,542	5,462
Uttar Pradesh	124	24	94·33	67·05	54,053	15,399
West Bengal	26	6	30·10	22·69	11,630	878
Union Territories:						
Chandigarh	13	1	16·40	11·88	7,415	2,712
Delhi	15	1	25·83	19·62	13,251	..
Goa, Daman & Diu	3	1	0·39	0·22	226	38
Pondicherry	1	1	0·24	0·17	149	..
TOTAL	1,159	308	803·91	554·94	6,24,667	58,707

While in 1971-72 only Housing and Development Boards were the major beneficiaries of HUDCO loans, today many more agencies are availing of HUDCO loan assistance. The details are given below :

Agency	% of loan sanctioned
Housing Boards	62·35
Slum Clearance Boards	2·28
Rural Housing Boards	0·68
Development Authorities	15·54
Improvement Trusts	1·90
Municipal Corporations	3·04
Public Sector	10.22
Private Sector	0·69
Primary Societies	0·91
Apex Societies	1·16
Others	1·23
	100·00

The contribution of HUDCO in housing sector has not been only quantitatively impressive. The total HUDCO loan commitment of Rs. 555 crores will enable construction of 6,20,056 residential dwellings, 4,617 non-residential buildings and development of 58,707 plots which will provide shelter to about 3.8 million people. About 9 out of 10 houses sanctioned by HUDCO are reserved for families with a monthly family income not exceeding Rs. 600. The details of category-wise residential dwellings sanctioned are as follows :

Category	No.	Percentage
E.W.S.	405,421	65%
LIG	134,897	22%
MIG	69,247	11%
HIG	10,485	2%
TOTAL	620,050	100%

5.37 Details of the implementation of housing programme in a few selected States/UTs are given in the following paragraph :

(i) *ANDHRA PRADESH*

According to the regulations, 15% of the houses offered for sale either by hire-purchase or outright sale in the LIG scheme are allotted by lots among applicants belonging to Scheduled Castes (12%) and Scheduled Tribes (3%). According to Andhra Pradesh Housing (Allotment, Management & Sale of MIG Houses) Regulations 1975, 15% of the houses offered for sale either by hire purchase or outright sale are reserved for allotment by lots among Scheduled Castes and Scheduled Tribes. Further, according to Andhra Pradesh Housing Board (Allotment and Sale of E.W.S.) Regulations, 1975, 18% of the houses offered for sale either by hire purchase or outright sale are reserved for allotment by lots among applicants belonging to Scheduled Castes (14%) and Scheduled Tribes (4%). The details of number of houses constructed/allotted under the LIG, and MIG schemes are given in the table below :

Scheme	No. of houses allotted			
	Scheduled Castes	Scheduled Tribes	Others	Total
LIG Scheme	40	11	333	384
MIG Scheme	20	5	124	149

(ii) *GUJARAT*

The State Government have informed that 10% of the houses/tenements are reserved for Scheduled Castes and Scheduled Tribes. The tenements/houses built up by the Gujarat Housing Board during the year 1978-79 and the tenements/houses allotted to the persons belonging to Scheduled Castes and Scheduled Tribes under various social housing schemes are given in the table below :

Division	Total No. of tenements constructed	No. of tenements allotted to Sch. Castes/ Sch. Tribes	%
1	2	3	4
Ahmedabad Division	1,344	101	7·51
Rajkot Division	1,566	60	3·83
Vadodara Division	420	42	10·00
TOTAL	3,330	203	6·10

(iii) *HARYANA*

The Haryana Housing Board have constructed 2233 MIG, 2794 LIG and 4938 E.W.S. houses. Out of them 32 houses of MIG (1.43%, 30 houses of LIG 1.07%) and 130 houses of E.W.S. categories (2.63%) have been allotted to Scheduled Caste persons. There is no separate reservation for Scheduled Tribes. 10% of the houses constructed under the scheme are allotted to Scheduled Castes. From this 19% and 1½% houses are reserved for blind and handicapped persons. During 1978-79, 301

houses of MIG, 1077 of LIG and 478 of E.W.S. were constructed, out of which 1 house of MIG (0.33%), 11 houses of LIG (1.02%) and 10 houses of EWS (2.09%) were allotted to Scheduled Caste persons. Similarly, 14 houses of MIG, 30 houses of LIG and 32 houses of EWS were constructed during 1979-80. Out of them only 1 house under EWS scheme was allotted to Scheduled Caste person (3.13%). It is noted from the above description that Scheduled Caste persons have not been allotted/provided houses as per reservation policy. It is necessary that reasons thereof may be examined.

(iv) *JAMMU & KASHMIR*

The Housing & Urban Development Department have not passed any Act for the provision of house-sites/conferring ownership rights on homestead land of Scheduled Castes. There is no separate scheme for housing of Scheduled Castes. Slum Clearance/Improvement Scheme is not being implemented in this State. There is a scheme for Industrial Workers and Economically Weaker Sections of society. No additional houses were constructed under this scheme during 1978-79.

(v) *KARNATAKA*

There is no statutory provision in the allotment regulations for reservation of houses to Scheduled Castes and Scheduled Tribes in Karnataka Housing Board. However, while allotting houses to the public, preference to Scheduled Castes and Scheduled Tribes in the form of reservation is kept in view and allotment made to the extent of 15% to Scheduled Castes and 3% to Scheduled Tribes. The table below gives the number of houses allotted to Scheduled Castes and Scheduled Tribes for the year 1978-79 and 1979-80 :

Year	Scheme	Total No. of houses during the year	No. of Houses allotted to Sch. Castes	Percentage	No. of houses allotted to Sch. Tribes.	Percentage
1	2	3	4	5	6	7
1978-79	*HUDCO*					
	EWS	315	18	5·7	2	0·6
	LIG	109	14	13·8	6	5·5
	MIG	53	4	7·5	..	..
	Total	477	36		8	
	NON-HUDCO					
	LIG	80	20	25·0	5	6·2
	MIG	2	1	50·0	..	..
	Total	82	21		5	
	Grand Total	559	57	10%	13	2%
1979-80	*HUDCO*					
	EWS	241	36	14·9	1	0·5
	LIG	349	72	20·6	2	0.5
	MIG	10	19	13·5	3	2·1
	Total	730	127		6	
	NON-HUDCO					
	EWS	35	8	22·8	..	..
	LIG	34	20	58·8	3	8·8
	MIG	..	..	..	..	..
	Total	69	28		3	
	Grand Total	799	155	19%	9	1%

It is seen from the above table that the Scheduled Castes and Scheduled Tribes put together have drawn proportionate benefits during 1979-80 as compared to 1978-79.

(vi) *MADHYA PRADESH*

The scheme is implemented by Housing & Environment Department. Details of allocation and number of houses under different categories were as below :

Name of Scheme	Allocation (Rs. in lakhs)	No. of Houses constructed
1. EWS	68.00	500
2. LIG	37·50	154
3. MIG	37·50	105
4. HIG	..	..
Total	142·00	759

No reservation has been made for Scheduled Castes and Scheduled Tribes but no Scheduled Caste/Scheduled Tribe person who has registered for any type of houses has been refused the house. Details of number of houses allotted to Scheduled Castes and Scheduled Tribes are as below :

Type of house allotted	Houses taken by Sch. Castes	Houses taken by Sch. Tribes
EWS	8	4
LIG	2	..
MIG	2	..
Total	12	4

(vii) *MIZORAM*

No provision was made for EWS and MIG houses except LIG and MIG houses. During 1979-80 under LIG scheme financial allocation was Rs. 3.00 lakhs and 21 individuals were benefited. Under MIG scheme financial allocation was Rs. 3.00 lakhs and 21 individuals were benefited.

(viii) *SIKKIM*

The Government have not maintained details of allocations and number of houses constructed under EWS, LIG, MIG and HIG, schemes. There is also no provision for reservation for Scheduled Castes and Scheduled Tribes in the allotment of houses.

(ix) *ARUNACHAL PRADESH*

The Union Territory of Arunachal Pradesh provide subsidy to the extent of 20% of the cost of construction of house or Rs. 2000 whichever is less to individual tribal person for constructing the houses. During 1979-80 a sum of Rs. 15.00 lakhs was the anticipated expenditure against the target of construction of houses.

(x) *CHANDIGARH*

The scheme is implemented by Chandigarh Housing Board. Only built-up houses are allotted by the Board on hire-purchase basis. These are constructed on the developed land purchased from the Administration. According to regulations of the Board there is a reservation of 12½% of the total dwelling units/plots in each category in favour of the applicants belonging to the Scheduled Castes and Scheduled Tribes.

(xi) *GOA, DAMAN & DIU*

The scheme is being implemented by the Goa, Daman & Diu Housing Board. The Board has reserved 2% and 1% the houses/flats and plots of land built for Scheduled Castes and Scheduled Tribes, respectively. During 1979-80, the Housing Board has allotted two houses to these persons. Besides, one person belonging to Scheduled Caste who has registered for plot scheme of the Board would also be helped.

(xii) *LAKSHADWEEP*

There are no urban areas in this Union Territory and the information is, therefore, nil.

5.38 The following recommendations are made :

1. 50% of the surplus land under the Urban Ceiling Legislation may be earmarked for Scheduled Castes and Scheduled Tribes.

2. The pockets having concentration of Scheduled Castes and Scheduled Tribes in the urban areas and industrial towns may be identified and a master plan prepared for their development.

3. The State Housing Boards, Improvement Trusts and development authorities should make efforts in a cohesive manner and plan out housing programmes in a more rational manner so that the most vulnerable among the weaker sections get priority.

ELECTRIFICATION OF SCHEDULED CASTES BASTIS AND SCHEDULED TRIBES HAMLETS

5.39 As on 1-10-1977 only 36% of Indian villages had been electrified and the coverage varied from 3.9% in Mizoram to 100% in Punjab, Haryana and a few other areas. The Govt. of India proposed to electrify another 1,02,698 villages so as to cover 50% of the villages by 1988 in remaining States/U.T.s. With a view to provide financial assistance for rural electrification in the country, Rural Electrification Corporation was set up in 1969. During 1974-78, 80,000 villages were electrified and 9 lakh pump sets energised. It is proposed to cover another one lakh villages and 20 lakhs pump sets during 1978-83. This also includes a coverage of about 40,000 villages under the Revised Minimum Needs Programme. The rural electrification projects in the areas covered by the Revised Minimum Needs Programme are treated as a separate category and are eligible for the relaxed terms and conditions. Other activities undertaken by the Rural Electrification Corporation are following :

(a) Providing smaller loans for the benefit of small isolated pockets including health centres, growth centres and industrial centres.

(b) Special Project Drinking Water.

(c) Special Project Agriculture.

(d) Extension of electric connections in homes to encourage adult education programmes.

From its inception in the year 1969-70 to 1979-80 and upto 31-10-1980 the REC has sanctioned 3723 schemes involving a total assistance of Rs. 1,28,660 lakhs in 21 States (it includes 660 schemes involving loan assistance of Rs. 34,919 lakhs sanctioned under the Revised Minimum Need Programme/Minimum Needs Programme). These 3723 schemes envisage electrification of 1.79 lakh villages, energisation of 14.16 lakh pumpsets and 1.80 lakh small industries, provision of electricity for 41.40 lakh domestic/commercial services and street light connections (9.18 lakhs). Wherever provision is made for street lights in the main villages, it is ensured that adjoining Harijan Bastis are also covered. Besides, the rural electrification schemes approved by the Corporation include 214 schemes for extension of electricity to 15167 such Scheduled Caste Bastis where adjoining main villages have already been electrified earlier. Of these, 9073 Scheduled Caste Bastis have been electrified so far. During 1979-80 the R.E.C.'s contribution in the Backward and Tribal Areas and Scheduled Caste Bastis was encouraging. Consistant with its basic approach of helping a faster rate of development in relatively more disadvantaged areas, the REC continued to give special consideration to the rural electrification projects of backward and underdeveloped areas. The projects approved during the year include 353 projects involving loan assistance of Rs. 147.45 crores in the backward and underdeveloped areas. In addition, all the 13 Special Transmission (ST) projects approved during the year were, for feeding rural electrification projects in backward areas. The projects approved in the backward areas include 87 projects involving loan assistance of Rs. 47.09 crores for the areas predominantly inhabited by tribal population. These projects aim at electrification of 7880 villages and provision of services connections to 10931 agricultural pumpsets and 3064 small industries. The Corporation continued to give special attention to electrification of Scheduled Caste Bastis. In the projects approved during the year 1979-80, wherever a provision was made for street lights in main villages, adjoining Harijan Bastis were also included. Besides, the Corporation approved 78 special proposals involving loan assistance of Rs. 2.41 crores for electrification of Harijan Bastis adjoining villages already electrified earlier. These proposals envisage electrification of 3277 Scheduled Caste Bastis and provision of 19936 street lights in these Bastis.

5.40 Details regarding Area/Category-wise position of Rural Electrification Corporation Projects approved and loans sanctioned during 1979-80 and projects approved and financial assistance sanctioned in Tribal Areas during 1979-80 are given at Annexures III & IV.

Implementation of Rural Electrification Programme :

5.41 All villages in Punjab State and U.T. of Pondicherry have been electrified. In Himachal Pradesh all the villages except Scheduled Caste Bastis having less than six houses and those hamlets which are far away from the L.T. lines have also been electrified. Number of villages electrified so far in Gujarat, U.P., Haryana and Mizoram are 10867 out of 18275, 38,883 out of 1,12,561, 6731 and 26 out of 229, respectively. During 1979-80 the work was carried in 1005 villages of Andhra Pradesh, 783 of Karnataka, 1549 of Meghalaya and 9 of Lakshadweep. As regards providing street lights in the Scheduled Caste Bastis 100% coverage has been achieved in Tamil Nadu (25,526 colonies covered as on 1-4-79). The number of colonies so far covered for street lighting in Uttar Pradesh is 13,958, Gujarat 6199, Andhra Pradesh 1954, Karnataka 361, and Haryana 330. Government of Haryana have informed that remaining 14 Harijan Bastis would be covered soon. With regard to electrification of Tribal hamlets it has been reported that 264 villages and 40 hamlets in Andhra Pradesh, 17 in Karnataka and 50 in Nagaland have been provided with electric connections. Government of Punjab have formulated a scheme to go a step ahead in this direction i.e. by energization of the wells/pumping sets and replacement of diesel engines by electric motors, electrification of post harvest operations and

cottage and small scale industries and more intensive coverage of rural households including Scheduled Caste Bastis. The facilities extended by the Government of Madhya Pradesh in the backward areas are that for Scheduled Caste/Scheduled Tribe agriculturists owning land upto 10 acres, the concession in service connection security deposit and payment of electricity bills are as under:

(i) For irrigation pump the expenditure which is Rs. 300 for general consumers shall be Rs. 150 for SCs and STs at the time of initial connection and the remaining amount would be payable within one year of taking connection.

(ii) Security deposit would be only 1/3rd of that realized from the general consumers i.e. at Rs. 10 per A.S. rate.

(iii) In the first year of connection only half the amount of the total bill shall be payable immediately, the remaining amount would be payable in 4 years in equal monthly instalments.

With regard to domestic connections the following concessions to SC/ST are allowed:

(i) Formerly the service connection charges were Rs. 125. Now these have been reduced to Rs. 75.00 for Sub-Plan areas and Rs. 90 for other areas.

(ii) Security deposit is only Rs. 10.

(iii) For SC/ST consumers in Sub-Plan areas service connection charges of Rs. 75 and security deposit of Rs. 10 shall not be realised. The fitting charges of one light point which is Rs. 19.80 shall be realised by the Board in 12 instalments of Rs. 1.65 each. For only one light point no metre would be required and they would be charged Rs. 1.35 per month only.

The following concessions to all those SC/ST consumers who come under R.E.C./M.M.P. scheme outside the Sub-Plan areas are provided:

(i) They would be charged Rs. 90 as connection charges and Rs. 10 as security and the Board would do internal fittings upto 1 point for Rs. 20 only. Thus they would have to pay Rs. 10 per month for 12 months to cover the cost of fittings etc.

(ii) For one light point they would be charged Rs. 1.35 per month only.

JANATA SERVICE CONNECTION SCHEME/BHAGYA JYOTI SCHEME

5.42 The scheme envisaged electrification of poor households belonging to economically poorer sections of society by providing a bulb connection in the villages already electrified. In Karnataka each beneficiary has to bear Rs. 1.50 per month, towards energy charges and the balance Re. 1 is subsidised by the Government. During 1979-80, a provision of Rs. 50 lakhs was made for helping 20,000 persons and it has been reported that 15,920 persons have already been supplied with one bulb connection during the year. The Government of U.P. have proposed to extend this facility to 5476 domestic connections.

Maintenance of Street Lights

5.43 It has been reported that charges on the consumption of electricity are met in most of the States/U.T.s by the Municipal/Local Body/Commune/Panchayats. In Mizoram, of course, the charges are borne by the Government in the Department of Locak Administration Town Planning and Housing. In Karnataka the State Government have clarified that the cost on this item can also be adjusted against land revenue grant payable to village panchayat or it can be charged to Social Welfare Department. In Haryana although the cost is borne by the Local Body/Panchayat each rural consumer has to pay Rs. 1.00 p.m.

Constraints

5.44 The Government of UP have stated that Scheduled Caste Bastis of 3173 already electrified villages have not been attended so far for want of funds. The funds required for this purpose would be Rs. 150.65 lakhs. Additional sum of Rs. 7.11 lakhs is required to provide 5470 domestic connections to SC/ST persons. In Mizoram, the electrification work could not make much headway for want of steel section and hot rolled coil for the manufacture of Steel Tabular Pole from the Steel Authority of India and E.C. Grade alluminium for manufacture of conductors. Restriction in railway booking is another factor for non-availability of all construction material. The Government of Meghalaya have reported that they were short of engineers and technical staff as well as material for works in order to execute the programme. The Government of Himachal Pradesh have informed that they require Rs. 512 lakhs for undertaking remaining work of erection of lines and provision for domestic consumption.

5.45 The following recommendations are made:

(1) Allocations under Revised Minimum Needs Programme for Rural Electrification may also be made in respect of all those States which have been categorised as advanced 'Stages' in the matter of Rural Electrification and which do not qualify for allocations under the Revised Minimum Needs Programme for electrifying remaining Scheduled Caste Bastis of already electrified villages.

(2) The Government of Punjab may be provided additional funds (from sources other than the Rural Electrification Corporation) for enlarging the scope of giving additional tubewell connections to Scheduled Castes and Scheduled Tribes.

(3) With a view to subsidise the electrification of left out Scheduled Castes Bastis the Government of Himachal Pradesh have taken following decisions during 1980-81 :

(a) internal wiring would be done in 2,000 Scheduled Castes houses at a cost of Rs. 4 lakhs.

(b) the Scheduled Castes consumers shall not be charged any tarrif for first 10 units per month for a period of two years.

(c) the amount of security which is normally required to be deposited by the consumers will be paid by the Government of Himachal Pradesh.

The Commission recommend that State Governments/Union Territory Administrations (other than Himachal Pradesh) should also consider the desirability of : (1) subsidising the cost of internal wiring of Scheduled Castes houses, (2) depositing the amount of security on behalf of the Scheduled Caste persons, and (3) bearing half the tarrif cost of the consumption of the electricity. (4) Haryana State Electricity Board has implemented a scheme to provide domestic connections to about 20% of the total number of dwellings in the Scheduled Castes Bastis every year. The Commission recommend that the Electricity Boards in other States/Union Territories should similarly follow the example of Haryana State Electricity Board so that domestic connections could be provided to all the Scheduled Castes houses in a period of 5 years. This would, of course, apply to only those villages where electrification is extended in the next five years and would be subject to specifications regarding the fitness for electric connections as laid down by the respective State Electricity Boards for the electrification of the dwellings/houses.

SOCIAL WELFARE

5.46 The main aim of providing welfare services is to promote the care of the needy and vulnerable sections of the society and, therefore, it should be ensured that they have the first claim in the share of welfare schemes. The Social Welfare Schemes implemented by the Ministry of Social Welfare include the following main items :

(1) Integrated Child Development Services.
(2) Nutrition Programme.
(3) Woman Welfare.
(4) Family & Child Welfare.
(5) Welfare of Handicapped.

The Ministry of Social Welfare, Govt. of India have informed that they have no scheme exclusively meant for the Scheduled Castes and Scheduled Tribes. The Social welfare schemes implemented by the Ministry are primarily directed towards the most disadvantaged sections of society, in particular the socially and physically handicapped sections, including Scheduled Castes and Scheduled Tribes. It is not feasible to demarcate one beneficiary from the other in the grant of benefits of Social Welfare Schemes. However, every effort is made to ensure greater flow of benefits to the Scheduled Castes and Scheduled Tribes. The nature of work and the design of implementation make it difficult to have horizontally different schemes separately for SCs and STs. The basic consideration for all social welfare schemes is to see that benefits flow to the disadvantaged sections of the society including SCs and STs. It may not, therefore, be feasible to earmark outlays under Social Welfare or to have separate budget sub-head, as it is difficult to demarcate one beneficiary from the other, in the case of deprived sections of society. 200 ICDS Projects (105 rural, 67 tribal and 28 urban) have been sanctioned. These projects are implemented through the State Governments and U.T. Administrations. These projects are located in the Community Development Blocks in rural areas, tribal development blocks in predominently tribal areas and wards or slums in urban areas. In the scheme of working women's hostel under which grants are given to voluntary organisations, it has been stipulated that 15% and 7½% of seats will be reserved for SCs and STs, respectively. Most of the programmes of the Ministry of Social Welfare are implemented through the voluntary organisations. If more proposals are received from voluntary organisations for implementing the schemes in tribal areas and in places predominently inhabited by SCs, it will facilitate the flow of greater benefits to them.

CHILD DEVELOPMENT

5.47 Integrated Child Development Service scheme has been providing immunisation, health check up, referral services, nutrition and health education for pre-school children. During 1979-80 there were 150 projects in the country (24 in urban areas, 72 in Rural and 54 in Tribal areas) as per following details :

	No. of Projects in each state
1. Bihar, Uttar Pradesh . . .	10
2. Andhra Pradesh, Madhya Pradesh, Maharashtra, West Bengal	9
3. Karnataka, Orissa	8
4. Gujarat, Kerala, Rajasthan . .	7
5. Assam.	6
6. Haryana, Punjab, Delhi . .	5
7. Himachal Pradesh, Jammu & Kashmir, Manipur, Meghalaya, Nagaland, Tamil Nadu, Tripura, Arunachal Pradesh	3
8. Sikkim, Andaman & Nicobar Islands, Goa, Daman & Diu, Mizoram	2
9. Dadra & Nagar Haveli, Lakshadweep, Pondicherry, Chandigarh .	1

During 1980-81, the number of ICDS projects was raised to 200 (100 rural, 67 tribal and 33 urban).

5.48 The working of these projects in a few selected States/UTs is as given below :

(i) *ANDHRA PRADESH*

A number of schemes like sowing, basket-making, dress making etc., have been under implementation through women Welfare Corporation. 3 Women Welfare Centres and 6 Family and Child Welfare Centres were maintained with an outlay of Rs. 0.63 lakh and Rs. 0.62 lakh respectively during the year 1979-80.

(ii) *UTTAR PRADESH*

Under the scheme meant for children of 0-6 years of age, pregnant and nursing mothers each beneficiary is given 10 to 12 Ozs protein and 300 calories worth of nutrition at a cost of 25 to 30 paise each. This is given for 25 days in a month and 300 days in a year. The entire expenditure is borne by the State Government.

(iii) *LAKSHADWEEP*

One integrated Child Development Services (Tribal) Scheme has been started under Central Sector in the U.T. and a local girl, who is a post graduate and also a Scheduled Tribe, has been appointed as Child Development Project Officer to implement the Scheme.

(iv) *GOA, DAMAN & DIU*

The scheme was started from the year 1979 in the Bicholim block. The scheme was further extended to 2 more C.D. Blocks, viz., Pernem and Sanguem. Under the scheme 79.63 and 54 Anganwadis Centres were opened and preference is always given to open these Centres in those localities where there is a concentration of Scheduled Castes population.

5.49 *Functional Literacy*

The implementation of the scheme in a few selected States/UTs was as given below :

(i) *PUNJAB :* It is proposed to launch a massive programme under Adult Education costing Rs. 19.97 lakhs for the year 1979-80 is as below :

(i) Literacy in rural areas (non-formal education age group 15—35 years)	Rs. 16·87 lakhs
(ii) Production of literature (follow up material)	Rs. 0·80 lakhs
(iii) Libraries	Rs. 2·30 lakhs
Total	Rs. 19·97 lakhs

(ii) *UTTAR PRADESH :* The adult literacy programme started in the year 1978-79 covers persons in the age group of 15 to 35 years. The persons imparted literacy during 1978-79 and 1979-80 were as below :

1978—79	1·41 lakhs
1979—80	1·19 lakhs
Total	2·60 lakhs

During 1979-80, 32 schemes covering 2 blocks each in 32 districts with 300 centres each were being run with the assistance from Government of India. Upto 31st March, 1980 the beneficiaries for this programme in the age-group from 15 to 35 years were as below :

1. No. of Centres	3,655
2. No. of beneficieries	91,865 (out of this 30,762 SC and 1150 ST)

It will be seen that the programme has a limited coverage in the State.

(iii) *NAGALAND :* The scheme of functional literacy for adult women is being implemented in 3 blocks.

(iv) *LAKSHADWEEP :* 47 functional literacy classes for adult women are functioning. Besides literacy, sewing, embroidery and other plastic crafts are also taught to the ladies attending the functional literacy classes. The total number of enrolment in this programme is 683.

(v) *GOA, DAMAN & DIU :* The programme is being implemented in two community development blocks, viz., Pernem and Bicholim under the Integrated Child Development Services scheme and will be extended to Sanguem block also which is covered under I.C.D.S. Project.

5.50 The Commission make the following recommendations :

(1) Considering the sizeable population of Scheduled Castes in Tamil Nadu number of ICDS Projects may be raised from 3 at present to at least 5.

(2) (a) Guiding factors while selecting the location of Integrated Child Development Projects in rural areas should be :

(i) 20% or more Scheduled Caste population in a block.

(ii) Sizeable population of those engaged in unclean occupations.

(iii) Areas where wages to agricultural labourers are paid much below the schedule prescribed under the Minimum Wages Act, and where concentration of people below the poverty line is more.

(iv) Areas where incidence of child mortality is high.

(b) In addition while selecting the location of Integrated Child Development Projects in tribal areas the following guidelins should also be kept in view :

(i) 50% or more Scheduled Tribes population.

(ii) Area where tribals suffer from peculiar diseases and where incidence of child mortality is high.

5.51 The Commission are in full agreement with the recommendations made in the conference of State Social Welfare Ministers and Secretaries held on Sept. 21-22, 1979 that "Integrated Child Development Services" programmes should be quickly expanded to cover at least the backward and tribal areas of the country in the next two or three years.

CRECHES

5.52 Under the scheme of creches for children of working and ailing women arrangements were made to accommodate 50,000 children in the country. In Andhra Pradesh, there were six Family Child Welfare Projects. Under these main centres Bala Vikas Kendras were maintained at five sub-centres in tribal villages. The activities of the Bala Vikas Kendras included running of creches for infant babies of working mothers belonging to tribal community. An amount of Rs. 6,000 was spent under this scheme. In Uttar Pradesh the State Social Welfare Department is running Balwadi/Child Centres at Lucknow, Kanpur, Allahabad, Varanasi and Agra for the children of sweepers (in sweepers' colony) falling in the age-group of 0 to 6 years. In these centres the mothers can leave their children while going on to their work. To look after the health and education of the young ones, 4 Centres are at Lucknow, 2 each at Kanpur, Varanasi, Allahabad and Agra have been set up. The strength of each centre is 25 children. A sum of Rs. 2.50 lakhs was spent on the above 12 centres which benefited 300 children. In Nagaland, voluntary organisations are running 12 creches. The scheme has not so far been implemented in the UTs of Goa, Daman and Diu and Lakshadweep.

5.53 It is recommended that creches may also be set up by other States/UTs in the Harijan Bastis and near the sites of major industrial and Irrigation Projects so that tribal women take advantage thereof. As each crech unit employs 2 Ayahs/helpers, it is recommended that one of them must be recruited from among the Scheduled Castes/Scheduled Tribes.

SPECIAL NUTRITION PROGRAMME

5.54 The scheme covered 90 lakhs beneficiaries during 1979-80. Special attention was paid to the areas affected by drought for the benefit of the aged, the infirm, the handicapped, pre-school children and pregnant and nursing mothers from the weaker sections of society. Balwadi Nutrition Programme executed through voluntary organisations covered nearly 2.3 lakhs children. These programmes require the services of Balsevika and a helper. It is, therefore, suggested that adequate representation may be given to Scheduled Caste/Scheduled Tribe women in employment to such services.

5.55 The implementation of this scheme in a few selected States/UTs was as given below :

(i) *ANDHRA PRADESH*

The Special Nutrition Programme is functioning in 21 districts to cover all children below 6 years of age and lactating and pregnant mothers. In all the centres local food was served as prescribed by National Institute of Nutrition, Hyderabad to the tribal children upto the year 1976. From the year 1976 the local food was substituted by CARE food. There were 4,000 Special Nutrition Centres covering 2,50,000 beneficiaries with an expenditure of Rs. 122.65 lakhs during the year 1979-80.

(ii) *UTTAR PRADESH*

The special nutrition programme is being implemented in 13 plain areas and 2 hill areas of the State to cover the children belonging to backward classes, pregnant and nursing mothers. The scheme is being run by Education Department. About Rs. 1.52 lakh children of backward classes, pregnant and nursing mothers were benefited. The Education Department is also running mid-day meal programme in 42 districts for the boys and girls belonging to weaker sections getting education in primary schools. Rs. 9.93 lakhs children got benefit of this programme.

(iii) *PUNJAB*

The programme seeks to tackle the problem of malnutrition at its very roots by taking care of the expectant and nursing mothers and to pre-school children of weaker sections in the age-group of 0-6 years. In 1979-80 an outlay of Rs. 15.00 lakhs was provided to cover 16,000 beneficiaries in the five districts.

(iv) *NAGALAND*

551 fending centres have been set up for the benefit of children, expectant and nursing mothers. The Centres are scattered in rural areas.

(v) *LAKSHADWEEP*

This programme is being implemented in all the islands. The number of beneficiaries are as given below :

Mothers	1310
Children	3690
Total . .	5000

(vi) *GOA, DAMAN & DIU*

The Special Nutrition Programme is implemented through Family and Child Welfare Centres in 7 out of 12 blocks of this U.T. The beneficiaries are provided with nutritious food cooked out of locally available food. Due preference is given to SC/ST persons in this scheme.

BAL SEVIKA TRAINING

5.56 There are 36 Bal Sevika Training Centres in the country. It is recommended that additional Training Centres may be set up in those districts which have sizeable SC/ST population and 50% seats may be reserved for women belonging to SC/ST communities in such centres.

WORKING WOMEN'S HOSTELS

5.57 There are 178 such hostels in the country which have the capacity to accommodate 12,273 persons. During 1979-80, Rs. 45.51 lakhs were released to 15 States/UTs in the following manner :

Name of State/UT	Amount allotted
(1) Kerala	Rs. 10 lakhs and more
(2) Gujarat, Punjab & Uttar Pradesh	Rs. 5 to 10 lakhs each
(3) Madhya Pradesh, Maharashtra, Goa, Tamil Nadu . .	Rs. 2 to 5 lakhs each
(4) Andhra Pradesh, Bihar, Karnataka, Meghalaya . . .	Rs. 1 lakh to 2 lakhs each
(5) Orissa, West Bengal, Arunachal Pradesh . . .	Less than Rs. 1 lakh, each

It is inferred from the above description that educated women from the educationally advanced States serving on white collar jobs draw more advantage out of this scheme as compared to SC/ST women among whom literacy rate is lagging far behind the general women. It is, therefore, recommended that remaining 16 States/UTs, specially Rajasthan, Haryana and Pondicherry which have sizeable Scheduled Caste population may also be considered for opening of working women's hostels. A beginning may also be made to construct temporary sheds/hostels for other women who perform occupations other than white collar jobs and who migrate in search of employment to urban areas/big industrial/irrigation projects. Time and again it is reported in the press that tribal and rural women in search of employment are harassed by the contractors. The Ministry of Social Welfare are requested to examine the need of women in this field.

Production Units for Women

5.58 During 1979-80, 660 units were set up to benefit about 8,400 women by imparting initial training and subsequently giving employment opportunities. It is recommended that occupations suited to Scheduled Castes and Scheduled Tribes may also be introduced in this programme and a few centres may be opened in tribal areas and Harijan Bastis.

Condensed Courses of Education for Adult Women

5.59 Nearly 13,000 women were benefited out of this scheme covering 564 courses. Information regarding SC/ST beneficiaries is not available.

Functional Literacy of Adult Women

5.60 The programme for women in the age-group of 15-45 years is executed through 4,865 centres in 87 ICDS project areas. The work done in the field of women welfare by a few selected States/UTs during 1979-80 is as given below :

(i) *PUNJAB*

Financial assistance was made available at the rate of Rs. 50 per month to widows and destitute women below the age of 60 years, who have been left without any means of subsistence after the death of the husband or who have been deserted by their husbands or whose husband is physically or mentally incapable of earning a livelihood. An outlay of Rs. 12.66 lakhs was earmarked for 1979-80 to cover the 2,500 new beneficiaries. It is recommended that this scheme could also be accepted by other States/UTs and a beginning may be made by helping the SC/ST women falling in this category.

(ii) *UTTAR PRADESH*

For improving the economic conditions of women living in hill areas, a model training centre was established in Uttar Kashi. Sanctioned strength of this Centre is 50 and it is a non-residential institution. The inmates are given training in knitting, blanket and duree making. In return of their labour, they are paid according to work done by them. During 1979-80, 15 women availed of the benefit from the centre.

To check prostitution among Scheduled Tribe women of the hill areas, "Nari Niketans" have been opened in Naogaon Block of Uttar Kashi, Dehradun and Tehri Garhwal districts. The sanctioned strength of each centre is 50. The inmates are provided food, clothes etc. They are also given training in knitting, embroidary, blanket and duree making. The training period is of 9 months duration.

Experimental Centre Scheme

During 1973-74, training camp was organised at Jan Vidyapeeth at Haldwani for Tharu and Buxa women residing in Khateme/Bazpur of Nainital district where the prime demand of the women was for imparting training in tailoring

for a period of 9 months and to earn also while undergoing training. The actual progress during 1979-80 is indicated below :

Sl. No.	Details of Scheme	Actual progress during 1979-80
(1)	No. of trainees . . .	25
(2)	No. of women trainees earning during training	..
(3)	Amount earned through labour	Rs. 3,950
(4)	No. of earning women before training	41
(5)	Amount earned through labour	Rs. 3,000

As the training centre is functioning since 1973-74, it is no more an experimental centre. It is, therefore, recommended that it should be treated as a normal centre for tribal women. During 1975-76 a tailoring centre was established at village Natkur under Sarojini Nagar Block, Lucknow district for imparting training to Scheduled Caste women and those belonging to backward classes. During 1979-80, training was given to 22 women. Such centres may be opened in other districts also.

(iii) *NAGALAND*

To impart training to needy rural women in knitting and tailoring 10 women welfare centres have been set up.

(iv) *LAKSHADWEEP*

A State level committee for implementation of national plan of action for women was constituted. Special emphasis is given for the welfare, education and health of women. 47 functional literacy classes for adult women were organised under ICDS scheme. Special training classes in sewing, tailoring and embroidary were started in the Mahilasamajams. Sewing machines, musical instruments, sport articles, furniture, periodicals and radio sets were supplied to the Mahilasamajams. Lady village Extension Officers in the Islands worked for the promotion of health and hygiene among women. Lakshadweep State Social Welfare Advisory Board in commemoration of International Women's Year implemented following programmes for the welfare of development of women :

(i) Counselling workshop for women.

(ii) Border Area Projects.

(iii) Study tours for women.

(iv) Printing press and binding units.

Various training courses suited for ladies, such as, training in tailoring, Balsevika, printing and binding were arranged with a view to provide self employment.

Family and Child Welfare

5.61 Six Family and Child Welfare Centres are located at Delhi, Allahabad, Baroda, Gandhigram (Indore), Sriniketan and Gauhati. It is suggested that a Centre each may also be set up in Bihar, Orissa, Karnataka and Kerala which have sizeable population of Scheduled Castes and Scheduled Tribes. The work done in this regard in a few selected States/UTs is given below :

(i) *PUNJAB*

The Orphan and destitute children were provided financial assistance at the rate of Rs. 50 per month per child. Under the scheme of "Assistance to dependent children" a sum of Rs. 10.00 lakhs was provided to cover 2,000 beneficiaries. A provision of Rs. 5.00 lakh was made for construction of a new building during 1979-80 at Hoshiarpur where destitute children, deliquents and social drop-outs between the age of 8—16 years are admitted for education and vocational training.

(ii) *NAGALAND*

To provide recreational facilities to children, 10 recreation centres have been set up in rural areas. To provide entertainment to children, a mobile publicity unit is proposed to be set up for regular screening of children films throughout the rural areas of the State.

(iii) *GOA, DAMAN & DIU*

There are 12 Family and Child Welfare projects i.e. one each in 12 community blocks in this U.T. Under the schematic pattern of these projects. there are 8 sub centres and one Grih Kalyan Kendra in each block. The activities carried out are Balwadi programmes and recreational activities for children from 6—12 years, whereas, 10 Grih Kalyan Kendra Camps are conducted during a year of 15 days duration each for 15 women trainees. No discrimination is made in extending these activities to the Scheduled Caste/Scheduled Tribes population.

5.62 Although the main aim of providing welfare services is to cover the needy and vulnerable sections of society, the Ministry of Social Welfare have not formulated any guidelines to ensure adequate flow of funds towards the Scheduled Castes and Scheduled Tribes, who are weakest and vulnerable groups. Following recommendations are, therefore, made :

1. Adequate number of schemes may be formulated and executed in the Tribal Sub-Plan Areas and Blocks having 20% Scheduled Caste population.

2. In all the training programmes, Scheduled Castes and Scheduled Tribes may be selected in proportion to their population in the States/Union Territories.

3. While giving employment as Ayah and Helper and alike services atleast 50% posts may be filled from among the Scheduled Castes and Scheduled Tribes.

4. Pension scheme for old and infirm and handicapped persons belonging to Scheduled Castes and Scheduled Tribes may be introduced on priority basis.

5. Working Women's Hostels may also be set up for non-white collar job employees in areas which attract labour from rural and urban areas.

Role of Voluntary Agencies

5.63 Voluntary Agencies either constituted by the Scheduled Castes/Scheduled Tribes themselves or by others to work among them go a long way in not only providing socio services of various types, but also creating social awareness, training persons belonging to these sections in welfare work and covering areas, which are mainly neglected by the official agencies due to a lack of missionary zeal, inaccessibility etc. The Government of India have been providing grants to a number of voluntary agencies of All-India character for undertaking activities connected with educational and social development among Scheduled Castes and Scheduled Tribes. During 1979-80, 23 voluntary organisations were given grant-in-aid amounting to Rs. 87.56 lakhs. Besides, the State Governments have also undertaken schemes in this direction in their plan. Mentionable work has been done by the voluntary agencies in the field of pre-primary education, maternity and child welfare, providing health care schemes in selected areas, education etc. The Commission are of the view that in view of the overwhelming advantage of voluntary participation in a variety of programmes connected with Social Development, including improvement in living conditions of sweepers and scavengers, the Government of India should provide more grants to selected voluntary agencies for undertaking such activities. Efforts should be made to pick up good voluntary agencies even if they are having State level base and encourage them to expand their activities in other States and areas.

Developing Awareness Through Mass Media

5.64 Mass-media like AIR and Television have a very vital role to play in social development. The poor Scheduled Castes and Scheduled Tribes persons can hardly afford to have these facilities in their houses. Hence they need to be provided with a view to providing education and encourage integration of the Scheduled Castes and Scheduled Tribes with other sections of the society and also with a view to removing untouchability, television/radio sets both in urban and rural areas, where these programmes can reach should be provided. All India Radio and Doordarshan should arrange for special educational programmes which should propagate integration and removal of untouchability. Television sets should normally be installed in Scheduled Castes and Scheduled Tribes localities and non Scheduled Castes and non-Scheduled Tribes may also avail of this facility. The Commission forwarded the above recommendation to the Ministry of Information and Broadcasting and the Ministry of Home Affairs in May, 1979, who informed the Commission that in so far as community listening sets are concerned the responsibility for the installation and maintenance of radio sets is with the State Governments. As regards T. V. sets they have stated that the selection of sites for their installation is the responsibility of the State Governments irrespective of the fact whether the sets are procured by the Central/State Governments. The Ministry of information and Broadcasting addressed a letter to Governments of Madhya Predesh, Rajasthan, Bihar, Orissa, Andhra Pradesh, Karnataka, Jammu & Kashmir, Delhi Administration, Maharashtra, Tamil Nadu, West Bengal, Uttar Pradesh, Haryana and Punjab requesting them to keep in view the recommendations made by the Commission. Regarding the recommendations for arranging broadcast/telecast of special programmes, the Ministry of Information and Broadcasting had passed on the Commission's recommendations to the Director General, All India Radio and Director General, Doordarashan for appropriate action.

5.65 In response to the above some of the State Governments/UT Administrations have taken the following actions.

(i) *ANDHRA PRADESH*

The Government of Andhra Pradesh have stated that instructions have been issued to all Municipal Corporations in the State to keep the Commission's recommendations in view while locating Television/Radio sets within their jurisdiction.

(ii) *MADHYA PRADESH*

The Government of Madhya Pradesh is implementing the scheme of installation of community listening/viewing sets in SC/ST localities. So far, 2740 Adivasi Panchayats out of 4500, have been provided with Radio sets.

(iii) *KERALA*

State Public Relations Department has drawn up a scheme for the grant of subsidy to Panchayats for purchase of and installation of radio sets in areas where SC/ST are in a majority. According to the scheme, a Panchayat is eligible to get subsidy for not more than two radio sets at a cost of Rs. 500 per set or the actual cost whichever is less. During 1979-80, a total amount of Rs. 43,513.30 was spent on this scheme for a total number of 102 sets to 84 panchayats. This scheme is a continuing one in this State.

(iv) *UTTAR PRADESH*

The Government of U.P. have intimated that due to the paucity of funds it is not possible for them to consider the proposal of the Commission to provide TV/Radio sets in SC/ST localities.

(v) *ANDAMAN & NICOBAR ISLANDS*

There is no scope for television coverage in this U.T. since Doordarshan Station has not yet been established. However, a 4-band radio set for Onges at Dugong Creek, three community listening sets for Nicobarese in Nancowries group of Islands and two sets for Nicobarese at Car Nicobar have been provided. The U.T. have, further, mentioned that Television coverage at Car Nicobar is possible provided a local transmission is installed.

(vi) *DADRA & NAGAR HAVELI*

All the Panchayats in this U.T. are equipped with Television sets and radio sets, provided by the Administration.

(vii) *LAKSHADWEEP*

This U.T. have provided Radio sets to the Community Centres in all the 10 Islands.

(viii) *MIZORAM*

The U.T. have stated that in view of the active counter-insurgency, publicity being taken up by the Government and in view of the geographical isolation and general ignorance of Mizo people about what is happening in other parts of India, Radio is one of the best means of forging emotional integration. Hence, they try to distribute many more sets to the rural people. As far Doordarshan, sincere attempts will be made to set up a centre to cover the entire North-Eastern areas including Mizoram within the 6th Year Plan.

5.66 It is urged that all the States/UT Administrations should drawn up schemes on the pattern of Kerala and Madhya Pradesh to provide Community Radio/TV sets in the areas inhabited by the Scheduled Castes and Scheduled Tribes.

ANNEXURE—I

Expenditure incurred on the conversion of dry latrines into sanitary ones

S.	State/UT	No. of latrines covered so far	Amount so far utilised (Rs. in crores)	Work done in 1978-79		Work done in 1979-80		No. of latrines yet to be converted	Amount required (Rs. in crores)
				Amount utilised (Rs. in lakhs)	No. of dry latrines converted	Amount utilised (Rs. in lakhs)	No. of dry latrines converted		
1	2	3	4	5	6	7	8	9	10
1	Assam	NA	NA	1·00	66	2·00	100	60,000	15·00
2	Bihar	..	2·11	20·00	5,000	78·50	19,625	350,000 (@Rs.500 each)	17·50
3	Gujarat	76,383 Out of total of 98,726	NA	4·46 4·77 loan subsidy	3,664	5·00 6·54 loan subsidy	4,373	22,343	00·50
4	Jammu & Kashmir . .	NA	NA	NA	222	NA	295	NA	NA
5	Tamil Nadu . . . (4 districts only)	8,670 (upto 1978-79)	00·19 (upto 1978-79)	Included in cols. 3 & 4		Rs. 2·50 lakhs lapsed as the sanction was released on 19-2-80 by the State Government.			
6	Delhi	NA	NA	8·00	NA	NA	NA	NA	NA
7	Pondicherry . . .	NA	NA	3·35	NA	4·42	NA	NA	NA

NA—Not available.

ANNEXURE—II

Position as reported upto 30-9-1980

Physical progress made under the scheme for Rural House sites-cum-hut Construction for Landless workers.

Name of State/Union Territory.	No. of families		%age of Col. 3 to Col. 2	Number of House-sites developed (out of Col. 3)	No of houses/huts constructed on allotted House sites.			%age of Col. 8 to Col. 3
	Eligible as estimated by State/ UT	Allotted House Sites			By allotted efforts.	By Govts. efforts.	Total	
1	2	3	4	5	6	7	8	9
1. Andhra Pradesh	16,00,000	8,52,471	53·28	652	R.A.	..	..	..
2. Assam	2,37,607	40,049	16·86	18,959	18,959	...	18,959	47·34
3. Bihar	19,88,000(a)	7,15,000	36·52	29,925	R.A.	..	..	..
4. Gujarat	4,62,333	4,13,272	89·39	1,14,448	11,324	1,22,594	1,33,918	32·40
5. Haryana	2,46,392	2,22,826	90·44	N. A.	1,742	..	1,742	0·78
6. Himachal Pradesh	10,964	4,622	42.16	4,437	1,339	1,940	3,279	70·94
7. Jammu & Kashmir	20,120	5,275	26·22	5,275	1,092	Nil	1,092	20·70
8. Karnataka	10,60,852	9,07,307	85·53	9,07,307	35,979	2,19,241	2,55,220	28·13
9. Kerala	1,34,889	35,848	26·58	25,406	7,586	13,127	20,713(b)	57·78
10. Madhya Pradesh	9,13,037	7,57,000	82·91	83,399	83,399	..	83,399	11·01
11. Maharashtra	4,97,547	3,86,074	77·60	3,86,074	31,935	3,27,797	3,59,732(c)	93·18
12. Orissa	4,19,000	1,94,185	46·34	1,94,185	N.A.	13,322	13,322(d)	6·86
13. Punjab	2,97,046	2,94,930	99·29	6,817	3,337	880	4,217	1·43
14. Rajasthan	8,54,023	8,54,023	100%	23,502	49,750	10,191	59,941	7·02
15. Tamil Nadu	14,97,000(a)	5,23,076	34.94	70,833		R.A.		
16. Tripura	42,650	38,307	89·82	5,000		R.A.		
17. Uttar Pradesh	12,40,340	12,36,139	99·66	20,000		R.A.		
18. West Bengal	2,82,961	2,82,961	100%	43,506		R.A.		
1. A. & N. Island	8,628	3,926	45·50	N. A.		R.A.		
2. Chandigarh	90	51	56·67	Nil		R.A.		
3. Dadra & Nagar Haveli	1,035	715	69·08	323	..	323	323	45·17
4. Delhi	14,800	11,996	81·05	5,798	28	9	37(e)	0·31
5. Goa, Daman & Diu	1,596	1,436	89·97	986	108	211	319	22·21
6. Pondicherry	15,213	10,937	71·89	6,069	5,959	110	6,069	55·49
TOTAL	1,18,16,213	77,92,425	65·95	20,52,901	2,52,537	7,09,745	9,62,282	12·35

R.A. : Reports Awaited. N.A.—Not Available.

(a) According to the information received from the Planning Commission.

(b) State Govt. allotted houses upto 2-10-1975 whereafter only house-sites are allotted.

(c) Includes information about 'C' Class Municipalities.

(d) From 1-4-1976 the Scheme for development of House sites has been converted into integrated Housing Scheme.

(e) From one block only. Information for other blocks not available.

Scheme is not in operation in Manipur, Meghalaya, Nagaland, Sikkim, Arunachal Pradesh, Lakshdweep and Mizoram.

ANNEXURE—III

Table showing area/category-wise position of projects approved and loans sanctioned during 1979-80 by the Rural Electrification Corporation.

Sl. No.	Area/Category	Projects approved			Loan sanctioned (Rs. in lakhs)
		Number	Villages to be electrified	Pumpsets to be energised	
1	2	3	4	5	6
1	Ordinary Advances Areas	10	791	7,378	757
2	Ordinary Backward Areas.	55	4,079	14,477	2,659
3	Special under developed areas	82	5,578	10,641	3,728
4	Ordinary Co-operative Projects	1	122	3,000	266
5	Mini projects for Health Centres	5	59	99	61
6	Special Projects for Drinking Water Supply	32	323	..	364
7	Special Projects for industries	29	--	1,040	737
8	Special transmission projects	13	..	..	990
9	Special loans	9	--	--	68
10	Harijan Basti Projects	78	3,277(HB)	..	241
11	Loans from Special Development Reserves	..	..	--	35
12	Revised Minimum Needs Programme	136	13,974	26,510	8,090
13	Special Projects Agriculture	3	..	2,127	118
14	Special Projects Agriculture	315	5,857	133,083	2,962
	TOTAL	776	30,783 3,277(HB)	198,364	21,076

ANNEXURE—IV

Projects approved and financial assistance sanctioned in Tribal areas during 1979-80 *by the Rural Electrification Corporation.*

Sl. No.	State	Projects approved				Financial assistance sanctioned (Rs. in lakhs)
		No. of Projects	Village to be electrified	Pumpsets to be energised	Small Industries to be energised	
1	2	3	4	5	6	7
1	Andhra Pradesh	2	113	120	31	45
2	Assam	2	224	59	69	145
3	Bihar	4	605	561	196	234
4	Gujarat	7	661	2,089	622	399
5	Himachal Pradesh	1	76	..	15	34
6	Madhya Pradesh	17	1,840	4,301	404	884
7	Maharashtra	6	445	976	249	309
8	Meghalaya	6	201	..	15	301
9	Nagaland	2	33	—	98	126
10	Orissa	18	2,017	1,036	290	1,108
11	Rajasthan	3	270	805	147	239
12	Tripura	3	72	17	17	49
13	West Bengal	16	1,323	967	911	836
	TOTAL	87	7,880	10,931	3,064	4,709

CHAPTER VI

EDUCATIONAL DEVELOPMENT

Education is the most important element in the development of any community. The role of education as an investment in human resources has been increasingly recognised in all the countries. For the alround development of the Indian society the importance of educational development of the general mass, and particularly of the Scheduled Castes and Scheduled Tribes is well known. Education has special significance for the weaker sections of the society which are facing a new situation in the developmental process to adjust themselves properly to the changing circumstances. For them, education is an input not only for their economic development, but also for promoting in them self confidence and inner strength to face the new challenges. The Scheduled Castes have been the targets of economic exploitation, harassment, atrocities and social disabilities mainly due to their illiteracy. Likewise, the Scheduled Tribes have fallen victims to the exploitation of the middlemen, merchants and money-lenders on account of their illiteracy and ignorance. The need for their educational development, therefore, assumes prime importance to save them from economic exploitation and to help them in their alround development.

6.2 Although the spread of education in the country has been quite fast during the last decades, the progress in respect of Scheduled Castes and Scheduled Tribes has not been quite proportionate. The All India literacy rate in the country during 1971, being 29.4%, the corresponding rate of literacy for Scheduled Castes and Scheduled Tribes is 14.7% and 11.3%, respectively. In other words, the literacy rate of Scheduled Castes accounts for 50% of the All India level of literacy rate while in case of Scheduled Tribes it works out to be 38.4%. Even the level of educational development of the Scheduled Castes and Scheduled Tribes is not the same in all the States/Union Territories and in all the regions within the same State/Union Territory. The educational programmes for the Scheduled Castes and Scheduled Tribes have not succeeded in achieving the desired impact on account of various socio-economic problems faced by the Scheduled Castes and Scheduled Tribes. The Scheduled Castes/Scheduled Tribes are not much aware and convinced of the practical utility of education and need their children to help them in economic pursuits even from an early age. In view of the above, efforts for educational development for the Scheduled Castes/Scheduled Tribes have to be tackled differently than for the general mass where the demand for education is already there and onening of a school is sufficient to attract them for education.

6.3 Educational development of the Scheduled Castes and Scheduled Tribes, being one of the most important welfare programmes, out of the total outlay (tentative) of Rs. 960.30 crores provided in the Sixth Plan (1980-85) on Development of Backward Classes, Rs. 506.50 crores (52.74%) have been provided for the educational programmes.

Educational Schemes

6.4 The educational schemes for the Scheduled Castes and Scheduled Tribes under the Backward Classes Sector of the State Plans include pre-matric scholarships and stipends, reimbursement of admission, tuition and examination fees, provision of uniforms, supply of text books and other reading and writing materials, mid-day meals, ashram schools and hostels. Against the Fifth Plan outlay of Rs. 95.25 crores for these schemes, the expenditure incurred during 1974-75, 1975-76, 1976-77 and 1977-78 was to the tune of Rs. 11.40 crores, Rs. 14.85 crores, Rs. 17.92 crores and Rs. 26.52 crores, respectively i.e. a total of Rs. 70.69 crores.

6.5 The Centrally Sponsored Schemes on educational development of the weaker sections under the Backward Classes Sector are Post-matric Scholarships, Pre-matric Scholarships for the children of those engaged in unclean occupations, Book Banks for the Scheduled Castes/Scheduled Tribe students in Engineering and Medical Colleges and Girls hostels besides Research and Training. The expenditure on these schemes during 1978-79 and 1979-80 is given below :

(Rs. in crores)

Sl. No.	Name of the schemes	Expenditure incurred during 1978-79	1979-80
1	Post-matric Scholarships .	21·84	7·57
2	Pre-matric Scholarships for the children of those engaged in unclean occupation . .	0·12	0·07
3	Book Banks	0·49	0·10
4	Girls Hostels . . .	0·50	1·43

6.6 From 1978-79, the financing of the schemes on prematric scholarships, Book Banks, and Girls Hostels is shared on 50 : 50 basis between the centre and the States/Union Territories.

6.7 To give further impetus to the educational development of the Scheduled Castes and Scheduled Tribes, the Ministry of Home Affairs have proposed to implement two new schemes, i.e. Construction of Scheduled Caste Boys Hostels, and Pre-matric scholarships for the Scheduled Caste children studying in Primary Classes (I to IV), during 1980—85. The outlays proposed for the continuing and the new schemes for the educational development of the Scheduled Castes and Scheduled Tribes by the Government of India during 1980—85 are given below :

(Rs. in crores)

Sr. No.	Name of schemes	Outlay proposed (1980—85)	Remarks
1	Post-matric scholarships for Scheduled Caste/Scheduled Tribe students.	200·00	Continuing schemes
2	Pre-matric scholarships for the children of those engaged in unclean occupations.	4·00	Do.
3	Book Banks for Scheduled Caste/Scheduled Tribe students of Engineering and Medical Colleges.	5·00	Do.
4	Girls Hostels for Scheduled Castes.	25·00	Do.
5	Boys Hostels for Scheduled Castes.	50·00	New scheme proposed.
6	Pre-matric scholarships for the Scheduled Caste/Scheduled Tribe children studying in Primary Classes (I to IV).	350·00	Do.

6.8 Since these schemes aim at reducing the rate of wastage of Scheduled Caste children at primary level and help in increase of their enrolment position, it is desirable that these schemes are approved by the Planning Commission and implemented by the State Governments/Union Territory Administrations at the right earnest.

Pre-School education :

6.9 The reasons for lower rate of enrolment of Scheduled Caste/Scheduled Tribe children at the primary level of education are poverty and lack of proper family orientation. The children of school-going age are engaged by the poor Scheduled Caste/Scheduled Tribe parents to earn for the family from very early age, or are retained at home to take care of the young babies while their parents go out to earn wages. These children are often engaged in herding cattle or employed as domestic servants with rich persons to earn for the family. Even if they are admitted in the school, they are not interested for the school education and find the school atmosphere quite unattractive. With a view to attracting more Scheduled Caste/Scheduled Tribe children to school and to acquaint them with the school atmosphere from the pre-school age, Balwadis and creches have been opened for the children of 0-6 age-group. The working Group of Education and Culture set up by the Planning Commission in July, 1980 have felt the urgency for making distinct efforts to broad-base elementary education, and have decided to start the Programme of Early Childhood Education during the Sixth Plan (1980—85) to promote the education of the weaker sections of the society. Pre-school education centres are envisaged as adjuncts to Primary and Middle schools for facilitating the children's transition from the informal family atmosphere to the formal atmosphere at school.

6.10 The present enrolment at the pre-primary stage is estimated to be 8,00,000 against the estimated 3-6 age-group population of 500,00,000. The programme aims at increasing the coverage to 12.5 lakh children by the end of the Sixth Five Year Plan by opening creches for 0-3 age-group children and balwadi for the children of 3-6 age-group. It has been suggested to expand and strengthen the existing pre-school centres working under the Education and Social Welfare Departments and to set up new pre-school education centres preferably in blocks and villages predominantly inhabited by Scheduled Castes and Scheduled Tribes.

6.11 In view of the socio-economic backwardness of the Scheduled Castes and Scheduled Tribes, the urgency for setting up of pre-school centres, particularly for the Scheduled Castes and Scheduled Tribes hardly needs emphasis. In order to help increase enrolment of the Scheduled Caste/Scheduled Tribe students in primary, middle, high school and post-matric classes, it is essential that they are given pre-school training to adjust in the school atmosphere at higher stages of education. Opening of such centres would also work as a positive measure to eliminate the incidence of children of school-going age group detained in their house to take care of the young babies during the absence of their parents, as such children of 0-3 age-group would be looked after by the creches.

6.12 The Commission, therefore, fully endorse the recommendation of the Working Group on Education and Culture and urge that sincere efforts be made by the Central and the State Governments for opening of new pre-school centres in areas predominantly inhabitated by Scheduled Castes and Scheduled Tribes.

Primary and Middle Education

6.13 For administrative convenience, elementary education has been divided into

two stages, i.e. primary and middle. The structuring of these two stages is not uniform and varies in different States. In Andhra Pradesh and Kerala, the primary stage includes Class I to V and the middle classes from VI to VII, while in West Bengal, Classes I to IV are in primary and classes V to VIII are in middle standards. The primary classes in Karnataka are from I to IV and middle classes are from V to VII. In Nagaland, classes I to II are in primary standard and classes III to VI are included under middle stage. The primary and middle stages of education in Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Madhya Pradesh, Maharashtra, Manipur, Orissa, Punjab, Rajasthan, Tamil Nadu, Tripura and Uttar Pradesh comprise classes I to V and VI to VIII, respectively. In order to plan for formulation of policies and programmes at the National level for the improvement of elementary stages of education, and to help the State Governments proper implementation of these schemes, it is necessary that there is uniformity in the structuring of the primary and middle standards. The Commission fully agree with the views of the Working Group on Education and Culture for reorganising the pattern of both these stages of education for administrative convenience, and grouping classes I to V in primary and classes VI to VIII in middle standards.

6.14 According to the statistics made available by the Ministry of Education pertaining to 1978-79, the enrolment ratio of all communities in primary stage (classes I to V) being 84.5, in case of Scheduled Castes the ratio was 79.9. The corresponding figures for middle stage (classes VI to VIII) were 38.1 and 26.5 for the general and the Scheduled Caste students, respectively. The enrolment ratio of Scheduled Tribe students for the primary stage of education was only 55.4.

6.15 The gap in enrolment ratio of the Scheduled Caste/Scheduled Tribe children at the primary and middle stages of education is quite alarming and special drive for additional enrolment of these students is necessary to bring them on par with the general students in educational sphere. According to the findings of the Fourth All India Educational Survey, conducted by the National Council of Educational Research and Training, 77.31% of the habitations in the country with a population of 300 or more were served by primary schools within the habitation, while the corresponding figure in respect of habitations predominantly inhabited by Scheduled Castes and Scheduled Tribes was 66.94% and 77.78%, respectively. Such habitations having primary schools upto a distance of one kilometer accounted for 93.05% for the country as a whole, while for Scheduled Castes and Scheduled Tribes the percentage was 90.65% and 90.48% respectively. Likewise 28.42% of the habitations with population of 500 or more were served by middle schools within the habitation and 78.42% upto a distance of 3 kms, while the corresponding percentages for habitations predominantly inhabited by Scheduled Castes were 13.47 and 75.27 and in case of habitations with concentration of Scheduled Tribe population 21.41 and 64.11, respectively.

6.16 It would thus be clear that there is shortage of educational institutions in the vicinity of the Scheduled Caste/Scheduled Tribe settlements which has also affected their enrolment position. While opening new schools, it is desirable that priority should be given to locate the educational institutions in settlements having concentration of Scheduled Caste/Scheduled Tribe population. Moreover, opening of schools is sufficient to attract the children of the general population where there is already zeal for education but for Scheduled Castes/Scheduled Tribes, special efforts are necessary to bring them to the fold of education particularly at the initial stages of primary and middle education.

Universalisation of Elementary Education

6.17 According to the statistics available from Annual Report (1979-80) of the Ministry of Education and Culture, the total number of non-enrolled children at the elementary stage (classes I — VIII) is of the order of 470 lakhs, and the hard core of the non-enrolled children at the primary stage (classes I — V), belongs mostly to Scheduled Castes and Scheduled Tribes and Economically Backward Classes. Three-fourth of the non-enrolled children are in nine States of Andhra Pradesh, Assam, Bihar, Jammu and Kashmir, Madhya Pradesh, Orissa, Rajasthan, Uttar Pradesh and West Bengal, classified as educationally backward in elementary education.

6.18 The Union Ministry of Education have proposed to launch a programme of Universalisation of Elementary Education during the Sixth Plan period to enrol the children of 6-14 years age group as a time bound programme. The Working Group on the Universalisation of Elementary Education have recommended coverage of all the 6-11 age-group children and 57% of 11-14 age-group children by 1982-83. All the State Governments except Karnataka have prepared Master plans for Universalisation of Elementary Education. It appears that Kerala is the only State whose enrolment in both the age group of 6-11 and 11-14 years has reached the universalisation level.

6.19 The Working Group have recommended a target of additional enrolment of 320 lakhs children by 1982-83 and 50% of the additional children to be enrolled during 1982-83 would be covered by non-formal part-time education. The Sixth Five Year Plan of 22 States have included the target of a total additional enrolment of 263.32 lakhs children

including a coverage of 100.47 lakhs through non-formal education.

6.20 Based on the recommendations of the Working Group, the Central Government have taken special steps to intensify the programme of Universalisation of Elementary Education in the 9 educationally backward States. A special scheme of Central assistance called "Experimental Projects for non-formal Education for children of 9-14 age-group" has been taken up by the Government of India. Originally, a sum of Rs. 50.00 crores was agreed to as Central Sector Plan outlay for this scheme with a target of 29,63,350 pupil coverage in 73,690 non-formal education centres, but it is not known as to why the outlay has been reduced to Rs. 25.00 crores with changing of norms and patterns of the assistance.

6.21 The hard core of the non-enrolled children being the Scheduled Castes and Scheduled Tribes there is need for each and every State Government/Union Territory Administration to assess and quantify the present position of the enrolment of Scheduled Castes/Scheduled Tribes and prepare a separate and effective strategy for their coverage during the Sixth Plan period.

6.22 Other measures taken by the Government of India to support and accelerate the working of the programme of Universalisation of Elementary Education include the Fourth All India Educational Survey, special study of Elementary Education Administration in respect of the nine educationally backward States, monitoring of attendance, and supply of paper needed for the non-formal education programme. The Fourth Educational Survey was conducted with a view to collecting the latest information on the educational development in the States to enabling the Plan Programmes to be realistic and accurate. The study reports on elementary education administration undertaken through the agency of the National Institute of Educational Planning and Administration have been received from all the nine States. A monitoring programme has also been initiated in all the States to collect block-level attendance reports in respect of all primary and middle schools directly by the centre for computerisation processing and feed back of data to the States for taking remedial measures.

6.23 It is hoped that the steps taken by the Central Government and the efforts made by the State Governments would go a long way in achieving the goals envisaged in the programme of Universalisation of Elementary Education.

6.24 The Tribal Education Unit of the National Council of Educational Research and Training (NCERT) has been entrusted with organising orientation course for district education officers from tribal areas to acquaint them with the tribal life and culture and the special problems of tribal education. The Unit has also prepared syllabus for a training course for teachers on non-formal education centres operating in tribal areas. Welcoming the steps taken by the National Council of Educational Research and Training to resolve the educational problems of the Scheduled Tribes, the Commission are of the view that similar orientation courses may be organised to tackle the problems faced in educational development among the Scheduled Castes.

High School Education

6.25 The latest statistics pertaining to the enrolment of Scheduled Caste/Scheduled Tribe students and their drop-out rates in High School stage of education are not available with this Commission. The Fourth All India Educational Survey conducted by the National Council of Educational Research and Training, however, provides vital statistics on school education indicating trend of enrolment of the students as on 1978. According to the survey report, the total enrolment in classes VI — VIII in the recognised institutions of the country in 1978 was 1,44,76,281 and enrolment of Scheduled Castes was 18,45,889 constituting 12.7% of the total enrolment. The corresponding figure of enrolment for Scheduled Tribes was 6,20,528 accounting for 4.3% of the country's enrolment.

6.26 In classes IX to XII, the total enrolment being 85,05,230, the corresponding figures in respect of Scheduled Castes and Scheduled Tribes are reported to be 7,64,827 and 2,56,079, accounting for 8.99% and 3.01% of the total enrolment.

6.27 The trend of enrolment of Scheduled Caste/Scheduled Tribe students in high school stage of education is clear from the above findings. It is very distressing that the rate of enrolment of Scheduled Caste/Scheduled Tribe students is not proportionate to their total population in the country. The percentage of the Scheduled Caste population (1971) being 14.67, the percentage of their enrolment in classes VI — VIII is only 12.7 of the total enrolment. In case of Scheduled Tribes, as compared to 6.80% of their total population in the country, their enrolment in the said classes constitutes only 4.3% of the total enrolment.

6.28 The rate of enrolment of Scheduled Castes and Scheduled Tribes further dwindles down in classes IX — XII from 12.7% to 8.99% in case of Scheduled Castes and from 4.3% to 3.01% for Scheduled Tribes.

6.29 In view of the above, it is imperative that special steps like payment of pre-matric scholarships at higher rates, sanction of incentive prizes to the Scheduled Caste/Scheduled Tribe students, provision of free

hostel facilities, and other steps for improving enrolment and checking the problem of drop-outs are taken by the State Governments/ Union Territory Administrations to achieve the required enrolment of Scheduled Caste/ Scheduled Tribe students in High School stage of education.

Wastage and Stagnation

6.30 Pre-mature withdrawal of children from school at any stage before completion of their course of study is called wastage and retention of a student in a particular grade for more than one year on account of unsatisfactory progress results in stagnation. Besides low enrolment, another indicator of the educational backwardness of the Scheduled Caste/Scheduled Tribe students is their heavy drop-out rate. When a student drops out in the middle of educational career the entire investment on education goes waste. The educational development of the students is also impaired on account of frequent failures leading to stagnation.

6.31 Poverty and economic backwardness of the Scheduled Castes/Scheduled Tribes have led to high rate of wastage and stagnation in the education of their children. A study on "School Drop-out among Scheduled Caste children : Causes and Cure", conducted by the Central Institute of Research and Training in Public Corporation in Eastern Uttar Pradesh during 1975 indicated that the percentage of drop-outs of Scheduled Caste children to the total drop-outs was more than 40% in classes I to III and about 33% in classes IV to V. About the factors attributed to the high drop-out of Scheduled Caste/Scheduled Tribe students the report noted as follows :

> "The most dominating factor relates to the poverty conditions and economic hardship of the Harijan families. Need to engage child power in domestic services or in gainful employment, inability to meet the educational expenses and helplessness with regard to the provision of basic physical needs are indicators of the educational backwardness of the Harijan families. The next important reason for school drop-out stems from school and school-related factors. Domestic exigencies like sickness or death in the family or long illness of the school-going child formed the third important category of drop-out reasons".

Extent of Drop-outs in Different States

6.32 The problem of drop-outs was reported to be high in the country according to the Third All-India Educational Survey (1973) conducted by the National Council of Educational Research and Training. The rate of drop-outs was estimated to be 83.53% at the end of class V.

6.33 The Working Group on Education for the Sixth Plan have found that the problem of drop-out is serious in all the States. The Working Group estimated that out of 100 children in class I, the drop-out rate at the end of class V was 40 and at the end of class VII was 75. From the Master Plan and the Sixth Plan documents prepared by the State Governments for Working Group on Education, it is seen that the drop-out at the primary stage ranges between 34% in Kerala and 83.53% in West Bengal. At the middle stage it ranges between 33.58% in Tripura to 84.1% in Orissa. The Statewise position of drop-out rate is given below.

6.34 In Andhra Pradesh, the drop-out rate for all the students at primary stage being 65.58%, for Scheduled Caste and Scheduled Tribe students, the rate was 68.82% and 77.60%, respectively. At middle stage, the rate for Scheduled Caste and Scheduled Tribe students was 79.77% and 86.66%, respectively as compared to 73.50% for all the students.

6.35 The drop-out rate in Jammu and Kashmir was not insignificant, but more alarming was the fact that about 71% of the children were not in a position to attend schools due to poverty.

6.36 The rate of drop-out in Karnataka between classes I to II was very high and the rate at the end of class IV was to the extent of 40%.

6.37 A special study conducted in Kerala indicated that against 100 enrolment in class I, the enrolment at class V was 91. Similarly, at the middle stage, against 100 enrolment in class VI, the enrolment was 83 in class VIII. The rate of drop-outs at the end of class V and class VIII was 9% and 17%, respectively.

6.38 The problem of drop-out at the elementary stage was alarming in Madhya Pradesh. About 30% of drop-outs were reported between classes I and II and the rate was 66% and 75% at the end of class V and class VIII, respectively.

6.39 Although Maharashtra has been classified as one of the educationally advanced States, the problem of wastage was quite serious in the State. This was particularly more in case of girls and with regard to the Scheduled Caste/ Scheduled Tribe girls. The drop-out rate of the girls was 65% upto class V and 82% upto class VIII. From the 1977-78 enrolment position it was observed that for every 100 children in class I enrolment, the number of students in classes V, VI and VII was 36.5, 29.4 and 20.1, respectively.

6.40 Drop-out problem in Manipur was most serious and during the Master Plan discussions the rate of drop-out was reported to be 70% in the State.

6.41 In Orissa, the drop-out rate was 51% between classes I and III and 78% between classes I and VI. At the State level, 84.1% of the children dropped out at the end of class VIII.

6.42 The problem of wastage in Punjab was not so acute as compared to the position in other States but the rate of drop-out at the end of the primary level was 57% in the State. In case of single teacher schools, the rate of wastage at the end of class I was 70% and at the end of class V it was 73%.

6.43 The drop-out rate at the end of class V in Tamil Nadu was 42%. According to a survey, 80% of the drop-out were due to economic necessity of the poor parents. The problem was more acute in case of girls and the children of the weaker sections.

6.44 In Tripura, the rate of drop-outs for the Scheduled Caste and Scheduled Tribe students in primary stages was 75.11% and 80.83%, respectively. At the middle stage the percentage of drop-outs was 42.53% in respect of Scheduled Castes and 45.12% for Scheduled Tribes. The rate was highest between classes III and IV ranging from 30% to 70%.

6.45 The drop-out rate in Uttar Pradesh was 61% between classes I to V and 73% at the end of class VIII. The rate was maximum between classes I and II.

6.46 A study conducted by the Tribal Research Institute, Ahmedabad in eight tribal districts of Gujarat revealed that the rate of wastage and stagnation among the tribal children was as high as 79.7% by the time they reached standard IV, and about 70% of the total wastage and stagnation was in standard I.

6.47 From the above discussion it is clear that the problem of wastage is an All India problem varying in magnitude from one State to the other and urgent steps are required to be taken by the Government of India and the State Governments to check the drop-out rate. The Government of India propose to cover all the children of 6-11 age group and 57% of 11-14 age group children in enrolment drive under the programme of Universal Elementary Education during the Sixth Plan period. The programme also envisages giving part-time education to the children including drop-outs in formal and non-formal institutions. Since about three fourth of the non-enrolled children to be covered under the scheme were from Andhra Pradesh, Bihar, Jammu and Kashmir, Madhya Pradesh, Orissa, Rajasthan, Uttar Pradesh and West Bengal having more Scheduled Caste/Scheduled Tribe population, the Government of India proposed to start a scheme with a budget of Rs. 50 crores to give financial assistance to these States.

Incentive Schemes to Check the Problem of Drop-outs

6.48 Besides providing dress, study materials, mid-day meals and pre-matric stipends, some of the State Governments/Union Territory Administrations have taken up incentive schemes to check the problem of drop-outs and encourage increase enrolment of Scheduled Caste/Scheduled Tribe students at the pre-matric classes. The Government of Gujarat have been implementing a scheme to provide economic aid to Scheduled Caste/Scheduled Tribe/Economically Backward Class girl students in 185 talukas to increase the enrolment of the girls. Each girl student is granted Rs. 100 per annum under this scheme. As a drive to increase enrolment in tribal areas, each family of Kolgi, Kotwalia, and Kathali whose children are admitted in the school is given special incentives in kind, i.e., grains worth Rs. 12 and Janata Saree and Dhoti worth Rs. 12 for ten months. In Haryana, the Scheduled Caste girls studying in primary classes are given attendance prize at the rate of Rs. 50 per student per annum. Incentive prizes in shape of clothing are given to Scheduled Caste students in Tamil Nadu who attend schools regularly. The Headmasters/Headmistresses at the district level are also awarded prizes in the shape of silver medals for maintenance of best attendance. To check the incidence of drop-outs, the Chandigarh Administration have a scheme to award attendance scholarships to Scheduled Caste students. Each student studying in classes I to V gets Rs. 4 per month and the rate of award per student studying in classes VI — VIII is Rs. 5 per month. It is also learnt that the Government of Kerala provide monetary relief to the parents of the Scheduled Tribe students to encourage enrolment of more Scheduled Tribe students in the primary and middle classes and to check the problem of drop-outs

The Problem of Stagnation

6.49 The extent of the problem of stagnation in different stages of pre-matric education is not known, but the problem is quite alarming in post-matric courses of study, where the performance of the Scheduled Caste/Scheduled Tribe students is poor and the failure rate is quite high. A study conducted by our Madras Office in 12 colleges of Trivandrum and Ernakulam districts of Kerala during 1976-77 indicates that out of 396 Scheduled Caste/Scheduled Tribe students on roll in Pre-degree, Degree and Post-graduate classes during 1976-77,333 students constituting 85.55 per cent of the total sample appeared in their final examination. Only 99 students passed and the extent of failure was as high as 74.36%.

6.50 A study report of the Madras office on the assessment of the performance of Scheduled Caste/Scheduled Tribe students in Tamil Nadu during 1975-76 also throws much light on the

problem of stagnation in post-matric classes. The results of 7 colleges indicate that in non-professional courses, the percentage of passing was 17.00% as against the failure rate of 83%. The failures were more pronounced in P.U.C., B.A., B.Sc., B.Com. and M.Sc., courses which was estimated to be 86.9%, 81.7%, 90.8%, 100.00% and 100.00% respectively, while in M.A. final examination the failure rate was 29.2%.

6.51 In professional courses, out of the total 109 Scheduled Caste students studying in Medical College during 1974-75, only 6 passed, the percentage of passing being 5.5%. During 1975-76 the percentage of passing increased to 12 as 9 out of 75 Scheduled Caste students passed during the said year. In Engineering courses, out of the total 28 Scheduled Caste/Scheduled Tribe students, 6 constituting 21.4% of the total students passed during 1971-72. During the corresponding years of 1972-73 and 1973-74, the percentage of passing of the Scheduled Caste/Scheduled Tribe students was, however, reported to be 71.4 and 66.6, respectively.

Reasons of Stagnation

6.52 Reasons of frequent failures of Scheduled Caste/Scheduled Tribe students in a particular class of study leading to stagnation are well known. Lack of proper family orientation for studies, non-adoptability to the school atmosphere, frequent absence of teachers in remote areas and especially in single teacher schools, absence of students in the classes on account of the school going children being utilised by the poor parents for looking after the young children during their out-door work, grazing cattle and helping in other economic persuits are some of the important reasons responsible for high rate of stagnation of Scheduled Caste/Scheduled Tribe students at the pre-matric level of study. The problem is more acute in interior and inaccessible pockets where the Scheduled Caste and Schedulde Tribe parents are not much convinced about the need of the school education. Single teacher schools are run in many villages, where the teacher remains absent frequently and the schools are closed during his leave or unauthorised absence.

6.53 The problems of education in tribal areas are manifold. Many tribal communities speak a dialect of their own, and the medium of instruction in primary classes being the State language, the tribal students fail to understand the courses taught to them by the teachers in the language other than the one spoken by the tribal children. They also get disinterested in their studies being unable to read the text books written in the language quite unfamiliar to them. The quality and standard of education in tribal areas also suffer due to lack of efficient and good teachers who have least inclination to serve in tribal areas devoid of amenities of modern life. The teachers posted in tribal areas are also drawn mostly from non-tribal areas and they do not have any knowledge of the local tribal dialect and the proper aptitude to serve the downtrodden.

6.54 Other hurdles for educational development among tribal communities include the type of socio-economic pursuits and their traditional ethos of life. Some of the tribal communities practising shifting cultivation have to shift their settlement from time to time to different sites situated close to their field selected for cultivation. Likewise, there are nomadic tribes and food gatherers who have no definite place of abode and who move from one part of the jungle to the other in search of collection of food and other forest products. The tribes like Toda having large heards of cattle are required to shift their hamlet from one area to the other in search of grazing ground for their cattle. Locating schools for such communities becomes a problem and the only solution for this would be to open pre-school centres and Ashram type of schools with residential facilities for the tribal children from pre-primary to middle and high school stages of education.

6.55 Cultural factors also act as barriers of educational development. Among the Binjhias, a Scheduled Tribe of Kalahandi district in Orissa, the girls are given in ceremonial marriage to an arrow and after attaining puberty they are not allowed to take food and water outside their family. Such custom retards educational advancement of girls. It is also a general apprehension among the tribal people that their boys will grow insolent and rebellious and the girls will go astray if they go to school. They have also a fear that the educated tribal youths do not respect their traditional norms and values of life and look down upon their own people. These social barriers, fears and psychological complexes of the tribal people have to be overcome for carrying forward the educational programmes in tribal areas.

Schemes for minimizing the extent of Stagnation

6.56 The problem of stagnation can be tackled by improving the educational standard of the students. The schemes like providing special coaching to meritorious students; failed students and poor students to improve their performance in the class, award of incentive prizes to the meritorious Scheduled Caste/Scheduled Tribe students, and awards for the school achieving better results in school final examination aim at minimizing the stagnation rate in pre-matric classes.

6.57 Three schemes are implemented in Andhra Pradesh for providing incentive for the meritorious Scheduled Tribe students. The first and second rank Scheduled Tribe students of S.S.C. examination in each district are granted

a scholarship of Rs. 100 each per month for 12 months. All the Scheduled Tribe students securing 60% or more marks in S.S.C. examination are sanctioned a lumpsum award of Rs. 100 each. The first and second rank students in VII class in each district are also awarded Rs. 50 each per month for 12 months by the Government of Andhra Pradesh. It is not known whether similar schemes are implemented in the State to benefit the Scheduled Caste students. The State Government propose to admit 200 bright Scheduled Caste students of classes V to XI in reputed institutions for availing better standard of education. Similar scheme is also implemented to benefit the Scheduled Tribe and Denotified Tribe students.

6.58 In Tamil Nadu, first and second prizes in the shape of National Savings Certificates are awarded to Scheduled Caste students in each district who secure highest marks in S.S.L.C. public examination and VIII standard examination to inculcate a spirit of competition in their studies. A silver shield to the value of Rs. 200 is also awarded to the Harijan Welfare School which secures the highest percentage of marks in the public S.S.L.C. examination. Part-time tutors are appointed for all the hostels to give coaching to the boarders. In order to improve the educational standard of the failed Scheduled Caste/Scheduled Tribe students in classes IX to XI, the Government of Tamil Nadu have sanctioned a scheme in 25 Harijan Welfare High Schools for giving coaching in Mathematics, English and Science. A cash award of Rs. 200 to each Warden/Matron of the Government Welfare hostels in each district is also given for securing better results in the public S.S.L.C. examination.

6.59 For improving the educational standard of the Scheduled Caste and Scheduled Tribe students in post-matric classes the Government of Tamil Nadu have taken up four schemes. The "Gandhi Memorial Scholarship Scheme" was introduced in 1970-71 for the Scheduled Caste students who secure the highest marks in Pre-University class in each district. One boy and one girl of each district are awarded this scholarship. Under this scheme, a lumpsum grant of Rs. 500 is sanctioned to each student at the time of admission in college, and a recurring scholarship of Rs. 100 per month is given per student for 10 months in a year. The scholarship is sanctioned for a period of six years and in addition to any other scholarship to which the student is entitled.

6.60 Under the "Loan Scholarships Scheme" financial assistance is given by way of interest free loan to such Scheduled Caste/Scheduled Tribe students who are not eligible for award of either the State or Government of India post-matric scholarship and whose pecuniary circumstances are such that they are not able to meet the full expenditure for pursuing professional post graduate degree courses. The loan ranges from Rs. 900 to Rs. 1,750 per annum per student.

6.61 The Government of Tamil Nadu have also sanctioned a scheme of training of 5 Scheduled Caste/Scheduled Tribe candidates for the Chartered Accountant course, and financial assistance to cover the cost of books, pocket expenses, boarding and lodging charges, tuition fees and examination fees is provided to each candidate.

6.62 For providing free tuition and special coaching to the Scheduled Caste/Scheduled Tribe students studying in P.U.C. and Degree courses, the State Government have sanctioned a scheme during 1974-75 by opening 2 centres in Madras City for coaching 400 students. A scheme for giving special coaching to meritorious Scheduled Caste/Scheduled Tribe college students is also taken up by the State Government. Students securing 60% and more marks are selected by the Director of Collegiate Education, and are given coaching in Madras, Coimbatore, Tiruchirapalli and Thanjavur.

6.63 In Haryana the Scheduled Caste students of classes IX, X and XI are given special coaching in English, Science and Mathematics from November to February, every year.

6.64 During 1978-79, the Government of Kerala have sanctioned a scheme for providing special coaching to Scheduled Caste/Scheduled Tribe students of Pre-Degree courses. The coaching is provided in 10 colleges, one in each of the 10 districts of Trivandrum, Quilon, Kottayam, Ernakulam, Alleppey, Trichur, Palghat, Malapuram, Kozhikode and Cannanore. Each centre gives the coaching to 60 students in Physics, Chemistry, Mathematics, Botany and Zoology, and Scheduled Caste/Scheduled Tribe students from other educational institutions are also allowed to attend the special coaching classes.

6.65 No schemes for providing incentives to the meritorious students and special coaching appear to have been implemented in Punjab, Rajasthan, Bihar and Gujarat where special coaching is provided only for the Scheduled Caste/Scheduled Tribe boarders in Government hostels. Special coaching scheme and scheme for giving incentives to meritorious Scheduled Caste/Scheduled Tribe students are not being implemented in Madhya Pradesh and Uttar Pradesh. The position in respect of other States is not known.

6.66 According to the information available with the Commission, the schemes for improving the educational standard of the Scheduled Caste/Scheduled Tribe students are implemented

in the Union Territories of Goa, Daman and Diu and Pondicherry. In Goa, Daman and Diu, the scheme only benefits the Scheduled Caste/Scheduled Tribe girls. Merit scholarships of Rs. 20 per month are paid to each of the girl students studying in class IX who secures 55% and more marks. The rate of scholarships for each such girl student in classes X and XI is Rs. 25 and Rs. 30, respectively. In Pondicherry, 97 tutorial centres are run to provide coaching facilities to the Scheduled Caste students studying in classes VI to VIII and IX to X.

Recommendations

6.67 The magnitude of the problem of wastage and stagnation among the Scheduled Caste/Scheduled Tribe students, the factors and forces responsible for large scale wastage and stagnation of Scheduled Caste and Scheduled Tribe students, and the steps taken by the Government of India and the State Governments/Union Territory Administrations in tackling the problem have been discussed at length in the foregoing pages. In the light of the above discussions, it is necessary that the following steps may be taken to arrest the problem of drop-outs by increasing the enrolment of Scheduled Caste/Scheduled Tribe students, and to minimize the drop-out rate by improving their educational standard at the pre-matric and post-matric classes of studies :

(1) While implementing the scheme proposed by the Government of India for giving financial assistance to 8 educationally backward States to enrol all the children of 6-11 age group and 57% of 11-14 age group children and for improving their educational standard during the Sixth Plan period it is desirable that the State Governments should ensure to cover all the eligible Scheduled Caste and Scheduled Tribe children in the target group.

(2) For giving pre-school training to the Scheduled Caste/Scheduled Tribe students and to acquaint them with the school atmosphere, balwadis and creches should be opened in all the States/Union Territories for admitting the children of 0-3 and 3-6 years of age. This would not only help in achieving the national target of 100% enrolment at the primary level of education, but would also create an urge in the young children for the studies and improve their standard of learning. It is, therefore, necessary that such pre-school centres may be opened in sufficient numbers with qualified teachers to cover the pre-school going children of the target groups.

(3) The system of single-teacher schools weakens the elementary education system and defeats the purpose for which the schools are opened. The Government of Gujarat have proposed to do away with the single teacher schools in tribal areas during 1981-82. It is desirable that other State Governments/Union Territory Administrations take similar steps in this regard and provide at least two teachers for each of such schools so that in absence of one of the teachers, the school need not be closed down.

(4) It is unfortunate that only few States/Union Territories have taken steps to tackle the alarming problem of drop-outs among the Scheduled Caste/Scheduled Tribe students by providing incentive schemes. Considering the magnitude of the problem it is desirable that all the State Governments/Union Territory Administrations take early steps in providing such schemes for award of attendance prize to the Scheduled Caste/Scheduled Tribe students and granting monetary relief to the parents of the Scheduled Caste/Scheduled Tribe students so that they are not put to financial hardship on account of sending their children to school. This would encourage regular attendance in the class in early stages of education and promote improvement of educational standard of Scheduled Caste and Scheduled Tribe students.

(5) With a view to checking the increasing trend of stagnation and to encourage the Scheduled Caste/Scheduled Tribe students to do well in their studies it is necessary that all the States and Union Territories draw up schemes to award prizes to bright Scheduled Caste/Scheduled Tribe students securing 60% and more marks in their VIII and XI standard Public examination, in each district. To take special interest for improving the educational standard of the Scheduled Caste/Scheduled Tribe students the Headmasters/Headmistress of the schools and Warden/Matron of the welfare hostels which report better performance of the Scheduled Caste/Scheduled Tribe students may also be awarded certificates and cash prizes. The scheme of giving special coaching may not be confined only to the welfare hostels, but may be implemented for the Scheduled Caste/Scheduled Tribe day-scholars studying in classes VI to X and for the failed Scheduled Caste/Scheduled Tribe students. The Government of Tamil Nadu have already taken pioneering steps in this regard and other States/Union Territories should follow Tamil Nadu in implementing the scheme aiming at the improvement of educational standard of the Scheduled Caste/Scheduled Tribe students.

(6) Schemes to improve the educational standard of the Scheduled Caste/Scheduled Tribe students in post-matric courses of studies appear to have been implemented only in Tamil Nadu and Kerala. The steps taken by the Government of Tamil Nadu for educational advancement of the Scheduled Caste/Scheduled Tribe students in post-matric classes deserve commendation and it is desirable that other State Governments/Union Territory Administrations take similar steps to accelerate the progress of education of Scheduled Caste/Scheduled Tribe students and help in arresting the problem of drop-out and stagnation at the post-matric level of study.

(7) The children of the tribal communities speaking their own dialect face difficulty during the early stages of their school education, where the text books and the medium of education are in the language adopted by the State/Union Territory. So far no State Government/Union Territory have printed text books in tribal dialect. In Orissa, an attempt was made during 1966 to prepare primers in Juang dialect (spoken by the Juang, a backward hill tribe of Keonjhar district of Orissa) for the primary classes. The primers were prepared by a Research Officer of the State Tribal Research Bureau, who had learnt the tribal dialect. The State Text Book Committee reviewed the primers and acclaimed their technical standard, but did not favour for introduction as text books as it would go against the national policy of the general education. Since the medium of education at higher classes would only be in the State language, adoption of primers in tribal language at the initial stages would only do harm to the tribal students who would not be able to pick-up the studies at higher classes where text books and teaching would be in Oriya medium. Lack of teachers knowing Juang dialect was also viewed to be another problem.

The Commission are in full agreement with the view expressed by the Orissa Text Book Committee and feel that adoption of tribal dialect as medium of instructions at primary stages of education would create further problems for the tribal children at subsequent higher stages of their education where it will be extremely difficult for them to again shift to the medium of the State language. However, the text books should include topics reflecting the culture and tradition of the tribal communities. It would rather be desirable to encourage preparation of books in tribal dialects which could be used as supplementary books. Besides, the teachers employed in tribal areas may be encouraged to learn the local tribal dialect and may be suitably rewarded for that. Since the teachers play a vital role in spreading education in tribal areas, talented teachers knowing the local tribal dialect may be appointed with higher scale of pay and other incentives for serving in tribal areas. As far as possible, the local educated tribals should be appointed as teachers in their respective areas. If suitable tribal candidates with requisite educational qualifications are not available the educational and other qualifications may be relaxed in case of selecting tribal candidates as teachers to serve in their own areas.

(8) To promote regular attendance of the Scheduled Caste/Scheduled Tribe students in their classes it would be desirable to adopt the working hours of the schools keeping in view the local conditions. Likewise, during certain agricultural seasons, the Scheduled Caste/Scheduled Tribe students go to the fields to help their parents in agricultural operations and thereby remain absent in their classes. The proper solution for this would be to follow the vacations and other holidays according to the local requirements.

(9) Among some of the tribal communities whose economy is based on shifting cultivation, food gathering and nomadic way of life, opening of school becomes a problem as these communities change their place of habitation frequently in connection with their economic persuits. The only solution for this would be to open pre-school centres and Ashram type of schools with residential facilities for the tribal children from pre-primary to middle and high school stage of education.

(10) Cultural factors also work as barriers for educational advancement of Scheduled Tribes. It is desirable that adult literacy campaign and the publicity and propaganda on the utility of education for the alround development of the tribal people may be intensified for overcoming these hurdles.

(11) It is unfortunate that the extent of the problem of wastage and stagnation of Scheduled Caste/Scheduled Tribe students is not known in respect of many States/Union Territories. To assess the magnitude of the problem and take remedial measures it is necessary that studies on this problem are conducted in all the States/Union Territories by the Tribal Research

Institutes, Universities, Educational Departments and other educational bodies for formulation of suitable strategy in checking the problem.

Ashram Schools :

6.68 Ashram schools are opened in tribal areas providing free education and boarding and lodging facilities to the tribals who inhabit inaccessible hills and forests without proper communication facilities. The tribal villages are also usually small and sparsely populated and the tribal children do not like to walk long distance to go to schools. With a view to attracting the tribal children to continue their studies, Ashram schools were opened in States with sizeable tribal population to impart education for the tribal boys and girls at the primary and middle stages of education. In Orissa, the residential schools for girls are called Kanyashrams while the Ashram Schools are meant for boys. Besides general education, the Ashram Schools also impart training in agriculture and crafts like blacksmithy, carpentry and weaving for boys and tailoring for girls. In some States, Ashram Schools have also been opened to cater to the educational need of the Scheduled Castes. The total number of such institutions in the country in respect of some of the States is given below :

Sr. No.	Name of the States	Year	No. of Ashram Schools
1	Andhra Pradesh	1976-77	291
2	Bihar	1978-79	77
3	Gujarat	1978-79	182
4	Himachal Pradesh	1976-77	5
5	Jammu and Kashmir	1977-78	1
6	Karnataka	1977-78	66
7	Kerala	1972-73	55
8	Madhya Pradesh	1975-76	138
9	Maharashtra	1977-78	329
10	Manipur	1973-74	6
11	Orissa	1977-78	160
12	Rajasthan	1977-78	8
13	Tamil Nadu	1975-76	79
14	Tripura	1977-78	1
15	Uttar Pradesh	1976-77	10
16	West Bengal	1976-77	5
17	Dadra and Nagar Haveli	1975-76	9

6.69 To open new Ashram Schools in tribal areas the scheme of establishment and maintenance of Ashram Schools has been included in the Tribal Sub-Plans.

6.70 The problems of the Scheduled Castes/Scheduled Tribes in their pre-matric studies, reasons leading to high rate of wastage of stagnation and the general apathy of the Scheduled Caste/Scheduled Tribe children towards the formal education have already been discussed in detail. To attract more Scheduled Castes/Scheduled Tribes towards education and to achieve increased enrolment of these students in primary and middle level of education it is necessary to open residential schools and attract Scheduled Caste/Scheduled Tribe students for study by providing them free lodging, boarding, dress and study materials. The State Governments/Union Territory Administrations may, therefore, provide sufficient funds for opening of adequate number of Ashram type of schools for the Scheduled Caste and the Scheduled Tribe students for achieving the desired enrolment of these students and improving their standard of education under proper study atmosphere.

Hostels :

6.71 Hostels play an important role in spread of education among the Scheduled Castes and Scheduled Tribes. Provision of hostels helps in arresting the problem of drop-outs resulting in increasing enrolment of Scheduled Caste/Scheduled Tribe students. It is the general experience that many of the Scheduled Caste/Scheduled Tribe students become disinterested in their studies and discontinue in the middle of the course on account of poverty. In tribal areas, the schools are located in distant places and the children find it difficult to attend the school. The hostels provide study atmosphere for the students. A study conducted by the Directorate of Social Welfare, Karnataka State on the performance of the hostellers in S.S.L.C. examination held in 1978 revealed that the general percentage of passing being 50.8 for Scheduled Castes and Scheduled Tribes it was 36.5 and 38.4, respectively. As against the above figures, the percentage of passing for the hostellers recorded 56.8 for general (including Scheduled Caste and Scheduled Tribe students), 53.5 for Scheduled Castes and 68.0 for Scheduled Tribes. The fact that hostels help in the educational progress of Scheduled Caste and Scheduled Tribe students, both quantitatively and qualitatively is very clear from the above survey.

6.72 Hostels for the Scheduled Caste/Scheduled Tribe boys and girls are constructed under the Backward Classes Sector of the State Plans and Tribal sub-Plan. Non-official organisations running hostels for Scheduled Castes/Scheduled Tribes also receive grants-in-aid from State Governments/Union Territory Administrations, and also from the Government of India. A consolidated up-to-date list indicating the number of Government Welfare hostels for Scheduled Castes/Scheduled Tribes in all the States/Union Territories is not available with the Commission. The position

in respect of the following States/Union Territories is indicated below :—

Sr. No.	Name of the State/ Union Territory	No. of hostels		
		Scheduled Castes	Scheduled Tribes	Total
1	Andhra Pradesh (1979-80)	1,392	324	1,716
2	Bihar (1979-80) . .	235	263	498
3	Gujarat (1979-80) . .	194	376	570
4	Himachal Pradesh (1976-77)	13	3	16
5	Karnataka (As on 30-6-78)	560	17	577
6	Kerala (1979-80) . .	85	6	91
7	Madhya Pradesh (1979-80)	288	1,330	1,711
8	Maharashtra (1976-77) .	N.A.	N.A.	1,303
9	Nagaland (1978-79) .	..	359	359
10	Orissa (1977-78) . .	N.A.	N.A.	1,003
11	Rajasthan (1979-80) .	152	187	339
12	Tamil Nadu (1979-80) .	631	18	649
13	Uttar Pradesh (1973-74) .	95	1	96
14	Andaman and Nicobar Islands (1977-78) . .	..	2	2
15	Arunachal Pradesh(1977-78)	..	75	75
16	Dadra and Nagar Haveli (1977-78) . . .	11	..	11
17	Lakshadweep (1978-79) .	..	5	5
18	Pondicherry . . .	12	..	12

6.73 The number of Government hostels for Scheduled Castes/Scheduled Tribes is not adequate in many States/Union Territories. In his twentysixth Report (1978-79), the Commissioner for Scheduled Castes and Scheduled Tribes observed that the number of such hostels continued to be inadequate in States like Bihar, Gujarat, Himachal Pradesh, Kerala, Rajasthan and Uttar Pradesh and reiterated that urgent action should be taken to meet the deficiency by opening sufficient number of such hostels in those States.

6.74 The Third All India Educational Survey on Hostel Facilities for Scheduled Castes conducted by the National Council of Educational Research and Training during December, 1973 also throws light on this problem. From the statistics received from 13 States (Andhra Pradesh, Bihar, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh and West Bengal) and 2 Union Territories (Dadra and Nagar Haveli and Pondicherry), the report has highlighted the inadequacy of hostel facilities in different States. According to the survey, Uttar Pradesh with the highest Scheduled Caste population did not have the highest percentage of hostels. With only 3.2% of the total number of hostels Uttar Pradesh ranked only eighth in the country in numerical strength of hostels, while Maharashtra having the lowest percentage of Scheduled Caste population (6%) had the second highest number of hostels in all the States/Union Territories. Andhra Pradesh, with 14.51% Scheduled Caste population had the maximum number of hostels, *i.e.* 1036 hostels constituting 26.46% of the total hostels. Surprisingly enough, Haryana having as high as 18.88% of Scheduled Caste population had only 2 hostels in the State for Scheduled Castes.

6.75 The findings of the above study are quite revealing and the Commission are of the view that it would be desirable for all the State Governments/Union Territory Administrations to take immediate steps in providing hostel facilities for the Scheduled Caste/Scheduled Tribe students in both pre-matric and post-matric classes. This would help in arresting the problem of drop-outs of Scheduled Caste/Scheduled Tribe day-scholars to a greater extent and help in continuing their studies as boarders. In States like Tamil Nadu, only Scheduled Caste/Scheduled Tribe students whose native place is more than 8 kms. away are considered eligible for admission in hostels. This criterian has been adopted to eliminate a section of the students as sufficient number of hostels are not available to accommodate all these students. Since the Scheduled Caste/Scheduled Tribe parents are poor and hostels provide better study atmosphere it is desirable that all the Scheduled Caste/Scheduled Tribe students irrespective of the distance from their homes are provided with hostel facilities for improving their educational standard.

6.76 The shortage of hostel facilities is met by construction of new hostels, expansion of the existing hostel buildings to accommodate more boarders, opening of new hostel buildings in rented buildings, and providing alternate accommodation facilities to the Scheduled Caste/Scheduled Tribe students to run their own mess. Since the construction of new hostels involves huge financial expenditure, the State Governments/Union Territory Administrations have taken up construction of new hostel buildings in a phased manner. In Tamil Nadu, new hostel buildings are constructed by the Tamil Nadu Harijan Housing and Development Corporation (THHADCO), providing sufficient accommodation to meet the requirement of the Scheduled Caste/Scheduled Tribe boarders in future. Majority of the hostels in all the States/Union Territories are run in rented private buildings till sufficient number of hostels are constructed. In Tamil Nadu, out of the 631 hostels for Scheduled Castes/ Scheduled Tribes, only 115 are in Government buildings and the remaining are run in private rented houses. In Andhra Pradesh, majority of the hostels are housed in rented buildings. Out of the 1,392 pre-matric hostels and 68

college hostels run by the Social Welfare Department, only 268 are in Government buildings, and out of 335 girls hostels, 297 are located in private buildings. To meet the growing demand of Scheduled Caste/Scheduled Tribe students of post-matric classes for hostel facilities the Government of Andhra Pradesh have been sanctioning funds for running of students' managed hostels. In addition to the hostel charges as per the Government of India post-matric scholarships each of the Scheduled Caste/Scheduled Tribe students managing a common mess is sanctioned Rs. 180 per annum towards the rent of the building, water and electricity charges, salary of the cook and other contingent expenses. In Orissa, each of the Scheduled Caste/Scheduled Tribe students is paid Rs. 20 per month in addition to the usual scholarship amount for running a common mess during the post-matric studies. Admitting the fact that the existing 12 welfare hostels are not sufficient to extend the boarding and lodging facilities for all the Scheduled Caste students and some of the students coming from distant villages are denied of hostel facilities, the Pondicherry Administration have reported that they have sanctioned a scheme for granting bus fare to such students to attend their classes as day scholars. Though the students have to undergo much strain in coming to their classes from distant places, the scheme compensates the financial loss suffered by them on account of journey by bus.

6.77 It is the common experience that due care is not taken in selection of places where the new hostels are constructed. Due to indiscriminate opening of hostels some of the hostels are over-crowded while in some hostels the sanctioned strength is not achieved. A study conducted by our Madras office on working of welfare hostels in Karnataka during 1978 revealed that out of 27 hostels visited, full strength was achieved only in 8 hostels and in 1 hostel the strength of the boarders admitted exceeded the sanctioned strength. Shortfall in attaining the full strength was noticed in 18 hostels accounting for 66.7% of the total sample. The shortfall was maximum in Mercara district where full strength was achieved only in one out of the 7 hostels studied. In rest of the 6 hostels, 3 to 18 seats were lying vacant due to dearth of suitable candidates. The position was also no better in Karwar district where the seats remained vacant in 9 out of the 11 hostels studied. Only 2 hostels having minimum strength of 25 seats each had achieved the full strength while the number of seats lying vacant in each of the 9 hostels varied from 2 to 14. In both these districts, there was dearth of eligible Scheduled Caste/Scheduled Tribe students to attain the sanctioned strength in hostels. The percentage of Scheduled Caste population in Karwar district being very negligible, sufficient Scheduled Caste students were not available in the district for admission in the hostels. In Bangalore district, however, out of 9 hostels studied full sanctioned strength was achieved in 4 hostels and the number of students admitted exceeded the sanctioned strength in 2 hostels. The hostel run by the non-official agency at Maralagavi had 150 boarders as against the sanctioned strength of 125, and the Government college hostel, M. G. Road, Bangalore, admitted 300 boarders against the sanctioned strength of 170. Only in 3 hostels, the number of boarders admitted was less than the sanctioned strength by a narrow margin of 2 or 3 seats.

6.78 It is thus clear that indiscriminate opening of hostels does not help in proper utilisation of the hostel facilities. In some places, the hostels are crowded to accommodate boarders over and above the sanctioned strength, while in other cases many of the seats continue to be vacant due to dearth of Scheduled Caste/Scheduled Tribe candidates. The Commission recommend that district authorities should annually review the capacity of seats in the hostels for Scheduled Castes and Scheduled Tribes and rationalise the facilities according to the demand at block/tahsil levels. As regards girls' hostels, care should be taken to ensure that hostel buildings are not used for purposes other than girls hostels. These hostels should have compound walls as well as attached warden's quarters. As far as possible, location of girls' hostels should not be in forlorn and isolated places.

6.79 Ambedkar Educational Society, Sonepat in Haryana was running a hostel for Scheduled Caste girls in a rented building upto 1975. The hostel was closed down in 1976 by the Society as it received Rs. 30,000 as grants from the State Government to construct a hostel building. A study conducted by our Chandigarh office during 1976-77 indicated that the Society had already spent the money on construction of the hostel and the construction work was held up due to the delay in sanction of further grants to complete the work. The study revealed that the site selected for the hostel was unsuitable and the entire amount spent on construction of the hostel was a waste.

6.80 All the three hostels in Chandigarh run by S.G.G.S. Khalsa College, Mahilpur, Guru Ravi Dass Sabha, Ludhiana, and Guru Nanak National College for Women were lying vacant due to non-availability of suitable candidates. All the 297 seats for Scheduled Caste girls in S.G.G.S. Khalsa College were lying vacant as the students were from neighbouring area and preferred to study as day scholars. Similarly, it is surprising that the authorities of the Guru Ravi Dass Sabha were not aware of the purpose for which the hostel was constructed and did not make any effort to fill up the seats reserved for Scheduled Caste girls. The Principal, Guru Nanak National

College for Women indicated that there was no necessity for such a hostel in their institution and it was lying vacant because all the students preferred to stay with their parents residing in nearby places.

6.81 A sample study on girls hostels conducted by our Bhubaneswar office in Orissa during 1977-78 revealed that hostels were opened indiscriminately without keeping in view the local demands, and such hostel buildings were utilised for the purposes other than that for which these were constructed. These were being used either as class rooms, teachers' quarters, office room and for other purposes.

6.82 An evaluation study of girls hostels conducted in Rajasthan by the Ahmedabad field office during 1978-79 also indicates that in one hostel at Jaipur only one third of the sanctioned strength of the hostel could be achieved and the rest of the seats were lying vacant due to non-availability of suitable candidates.

6.83 The findings of the studies on hostels thus indicate that due care is not taken to assess the local requirements before new hostels are constructed. The Commission, therefore, urge that the following considerations may be kept in view before construction of new hostels so that the amount spent for the purpose does not go waste :

(i) The Welfare Departments in each State/ Union Territory should examine the proposal for construction of hostels in consultation with the District Welfare Officers and sanction such hostels only for the places where these are actually necessary. An assessment should be made about the local requirements and hostels should be opened in such places where at least 30 Scheduled Caste/Scheduled Tribe students are in need of such facility.

(ii) The demand for hostels is more acute in urban centres where the Scheduled Caste/Scheduled Tribe students are drawn from different parts of the State/ Union Territory and find it difficult to continue their studies without boarding and lodging facilities. Due care may have to be taken for constructing larger number of hostels in urban centres and places having more educational institutions to avoid over crowding in the existing hostels.

(iii) Grant-in-aid should not be sanctioned to the voluntary organisations indiscriminately by the State Governments/ Union Territory Administrations and by the Central Government. Only those voluntary organisations having reputation in social welfare work should be sanctioned grants for construction of hostel buildings for Scheduled Castes/Scheduled Tribes.

(iv) Due care should be taken in selection of site for construction of hostels. The hostels should not be far away from the educational institutions and be in healthy surroundings. In addition to these, the girls hostels should be located in central places of residential area and near the schools for ensuring safety of the inmates.

(v) The scheme of construction of hostels suffers from unusual delay mainly due to administrative difficulties like delay in sanction of funds, selection of sites, acquisition of sites, and actual construction of the hostel buildings. Particularly the scheme of construction of girls hostels under Central Sector has suffered a set back on account of administrative lapses. The Rural Engineering Organisation and State P.W.D. entrusted with the construction of hostels take considerable time to attend to this work. With a view to ensuring quick completion of hostel buildings, the Government of Andhra Pradesh have been implementing the scheme of construction of hostels through the Scheduled Caste Finance Corporation (THHADCO) and out of 136 hostels sanctioned and entrusted to THHADCO, construction of 51 has been completed. The steps taken by the Governments of Andhra Pradesh and Tamil Nadu are on the right line and should be followed by other State Governments/Union Territory Administrations who may take suitable steps so that construction of hostels for Scheduled Castes/Scheduled Tribes are taken up on priority by independent Engineering/ Construction agencies.

(vi) The Commission also recommend that while new hostel buildings are constructed, the example of Tamil Nadu may be followed by other States/Union Territories in sanctioning hostel buildings with sufficient accommodation to meet the demand of increasing number of Scheduled Caste/Scheduled Tribe boarders basing at least on a projection of five year requirements in view.

(vii) To give impetus to educational development of the Scheduled Caste and Scheduled Tribe girls the scheme of construction of girls hostels was introduced by the Government of India during the Third Five Year Plan period. It is learnt that to meet the deficiency in hostel facilities for Scheduled Caste and Scheduled Tribe boys, the Ministry of Home

Affairs have been contemplating to extend the benefit to the Scheduled Caste and Scheduled Tribe boys and have proposed for an outlay of Rs. 50 crores for construction of hostels for Scheduled Caste boys during the Sixth Five Year Plan (1980-85) under Centrally Sponsored Schemes. The matter is under the consideration of the Planning Commission. It is hoped that the scheme would be cleared and implemented during the Sixth Five Year Plan period to meet the shortage of hostel accommodation for the Scheduled Caste boys.

(viii) To help the Scheduled Caste/Scheduled Tribe students who are denied hostel facilities on account of shortage of hostel accommodation, and are required to travel long distance from their native place to attend classes, it is desirable that all the State Governments/Union Territory Administrations follow the example of Pondicherry and sanction a scheme to grant actual bus fare to such students till they are provided with hostel accommodation. This would relieve the financial strain of the Scheduled Caste/Scheduled Tribe parents who are poor and unable to bear the expenditure on transport for sending their children to schools/colleges.

(ix) The Scheduled Caste/Scheduled Tribe students continuing their post-matric studies are usually from distant places. The colleges are also mostly located in urban areas. It becomes difficult for the Scheduled Caste/Scheduled Tribe students to arrange for their lodging in such places and their studies suffer if they are not provided with hostel accommodation. All the State Governments/ Union Territory. Administrations may, therefore, consider to sanction a scheme for providing additional amount to such Scheduled Caste/Scheduled Tribe students to run a common lodging and boarding mess as implemented in Andhra Pradesh and Orissa.

Reservation of Seats in Hostels :

6.84 It is often argued that setting up of hostels exclusively for Scheduled Caste/Scheduled Tribe students leads to isolation of the weaker sections who are not given opportunity to mingle with the students of other castes from the beginning of their career making. Though not desirable, it is considered necessary to set up educational institutions including hostels exclusively for Scheduled Castes/Scheduled Tribes with a view to ensuring concerted efforts for development of these under privileged groups of the society till such period when special efforts are not considered necessary for their upliftment. However, some States have taken steps in this direction for intermingling of Scheduled Caste/Scheduled Tribe students with those belonging to other Castes in hostels. With a view to avoiding segregation on community basis and to promote social integration of students of different communities, all the denominational hostels run by the Social Welfare Department, Karnataka, have been converted to non-denominational ones and 25% of the seats in welfare hostels have been reserved for admission of non-Scheduled Caste/Scheduled Tribe students. In case sufficient number of students belonging to other Castes are not available, the vacant seats are filled up by the Scheduled Castes and Scheduled Tribe students.

6.85 With a view to facilitating free mixing of Scheduled Castes/Scheduled Tribe students with those belonging to other communities, and as a step forward for removal of untouchability, 20% seats in welfare hostels of Tamil Nadu are reserved for the students of Backward Classes and 5% for the Forward Class students.

6.86 In all the hostels run by the Directorates of Harijan Welfare and Tribal Welfare in Kerala, 10% of the seats are reserved for admitting the students other than Scheduled Castes and Scheduled Tribes.

6.87 The position in other States/Union Territories regarding reservation of seats for non-Scheduled Castes/Scheduled Tribe students in Government welfare hostels is not known. This Commission, however, are of view that steps taken by the Governments of Tamil Nadu, Karnataka and Kerala are on the right line and should be adopted by other States/Union Territories so that from the very early period of their career-making the Scheduled Caste/Scheduled Tribe boarders are not kept segregated from those belonging to other communities and are given scope to share living with all as brothers. On the same analogy, it is necessary that some of the seats in general hostels should also be reserved for Scheduled Caste and Scheduled Tribe students.

6.88 In pursuance of the recommendation made by the High Power Committee in October, 1978 for reservation of seats for Scheduled Castes and Scheduled Tribes in the general hostels in proportion to the population of these communities in various States/Union Territories, the Ministry of Home Affairs had requested the State Governments/Union Territory Administrations to do the needful in the matter. The University Grants Commission have also issued necessary instructions to all the institutions assisted by them to reserve 20 per cent of the seats. In such hostels for students belonging to Scheduled Castes and Scheduled Tribes. The University Grants Commission have also decided that their assistance for construction of hostels in backward areas would be at the rate of 75 per cent of the total expenditure as against 50 per cent available for other areas. According to the information available with this Commission, the following

percentages of seats are reserved for Scheduled Caste/Scheduled Tribe students in general hostels of 9 States.

Sr. No.	Name of the State	Percentage of seats reserved for	
		Scheduled Castes	Scheduled Tribes
1	2	3	4
1	Andhra Pradesh .	20	5
2	Karnataka . .	25	For Scheduled Castes and Scheduled Tribes.
3	Kerala . . .	25	Do.
4	Madhya Pradesh .	20	Do.
5	Orissa . . .	10	Do.
6	Tamil Nadu . .	18	Do.
7	Tripura . . .	31·5	10·5
8	Uttar Pradesh . .	18	For Scheduled Castes and Scheduled Tribes.
9	West Bengal . .	15	5

Manipur, Meghalaya, Nagaland, Mizoram, Arunachal Pradesh and Lakshadweep being predominantly inhabited mostly by tribals, it has been reported that there was no necessity for those States/Union Territories for reservation of seats for Scheduled Caste/Scheduled Tribe students in general hostels. It is, however, desirable that other States/Union Territories should take necessary steps in this direction and provide reservation of seats for Scheduled Caste/Scheduled Tribe students in general hostels.

Rate of stipend in welfare hostels

6.89 The rate of stipend paid to the inmates of the welfare hostels in Tamil Nadu varies from Rs. 45 to Rs. 80 per boarder per month for a period of 10 months in a year. For Government college (Boys and Girls) hostels in Madras City, the rate of stipend is Rs. 80 per month, while the rate is Rs. 65 in such hostels located in mofussil areas. For all the hostels of high school students, stipend is paid at the rate of Rs. 45 per month.

6.90 In West Bengal, the Scheduled Castes/Scheduled Tribe boarders are paid stipend at the rate of Rs. 75 per month for 12 months, and only those Scheduled Caste students whose parents' annual income does not exceed Rs. 3,600 are eligible for such facility.

6.91 The boarding charges in welfare hostels in Karnataka State are paid at the rate of Rs. 50 per month for 10 months, and the rate is Rs. 40 for boarders of those hostels which are covered under the World Food Programme.

6.92 The rate of stipend for Scheduled Caste/Scheduled Tribe boarders studying in High Schools is lowest in Orissa, where each boarder is paid at the rate of Rs. 30 per month for 10 months. The rate is little more in residential schools run for the tribal students. In residential Sevashrams (classes I to III), the stipend is Rs. 51 per month while in Ashram School (classes IV to VII for boys) and Kanyashram (for girls), the boarders are paid at the rate of Rs. 51 and Rs. 53 per month. In High School hostels run by the Tribal Rural Welfare Department, each boy gets Rs. 51, while each girl is paid Rs. 53 as stipend per month. The scholarships for the hostellers are paid for 10 months in a year.

6.93 In Andhra Pradesh, the boarders of the Social Welfare hostels were paid stipend at the rate of Rs. 25 to Rs. 40 which has been increased to Rs. 50 for high school student and Rs. 80 for college students.

6.94 The stipends paid to the boarders were fixed years ago and have not been revised. While the cost of things has risen alarmingly, the old rate of stipend continues to be adopted. The hostel authorities find it extremely difficult to provide a square meal to the boarders with the low amount of stipend. The food served in the hostels is inadequate and lacks protein. Milk, egg and even vegetables are not supplied to the inmates of the hostels to the desired extent.

6.95 According to a news item appearing in the 'Patriot', dated 17-9-1979 and other news papers, the Scheduled Caste/Scheduled Tribe students of the Social Welfare hostels of Andhra Pradesh staged agitation demanding better hostel facilities and increased stipend. The agitation originating at Hyderabad, the State headquarters, reportedly spread to other parts of the State and the Scheduled Caste/Scheduled Tribe students were arrested. This Commission requested the Government of Andhra Pradesh to send a report and the action taken by them to remedy the grievances of the Scheduled Caste/Scheduled Tribe students, but no reply has so far been received from them. The problems of the Scheduled Caste/Scheduled Tribe boarders of Andhra Pradesh are also faced by those in other States and Union Territories which turn into violent agitations. It is high time that all the State Governments/Union Territory Administrations take early steps in revising the rate of stipend for Scheduled Caste/Scheduled Tribe boarders linking it with the prevailing price situation in the country. To supplement the diet of the hostellers, it would also be desirable to provide a small poultry unit and a kitchen garden in each of the welfare hostels.

Amenities provided in hostels :

6.96 The amenities in the hostel include sufficient accommodation, provision of bath rooms and latrines, electricity, library, special

coaching, games and sports articles and medical aids. It is our common experience that such facilities in welfare hostels are inadequate. Majority of the hostels are located in private buildings where living conditions are unsatisfactory. These buildings are old and leaking, small in size, and lack sufficient number of bath rooms and latrines. A study conducted by our Madras field office in Karnataka revealed that out of 27 hostels visited, bath rooms were not provided in 4 hostels including a girls hostel. Sanitary conditions in most of the hostels, especially in those run in private buildings, were far from satisfactory and adequate number of latrines were not provided in such hostels. In the hostels constructed for the Scheduled Tribes in Tithimathi in Marcara district, the well was constructed close to the latrines and the water was not being used for drinking purpose. The libraries provided in the hostels were hardly being utilised by the hostellers, as the books were too difficult for them to understand. Adequate games and medical provisions were also not provided in hostels and there was no scheme to promote cultural and extra curricular activities among the hostellers. This was also the case with the girls hostels constructed under the Centrally Sponsored Scheme. Although the scope of the scheme was widened during the Fifth Five Year Plan period providing for furnishing of hostels, initial equipments for crafts, grants for equipments for cultural activities and rotating capital for agricultural plots, etc., none of the hostels constructed during the period has made provisions for any of the schemes envisaged under the revised pattern.

6.97 The Commission, therefore, are of the view that while taking steps for construction of hostels, the State Governments and Union Territory Administrations should also keep an eye on the qualitative improvement of the scheme. Adequate facilities for improving the living conditions should not only be ensured in the new hostels being constructed, but the conditions in the existing hostels should also be improved for creating congenial atmosphere for the hostellers in attending to their studies without much hinderance. Special coaching as provided for the hostellers may be intensified enabling them to do well in their examination.

6.98 The conditions in the hostels run by voluntary organisations are reported to be comparatively better than those run by the State Governments/Union Territory Administrations. The Scheduled Caste/Scheduled Tribe students are provided better food and the management takes personal interest in enforcing discipline in the students. The performance of the Scheduled Caste/Scheduled Tribe students residing in hostels run by reputed voluntary organisations is also better than other Scheduled Caste/Scheduled Tribe students. The Commission, therefore, recommend that in view of shortage of hostel accommodation, the Central and State Governments may give grants to voluntary agencies to run more hostels for Scheduled Caste/Scheduled Tribe students.

6.99 It is heartening to note that the Government of Karnataka constituted a committee during 1971 to study the living conditions of the Government/Grants-in-aid hostels and to offer suggestions for their improvement. The recommendations of the Committee were accepted by the State Government and the Social Welfare Department proposed a scheme during 1975 for providing aided amenities in hostels run for the Scheduled Castes, Scheduled Tribes, Denotified Tribes and other Backward Classes. These are being implemented gradually and it is hoped that Karnataka State would achieve the goal setting example for other States. It is desirable that other State Governments/Union Territory Administrations should set up a Committee to go into the working of the welfare hostels and suggest for their proper management.

Pre-matric scholarships for Scheduled Caste/Scheduled Tribe students in States/Union Territories :

6.100 The schemes implemented by the State Governments/Union Territory Administrations for the educational advancement of the Scheduled Caste/Scheduled Tribe students at the pre-matric level include award of pre-matric scholarships and stipends, provision of school uniforms, supply of reading and writing materials, incentive prizes for the meritorious students, prizes for the teachers for achieving best attendance of Scheduled Caste/Scheduled Tribe students, provision of hostel facilities and special coaching etc. The number and the pattern of the schemes vary from one State/Union Territory to the other to cover all the eligible Scheduled Caste/Scheduled Tribe students to benefit from these schemes.

6.101 The information received from the 9 States of Gujarat, Uttar Pradesh, Madhya Pradesh, Tamil Nadu, Bihar, Andhra Pradesh, Haryana, Punjab and Rajasthan and 3 Union Territory Administrations of Lakshadweep, Pondicherry and Goa, Daman and Diu, indicate that the rate of monthly stipends for Scheduled Caste/Scheduled Tribe students varies from Rs. 2 to Rs. 5 in primary classes, Rs. 4 to Rs. 20 in middle and Rs. 6 to Rs. 27.50 in High School education per student. No stipend is given to Scheduled Caste/Scheduled Tribe students of primary classes in Gujarat, Madhya Pradesh, Haryana, Rajasthan, Lakshadweep Pondicherry and Goa, Daman and Diu. Education is free in these States/Union Territories at the primary stage and the Scheduled Caste/Scheduled Tribe children are supplied with text-books, writing materials at free of cost.

6.102 In Andhra Pradesh, the rate of stipend in class I is Rs. 20 (Rs. 2 per month for 10 months) per student, and the rate is uniform

for the students of classes II to VII, *i.e.* Rs. 50 per student per annum (for 10 months). The rate of stipend per student reading in classes VIII to X is fixed at Rs. 70 per annum. In addition to the above, merit scholarships at the rate of Rs. 50 per month are awarded for 12 months to each of the first and the second rank Scheduled Tribe students in VII class examination in each district. Special Residential scholarships at the rate of Rs. 5,000 per annum is also sanctioned to each Scheduled Tribe and Denotified Tribe student admitted in public schools with hostel facilities, and Rs. 2,750 is sanctioned for each of the students of the above categories admitted to convents with hostels.

6.103 In Bihar, pre-matric scholarship is paid at the rate of Rs. 5 per month per student in classes I—IV and Rs. 10 in classes V to VI at the primary level. The rate of scholarships at classes VII to X is Rs. 20 per month for each student and Rs. 30 for every Scheduled Tribe student. Two sets of uniforms are supplied only to each of the Scheduled Caste/Scheduled Tribe girl students studying in classes V to X. Each of the Scheduled Caste/Scheduled Tribe boys and girls securing highest marks in their matric examination in each district are awarded a medal worth of Rs. 100 and Rs. 1,000 in cash.

6.104 The rate of pre-matric stipend in Uttar Pradesh is Rs. 3 in classes I to V, Rs. 9 in VI Class, Rs. 12 in classes VII to VIII and Rs. 18 in classes IX to X per month per student and paid for 12 months. The scheme, however, does not benefit all the eligible Scheduled Caste/Scheduled Tribe students and only those students whose parents' monthly income does not exceed Rs. 500 are considered for getting benefit under this scheme. Out of the total scholarships awarded, 75% are awarded on the basis of merit and 25% on the basis of means test in case of boys. The girls students and the students whose parents are engaged in sweeping and scavenging are, however, covered in full under the scheme.

6.105 In Tamil Nadu, the Scheduled Caste/Scheduled Tribe students studying in classes I to III are granted non-recurring grants at the rate of Rs. 4 per annum per boy and Rs. 7.50 per girl. The rate in other classes varies for those studying in schools in Madras City from those in schools located in rural areas, and in case of residential and non-residential students. No residential scholarships are awarded to the students of classes I—V; but each student studying in classes VI to VIII and IX to XI gets Rs. 150 and Rs. 200 per annum, respectively as residential scholarship. The rates of the non-residential scholarship awarded to Scheduled Caste/Scheduled Tribe students in different stages of education are indicated below:

Class	Primary, Upper primary and Basic Schools and Corporation Schools				Secondary and post-matric Schools			
	Institutions in Madras City		Institutions in Rural areas		Institutions in Madras City		Institutions in Rural areas	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
IV to V	6.00	9.00	6.00	9.00	8.00	12.00	7.00	10.50
VI	9.00	13.50	9.00	13.50	23.00	34.50	23.00	34.50
VII	12.00	18.00	12.00	18.00	23.00	34.50	23.00	34.50
VIII	12.00	18.00	12.00	18.00	23.00	37.50	23.00	34.50
IX to XI	..	..	..	..	35.00	52.50	30.00	45.00

6.106 Incentive prizes in the shape of providing dresses are given to Scheduled Caste students who attend their classes regularly. The Headmasters/Headmistresses are also awarded prizes in the shape of silver medals at district level for maintenance of best attendance. First and second prizes in the shape of National Savings Certificates are also awarded to Scheduled Caste boys and girls who secure the highest marks in the S.S.L.C. Public examination and VIII standard examination in each district. A silver shield to the value of Rs. 200 is also awarded to the Harijan Welfare High School which records the highest percentage of passes in S.S.L.C. examination in Tamil Nadu.

6.107 Education is free upto class VIII in West Bengal, and the Scheduled Caste/Scheduled Tribe students studying in classes IX-X are granted tuition fees at the rate of Rs. 4.50 per month in rural areas, Rs. 5 in municipal areas and Rs. 6 in the areas under the Calcutta Corporation. Each Scheduled Caste/Scheduled Tribe student of classes V, VI, VII, VIII, IX and X is also sanctioned book grants at the rate of Rs. 10, Rs. 30, Rs. 70, Rs. 70, Rs. 80, and Rs. 50 respectively, per annum. Examination fees for Rs. 35 is also sanctioned for each Scheduled Caste/Scheduled Tribe student appearing the final high school examination.

6.108 The Government of Maharashtra approved a scheme to give pre-matric stipends to the Scheduled Caste/Scheduled Tribe students of classes I—X. Only the first two students in each class and securing at least 55% of marks in their annual examination were to benefit from the scheme but it has been reported

that due to want of funds, the benefits of the scheme have been given only to the Scheduled Caste/Scheduled Tribe students of IX and X classes.

6.109 The Scheduled Caste/Scheduled Tribe students of primary classes in Rajasthan are not given any stipend, but those studying in classes VI—VII and IX—XI are paid monthly stipend of Rs. 10 and Rs. 20, respectively.

6.110 In Jammu and Kashmir, there are no Scheduled Tribes and Scheduled Caste students of standards IX-X are paid stipend at the rate of Rs. 20 each per month if their parents' annual income does not exceed Rs. 300 per month. The rate of stipend is Rs. 10 for the students of IV—V and Rs. 15 for those studying in standards VI—VIII.

6.111 The Scheduled Caste/Scheduled Tribe students of primary, middle and high school classes in Himachal Pradesh are paid stipend at the rate of Rs. 8, Rs. 12 and Rs. 15 per month. The students of primary and middle classes whose parents' annual income exceeds Rs. 6,000 are not eligible for such scholarships. Likewise, the income ceiling prescribed for the students of standards IX—X is Rs. 9,600 per annum.

6.112 The present rate of stipend for the Scheduled Caste/Scheduled Tribe students of Manipur studying in classes II—IV is Rs. 5 per month. Each of the students studying in classes V, VI, VII and VIII gets stipend at the rate of Rs. 7, Rs. 10, Rs. 15 and Rs. 15 respectively per month. The revised rate of stipend for those studying in classes IX—X is Rs. 20 per month.

6.113 In Tripura, the rate of scholarship for the Scheduled Caste/Scheduled Tribe students studying in standards IX—X is fixed at Rs. 30 per month per student and the scholarship is paid for 10 months.

6.114 Pre-matric scholarships to the Scheduled Caste students studying in standards VI—VIII in Punjab are paid at the rate of Rs. 5 per month while those in standards IX—XI are paid at varying rates according to their performance in their annual examination of the previous class of study. Each student securing First Division is paid at the rate of Rs. 25 per month while the rate of scholarship is Rs. 22 and Rs. 19 for those who secure Second and Third Division marks. The girl students are paid one rupee more than the rate prescribed for the boys. There are no Scheduled Tribes in Punjab.

6.115 In Nagaland, pre-matric stipends are paid on the basis of merit-*cum*-poverty, but the details of the criteria adopted for eligibility of such stipends are not known. Each Scheduled Tribe student studying in standards III—VI gets Rs. 15 per month while those studying in standards VIII-X are paid stipend at the rate of Rs. 20 per month.

6.116 There are no Scheduled Tribes in Haryana, and the Scheduled Caste students of classes IX—XI, whose parents' annual income does not exceed Rs. 4,200 are paid stipend at the rate of Rs. 16 per month.

6.117 The Scheduled Caste/Scheduled Tribe day-scholars studying in classes VIII—X in Orissa are paid at the rate of Rs. 70 per annum.

6.118 No scholarships are paid to the Scheduled Caste/Scheduled Tribe students of classes I—IV in Assam, and those in classes V—VII are paid scholarship at the rate of Rs. 5 per month. The scholarship to the Scheduled Caste/Scheduled Tribe students studying in classes VIII—X is paid at the rate of Rs. 7 per month. The scholarships are awarded on merit-*cum*-poverty basis and those whose parents' annual income exceeds Rs. 3,600 are not considered eligible for such stipend.

6.119 In Bihar, the Scheduled Caste/Scheduled Tribe students of classes I—IV are paid stipend at the rate of Rs. 5 per month and the rate fixed for the students of classes V—VI is Rs. 10. Those studying in classes VII—X are sanctioned scholarships of Rs. 20 per month per student.

6.120 No scholarships are given in Rajasthan for the Scheduled Caste/Scheduled Tribe students upto class V and those studying in classes VI—VIII and IX—XI are paid scholarship at the rate of Rs. 10 and Rs. 20, respectively, per month. No income criteria is adopted for granting such scholarships to the Scheduled Caste/Scheduled Tribe students.

6.121 The details of the scheme of sanction of pre-matric stipends in the Union Territories are discussed below.

6.122 In Lakshadweep, no scholarships upto standard VII is given to the Scheduled Tribe students except those residing in Bitra island where education is available only upto standard II. The students of this island studying in standards III—VII are awarded stipend at the rate of Rs. 50 per month as they have to go to other islands for their studies. The rate of stipend for the students studying in standards VIII—X and XI—XII is Rs. 30 and Rs. 75 per month for those who study in their own islands, while those who go to other islands for study are paid stipends at the rate of Rs. 50 and Rs. 130, respectively. There are no Scheduled Castes in Lakshadweep. In addition to the above, each student is sanctioned in annual lumpsum grant of Rs. 37.50. No scheme is implemented in Dadra and Nagar Haveli and Delhi to award pre-matric scholarships to the Scheduled Caste/Scheduled Tribe students. In Chandigarh, the Scheduled Caste students of standards IX and

X are paid stipend of Rs. 6 and Rs. 10 per month, respectively. No scholarship is paid to the students of Pondicherry upto standard V, and those studying in standards VI, VII, VIII, IX and in X are paid stipend for 10 months at the rate of Rs. 6, Rs. 8 and Rs. 10, respectively. Merit scholarships for those securing 55% and more marks in their previous class examination are also sanctioned at the rate of Rs. 20 for the students of standard IX and Rs. 25 for those studying in standard X. The students whose parents' income does not exceed Rs. 6,000 per annum are eligible for such awards. There are no Scheduled Tribes in Pondicherry. In Mizoram, the Scheduled Tribe students of classes I—VI are paid scholarship at the rate of Rs. 5 per month and Rs. 7 is paid for those studying in classes VII—X. The Union Territory Administration propose to increase the rate of stipend. Education is free in Goa, Daman and Diu. In addition to the free educational facility, each of the Scheduled Tribe/Scheduled Caste students of classes V—VIII gets Rs. 40 per annum and those in classes IX—XI are sanctioned Rs. 60 per annum. Students whose parents' annual income exceeds Rs. 3,600 per annum are not eligible for these stipends. The scheme of giving meritorious scholarships is sanctioned only for the Scheduled Caste/Scheduled Tribe girl students of classes IX—XI securing 55% or more marks in the annual examination of their previous standard of study. Each such girl of standards IX, X and XI gets Rs. 20, Rs. 25 and Rs. 30 respectively, per month.

6.123 It is evident that the scheme for providing stipend to the Scheduled Caste/Scheduled Tribe students at pre-matric classes is not in vogue in all the States/Union Territories and where the scheme is implemented, the rate of stipend is not uniform. The amount is not adequate to attract more number of Scheduled Caste/Scheduled Tribe students at the grass-root level of education. In some States, the scheme is meant only for the Scheduled Castes or Scheduled Tribes, or for girls, thus depriving one section of Scheduled Caste/Scheduled Tribe students of the benefits of the scheme. In Andhra Pradesh, while Special Residential Scholarships are awarded to Scheduled Tribe and Denotified Tribe students of public schools and convent schools, the Scheduled Caste students are not covered under the scheme. In Goa, merit scholarships are awarded only to Scheduled Caste/Scheduled Tribe girls. In addition to the above, the scheme for providing pre-matric scholarships does not benefit all the eligible Scheduled Caste/Scheduled Tribe students on account of the income criteria fixed by some of the State Governments/Union Territory Administrations. In Gujarat, the children whose parents' annual income exceeds Rs. 7,200 per annum are not considered for award of pre-matric stipends and in Uttar Pradesh, the income limit is fixed at Rs. 6,000 per annum.

6.124 In view of the above observations, the following steps may be taken to facilitate proper working of the educational schemes implemented for Scheduled Caste/Scheduled Tribe students of pre-matric classes :

(i) From the information available with this Commission, it is learnt that education is free for all the children including Scheduled Castes/Scheduled Tribes upto middle level in West Bengal, Gujarat, Uttar Pradesh and Haryana, while in Tamil Nadu, free education is given upto Pre-University course. For educational advancement of the weaker sections, it is desirable that education may be free for Scheduled Caste/Scheduled Tribe students in all the States/Union Territories upto the high school level.

(ii) Where education is free, no tuition fees are charged from the students. Many of the State Governments/Union Territory Administrations do not have any scheme to provide stipends to the Scheduled Caste/Scheduled Tribe students at primary and middle classes under the plea that education is free upto some standards. As has been discussed earlier, the educational problems of the Scheduled Castes/Scheduled Tribes should be viewed from a different angle than the general people keeping in view their socio-economic backwardness. Opening of educational institutions is sufficient to attract the students from the general mass, but mere provision of schools and free education may not have the same impact on the Scheduled Caste/Scheduled Tribe students on the educational front. It is, therefore, necessary that special incentives like supply of dress, mid-day meals, books, slates, and pre-matric stipends are provided by all the States/Union Territories to attract more number of Scheduled Caste/Scheduled Tribe students to join their studies.

(iii) The rate of stipend in primary and middle classes, appears to be too low, and is not uniform in all the States/Union Territories, where the scheme is in vogue. The rate may, therefore, be suitably enhanced keeping in view the increasing cost of things and an uniform scale is adopted throughout the country. It would be reasonable if stipend is given at the following rates by all the State Governments/Union Territory Administrations to the Scheduled Caste/Scheduled Tribe students studying in primary/middle/high school levels.

Class of study	Rate of stipend per month for 10 months (amount in Rs.)	
	Boys	Girls
I	5·00	6·00
II	6·00	7·00
III	8·00	10.00
IV	10·00	12·00
V	12·00	14·00
VI	13·00	15·00
VII	14·00	16·00
VIII	25·00	27·00
IX	30·00	32·00
X	35·00	37·00

6.125 The Scheduled Caste/Scheduled Tribe students who are not provided with hostel facilities may be paid stipends at increased rates as suggested above.

(i) The incentive to Scheduled Caste/Scheduled Tribe students of pre-matric classes are provided only to one section of the eligible candidates. In some States, only girl students get some benefits while boys are not considered eligible. In States like Andhra Pradesh, residential scholarships are awarded only to the Scheduled Tribe/Denotified Tribe students. Since the Scheduled Castes and Scheduled Tribes are victims of common socio-economic backwardness, it is not justified to deprive one of the sections from the educational benefits on the basis of caste/community or sex. It is, therefore, desirable that such benefits should be extended to all Scheduled Caste and Scheduled Tribe students and both to boys and girls.

(ii) The Scheduled Caste/Scheduled Tribe children whose parents' income exceeds Rs. 600 per month in Gujarat and Rs. 500 per month in Uttar Pradesh are not given pre-matric stipends. Further, in Uttar Pradesh, out of the total pre-matric scholarships awarded to Scheduled Caste/Scheduled Tribe boys, 75% are awarded on the basis of merit and 25% on the basis of means test. Majority of the Scheduled Castes/Scheduled Tribes are below poverty line and are unable to afford for their children's education. Since a low enrolment of Scheduled Caste/Scheduled Tribe students at the pre-matric stages directly affects the progress at the subsequent higher stages of education, it is recommended that all the Scheduled Caste/Scheduled Tribe boy and girl students at pre-matric level are sanctioned scholarships/stipends irrespective of their parents' income. This would attract more Scheduled Caste/Scheduled Tribe students for studies at the lower level and go a long way in achieving the target enrolment at the pre-matric and post-matric levels of study. The provisions under this scheme may be suitably augmented by the respective State Governments/Union Territory Administrations to cover all the eligible students of the target group.

6.126 As envisaged in the scheme, all the Scheduled Caste/Scheduled Tribe students of per-matric classes who continue their studies within their own State are awarded pre-matric stipends. It is heartening to note that the scheme in Orissa, Manipur and Arunachal Pradesh aims at giving stipends to all the Scheduled Caste/Scheduled Tribe students irrespective of the fact that they continue their studies within or outside their respective home States/Union Territories. In other States, the Scheduled Caste/Scheduled Tribe students residing outside their own States/Union Territories are not considered eligible for grant of pre-matric scholarships. As the Scheduled Caste/Scheduled Tribe students are awarded post-matric scholarships irrespective of the fact whether they continue their studies in the State to which they belong or outside their own State this Commission had taken up the issue with all the State Governments/Union Territory Administrations in May 1979 to revise the pattern of the scheme for providing pre-matric scholarship to all the eligible Scheduled Caste/Scheduled Tribe students irrespective of their place of study. The response from them is not quite encouraging. The Governments of Tamil Nadu, Uttar Pradesh, Himachal Pradesh and Jammu and Kashmir have already expressed their inability to comply with the request of the Commission on the plea that they do not have sufficient funds to extend the benefit to the Scheduled Caste/Scheduled Tribe students residing outside their home States. Other States/Union Territories have informed that the issue is under consideration and no decision has been taken in the matter.

6.127 The views of this Commission as intimated to all the States/Union Territories are reiterated. It is hoped that the State/Union Terriory authorities consider the desirability of treating Scheduled Caste/Scheduled Tribe students continuing pre-matric studies outside their home State/Union Territory at par with those studying within their own State/Union Territory for award of pre-matric stipends. As in case of post-matric students, the students of pre-matric classes continuing their studies outside their home State/Union Territory may be sanctioned stipends by the State/Union Territory to which they belong.

6.128 The mode of sanction of pre-matric scholarships and disbursement is also not uniform. In State like Orissa, the stipend is

sanctioned by the Block Development Officers, while in Tamil Nadu, the District Harijan Welfare Officers/Special Tahsildars of Harijans Welfare sanction and disburse these scholarships which reach the students only at the end of the educational year. This entails much hardship to the students who tend to discontinue their studies on account of delay in receipt of their pre-matric stipends. A study conducted by our field office at Lucknow on "Educational Development of Scheduled Castes and Scheduled Tribes of Uttar Pradesh" during 1977 throws light on problems of Scheduled Caste/ Scheduled Tribe students in their pre-matric education. The three important findings of the study on this aspect are stated below :

(i) "There is a great deal of delay and mis-utilisation of funds in so far as pre-matric scholarships are concerned.

(ii) The system of scholarships leaves a very large number of students at the earlier stages to take care of themselves financially and this seems to be the direct determinant of high rates of wastage and stagnation at primary and middle levels. Careful planning and effective measures to combat the situation are needed to ensure proper educational development of Scheduled Caste/ Scheduled Tribe students.

(iii) Some of the Scheduled Caste/Scheduled Tribe communities have not got the desired benefit from the educational schemes at the primary and middle stages of education. Efforts should be made to identify such needy and neglected communities and special steps taken to encourage education among them."

6.129 Endorsing the above suggestions, the Commission urge that to save the poor Scheduled Caste/Scheduled Tribe students from Financial hardship, steps may be taken by all the State Governments/Union Territory Administrations to ensure quick sanction and disbursement of pre-matric stipends. To eliminate delay the local Block Development Officers may be authorised to sanction these scholarships to the eligible candidates on the recommendation of the Head of the educational institutions who will disburse the amount to the beneficiaries. A pass book should be maintained by the institutions in the name of each beneficiary in which the amount received and disbursed should be entered.

6.130 During the Five Year Plan 1980--85, it is learnt that the Ministry of Home Affairs have proposed for implementing a new scheme to provide pre-matric scholarships for Scheduled Caste children studying in primary classes I to V, and an outlay of Rs. 75.00 crores has been proposed for 1981-82 under this scheme. Since this scheme aims at benefitting the poor Scheduled Caste students, it is recommended that the scheme may be approved by the Planning Commission.

Post-matric Scholarship Scheme

6.131 One of the most important Centrally Sponsored Programmes under the Backward Classes Sector is the scheme of award of post-matric scholarships to the Scheduled Caste/ Scheduled Tribe students pursuing their studies in recognised educational institutions in India. This is an open ended scheme where the expenditure is not restricted to the plan outlay, and all the eligible Scheduled Caste/Scheduled Tribe students are fully covered under the scheme started during 1944, the scheme was meant only for Scheduled Castes and its implementation restricted to the then British-Indian Provinces only. The scope of the scheme was extended in 1948-49 to benefit the Scheduled Tribes. During the first year of its implementation 114 Scheduled Caste students got the scholarships and in 1948-49, the number of Scheduled Caste and Scheduled Tribe beneficiaries was 647 and 84, respectively. Till 1958-59, the scheme was implemented by the Ministry of Education, but with the increasing number of scholarships and for quick disbursement of scholarships the implementation of the scheme has been decentralised to the State Governments/Union Territory Administrations. The Ministry of Home Affairs release funds to the States/Union Territories for the operation of the post-matric Scholarship scheme and formulates rules and regulations to be adopted by the State Governments/Union Territory Administrations in sanction of such scholarships.

6.132 The post-matric scholarship covers maintenance allowance, compulsory non-refundable fees, expenses on approved study tours and preparation of thesis/dissertation papers, etc. As per the Government of India regulations governing the Post-matric Scholarship Scheme, Scheduled Castes (Hindus and neo-Buddhists) and Scheduled Tribes are eligible for award of such scholarships irrespective of their place of study and those pursuing their post-matric studies outside their home State/ Union Territory are also sanctioned scholarships by their respective State/Union Territory to which they belong. The Scheduled Caste converted to Christianity are not eligible for Government of India post-matric scholarships. Those in full-time employment but continuing their post-matric studies are not given maintenance allowance under the scheme. The 'means test' adopted for Scheduled Caste students is also now applicable for the Scheduled Tribe students and those whose parents' annual income exceeds Rs. 9,000 are not considered eligible for award of Government of India post-matric scholarship. The scheme also benefits only the first two children of the same parents and third and the subsequent children are denied of benefits of such scholarships.

6.133 During 1979-80, the Central assistance released to the States/Union Territories by the Ministry of Home Affairs for award of post-matric scholarships was to the tune of

Rs. 757.64 lakhs. (Rs. 740.14 lakhs to the State Governments, Rs. 15.13 lakhs to Union Territory Administrations, and Rs. 2.37 lakhs for the Pilot Project Office, Gauhati).

6.134 The number of post-matric scholarships awarded to the Scheduled Caste/Scheduled Tribe students and expenditure incurred during the last five years of 1975-76 to 1979-80 are furnished below:

Year	No. of post-matric scholarships awarded (in lakhs)			Total expenditure (Both Central and State Rs. in Crores)
	Scheduled Castes	Scheduled Tribes	Total	
1975-76 .	2·90	0·50	3·40	26·89
1976-77 .	3·17	0·59	3·76	29·72
1977-78 .	3·48	0·65	4·13	31·16
1978-79* .	3·89	0·72	4·61	34·20
1979-80** .	4·28	0·78	5·06	48·80

*Provisional.
**Estimated.

6.135 The achievement of the scheme is clear from the fact that 114 scholarships being awarded to Scheduled Castes during 1944-45, the number is estimated to be 5.06 lakh during 1979-80 (Scheduled Castes 4.28 lakhs and Scheduled Tribes 0.78 lakhs) with an expenditure of Rs. 48.80 crores. The figures, though provisional for 1978-79 and estimated for 1978-79, indicate sharp increase in number of scholarships awarded to Scheduled Caste/Scheduled Tribe students. The increase during 1979-80 is 45.9% over 1975-76. This does not include those Scheduled Caste/Scheduled Tribe students of post-matric classes who have been deprived of Government of India post-matric scholarships on account of the restrictions laid down by the Government of India rules and regulations governing the Post-matric Scholarship Scheme.

6.136 Prior to 1974-75, the rate of post-matric scholarship was fixed at Rs. 27 per month for day scholars and Rs. 40 for boarders in under-graduate classes. The rate for students pursuing professional courses was Rs. 60 per month for day-scholars and Rs. 75 for boarders. The rates were revised during 1974 which varied from Rs. 50 to Rs. 100 per month in case of day-scholars, and Rs. 75 to Rs. 125 for hostellers depending on the course of their study. To redress the financial hardship of the Scheduled Caste/Scheduled Tribe students of professional courses, the Government of India increased the scholarship amount of such students who were residing in hostels and the rate varied from Rs. 70 to Rs. 185 in case of boys and Rs. 80 to Rs. 200 in case of girls depending on the year of their studies. The rate was not revised for the day-scholars pursuing professional courses.

6.137 Details of the working of the scheme in all the States/Union Territories are not available with this Commission, but the important issues of the scheme which need the attention of the Government of India are revision of rate of scholarship, quick sanction and disbursement of the scholarship amount, waiving of the restriction of limiting the benefits of the scheme to the first two children of the same parents, raising income limit of the parents/guardians, and lifting the restriction of denial of scholarships to the employed Scheduled Castes/Scheduled Tribe students.

6.138 It is needless to say that the rate of scholarships fixed during 1974-75 is inadequate and the students face much hardship in meeting their expenditure during their study period. According to the information available with this Commission, additional amount over and above the amount of scholarship paid by Government of India are sanctioned by the Governments of Andhra Pradesh, Tamil Nadu and Uttar Pradesh to Scheduled Caste/Scheduled Tribe students of post-matric classes. To supplement the Government of India scholarship amount, the Government of Andhra Pradesh have sanctioned full mess charges to Scheduled Caste/Scheduled Tribe hostellers. Under this scheme, the entire boarding and lodging charges, which are more than the rates prescribed by the Government of India, are sanctioned by the State Government, and the expenditure over and above the Government of India rates is met from the State funds. The Scheduled Caste/Scheduled Tribe students of post-graduate and professional courses residing in College/University attached hostels are also sanctioned full mess charges and pocket money of Rs. 25 per month per boarder over and above the Government of India maintenance charges. The additional amount paid by the State Government to the students of Intermediate and post-Intermediate courses is Rs. 25 and Rs. 55, respectively, and is meant for hostellers. In addition to the above, the State Government sanction book grants and stipends for the students doing their research. The Government of Tamil Nadu are supplementing the Government of India post-matric scholarship amount. The amount of State post-matric scholarship being more than the amount sanctioned by the Government of India, the difference in the amount is met by the State Government. The rates of post-matric scholarships prescribed by the Government of Uttar Pradesh for different courses of studies are also more than the Government of India rates and difference of the scholarship amount incurred over and above the rates fixed by the Government of India is met from the State funds.

6.139 In view of the increasing cost of living, it is desirable that the rate of the maintenance

charges prescribed by the Government of India for all the courses of studies to suitably revised and the scholarship amount for hostellers as well as day-scholars be increased at least by Rs. 50 more than the present amount. The Ministry of Home Affairs are already aware of the intensity of this problem and the issue of the revision of post-matric scholarship rates is pending with the High Power Committee for decision. It is hoped that the matter is considered favourably and the rate of scholarships is suitably increased.

6.140 It is a common complaint that sanction and disbursement of post-matric scholarships take a long time and the delay entails much hardship to the beneficiaries. For ensuring quick sanction and disbursement of scholarships the implementation of the scheme has been decentralised from the Central to State Governments/Union Territory Administrations, and at the State/Union Territory level the sanction and disbursement are decentralised to the district level. To help the Scheduled Caste/Scheduled Tribe beneficiaries staying in hostels, ad-hoc grants amounting to about 2 to 3 months maintenance charges for each beneficiary is sanctoned in some States/Union Territories pending sanction of the scholarship amount, and ad-hoc amount so sanctioned is adjusted when the scholarship is sanctioned. It is desirable that all the States/Union Territories should sanction ad-hoc grants for the day-scholars and hostellers and take quick steps for early sanction of the scholarship amount. The Government of India opened a Pilot Project Office at Gauhati for quick sanction and disbursement of post-matric scholarship to the Scheduled Caste/Scheduled Tribe students of the north-eastern region. The working of this office may be evaluated and if desirable similar offices may be opened by the Government of India in other places for quick sanction of post-matric scholarships.

6.141 As per Rule III (xii) of the regulations governing the sanction of post-matric scholarships, only the first two children of the same parents are awarded such scholarships. Denying the benefits of scholarship to the third and subsequent children of the same parents is illogical. Since the Scheduled Castes/Scheduled Tribes are poor and cannot afford to meet the educational expenses of their children at post-matric classes, it is desirable that the restriction limiting the scholarship to only two children may be removed. The Ministry of Home Affairs have considered the issue carefully and vide letter No. 11017/35/79-SC&BCD-III, dated 30-5-80 have removed the restriction in case of girl students from the academic year 1980-81. The order will remain in force till 1984-85 (Sixth Plan period) when the issue will further be reviewed. Welcoming the action taken by the Ministry of Home Affairs, the Commission urge that the seggregation on the basis of sex in giving educational benefits may be stopped and restriction enforced on the third and subsequent Scheduled Castes/Scheduled Tribe boys for award of post-matric scholarships may also be removed for the alround educational advancement of the Scheduled Caste/Scheduled Tribes.

6.142 Under Rule III(x) of the post-matric Scholarship Regulations, the Scheduled Caste/Scheduled Tribe students who are in full time employment were not eligible for sanction of post-matric scholarship. With a view to encouraging education among the Scheduled Caste/Scheduled Tribe students, the Ministry of Home Affairs, vide letter No. 11017/23/80-SC&BCD-III, dated 21-6-80 have decided that from the academic year 1980-81, the employed Scheduled Caste/Scheduled Tribe students whose income combined with the income of their parents/guardians is less than Rs. 750 per month are eligible for award of post-matric scholarships.

6.143 Under Rule III(v) of the Post-matric Scholarship Regulations, Scheduled Caste/Scheduled Tribe candidates who completed their educational career in one professional line were not eligible for award of scholarship if they pursued their studies in another professional line. Liberalisation of this rule has been given effect from the academic year 1980-81 vide letter No. 11017/37/79-SC&BCD-III, dated 20-6-1980, of the Ministry of Home Affairs, and Scheduled Caste/Scheduled Tribe students are permitted to pursue their studies in two professional lines, the second professional line being taken up only after completion of the first professional line.

6.144 According to the existing rules, the Scheduled Caste/Scheduled Tribe students whose parents'/guardians' annual income exceeds Rs. 9,000 are not eligible for award of post-matric scholarships. The ceiling which was Rs. 6,000 earlier was raised to Rs. 9,000 from the academic year 1974-75. The price index increasing every year the income ceiling fixed during 1974-75 has not been changed so far. It is, therefore, necessary that the annual income ceiling of the parents'/guardians' may be increased to Rs. 15,000 for enabling the Scheduled Caste/Scheduled Tribe children of large section of the lower-income group to avail of the benefits of the Government of India post-matric scholarship scheme.

6.145 From the studies conducted by the field offices of the Commission it is observed that the benefits of the post-matric scholarship scheme are not accruing equitably to all the Scheduled Castes and Scheduled Tribes. In order to ensure that the benefits of the scheme accrue equally to all sections and especially to the deserving backward sections among the Scheduled Caste/Scheduled Tribes, it is necessary to identitfy such communities and take up schemes for promoting pre-matric education among them as recommended by this Commission while dealing on pre-matric studies so that

sufficient number of students from these backward sections come up for post-matric studies and avail all the benefits of the post-matric scholarship scheme.

6.146 It is necessary to ensure that only the bonafide Scheduled Caste and Scheduled Tribe persons should get the requisite certificate. Procedure for this should be simple so that the Scheduled Caste and Scheduled Tribe candidates wanting to secure certificates are not put to unnecessary harassment or delay. With a view to ensuring this the powers of issuing of certificate should be delegated to the Block Development Officer who may, if he considers necessary, satisfy himself about the bonafides of the candidates securing the certificates by obtaining a requisite certificate from either the official village agencies like the Village Level Worker, Karmachari, Panchayat Sevaks, etc., or the local bodies at the village level like the Panchayats/Notified Area Committees.

Book Banks for Scheduled Caste/Scheduled Tribe students of Engineering and Medical Colleges

6.147 With a view to helping the Scheduled Caste/Scheduled Tribe students pursuing professional courses of study by supplying text books, the High Power Committee of the Ministry of Home Affairs had recommended to sanction funds for opening book banks in all Engineering and Medical Colleges of the country. An amount of Rs. 10.00 crores was provided during the Sixth Plan period (1978—83) for the scheme which was implemented from 1978-79 for lending technical books to the Scheduled Caste/Scheduled Tribe students. During 1978-79, an amount of Rs. 48.69 lakhs was released to State Governments/Union Territory Administrations for implementation of the scheme, but the achievements of the scheme during the year are not known. As against the budget provision of Rs. 30 lakhs for the scheme during 1979-80, the Ministry of Home Affairs released Central assistance of Rs. 10.18 lakhs to the various State Governments/Union Territory Administrations. The expenditure incurred on the scheme during the year is also not available, but it is presumed that achievement of the scheme is not upto the mark as a result of which financial assistance for 1979-80 was not released to State Governments of Assam, Bihar, Himachal Pradesh, Karnataka, Manipur, Meghalaya, Nagaland, Sikkim, Tamil Nadu, Tripura and West Bengal and to the Union Territory Administrations of Chandigarh, Arunachal Pradesh, Dadra and Nagar Haveli, Goa, Daman and Diu, Lakshadweep and Mizoram. The reasons for curtailment of the Central grants to the States/Union Territories and non-payment of grants to the above States/Union Territories are not known, but this indicates the shortfalls in proper implementation of the scheme in the country.

6.148 The Scheduled Caste/Scheduled Tribe students pursuing non-technical courses also suffer due to non-availability of text books. The High Power Committee of the Ministry of Home Affairs proposed to extend the scope of the Book Bank scheme to other disciplines, but the final decision taken in the matter is not known. In order to ensure better performance of the Scheduled Caste/Scheduled Tribe students in post-matric courses of studies and to relieve them from their financial strain in purchase of text books, it is recommended that the scope of the scheme may be expanded to cover all Degree Colleges of Arts/Science/Commerce/Law, etc.

National Overseas Scholarship Scheme

6.149 During 1954-55, the Government of India sanctioned the scheme for grant of National Overseas Scholarships to Scheduled Castes, Scheduled Tribes, Denotified Tribes, Nomadic and Semi-Nomadic Tribes and other Economically Backward Classes. The scheme aimed at providing grants for post-graduate scholarships and research abroad preferably in Engineering, Techonology, Medicine, Agriculture and Science and out of the 6 Scholarships sanctioned during the year, 2 were for Scheduled Castes, 2 for Scheduled Tribes and 2 for the Other Backward Classes. During 1955-56, the number of these scholarships was increased to 12 for benefiting 4 students of each of the three categories. In 1977-78, the Government of India decided to reserve one scholarship every year out of the Scheduled Caste quota for the neo-Buddhists who were formerly Scheduled Castes. In case such candidate was not available the benefit would go to a Scheduled Caste candidate.

6.150 Due to dearth of eligible candidates there was a backlog in achieving the reserved quota and during 1976—78, scholarships were awarded to 24 Scheduled Caste, 11 Scheduled Tribe and 4 Denotified/Nomadic/Semi-Nomadic Tribe scholars carrying forward 4 scholarships for Scheduled Tribes for the subsequent year. The number of scholarships available for 1978—79 was 25 out of which 19 were for Scheduled Castes, 1 for the neo-Buddhists, 10 for Scheduled Tribe (including the 4 scholarships carried forward from the previous year) and 3 for other groups.

6.151 It is learnt that the circular of the Ministry of Home Affairs regarding the award of overseas scholarship is issued late. Our Deputy Director, Bhubaneswar Office informed this Commission that the circular of the Ministry of Home Affairs for the scholarships pertaining to 1978-79 was received in the office only on 25-3-1979, while the last date of receipt of applications was fixed at 31-3-1979. The circular letter of extending the last date of receipt of applications to 20-4-1979 was

received on 20-4-1979. During the Chairman's visit to West Bengal during April 1979, a number of Scheduled Caste/Scheduled Tribe persons complained to the Chairman that sufficient time was not given to enable the Scheduled Caste/Scheduled Tribe candidates submit their applications to the Ministry of Home Affairs in time. It is desirable that the Government of India may take note of the above fact and the circular letter inviting applications for the National Overseas Scholarships may be issued to all the agencies early so as to reach them at least 2 months before the last day fixed for receipt of applications.

Reservation of Fellowships

6.152. (i) *Junior Research Fellowships:* Out of the total number of junior research fellowships allocated to the Universities, 10 per cent are reserved for Scheduled Caste/Scheduled Tribe candidates. In addition to this, 50 junior research fellowships are awarded by the University Grants Commission exclusively for Scheduled Caste/Scheduled Tribe candidates in science, humanities and social science.

(ii) *Senior Research Fellowships:* Out of 100 senior research fellowships awarded by the University Grants Commission on All India basis, 10% are reserved for Scheduled Caste/Scheduled Tribe candidates in science, humanities and social sciences. In addition to this,, 20 senior research fellowships are exclusively reserved for them.

6.153. (iii) *Research Associateship for persons belonging to Scheduled Castes/Scheduled Tribes:* Out of 50 positions available under this scheme 10% are reserved for Scheduled Caste/Scheduled Tribe candidates. The University Grants Commission have also instituted 20 research associateships exclusively for Scheduled Castes and Scheduled Tribes with effect from 1979-80. This will be awarded annually.

6.154 (iv) *Junior Research Fellowship for candidates belonging to Scheduled Tribes of the Border Hill Areas:* The University Grants Commission have instituted 25 scholarships to be awarded every year to the Scheduled Tribe students of border hill areas for undertaking post graduate studies in science, humanities and social sciences.

6.155 (v) *Research Fellowships in Engineering and Technology :* Out of 60 research fellowships in Engineering and Technology awarded annually on an All India basis by the University Grants Commission, 10% are reserved for Scheduled Caste and Scheduled Tribe candidates.

6.156 Thus it would be seen from the above that there is no distinct reservation for award of fellowships for Scheduled Castes and Scheduled Tribes separately. It is therefore, recommended that reservation for award of fellowships in different disciplines may be provided by the University Grants Commission separately for Scheduled Caste and Scheduled Tribe candidates.

Assistance to Colleges in Backward/Tribal Areas/Districts

6.157 The University Grants Commission after considering the question of assistance to colleges located in tribal areas in different parts of the country have decided to provide special assistance to such colleges which will open their doors for educationally deprived sections of the society. All the Universities have been requested to identify such colleges on the basis of the following criteria :

(a) The college should be located in a tribal/rural/semi urban area.

(b) At least one third of the students on the rolls of the college should belong to Scheduled Tribes.

(c) The college should have maintained adequate standard.

Assistance is provided to such colleges for the following

(i) Appointment of adequate staff.

(ii) Exchange of teachers to enable these colleges to have outstanding teachers from other Universities for short period.

(iii) Remedial courses for enabling Scheduled Caste and Scheduled Tribe students to come up to the requisite standards.

(iv) Programmes of educational extension whereby the colleges could assist higher secondary schools in the neighbourhood ; and

(v) For construction of buildings viz., class rooms, laboratories, libraries and hostels for students and teachers and to make laboratories and libraries commensurate with the teaching programme of the institution concerned.

6.158 Assistance for item No. (i) is to be provided by the State Government concerned and assistance for item Nos. (ii), (iii) and (iv) by the University Grants Commission on 100% basis and that for item No. (v) on 70-25 sharing basis by the University Grants Commission.

6.159 The Commission are happy to note that the University Grants Commission have included the programme for assistance to colleges located in the predominantly tribal areas of the country. The Commission, however, appreciate that the criteria laid down by the University Grants Commission to the effect that the colleges to be assisted should have maintained adequate standard needs to be implemented with a little indulgence. In other words, such colleges in

the tribal areas should not be deprived of funds if these are not being maintained adequately on account of their location in the difficult tribal areas.

6.160 The University Grants Commission may furnish to this Commission particulars of institutions helped so far, inter-alia, indicating the amount of money spent Statewise and college-wise since inception of the scheme as well as the perspective plan for colleges to be assisted in the predominantly tribal areas in different parts of the country so that this Commission could evaluate the utility of this scheme through their field organisations. This Commission may be informed as to the steps taken by the University Grants Commission to give publicity to the scheme of special assistance to colleges located in tribal areas by the prominent non-official organisations working for the educational development of Scheduled Tribes.

Reservation of seats for Scheduled Castes and Scheduled Tribes in Educational Institutions

6.161 In response to the special obligation placed on the Government of India under Article 46 of the Constitution for ameliorating the conditions of Scheduled Castes and Scheduled Tribes and bringing them to the level of the more advanced sections of the society and having regard to the fact that education, general as well as technical is a potent factor in the uplift of these listed communities, the Government of India considered it desirable that all possible facilities should be afforded and efforts made to enable the students belonging to these communities to gain admission in educational institutions including technical institutions.

6.162 The Ministry of Education, vide their letter No. D.7922/54-A.3 dated the 23rd November, 1954 addressed to Chief Secretaries of all the State Governments have suggested that 20% seats should be reserved for the Scheduled Caste and Scheduled Tribe students in educational institutions and where admissions are restricted to candidates who obtain certain minimum percentage of marks and not merely the passing of a certain examination, there may be a 5% reduction for such candidates provided that the lower percentage does not fall below the minimum required to pass the qualifying examination.

6.163 Further, on the 15th April, 1964, the Ministry of Education addressed another communication to all the State Governments and the Universities suggesting that 20% of seats in all technical institutions should be reserved for Scheduled Castes and Scheduled Tribes with a distinct reservation of 15% for Scheduled Castes and 5% for Scheduled Tribes and that this reservation is interchangeable between Scheduled Castes and Scheduled Tribes. 5% reduction of marks to pass the qualifying examination should also be allowed to them. If there is a maximum age limit it may be raised by 3 years for Scheduled Caste and Scheduled Tribe students.

6.164 Similarly, the Ministry of Health and Family Welfare, vide their letter dated 12-12-1972 addressed to the Vice-Chancellors of the Universities having Medical Faculties had requested that the Universities might consider the desirability of reserving 20% of seats in Post-Graduate Medical and Dental Colleges i.e. 15% for Scheduled Caste and 5% for Scheduled Tribe candidates. It was also suggested in that letter that these candidates should also be given a concession of 5% marks in the minimum percentage of marks required for admission to such courses and that in case 20% seats earmarked for them remain unfilled, a further relaxation in the marks should be given to them in order of merit among themselves so that all the reserved seats are filled by candidates belonging to these communities. The Ministry of Health and Family Welfare having observed that the State Governments/Universities/Medical colleges etc. were not giving due concession in the matter of admission to post-graduate Medical and Dental courses to students of Scheduled Castes and Scheduled Tribes, they had again requested the concerned State Governments/Universities to extend the above concession to the students belonging to the listed communities.

6.165 The University Grants Commission on their part invited the attention of the Universities to the guidelines issued by the Ministry of Education and Social Welfare regarding reservation of seats for Scheduled Caste/Scheduled Tribe students in the Universities/Colleges. It was mentioned that according to the present arrangements 20% of the seats was reserved for Scheduled Caste/Scheduled Tribe candidates who were also given a concession of 5% marks in the minimum percentage of marks required for admission in any course. It was later observed that even with these concessions, some of the seats in the reserved quota remained unfilled as adequate number of Scheduled Caste/Scheduled Tribe candidates with requisite marks were not available. Accordingly, it was suggested that in case the 20% seats earmarked for them remain unfilled, a further relaxation in the marks may be given to them in order of merit amongst themselves so that all the reserved seats can be filled by candidates belonging to these categories. In this context it would not be out of place to reproduce below the important observations made by the University Grants Commission in their 1979-80 report:

> "An analysis of the information collected by the University Grants Commission from the Universities shows that many universities have provided reservations according to the percentage of population but the practice is not uniform. There are some universities which do not have any reservation though a liberal policy of admission is followed. Nearly

60% of the universities provide facilities as prescribed by the Government and in some cases even more. The remaining 40% of the universities provide facilities only to the extent of 2.15 percent. The actual position regarding the admission of Scheduled Caste/Scheduled Tribes at the undergraduate, postgraduate and research levels is being analysed. It is disturbing to see that there has been a fall in the growth rate of enrolment of Scheduled Castes/Scheduled Tribes in the last five years (1972-77) in Assam, Bihar, Himachal Pradesh, Rajasthan and West Bengal. Decline has also taken place in the enrolment rate of Scheduled Tribes even in Manipur and Delhi."

6.166 The observation made by the University Grants Commission in the report as given above makes a disturbing reading. We would, therefore, recommend that the analysis regarding the admission of Scheduled Castes and Scheduled Tribes at the Under-graduate, Post-Graduate and Research levels which is currently being done by the University Grants Commission should receive the utmost attention of the Government of India/State Governments/ Universities and other organisations concerned for remedying the situation.

Implementation of orders for reservation of seats for Scheduled Castes and Scheduled Tribes in Medical Colleges:

(i) *M.B.B.S.:*

6.167 The statistical information collected from the Ministry of Health and Family Welfare on the subject for 1980-81 reveals that there are 107 Medical Colleges in India.

6.168 The available information shows that seats have been reserved for Scheduled Castes in 99 Medical Colleges and for Scheduled Tribes in 97 Medical Colleges for admission to M.B.B.S. courses. In one college (P.G.I., Chandigarh), admission is given only for Post-Graduate courses. The information regarding the number of seats reserved for Scheduled Caste and Scheduled Tribe students for admission to M.B.B.S. course is not available in respect of 6 colleges for Scheduled Castes and 8 Colleges for Scheduled Tribes. It is also reported that no Scheduled Caste/Scheduled Tribe students are admitted for M.B.B.S. course in the Medical Colleges, Silchar.

(ii) *Post-Graduate Courses:*

6.169 The available information shows that there is no Post-Graduate course in 12 (11%) Medical Colleges in the country, while admissions would not be finalised in 3 (2.8%) other Medical Colleges. The information is not available in respect of 13 (12.1%) Medical Colleges, while 20 (18.6%) Medical Colleges having Post-graduate courses do not provide any reservation to the Scheduled Castes and Scheduled Tribes. These colleges are located in Gauhati (1) in Assam, in Patna (1), Ranchi (2), Jamshedpur (1) in Bihar, Rohtak (1) in Haryana, Jammu (1) in Jammu and Kashmir, Raipur (1), Jabalpur (1) in Madhya Pradesh, Wardha (1), Bombay (3) in Maharashtra, Ludhiana (1) in Punjab, Agra (1), Lucknow (1), Kanpur (1), Allahabad (1), Gorakhpur (1) in Uttar Pradesh and Panaji (1) in Goa Union Territory.

6.170 Another 10(9.3%) Medical Colleges also do not provide any reservation in P.G. Courses but allow weightage of 5 marks for admissions to the Scheduled Caste and Scheduled Tribe candidates. These are the Medical Colleges located in Dibrugarh (1) in Assam State, all the 7 Medical Colleges in West Bengal and two out of four Medical colleges in Delhi. Only 49 (45.9%) Medical Colleges provide reservation for Scheduled Castes and Scheduled Tribes in Post-graduate courses. The percentage of reservation provided by these colleges varies from State to State as would be seen from the table below :

Sr. No.	Name of Medical College	Percentage of reservation in Post-graduate courses	
		Scheduled Castes	Scheduled Tribes
1	2	3	4
	I. Andhra Pradesh (Scheduled Castes 13·27% and Scheduled Tribes 3·81%)		
1	Andhra Pradesh College, Visakhapatnam.	14%	4%
2	Gandhi Medical College, Guntur		
3	Rongraya Medical College, Kakinada.		
4	Gandhi Medical College, Hyderabad.		
5	Kakatiya Medical College, Warrangal.		
6	Institute of Medical Science, Osmania Medical College, Hyderabad.		
7	Shri Venkateshawara Medical College, Tirupati.		
8	Kurnool Medical College, Kurnool		
	II. Gujarat (Scheduled Castes 6·84% and Scheduled Tribes 13·99%)		
9	B. J. Medical College, Ahmedabad	7%	13%
10	Government College, Baroda		
11	Government Medical College, Surat.		
12	Municipal Medical College, Ahmedabad.		
	III. Kerala (Scheduled Castes 8·30% and Scheduled Tribes 1·26%)		
13	Medical College, Kottyam	8%	2%
14	Government Medical College, Calicut.		

1	2	3	4
	IV. Karnataka (Scheduled Castes 13·14% Scheduled Tribes 0·79%)		
15	Kasturba Medical College, Manipal	15%	3%
16	Government Medical College, Bellary.		
17	Mysore Medical College, Mysore		
18	Karnataka Medical College, Hubli		
19	M.R. Medical College, Gulbarga		
20	J.J.M. Medical College, Davangare		
21	Medical College, Belgaum		
22	Medical College, Bangalore		
	V. Madhya Pradesh (Scheduled Castes 13·09% Scheduled Tribes 20·14%)		
23	M.G.M. Medical College, Indore	15%	5%
24	Gandhi Medical College, Bhopal		
25	G.R. Medical College, Gwalior		
	VI. Maharashtra (Scheduled Castes 6% Scheduled Tribes 5·86%)		
26	B.J. Medical College, Pune .	13%	..
27	Miraj Medical College, Sangli .	13%	7%
28	Swami Ramanand Tirath Rural Medical College, Ambajogai. .	13%	..
29	I.G. Corporation Medical College, Nagpur	12%	5%
30	Government Medical College, Aurangabad	13%	..
31	Grant Medical College, Bombay .	13%	..
32	Grant Medical College, Nagpur .	13%	..
33	Dr. V.M. Medical College, Sholapur	13%	..
	VII. Punjab (Scheduled Castes 24·71% Scheduled Tribes Nil)		
34	Government Medical College, Amritsar	25%	Nil
35	Government Medical College, Patiala.		
	VIII. Rajasthan (Scheduled Castes 15·82% Scheduled Tribes 12·13%)		
36	J.L.M. Medical College, Ajmer	8%	6%
37	S.P. Medical College, Bikaner		
38	R.N.T. Medical College, Udaipur		
39	Dr. S.N. Medical College, Jodhpur		
	IX. Tamil Nadu (Scheduled Castes 17·76% Scheduled Tribes 0·76%)		
40	Madras Medical College, Madras	(18% combined for Scheduled Castes and Scheduled Tribes)	
41	Stanley Medical College, Madras		
42	Kilpauk Medical College, Madras		
43	Madurai Medical College, Madurai		
44	Thanjavur Medical College, Thanjavur.		
45	Tirunelveli Medical College, Tirunelveli.		
	X. Chandigarh (Scheduled Castes 11·30% and Scheduled Tribes Nil)		
47	Post Graduate Institute of Medical Education and Research, Chandigarh	20%	Nil
	XI. Delhi (Scheduled Castes 15·64% and Scheduled Tribes Nil).		
48	All India Institute of Medical Sciences, Delhi	11%	10%
	XII. Pondicherry (Scheduled Castes 15·46% and Scheduled Tribes Nil)		
49	J.L.M. Institute of Post-Graduate Medical Education & Research, Pondicherry	22%	Nil

NOTE : Percentage of Scheduled Caste and Scheduled Tribe population according to 1971 Census is given in brackets against each State.

6.171 The above table reveals that the reservations for admission to post graduate courses in Medical Colleges have been provided in 9 States viz., Andhra Pradesh, Gujarat, Kerala, Karnataka, Madhya Pradesh, Maharashtra, Punjab, Rajasthan and Tamil Nadu and the Union Territories of Chandigarh, Delhi and Pondicherry.

Scheduled Castes :

6.172 In the States of Andhra Pradesh, Gujarat, Kerala, Karnataka, Madhya Pradesh, Punjab and Tamil Nadu, the reservations prescribed for admission to Scheduled Castes in post-graduate courses more or less correspond with the percentage of their population while in the State of Maharashtra and the Union Territories of Chandigarh and Pondicherry, the percentage of reservations for Scheduled Castes exceeds the percentage of their population in these States/Union Territories. However, in the States of Rajasthan, the Scheduled Castes constitute 15.82% of the population while only 8% seats have been reserved for them for admission into post-graduate courses. Similarly in Delhi, only 11% seats in the post-graduate courses have been reserved for Scheduled Castes in the All India Institute of Medical Sciences against their population of 15.64%.

Scheduled Tribes :

6.173 The percentage of reservation for admission of seats for post-graduate courses corresponds with their population in the States of Andhra Pradesh, Gujarat, Kerala and Tamil Nadu, while it is much more than the percentage of their population in the States of Karnataka and Maharashtra and the Union Territory of Delhi. However, it is observed that while the Scheduled Tribes form 20.14% of the total population of Madhya Pradesh, only 5% reser-

vation has been prescribed for them for admission to post-graduate courses in Medical Colleges. Similarly, for a tribal population of 12.13% in Rajasthan, a reservation of only 5% has been provided for admission to post-graduate courses in Medical Colleges in the State.

6.174 There being no Scheduled Tribe in the State of Punjab and the Union Territories of Chandigarh and Pondicherry, no reservation of seats exists for them in the post-graduate Medical courses.

6.175 Actual figures of enrolment of Scheduled Castes and Scheduled Tribes in post-graduate courses in the 49 Medical Colleges for the year 1979-80 and 1980-81 are not available as the same have not been supplied to the Commission by those colleges. In the absence of the figures of enrolment of Scheduled Castes and Scheduled Tribes in post-graduate courses in 49 Medical Colleges which allow reservation of seats for Scheduled Castes and Scheduled Tribes and also the fact that the remaining 58 Medical Colleges either do not reserve seats or give only a weightage of marks to Scheduled Caste and Scheduled Tribe students for admission to post-graduate courses etc, it is recommended that all the Medical Colleges should reserve seats for Scheduled Caste/Scheduled Tribes students in post-Graduate Medical courses.

6.176 20 Medical Colleges in the country are not reserving seats for Scheduled Castes and Scheduled Tribes in Post-Graduate Medical courses while 18 other Medical Colleges give weightage of 5 marks for admission to Scheduled Castes and Scheduled Tribes. The Commission recommend that distinct reservation of seats should be provided in favour of Scheduled Caste and Scheduled Tribe students seeking admission to Post-Graduate Medical courses on the lines of the instructions issued by the Ministry of Education for reservation of 15% and 5% seats in educational institutions for Scheduled Castes and Scheduled Tribes, respectively. Similarly, 13 other colleges for which information is not available and 3 more colleges in which admissions have not been finalised during 1980-81 should also follow the above instructions of the Ministry of Education.

6.177 The University Grants Commission should ensure that the policy of reservations for admission for the listed classes is followed by the Medical Colleges meticulously.

(iii) *Indian Institute of Technology*

6.178 15% of seats are reserved for Scheduled Caste and 5% for Scheduled Tribe candidates in the Indian Institute of Technology located at Delhi, Bombay, Kanpur, Kharagpur, Madras and Varanasi. In addition to the relaxation in the age limit, the academic criteria are also relaxed substantially for Scheduled Caste and Scheduled Tribe students. Those reserved seats which could not be filled during 1980-81 due to non-availability of suitably qualified Scheduled Caste/Scheduled Tribe students (with relaxed criteria), were kept vacant.

6.179 Against a total of 46,683 candidates (which includes 2,112 Scheduled Castes and 454 Scheduled Tribes), who appeared in all the four Joint Entrance Examination papers, 167 Scheduled Caste, 27 Scheduled Tribe, 2 Defence candidates and 4,891 General candidates obtained marks above the minimum prescribed academic requirements and of whom, 152 Scheduled Caste, 20 Scheduled Tribe, 2 Defence and 1,684 General candidates were offered admission. The remaining ones either were absent at counselling or they could not get any course of their choice. The available information shows that only 123 Scheduled Caste and 19 Scheduled Tribe candidates were included in the first merit list. However, on a special consideration and on further reduction of the minimum academic requirements for Scheduled Caste/Scheduled Tribe candidates, an additional 44 Scheduled Caste and 8 Scheduled Tribe candidates were included in the merit list.

(iv) *Engineering Colleges and other Technical Institutions:*

6.180 According to the information available from the Ministry of Education, there are 146 institutions in the country conducting First degree or equivalent courses in engineering and technology. This also includes 6 I.I.Ts. In addition, there are 304 institutions conducting diploma courses in Engineering/Technology. This excludes 17 such institutions catering to only girls and 30 rural institutions conducting technical courses. Apart from these, there are 9 other institutions conducting professional and technical courses.

6.181 The information in respect of all the institutions is not available in the Commission as the same has not been supplied by the State Governments/Colleges as would be seen from the following paragraphs.

Admission of Scheduled Caste and Scheduled Tribe Students in Medical and Engineering Colleges:

6.182 The Scheduled Caste and Scheduled Tribe students are generally poor in Mathematics and Science and their performance in these subjects at the school level is not satisfactory. With weak foundation in these subjects they hardly succeed in competing with general students for admission in professional courses like Engineering and Medicines. Due to lack of proper orientation at the family level and suitable guidance in the school, the Scheduled Caste/Scheduled Tribe students also do not develop any aptitude for pursuing technical courses of study. This results in dearth of sufficient number of qualified doctors and engineers from among the Scheduled Caste and Scheduled Tribe communities.

6.183 In response to Commission's circular letter addressed to the State Governments/ Union Territory Administrations requesting them to furnish information about the actual position of admission of Scheduled Castes and Scheduled Tribes in Medical and Engineering colleges, this Commission have received information only from 70 Medical Colleges and 77 Engineering Colleges, which is given in the paragraphs that follow.

Medical Colleges :

6.184 Information on the percentage of reservation of seats for Scheduled Caste/ Scheduled Tribe students available in respect of 70 Medical Colleges of 15 States and 2 Union Territories during 1979-80 and the percentage of Scheduled Caste/Scheduled Tribe students admitted during 1979-80 are given below :

Sr. No.	Name of the State/Union Territory/College	Total No. of seats	Percentage of seats reserved for			Percentage of seats filled in out of reserved Quota
			Scheduled Castes	Scheduled Tribes	Total	
1	2	3	4	5	6	7
	Andhra Pradesh :					
1.	Andhra Medical College, Visakhapatnam	217				
2.	Guntur Medical College, Guntur	189	14	4	18	100·00
3.	Kakinada Medical College	144				
4.	K. M. College, Warrangal	308				
5.	Osmania Medical Collge, Hyderabad	169	14	4	18	100·00
6.	O. Medical Collge, Hyderabad	143				
7.	K. M. College, Kurnool	184	14	4	18	100·00
8.	S. V. M. College, Tirupati	137				
	Assam :					
9.	Gauhati Medical College	100	—	—	17	—
10.	Assam Medical College	120	—	10	10	—
11.	Silchar Medical College	50	—	5	5	—
	Bihar					
12.	Patna Medical College	125	14	9	23	100·00
	Gujarat :					
13.	Government Dental College Hospital, Ahmedabad	50				20·00
14.	Government Medical College, Surat	100	7	13	20	55·00
15.	Medical College, Baroda	140				110·00
16.	Smt. N. H. L. Municipal Medical College, Ahmedabad	100				100·00
17.	B. J. Medical College, Ahmedabad	210				76·2
	Haryana :					
18.	Medical College, Rohtak	115	—	—	20	100·00
	Himachal Pradesh :					
19.	Himachal Medical College	65	15	5	20	50·00
	Karnataka :					
20.	Bangalore Medical College	100				216·7
21.	Mysore Medical College	100				133·3
22.	K.M. College, Hubli	100				38·9
23.	Bellary Medical College	100				16·7
24.	J.M.Medical College, Belgaum	100	15	3	18	72·2
25.	K.M.College, Manipal	105				—
26.	K.M.College, Mangalore	100				55·5
27.	J.J.M.College, Davangere	125				59·1
28.	M.R.Medical College, Gulbarga	100				27·8
29.	St. John's Medical College, Bangalore	60				30·0
30.	M.S.Ramaiah Medical College, Bangalore	100				—
	Madhya Pradesh :					
31 to 36.	Total for six Medical Colleges	720	15	5	20	12·9

1	2	3	4	5	6	7
	Maharashtra :					
37.	G.M.College, Bombay	200				92·5
38.	B.J.M.College, Pune	200				102·5
39.	Medical College, Nagpur	200				110·0
40.	Medical College, Aurangabad	100	13	7	20	85·0
41.	M.M. College, Miraj	100				20·00
42.	S.R.T.R.M. College, Ambejogai	50				80·00
	Orissa :					
43.	M.K.C.G. College, Barhampur	145	5	15	20	34·4
	Punjab :					
44.	Dental Collage Hospital, Amritsar	30				100·0
45.	Government Medical College, Patiala	150	—	—	25	92·1
46.	Guru Govind Singh Medical College, Ludhiana	60				100·0
47.	Dayanand Medical College, Ludhiana	50				25·0
	Rajasthan :					
48.	S.M.S.Medical College, Jaipur					
49.	S.P.Medical College, Bikaner					
50.	R.N.T. Medical College, Udaipur	554	8	6	14	57.4
51.	J.L.M.S. Medical College, Ajmer					
52.	Dr. S.M.Medical College, Jodhpur					
	Tamil Nadu :					
53-60.	Total for eight Medical Colleges	1,042	—	—	18	94·7
	Uttar Pradesh :					
61.	K.G.Medical College, Lucknow	190				
62.	G.S.V.M. Medical College, Kanpur	190				
63.	S.M.Medical College, Agra	128				
64.	M.L.N. Medical College, Allahabad	100	18	2	20	
65.	L.L.R.M. Medical College, Merrut	100				
66.	M.L.B. Medical College, Jhansi	50				
67.	B.R.D. Medical College, Gorakhpur	50				
	Delhi :					
68.	Maulana Azad Medical College	180	15	5	20	100·00
69.	Nehru Homoeopathy College	60	15	5	20	50·00
	Pondicherry :					
70.	Jawahar Lal Institute of Post-Graduate Medical Education and Research	65	—	—	12	100.00

6.185 It may be observed from the above table that the instructions issued by the Ministry of Education for reservation of seats for Scheduled Castes/Scheduled Tribes in Engineering and Medical Colleges have been followed in Colleges of Gauhati, Haryana, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa, Uttar Pradesh and Delhi where 20% of the seats have been reserved for Scheduled Caste/ Scheduled Tribe students, and in all the four Medical Colleges of Punjab where 25% seats have been reserved for these students. In the Patna Medical College, Bihar, the seats reserved for Scheduled Caste/Scheduled Tribe students are reported to be 23% of the total seats. Such is not the position in other States/Union Territories where the reservation quota is less than the rate prescribed by the Ministry of Education. In Karnataka and Tamil Nadu, 18% of the seats are reported to have been reserved for Scheduled Castes/Scheduled Tribes, while in Rajasthan, the seats reserved for Scheduled Castes/Scheduled Tribes constitute 14% of the total seats available in 5 Medical Colleges of the State. The position in three Medical Colleges of Assam is gloomy. While 17% of the seats in Gauhati Medical College is reserved for Scheduled Castes/Scheduled Tribes, the corresponding figure in respect of Assam Medical College and Silchar Medical College is 10% and 5% respectively. Although 12% of seats are reported to have been reserved for Scheduled Castes/Scheduled Tribes in the Jawaharlal Institute of Post-Graduate Medical Education and Research (JIPMER), the number of Scheduled Caste/Scheduled Tribe candidates

admitted during 1979-80 constitutes 20% of the total number of seats available in the institution.

6.186 Out of the 70 colleges, the full quota of Scheduled Caste/Scheduled Tribe students in respect of the reserved seats was achieved in 15 colleges and in 5 colleges, the number of Scheduled Caste/Scheduled Tribe students admitted exceeded the total reserved seats. In rest of the colleges, the percentage of reserved seats filled in ranged from nil to 94.7%. No Scheduled Caste/Scheduled Tribe candidates were admitted in any of the 7 Medical Colleges of Uttar Pradesh, 3 colleges of Assam and 2 colleges of Karnataka. The quantum of shortfall in the Medical Colleges is summarised below :

Sr. No.	Category indicating percentage of Scheduled Caste/Scheduled Tribe students admitted against the reserved seats	Total No. of Colleges	Details of colleges	Percentage of Col. 3 to the total No. of colleges reported
1	2	3	4	5
1.	More than 100%.	5	2 colleges in Karnataka, 2 in Maharashtra and 1 in Gujarat.	7.14
2	100% . .	15	18 colleges in Andhra Pradesh, 2 in Punjab and 1 each in Bihar, Gujarat Haryana, Delhi and Pondicherry.	21.43
3	75% to 100%	13	8 colleges in Tamil Nadu, 3 in Maharashtra and 1 each in Gujarat and Punjab.	18.57
4	50% to 75%	11	5 colleges in Rajasthan, 3 in Karnataka and 1 each in Gujarat, Himachal Pradesh and Delhi.	15.71
5	Less than 50%	15	6 colleges in Madhya Pradesh, 4 in Karnataka and 1 each in Gujarat, Maharashtra, Orissa and Punjab.	20.00
6	No Scheduled Caste / Scheduled Tribe students admitted.	12	7 colleges in Uttar Pradesh, 3 in Assam and 2 in Karnataka.	17.14

Engineering Colleges :

6.187 The percentage of seats reserved for Scheduled Caste/Scheduled Tribe students in Engineering Colleges and the percentage of Scheduled Caste/Scheduled Tribe students admitted in 77 colleges of 13 States and 2 Union Territories during 1979-80 are given in the following table :

Sr. No.	Name of the States/Union Territories/Colleges	No. of seats	Percentage of seats reserved for			Percentage of seats filled in out of the reserved quota
			Scheduled Castes	Scheduled Tribes	Total	
1	2	3	4	5	6	7
	Andhra Pradesh :					
1.	University College of Engineering, Osmania University.	250				68·9
2.	Sidhartha Engineering College, Vijayawada . . .	200	14	4	18	
3.	Engineering College, Tirupati	187				64·7
4.	College of Engineering, Anantapur					
5.	Engineering College, Kakinada	540				100·00
6.	University College of Technology, Osmania University . .	60				100·00
7.	Regional Engineering College, Warangal. . . .	145	15	5	20	100·00
	Assam :					
8.	Assam Engineering College, Jhalukbari	210	7	15	22	84·8
9.	Jorhat Engineering College, Jorhat	180				40·00

1	2	3	4	5	6	7
	Bihar :					
10.	Mining Institute, Dhanbad	50				—
11.	B.B.Institute of Technology Sindri	335				10.13
12.	Government Polytechnic, Ranchi	195				Not Known
13.	Government Polytechnic, Muzaffarnagar	150				
14	Institute of Technology, Muzaffarnagar	160	10	14	24	
15.	B. Engineering College, Patna	60				64·2
16.	P.I.T., Jamshedpur	90				27·3
17.	B.C. Engineering, Bhagalpur	100				58·3
18.	M.I.T., Muzaffarpur	175				9·1
	Gujarat :					
19.	L.D. College of Engineering, Ahmedabad	350				57·1
20.	L.E. College, Morbi	240				39·6
21.	S.V. Regional College of Engineering, Surat	250				76·0
22.	Faculty of Technology and Engineering, Vadodara	510	7	13	20	18·6
23.	B.V. Mahavidyalaya	300				23·3
24.	D.D. Institute of Technology, Nadiad	60				—
25.	Institute of Architecture, Ahmedabad	30				—
	Haryana :					
26.	Regional Engineering College, Kurukshetra	250				18·0
27.	The Y.M.C.A. Institute of Engineering, Faridabad	120				4·2
28.	Government Polytechnic, Rohtak	132	15	5	20	—
29.	Government Polytechnic, Ambala	240				—
30.	Government Polytechnic for Women, Ambala	120				—
31.	Government Polytechnic, Sirsa	120				—
	Karnataka :					
32.	Visweswaraya College of Engineering, Bangalore	495				91·1
33.	Regional Engineering College, Surathkal	275				42·0
34.	B.D.T.College of Engineering, Davangere	325				98·3
35.	B.M.S. College of Engineering, Bangalore	630				83·2
36.	National Institute of Engineering, Mysore	325				83·1
37.	Shri Jayachamarajandra College of Engineering, Mysore	355	15	3	18	84·5
38.	P.E.S. College of Engineering, Mndya	320				79·3
39.	Malnad College of Engineering Hassan	320				79·3
40.	B.V.B. College of Engineering, Hubli	348				76·2
41.	Engineering College, Gulbarga	305				78·2
42.	Basarveswara Engineering College, Bagalkot	292				79·3
43.	S.K.S.J.T., Institute	30				80·0
	Kerala :					
44.	College of Engineering, Trivendrum	954	—	—	10	59·4
	Madhya Pradesh :					
45.	Government Engineering College Jabalpur	465				35·9
46.	Government College of Engineering and Technology, Raipur	258				60·0
47.	Government Engineering College, Rewa	120				52·5
48.	Government Engineering College, Bilaspur	90				Not Known
49.	Government Engineering College, Ujjain	60				26·7
50.	Sh. G.S. Institute of Technology and Science, Indore	345				49·1
51.	Madhav Institute of Technology and Science Gwalior	214				
52.	Maulana Azad College of Technology, Bhopal	300				
53.	Samrat Ashok Technical Institute, Vidisha	110				40·5
	Manipur :					
54.	Government Polytechnic, Imphal	120				—

1	2	3	4	5	6	7
	Orissa :					
55.	Regional Engineering College, Rourkela	100				60·0
56.	University of Engineering College, Burla	180	15	5	20	Not known
57.	College of Agricultural Engineering & Technology, Bhubaneswar	40				75·0
	Punjab :					
58.	Punjab Engineering College, Chandigarh	250	20	5	25	84·1
	Rajasthan :					
59.	Malaviya Regional Engineering College, Jaipur	180	15	5	20	97·2
60.	College of Technology and Agricultural Engineering, Udaipur	55	12	8	20	109·1
61.	M.B.M. Engineering College, Jodhpur	200	15	5	20	100·0
	Tamil Nadu :					
62.–68.	Total for seven Engineering Colleges	2,940	—	—	18	Not known
	Uttar Pradesh					
69.	Roorkee Engineering College	335				—
70.	Engineering College, Agra	60				—
71.	Pantnagar Engineering College	90				—
72.	N.L.N. Engineering College, Allahabad	200	15	5	20	
73.	H.B. Technical Institute, Kanpur	205				
74.	Madan Mohan Malaviya College, Gorkhpur	140				
75.	K.N.I. Sultanpur	50				
76.	Delhi Engineering College	240	—	—	15	—
	Goa, Daman & Diu					
77.	College of Engineering, Goa	95	9·47	3·15	12·62	25·00

6.188 It may be seen that out of 77 Engineering Colleges for which information is available with this Commission, the number of seats filled in by the Scheduled Caste/Scheduled Tribe candidates out of the reserved quota is not known in respect of 10 colleges. The shortfall in respect of admission against the reserved seats in respect of the 7 colleges is indicated below :

Sr. No.	Category indicating percentage of Scheduled Caste/Scheduled Tribe students admitted against the reserved seats	Total No. of colleges	Details of the colleges	Percentage of col. 3 to the total No. of colleges reported
1	2	3	4	5
1	Position not known.	10	All the 7 colleges in Tamil Nadu and 1 each in Orissa, Madhya Pradesh and Bihar.	12·99
2	More than 100% admitted.	1	In Rajasthan	1.30
3	100% admitted	5	4 in Andhra Pradesh and 1 in Rajasthan.	6.49
4	75% to 100%	17	11 in Karnataka and 1 in each of the States of Assam, Gujarat, Orissa, Punjab, and Rajasthan and Delhi.	22·08
5	50% to 75%	9	2 in Andhra Pradesh 3 in Bihar, 2 in Madhya Pradesh and 1 each in Kerala and Orissa.	11·69
6	Upto 50%	17	6 in Bihar, 6 in Madhya Pradesh, 2 in Haryana and 1 each in Assam, Karnataka and Goa.	22·08
7	No Scheduled Caste/Scheduled Tribe candidates admitted in reserved quota.	18	7 in Uttar Pradesh 4 in Haryana, 3 in Bihar, 2 in Gujarat, and 1 each in Andhra Pradesh and Manipur.	23·38

6.189 It is distressing that only in 7.79% cases, reserved seats in Engineering Colleges could be filled in while in 79.33% of colleges there was shortfall in filling up these seats by

suitable Scheduled Caste/Scheduled Tribe students. Uttar Pradesh was the worst defaulter where no Scheduled Caste/Scheduled Tribe candidates were admitted in any of the 7 colleges reported. Haryana and Bihar were also lagging behind in filling up the reserved seats.

6.190 Information available with this Commission in respect of 70 Medical Colleges and 77 Engineering Colleges thus reveals that the percentage of seats reserved in such colleges is not uniform and in many cases the instructions of the Union Ministry of Education are not strictly followed. Secondly, even if the required percentage of seats are reserved for Scheduled Caste/Scheduled Tribe students in some colleges, the seats could not be filled up on account of non-availability of eligible candidates. In view of the above, the Commission urge that all the educational institutions in the country should strictly adhere to the instructions of the Ministry of Education in reserving 20% of seats for Scheduled Caste/Scheduled Tribe students and the Government of India may take suitable steps in improving the educational standard of the Scheduled Caste/Scheduled Tribe students in schools as discussed earlier so that sufficient number of such students would be available for admission against the reserved quota. The State Governments/Union Territory Administrations may also open Science complexes as done in Madhya Pradesh to attract more Scheduled Caste/Scheduled Tribe students for technical studies.

6.191 The Commission have, however, observed that the concerned authorities have not furnished the information separately for Graduate and Post-Graduate courses in Medical and Engineering Colleges with the result it has not been possible to analyse the position obtaining in those colleges in respect of intake of Scheduled Castes and Scheduled Tribes course-wise. The Commission, therefore, recommend that while furnishing information regarding intake of Scheduled Castes and Scheduled Tribes in the Medical and Engineering Colleges, the State Governments and Union Territory/ Administrations should indicate the position of admission of Scheduled Castes and Scheduled Tribes in respect of Graduate and Post-graduate courses separately.

6.192 It has also been alleged that in some of the Medical and Engineering Colleges in Karnataka, admission is made not on merit, but on payment of capitation fees. However, the Government of Karnataka have decided to discontinue the practice of payment of capitation fees in a phased manner. It is suggested that this practice be discontinued and if such practice is being followed in any other State/Union Territory this may be completely stopped. The admission from amongst the Scheduled Caste/ Scheduled Tribe students should be done on merit basis. The State Governments/Union Territory Administrations may also pay the entire amount of capitation fees charged from the Scheduled Caste/Scheduled Tribe students for admission in engineering and medical colleges till such time as the system is completely abolished.

National Adult Education Programme :

6.193 According to the information available with the Ministry of Education and Culture while the percentage of literacy for the age-group above 14 years has increased in 1951, 1971 and 1977 from 19.26, 27.76 and 34.08 to 38.00 the number of illiterate persons has also increased from 17.39 crores during 1951 to 18.70, 20.95, and 22.66 crores during the corresponding years of 1961, 1971 and 1977 respectively. The dimension of the problem is even more serious in the age-group of 15-35, where illiteracy is more pronounced among the women and the members of Scheduled Castes, Scheduled Tribes and those belonging to other socially and economically disadvantaged groups. The disparity also continues to be striking among the rural mass as compared to the urban population. With a view to organising adult education programme for 35 million adult population in 15-35 age group by 1983-84 and enabling them to develop their potentiality, the National Adult Education Programme (NAEP) was launched by the Ministry of Education. The drive aimed at giving priority to the women and members of Scheduled Castes and Scheduled Tribes in the target group and giving special attention to the areas having concentration of illiterate population. Although the National Adult Education Programme was formally inaugurated on 2-10-1978, it was started in April, 1979.

6.194 The National Board of Adult Education (NBAE) was established in August 1977 with members including Ministers of Central Government, a Minister dealing with adult education from each of the regions of the country, heads of organisations such as the University Grants Commission, Central Social Welfare Board, Khadi and Village Industries Commission, Federation of Indian Chambers of Commerce and Industry, Indian Adult Education Association and a number of other non-officials and field workers. The Board has set up the following committees to attend to specific tasks :

(a) Committee on Preparatory Action (since wound up)

(b) Committee on Motivation

(c) Committee on Voluntary Agencies

(d) Committee on Post-Literacy and Follow-up Programmes

(e) Committee on Evaluation.

6.195 The overall responsibility for administration of the National Adult Education Programme rests with the Ministry of Education. It provides Secretariat to the National Board of

Adult Education. The Ministry also looks after the working of the programme in the States and provides assistance to the voluntary organisations and other agencies associated with the working of the programme. The Rural Functional Literacy Projects, under which a project with Central assistance is intended to be established in each district of all the States, as well as the schemes of strengthening of Administrative Set-up are implemented through the State Governments. For this purpose funds are placed at the disposal of the State Governments and the latter implement the programme in accordance with guidelines provided by the Ministry.

6.196 At the district level, the Collector (in States like Maharashtra and Gujarat) is responsible for the steering of the programme. He is to function on the advice of the District Adult Education Board, the membership of which includes district level development officials, educationists, teachers' representatives, persons connected with voluntary agencies etc. The District Adult Education Officer is the Member-Secretary of the District Adult Education Board. By the end of August 1979, sanction had been accorded for establishment of district administrative units for 163 districts in 13 States. The District Adult Education Officer who is the head of the District Administrative Unit, has three types of functions. He assists the District Collector in arranging coordination and in the various promotional activities. Secondly, he is expected to generally oversee and monitor the programme implemented by the various agencies. Thirdly, he is the coordinator of the District Resource Unit.

6.197 An appraisal of the National Adult Education Programme during the first year of its launching has been brought out by the Ministry of Education and Culture (1979). The report takes stock of developments achieved during the one year period and brings home salient points for accelerating the working of the programme during the subsequent years. The findings are quite revealing. It is observed that the district set-up is still in the process of being established in most States. While advice has been issued by the State Governments regarding establishment of a District Adult Education Board, they have not really become functional in practically all the States except in Gujarat and Rajasthan.

6.198 Since the programme aims at removing the mass illiteracy, the Commission desire that the intensity of the problem is taken note of and all the States take suitable action to implement the programme in right earnest.

6.199 One of the most important innovations introduced in the National Adult Education Programme was the project approach—a more or less autonomous administrative unit responsible for implementation of a programme in a compact and continuous area. Each project has a project Officer, and a supervisor for a number of centres. The part-time supervisors in universities and colleges (they get Rs. 150 per month) oversee 10 centres and a supervisor is responsible for about 20 to 30 centres.

6.200 The critical unit in the whole programme in the adult education centre, which is under the charge of an instructor or an adult education organiser. The instructor is paid an honorarium of Rs. 50 per month. It is learnt that the Ministry of Education and Culture have been receiving reports that the honorarium is too low to attract good workers. Keeping in view the seriousness of the problem, and the role played by the instructors/adult education organisers it is felt that the rate of the honorarium may be increased at least to Rs. 100 per month.

6.201 From the very beginning of the programme, in accordance with the recommendations of the Working Group on Adult Education, all State Governments as well as other implementation agencies were requested (a) to ensure that at least 50 per cent of all adult education functionaries are women, (b) to give due representation in appointment to persons belonging to Scheduled Castes and Scheduled Tribes; and (c) to recruit personnel not only from the Education Department but from other development departments as well. According to available reports, it is regretable that due representation is not being given to persons belonging to Scheduled Castes and Scheduled Tribes. It is hoped that after the initial hurdle faced during the first year of implementation of the National Adult Education Programme, the recommendation of the Working Group in giving due representation to Scheduled Castes/ Scheduled Tribes in appointment would be taken note of by the State Governments in achieving the desired objectives during the implementation of the National Adult Education Programme in subsequent phases.

6.202 The progress of projects taken up by the State Governments in implementation of the National Adult Education Programme has been reported to be uneven. While in some States/ Union Territories, such as, Bihar, Gujarat, Nagaland, Arunachal Pradesh and Jammu and Kashmir not only the Centrally funded Rural Functional Literacy projects, but the projects funded by the State Government also got off to good start, the progress in most other States has been slow. Delay in laying down of new procedures for selection of personnel has necessitated deferment of the new programme in Uttar Pradesh, Rajasthan, Maharashtra, Karnataka, Andhra Pradesh, Haryana, Manipur and Sikkim. In most of the remaining States concrete steps for the start of the new projects are yet to be taken. They are continuing to run the earlier Centrally funded or States own projects. In Uttar Pradesh and Tamil Nadu, owing to drastic reduction of funds the programme being run in the earlier years with

the States' funds has also been drastically reduced.

6.203 It is hightime that the example set up by the Governments of Bihar, Gujarat, Nagaland, Arunachal Pradesh and Jammu and Kashmir be followed by other State Governments in taking up projects for the working of the National Adult Education Programme.

6.204 In addition to the State Governments, the voluntary agencies play an important role in the implementation of the National Adult Education Programme. The scheme of assistance to voluntary agencies was, therefore, reviewed and the pattern of financial assistance liberalised. It is heartening that the voluntary agencies can now receive as grant from the Ministry 100 per cent of the programme cost and 75 percent of the administrative cost. Only those voluntary agencies which have been registered for a year and have given some evidence of voluntary involvement in adult education activities are eligible for financial assistance.

6.205 At present 603 voluntary agencies have been sanctioned funds for running 27,956 adult education centres extending in 17 States and 4 Union Territories. While the mobilisation of voluntary agencies in Maharashtra, Gujarat, Bihar, Rajasthan and Manipur is impressive, and it is picking up in Uttar Pradesh and Karnataka, it is yet to take place in a number of other States like West Bengal, Assam, Orissa, Madhya Pradesh, Tamil Nadu, Kerala, among others.

6.206 At the end of August 1979, 49 Universities and 515 Colleges had been sanctioned funds by University Grants Commission for running of adult education centres. In all, nearly 80 Universities and over 2,000 Colleges have decided to participate in the National Adult Education Programme. Most of them are conducting surveys and organising discussions to determine the manner of their involvement and the size of the programme to be taken up by them.

6.207 The Sixth Five Year Plan (1980-85) has made a provision of Rs. 128 crores (Rs. 68 crores by State and Union Territories and Rs. 60 crores by the Centre) for Adult Education Programme. Nonformal education for adults, particularly in the productive age-group of 15-35 years, would receive priority. It is aimed to cover the lot of the weaker sections like women, Scheduled Castes and Scheduled Tribes, agricultural labourers and slum dwellers on priority basis.

6.208 The Commission recommend that Adult Education Centres should be started in each village falling under Tribal Sub-Plan area and those Blocks which have 20% Scheduled Caste population. While opening such centres priority should be given to those villages which have lowest rate of literacy in the Blocks.

CHAPTER VII

TRIBAL SUB-PLAN

According to the 1971 Census the total Scheduled Tribe population in the country is 3,80,15,162 representing 6.94% of the country's population. The list of Scheduled Tribes was amended last by the Scheduled Castes and Scheduled Tribes (Orders) Amendment Act, 1976, with a view to removing anomalies arising out of area restrictions. Consequently the population of Scheduled Tribes in 1971 was estimated to be of the order of 4.11 crores, forming 7.5% of the country's population. Geographically and ethnically the Scheduled Tribes inhabiting different regions of the country are at different stages of social and economic development. In other words, their problems vary from one area to another and from one community to another. The Scheduled Tribes have been specified as per provisions contained in Article 342 of the Constitution in 25 States and Union Territories. These 25 States/Union Territorits can be divided into 2 categories :

(i) those having more than 50% of the total population, namely Arunachal Pradesh, Dadra and Nagar Haveli, Lakshadweep, Meghalaya, Mizoram and Nagaland, having about 7.20% of the Scheduled Tribe population to total tribal population of India;

(ii) those States having less than 50% of the population, account for 92.80% of the Scheduled Tribes in the country.

7.2 The Plan of the States and Union Territories falling in the first category is obviously a plan for tribals themselves and in their cases the per capita State outlay is more than the national average for tribals. The Special Central Assistance as available to 25 other States is not being given to these 6 States/Union Territories.

7.3 In the second category which includes in the first group of 10 States, namely, Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Manipur, Orissa, Rajasthan and Sikkim which constitute 79.80% of the total tribal population in the country. The second group within this category includes the States of Assam, West Bengal and Tripura where the Scheduled Tribe population is largely dispersed and forms about 12% of the dispersed tribal population of the country. The third group within this category includes 6 States, namely, Karnataka, Kerala, Tamil Nadu, Uttar Pradesh, Andaman and Nicobar Islands and Goa, Daman and Diu where the Scheduled Tribe population is small in absolute terms when compared with total population in the above States and it is confined to small/scattered pockets. In this group the tribals constitute about 2.70% of the total tribal population of the country.

7.4 Scheduled Tribes are broadly composed of 250 tribal groups speaking about 105 different languages and large number of dialects. Interestingly, 9 major tribal groups namely the Bhil, the Gond, the Santhal, the Oraon, the Mina, the Munda, the Khond, the Ho and the Naga account for about 2 crores of the total Scheduled Tribes population.

Emergence of Tribal Sub-Plan concept

7.5 Certain basic safeguards have been provided in the Constitution of India for promotion and protection of the interests of the Scheduled Tribes. Of particular mention are the provisions contained in the following Articles of the Constitution :—

Article 244(1)	Provisions as to the administration and control of Scheduled Areas and Scheduled Tribes.
Article 244(2)	Provisions as to the administration of Tribal Areas.
Article 339	Control of the Union over the administration of Scheduled Areas and the welfare of the Scheduled Tribes.
Article 275(1)	Provision for payment of grant-in-aid to enable the States to meet the cost of such schemes of development as may be undertaken by the States with the approval of the Government of India for the purpose of promoting the welfare of the Scheduled Tribes in that State or raising the level of administration of the rest of the areas of that State.
Article 342	Specifying the tribes or tribal communities as Scheduled Tribes.
Article 330	Reservation of seats for the Scheduled Tribes in the House of the people.
Article 332	Reservation of seats for the Scheduled Castes in the State Legislative Assemblies.
Article 334	Reservation of seats and special representation to cease after thirty years.
Article 164(1)	In the States of Bihar, Madhya Pradesh and Orissa, there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and Backward Classes or any other work.
Article 338	There shall be a special officer for the Scheduled Castes and Scheduled Tribes to be appointed by the President.
Article 335	Claims of Scheduled Tribes to services and posts.

Article 46	.	Promotion of educational and economic interests of the Scheduled Castes, Scheduled Tribes and other weaker sections.
Article 371A	.	Special provision with reference to Nagaland.
Fifth Schedule	.	Provisions as to the Administration and control of Scheduled Areas and Scheduled Tribes.
Sixth Schedule	.	Provisions as to the Administration of Tribal Areas.

7.6 In addition to provision of funds for the development of Scheduled Tribes, the Union Government has the primary responsibility for formulation of suitable programmes for the development of tribals in consultation with the State Governments concerned.

7.7 The first systematic attempt for the development of tribals in blocks, styled as special Multipurpose Tribal Blocks (SMPT Blocks) with 66.2/3% and above Scheduled Tribe population concentration was started in Second Plan. 43 SMPT Blocks falling under Scheduled Areas with contribution of Rs. 12 Lakhs from the Community Development Ministry and Rs. 15 lakhs from the Ministry of Home Affairs covering a total population of 16,85,329 of which tribals were 12,10,976 were, however, replaced by the Tribal Development Blocks during the Third Plan period. These Tribal Development Blocks were set up by covering all areas with more than 66.2/3% Scheduled Tribe population concentration in Scheduled Areas as well as non-Scheduled Areas. Even with this, only 38 per cent of the total tribal population spread over 504 Tribal Development Blocks could be covered. The entire question of tribal development was comprehensively reviewed on the eve of the Fifth Five Year Plan. On account of poor coverage of tribals by the development programmes, it was decided to formulate a suitable strategy during the Fifth Five Year Plan for (i) development of areas of tribal concentration and (ii) the development of the dispersed tribals. The approach and strategy of tribal development in the two cases have to be quite distinct. Infrastructural development acquired a special significance here. Thus the concept of "area development with focus on the development of tribal communities" was evolved, for the tribal areas. The case of dispersed tribals was on a different footing. Infrastructural development in areas with dispersed tribals had to be part of the general development programme. The focus of attention had to be on the individual and the group. In pursuance of the above approach evolved on the eve of the Fifth Plan a comprehensive programme of development was prepared in the first stage for areas of tribal concentration. All areas with 50% tribal population had been treated as predominantly tribal areas. Separate plans known as Tribal Sub-Plans were drawn in various States. The Sub-Plan areas were identified as Development Tahsils/Blocks with more than 50% tribal population concentration and Scheduled Areas; and were divided into viable Integrated Tribal Development Projects in 18 States and Union Territories. Initially the application of the demographic criterion led to Sub-Plan areas identification of Bihar (76.75%), Gujarat (72.42%), Madhya Pradesh (74.83%), Orissa (68.41%), Manipur (93.71%), Rajasthan (43.67%), Himachal Pradesh (59.15%), Sikkim (24.76%), Goa, Daman & Diu (100%) and Andaman and Nicobar Islands (99.45%). In the remaining 9 States/Union Territories, where the tribal population had lower concentration, the norms had to be slightly modified so as to include a reasonable proportion of the States' tribal population. During Fifth Plan about 65 percent (about 230 Lakhs) of the Scheduled Tribes population in the 17 States/2 Union Territories (Annexure I) was covered under the Tribal Sub-Plan area consisting of 180 operational Integrated Tribal Development Projects (ITDPs).

7.8 With the inclusion of tribal population of 26.05 lakhs outside the Tribal Sub-Plan area under the Modified Area Development Approach, the coverage of Scheduled Tribes by the Sub-Plan programme is likely to increase from about 65% to about 75%. The State-wise break-up of the ITDPs is given in the Annexure II.

Coverage

7.9 The Tribal Sub-Plan area, that is the area of tribal concentration in the country covers about 2.30 crores of Scheduled Tribes. The Scheduled Tribes population in the Sub-Plan area accounts for 56.08% of the total tribal population in the country. The geographical area under Tribal Sub-Plan is 4,88,832 sq. Kms. accounting for 17.40% of the country's total geographical area. Population-wise, Madhya Pradesh has the largest tribal population followed by Orissa, Bihar, Gujarat, Maharashtra, Rajasthan, and West Bengal. The proportion of tribal population to the total population in various States is the highest in Manipur followed by Tripura, Sikkim, Orissa, Madhya Pradesh and Gujarat.

7.10 The Tribal Sub-Plan areas cover pockets of tribal concentration taking the Development Block as the unit. It was, however, noticed that certain pockets of tribal concentration outside the Sub-Plan area were still left out of the Tribal Sub-Plan strategy. It has been decided during the Sixth Plan that pockets of contiguous villages/pockets having a minimum of 10,000 total population of whom at least 50% are Scheduled Tribes should be carved out for intensive integrated development on a Modified Area Development Approach under the Tribal Sub-Plan. This approach would cover a Scheduled Tribe population of 26.05 lakhs in the States of Andhra Pradesh, Orissa, Bihar, Gujarat, Maharashtra, Madhya Pradesh, Rajasthan and Uttar Pradesh. We feel that the Ministry of Home Affairs/Planning Commission

should cover such pockets of tribal concentration by the modified area development approach in the State of Himachal Pradesh also as already proposed by the State Government.

Objectives

7.11 The broad objectives of the Tribal Development programme in the Fifth Plan were :—

(i) to narrow down the gap between the levels of development of tribal areas and other areas; and

(ii) to improve the quality of life of the tribal communities.

7.12 To achieve these twin objectives high priorities were accorded to (a) elimination of exploitation of tribals (particularly the restoration of the basic land resources to the tribals), control on money lending and marketing of agricultural and forest produce, (b) taking corrective steps in excise and forest policy (c) formulating development programmes particularly in the field of Agriculture, Horticulture, Irrigation, Animal Husbandry, Cooperation, Education and Health. Detailed perspective of the areas taking into account the existing infrastructure, potential of the areas and needs of the people were spelt out in the form of Project Reports for each of the ITDPs.

7.13 Though the Tribal Sub-Plan was launched from the financial year 1974-75 for the first time, the Annual Tribal Sub-Plans 1977-78 as a part of the States' Annual Plan were discussed by the Planning Commission. The Planning Commission had directed the Central Ministries to review the problems of tribal areas, prepare special programmes in each sector of development and adopt the ongoing programme in consultation with the State Government/Union Territory Administrations keeping in view the requirements of the tribal areas.

7.14 Apart from the communications addressed in this regard by the Planning Commission and the Ministry of Home Affairs, the Prime Minister observed recently that the exercise for quantifying resources for tribal areas commenced some time ago "needs to be carried out completely" and "special emphasis has to be laid on formulation of appropriate progarmmes and adoptation of the existing programmes".

7.15 As per guidelines issued by the Planning Commission and the Ministry of Home Affairs, financial provisions for State Plan, Special Central Assistance, sectoral programmes of the Central Ministries and institutional finance should be available for Tribal Sub-Plan programmes having regard to the tribal population of the Tribal Sub-Plan area, the geographical area and the comparative level of development of the area, availability of social services etc.

7.16 The financial investment in the successive Five Year Plans have progressively increased. The outlays for Tribal Development have been moving up as given in the Table No. 1.

TABLE No. 1

(Rs. in crores)

Plan	Total Plan outlay	Total Development Programme	Percentage
1	2	3	4
First Plan* . . .	1960	19·93	1·0
Second Plan* . . .	4672	42·92	0·9
Third Plan . . .	8577	50·53	0·6
Annual Plans 1966-69* .	6756	32·32	0·5
Fourth Plan** . . .	15092	75·00	0·5
Fifth Plan** . . .	39322	1182·00	3·01

NOTE : *Expenditure **Outlays

7.17 The increase in investment in the Fifth Plan as a result of operation of the strategy of the Tribal Sub-Plan is worth noting. Annexure III indicates flow of resources from the State Plan and Special Central Assistance for 1974-75 to 1979-80.

7.18 The table below indicates the flow of State funds to the Tribal Sub-Plan during 1979-80 and 1980-81 :—

TABLE No. 2

Sr. No.	Name of the State*	Percentage of population of sub-Plan area to the total population of the State	Percentage flow of State Plan funds to Tribal sub-Plan	
			1979-80	1980-81
1	2	3	4	5
1	Andhra Pradesh . .	4·11	3·49	4·58
2	Assam	12·47	6·01	7·08
3	Bihar	13·30	18·28	19·17
4	Gujarat	14·69	10·00	9·23
5	Himachal Pradesh . .	3·29	10·24	7·97
6	Karnataka . . .	7·25	0·87	0·85
7	Kerala	0·54	0·94	1·09
8	Madhya Pradesh . .	25·41	15·16	15·23
9	Maharashtra . . .	5·94	6·81	5·14
10	Manipur . . .	32·43	40·67	33·89
11	Orissa	28·37	27·86	34·23
12	Rajasthan . . .	8·14	12·12	11·43
13	Tamil Nadu . . .	8·53	0·74	0·68
14	Tripura	31·62	30·39	24·81
15	Uttar Pradesh . .	0·02	0·07	0·07
16	West Bengal . .	3·36	3·70	3·58

*Information in respect of Andaman & Nicobar Islands and Goa, Daman & Diu is not available.

7.19 The above table reveals that taking into consideration the percentage of Scheduled Tribe population in the States the flow of the State Plan funds to the Tribal Sub-Plan areas in 1979-80 was more than proportionate in respect of Bihar, Himachal Pradesh, Kerala, Maharashtra, Manipur, Orissa, Rajasthan, Uttar Pradesh and West Bengal. Whereas in the case of Andhra Pradesh, Assam, Gujarat, Karnataka, Madhya Pradesh, Tamil Nadu and Tripura, the percentage flow of sectoral funds was less than proportionate and particularly in respect of Assam, Karnataka and Tamil Nadu and it was equal to half of the Scheduled Tribe population percentage of these States. The Commission feel that in view of the extreme backwardness of the Tribal population the percentage of allocations in the Tribal Sub-Plan of the States should be more than proportionate to the percentage of Tribal population in the States to the total population so as to make up for the back log in the tribal development. This should be in addition to the Special Central Assistance.

Dispersed Tribals :

7.20 During the Sixth Plan period the concept of Modified Area Development Approach (MADA) which had at least 10,000 population with 50% or more tribal concentration were also covered raising the total coverage from 65% to 75.79% tribal population under the fold of Tribal Sub-Plan.

7.21 Thus, the above approach still leaves out 24.21% of the tribal population dispersed outside the Tribal Sub-Plan Areas and MADA pockets. As a remedial measure, the States with a view to ensuring economic development of these tribals, had to provide funds in the Backward Classes Welfare Sector. Consequently more flow of funds for those tribals in the form of family benefit oriented schemes have been allocated from the Backward Classes Welfare Sector.

7.22 But no detailed programme in proper perspective has been made so far for these left out groups of Scheduled Tribes. This may perhaps warrant an approach similar to the Special Component Plan for Scheduled Castes. Hence the Commission recommend that so far as these 24.21% dispersed Scheduled Tribes are concerned family based approach plan on the lines of the Special Component Plan for Scheduled Castes should immediately be chalked out for implementation in the Sixth Plan.

7.23 Thus it emerges from the above that about 25% of the tribal population outside the Sub-Plan areas is not receiving due share from the development schemes under Backward Classes and General Sectors.

7.24 In order to enusre further coverage this Commission recommend that the Tribal Development Cooperative Corporations should also cater to the needs of the tribals living outside the Sub-Plan areas. In States where there is no Tribal Development Cooperative Corporation and it is not economically feasible to set up one, the nomenclature of the Scheduled Castes Financial Development Corporation may be amended to read as "Scheduled Castes and Scheduled Tribes Development Corporation" so as to bring the tribal population outside the Sub-Plan areas within the ambit of its activities. It is recommended that similar action may be taken by the other concerned States/Union Territories. The Government of West Bengal have since amended the West Bengal Scheduled Castes Financial Development Corporation Act, 1976 with a view to enabling the Scheduled Tribe people of the State to take benefit of their loan schemes.

7.25 In the new strategy of tribal development two concepts viz., a prior stage of economic development and low level in the economic structure have been clearly distinguished. Those groups which fall in the former category, have been categorised under primitive tribal communities while those in the latter category are termed as the more backward tribal communities. Agriculture economy has been taken to be the water-shed for identification of primitive tribal communities. The pre-agricultural economic groups generally have been included in the primitive communities. The highest form of technology in the case of these groups can be said to be practised by shifting cultivation. Shifting cultivation is a stage of graduation from food gathering and hunting to settled agriculture. Even here there are no clear boundries.

7.26 In the identification of these groups, States have generally followed three norms—(i) pre-agricultural level of technology, (ii) low level of literacy and (iii) a stagnant and diminishing population. On the basis of these criteria, 52 communities have been identified as primitive till the end of 1979-80 as given in table-3, Statewise:

TABLE NO. 3

Primitive Tribes communities

S. No.	State	Tribe
1	Andhra Pradesh	1. Kolam
		2. Chenchus @ +
		3. Konda Reddi
2	Bihar	1. Birhor @
		2. Mal Paharia +
		3. Asur @ +
		4. Birjias
		5. Parahaiyas +
		6 Korwa @ +
		7. Hill Kharia @
		8. Savar
		9. Sauriya Paharia @
3	Gujarat	1. Kathodi
		2. Kotwalia @ +

S. No.	State	Tribe
4	Karnataka	1. Jenu Kuruba @ + 2. Koraga @ +
5	Kerala	1. Kurumbas 2. Cholanaikayan @ +
6	Madhya Pradesh	1. Abujhamarias @ 2. Baigas @ 3. Bhaias 4. Hill Korbas 5. Saharias @
7	Maharashtra	1. Katkaria (Kathodia) @ 2. Kolam 3. Maria Gond @
8	Orissa	1. Bondo @ 2. Soura 3. Kharias 4. Mankidias 5. Kutia Kondh @ 6. Paudhi Bhuyans 7. Juangs @ 8. Lanhia Sauras @ 9. Bongaria Kondh
9	Rajasthan	1. Saharias @
10	Tamil Nadu	1. Kotas 2. Paniyans + @ 3. Todas 4. Kattu Naickens 5. Irulas 6. Kurumbas
11	Tripura	1. Reangs
12	Uttar Pradesh	1. Rajis
13	West Bengal	1. Birhor @ 2. Toto @ 3. Lodha
14	Andaman & Nicobar Islands	1. Great Andamanese 2. Onges @ 3. Jarwas @ 4. Sentenelese @ 5. Shompens @

NOTE : Certain communities are common to more than one State.

@ Considered in an extremely under-developed stage by the Scheduled Areas and Scheduled Tribes Commission (1961).

+ Tribes specified as backward by the study team on Tribal Development programme (1969).

7.27 In the guidelines issued by the Planning Commission on the preparation of First Tribal Sub-Plan it was specifically indicated that (a) special attention should be given to areas and groups facing special problems including primitive tribal groups in backward pockets, shifting cultivation and tribals affected by major projects, (b) for the purpose these communities and groups should be identified adopting well defined criteria, (c) the Tribal Sub-Plan must attempt in broad terms answers for the main issues facing the tribal communities in these areas, and problems of special groups, (d) special assistance be provided for such groups and communities against a basic policy-frame which could vary from the general approach in the sectoral programmes, unfettered by the existing formal procedural or legal frame. The programmes have been funded entirely by the Central Government out of the Special Central Assistance as detailed under :

Year	Rs. in lakhs
1975-76	31·00
1976-77	65·00
1977-78	77·00
1978-79	158·00
1979-80	157·00
1980-81	200·00

7.28 The information available at the end of July, 1980 indicates that out of the 52 tribal communities identified, periodical, project reports have been submitted only in respect of 25 groups. Inspite of clear guidelines from time to time much progress has not been made in this regard. A scrutiny of the project reports further revealed that much improvement is needed to be effected in bringing into clear focus the salient problems of these groups and chalking out meaningful programmes. The slow progress in respect of these groups may be attributed to the non-availability of dedicated personnel to serve in the far-flung areas and slow adaptability of these groups due to several decades of isolation. In view of the experience gained so far in regard to these groups, the Commission recommend that:

(1) identification of primitive tribal groups in accordance with the guidelines already issued should be expedited and project reports should be finalised.

(2) high priority should be given to the programme of development of primitive groups in the current plan.

(3) there should be a unique development programme for each identified group.

(4) the developmental plan will have specially to take the eco-system into consideration.

(5) primary education will need to be organised emphasising the distinct character of the environment and the natural capabilities of these groups.

(6) (i) the first phase of development should aim at conservation and reorganisation of the traditional skills of the group.

(ii) the second phase should spell out the development programme.

(7) the administrative structure and personnel policies have to be paid the closest attention for the work.

7.29 In addition to the above we have made a recommendation in para 12.121, Chapter XII, which may also be referred to in this context.

ADMINISTRATIVE SET UP

Central Level

7.30 The administrative set up at the Central level concerning the interests of Scheduled Tribes has been discussed in a comprehensive manner in paras 12.2 to 12.6, of Chapter XII, which may be referred to in this context.

State Level

(i) *Tribes Advisory Council*

7.31 The functioning of the Tribes Advisory Councils in different States alongwith suitable recommendations have been given in paras 12.1 to 12.7 of Chapter XII which may be referred to in this context.

(ii) *State Government Level*

7.32 The administrative machinery is the main tool through which the political executives translate the policies into realities to achieve social and economic development which is the main objective to be achieved in the Sub-Plan area. The information received from different States indicates that the organisational pattern differs from State to State. Broadly speaking, however, while Orissa and Andhra Pradesh have opted at the Integrated Tribal Development Project level in favour of an Agency model under the Registration of Societies Act. other State, Governments have preferred to work through Governmental organisations. The Government of Madhya Pradesh have also now adopted the Agency model and have established agencies for five regions (Western Zone, Northern Zone, North Eastern Zone, Southern Zone and Central Zone). These agencies are headed by a Divisional Commissioner of the region who is assisted by a Committee. The departmental heads of the region and Collectors of the Districts, Deputy Inspector General of Police, a representative of the State Government, a representative each of the Land Bank, Nationalised Banks, Forest Development Corporation and Tribal Corporation are members. The Additional Commissioner (Tribal Welfare) will function as a Member Secretary of such Committee. There is also a State Level Committee under the Cabinet Minister and the Secretaries of the Departments and heads of Departments are its members. The States which have preferred to work through normal developmental agencies often find a problem of multiplicity of organisations. Proliferation of agencies has resulted in the diffusion of responsibilities, lack of coordination, supervision and control and departmental limitations. In States like Gujarat, Orissa, Maharashtra, Tamil Nadu, West Bengal etc. Integrated Tribal Development Project being pooled from different departments face dual responsibilities and control, not allowing them to work efficiently. At the same time the tribal cultivators are also required to approach a number of agencies and contact-points for their needs. In Maharashtra and Gujarat under the decentralised structure of administration the Project Officer has dual responsibilities. He has to get the work done in the Project Area with the help of Taluka Development Officer/Block Development Officer and is answerable both to the District Panchayat and to the Government. For State level scheme he is directly responsible to the Tribal Commissioner of the State. The Block Development Officers always give priority to such programmes which are initiated by the District Panchayat/Zilla Parishad and often pay last attention to the programmes initiated under the Sub-Plan schemes. Similar position exists in the Agency model administration where the staff from different departments is pooled together to implement the programmes meant in the Integrated Tribal Development Project.

7.33 It has become necessary to review the working of the three models stated earlier.

(a) Agency model.

(b) Normal Government Functionaries.

(c) Administrative structure under the democratic decentralisation.

7.34 As far as the Agency model is concerned, it is envisaged that all administrative and financial powers are to be delegated to the Agency but the fact remains that all the administrative and financial control still rests with the State Government. The agencies can allocate funds within the same category of schemes Division of funds from one head to another head is subject to the approval of the State Government. Planning for the Agency Level is still done at the State Secretariat level. The administrative structure of the block and project level is still very much defused. The Project Officer has to function as a coordinator and he always finds it difficult to get certain schemes implemented through different agencies which are supposed to work under the agency system. Similar position also exists in States which have opted for normal government agencies. In Madhya Pradesh the Project Officer of the rank of Additional Collector is expected to coordinate the functions at the project level. The Block Development Officer at the block level is expected to implement the programme with the assistance of the Extension Officers who are directly under the administrative control of their departments. There being no administrative control of the Block Development Officer over these Extension Officers, he finds it difficult to implement the programmes on priority basis and coordinated basis. In Gujarat and Maharashtra the Project Officer has a skeleton staff of Assistant Block Development Officer and a few clerks to assist him in the discharge of his day to day responsibilities. He does not have any development functionary under his direct control. Therefore, unified organisational structure for the entire gamut of

development activities is necessary under the command of the Project Officer and Agency Model in States where they exist. The Commission have, therefore, recommended in para 12.16 of Chapter XII that the Government of India should conduct an indepth study of the two systems in the different States where they prevail so as to determine which of the two systems could deliver the goods in a better way. The Commission reiterate the same recommendation.

Since the Project Administrator is responsible for effective implementation of the development programmes in the Sub-Plan area, he should be a senior officer. The State level screening Committee should post such officers who have aptitude for tribal development work. Further, with a view to compensate such officers for their postings in backward tribal areas some suitable incentives like allotment of free residential accommodation, compensatory allowance, children's education allowance, liberalised scale of casual leave, leave travel concession, out of turn promotion for service rendered in the Tribal Sub-Plan areas may be given as recommended in para 12.111 of Chapter XII.

7.35 The Ministry of Home Affairs issued guide lines which envisage that one of the most important aspects which need attention is the extent of specialisation necessary in the Project area. Specialisation should be a function of the level of economic activity in any area. In the advanced regions, with increasing tempo of development, at some stage a higher level of specialisation becomes necessary which gets reflected in organisational change. However, the same stage may not have reached in the less developed areas. But in a big State, under the pressure of requirements of the largely advanced regions, a uniform structure may be evolved for the entire State. As the work load in the tribal areas is generally smaller, and communications are not developed, this step results in over-specialisation when the area may really need an integrated multifunctional structure. As pointed out by the working Group there could be one head at the Project level for various engineering branches like roads, bridges, bulidings, irrigation, public health engineering etc. Similarly the various medical branches may be under the charge of one officer and agricultural and allied activities under another. Thus it will be possible to optimally utilise the technical man power and greater supervision of works and control organisations could be ensured in the far-off and sparsely populated areas.

7.36 The Working Group on tribal development 1980-85 has gone into the question of lack of integration in programmes as well as in respective machinery as a major defect. The Working Group has emphasised the role of the Development Block at the lowest unit of execution and has, therefore, suggested that the Project Administrator should have full control over the Block Development Officer. The Working Group has also suggested for fairly intensive coverage of blocks in Integrated Tribal Development Projects by the Village Level Workers with a view to cater to each tribal family. Hence, this would require re-adjustment of boundries of the Community Development Blocks with a view to rationalize the demographic situation. The Commission recommend that the Ministry of Home Affairs may issue suitable guidelines to the State Governments for appropriate re-adjustment of boundries of Village Level Workers circles in the Integrated Tribal Development Projects for total coverage of the tribal families.

7.37 As rightly emphasized in the Report of the Scheduled Areas and Scheduled Tribes Commission, the tribals being simple, need simple procedure for administering them. The Working Groups on Tribal Development Sixth Plan has also suggested for adoption of this approach. The Project Administrator can function as an effective coordinator and an Agency of social change only if he is vested with suitable powers to implement regulatory and revenue functions to one kit so that the simple tribals have not to run from piller to post to get relief/justice.

7.38 In addition this Commission have made some recommendations regarding strengthening of Administrative machinery at the State level in paras 12.14-17, 12.30, 12.32, 12.92, 12.93, 12.94, 12.96, 12.97, 12.98, 12.99, 12.101, 12.102, 12.103. 12.111, 12.113, 12.114, 12.115, 12.116, 12.120 and 12.141 of Chapter XII, which may be referred to.

Monitoring and Evaluation

7.39 At present the Project Administrator gets feedback from the lower functionaries such as Block level Officers or the concerned District level Officers. At the District level a review is generally made periodically by the District level Authorities. At the State level the programmes are supervised/monitored by the respective Heads of Departments and coordinated by the Tribal Development Commissioners. More or less this general arrangements exists in most of the States.

7.40 As regards the existing arrangements in the Central Ministries/Departments it is felt that no well set system had been evolved although the Tribal Development Division in the Ministry of Home Affairs is receiving some routine periodical reports. Further at the time of Annual Plan discussions the States, the Central Ministries and the Planning Commission get an opportunity to review the programmes in a general way. The Planning Commission have prescribed certain tables and schedules to be included in the Annual Plan documents but experience shows that these do not in most cases convey up-to-date position and the picture that one gets is very sketchy. The Planning Commission had also emphasized the need for suitable machinery in the various Ministries for monitoring of programmes.

7.41 The Commission also recommend that the existing arrangements for monitoring and evaluation of programmes at Integrated Tribal Development Project level by the Bureau of Economics and Statistics and Tribal Research Institutes should be reviewed and these organisations suitably strengthened by their administrative departments. The Commission should also be associated with the work of monitoring and evaluation of Integrated Tribal Development programmes at the State level.

7.42 We recommend that the existing arrangements for monitoring of programmes at the Integrated Tribal Development Project level and at the State level requires to be reviewed and strengthened suitably. In this connection we have made appropriate recommendations in paras 12.125 and 12.126 of Chapter XII which may be referred to in this context.

Planning Process

7.43 Planning for tribal development was first attempted with the inception of Special Multipurpose Tribal Development Blocks which started in 2nd Plan followed by introduction of Tribal Development Blocks from Third Plan period but the more organised attempt to planning from below was adopted during the Fifth Plan period, in the form of delineation of the Sub-Plan Area and formulation of Integrated Tribal Development Projects. Efforts have also been made to include the Plan proposals of the Sub-Plan Areas in budget document of each Development Department to be ultimately presented in the shape of State Plan Budget.

7.44 The basic philosophy of Tribal Sub-Plan Planning process is planning at micro level. The involvement of developmental officers and people's representatives in the formulation of Project Plan has been initiated to ensure planning from below. Every year the guidelines on preparation of Project Plans are sent by the Ministry of Home Affairs to the State Governments/Union Territory Administrations for formulation of Tribal Sub-Plans. The guidelines include many major policy decisions and different norms and yardsticks decided for planning purposes in various development departments. It is also, *inter alia,* indicated in the guidelines that :

(i) The Project Plan should reflect the major thrust of developmental activities in each sector,

(ii) schemes which have not been found suitable in the past should not be included,

(iii) new schemes looking to the requirements of the area and the people should be proposed, and

(iv) continued schemes should be given due priority.

7.45 A number of schemes in each sector are identified as indivisible; that means the allocations under these schemes cannot be divided Project-wise because benefits from these schemes will accrue to more than one Project and are likely to be implemented at the State level, Divisional level, or regional level. Nevertheless, the likely flow of funds for such indivisible schemes which are location-specific is indicated in the Project Plan proposals, separately. The rest of the allocations is considered as divisible, Project-wise. The kitty of likely allocations for all sectors is communicated to each Project Officer. The quantum of financial resources is determined on the basis of (i) project area (ii) project total population (iii) project tribal population and (iv) weightage to the backwardness of the area and specially backward communities in the area.

7.46 The Project Officer is given discretion to allocate from the kitty for different development sectors on schemes based on the local requirements. Once the plan proposals of each Project take shape, meeting of Project Advisory Board is held to approve the Plan commitments. This much done, each Project Officer sends a copy of the sectoral plan to respective Heads of the Developmental Departments, at the State level for final approval. After the scrutiny the suitable programme for each Project are adopted by each Department and included in the State Budget. Once the budget is passed, Head of Department communicates to each Project Officer the schemes to be implemented and the allocations. In general, this type of disaggregation for each sector and each scheme is done in most of the Projects. Thereafter, the total picture of all the schemes and their allocations for each Project is communicated to the respective Project Officer, people's representatives, and Heads of the Developmental Departments at the State level, and to the District Officers for reference purposes. A set of schedules have been prescribed for submitting quarterly progress reports and annual progress reports by the Project Officers, to help in assessing the implementation of the programmes and the monitoring. These progress reports form the base for the formulation of next year's plan.

7.47 The entire planning process is likely to become meaningless if it does not involve tribals for whom the Sub-Plan is meant. We would, therefore, recommend that the family based/community based programmes should be explained to the tribals through their traditional panchayats and their consensus taken on each and every programme. We are certain that with the active involvement of the tribals the implementation of the programmes will not only catch up in course of time but it will also bring a qualitative change in the way of life of tribal people.

Financial resources

7.48 It has already been stated elsewhere in this Chapter that the Tribal Sub-Plan represents the total developmental efforts in the Sub-Plan area with the resources made up of

(i) Special Central Assistance, (ii) flow of sectoral funds from the various Departments of the State Governments, (iii) Investment by the Central Ministries and (iv) Institutional finance.

Special Central Assistance

7.49 The Ministry of Home Affairs as a nodal Ministry for Tribal development has special responsibility towards the financial viability of the Tribal Sub-Plan in the form of additives wherever necessary. Hence, the Special Central Assistance has a supplemental role. The Ministry of Home Affairs has provided Rs. 190 crores during 1974-79 and has now provided Rs. 350 crores for the 1980-85 Sixth Plan period. Since the Tribal Sub-Plan has now come of age and the programmes for Tribal development in States have gathered momentum, there is an apprehension that the States might find it difficult to continue the tempo of progress. Therefore, the working Group on Tribal Development 1980-85 has rightly felt that the contribution of Special Central Assistance during Sixth Plan should be Rs. 1,000 crores; Rs. 500 crores for schemes of infra-structural development and Rs. 500 crores for beneficiary oriented schemes.

7.50 At present the allocation of Special Central Assistance among the State Governments is done on the basis of three factor formula in the ratio of 50:30:20 *viz.*, total Scheduled Tribe population in the State, area occupied by the Scheduled Tribe population and the inverse proportion of net domestic product of the State.

State Plans

7.51 Quantification from State Plans is done on the basis of the total population of the Sub-Plan area, the geographical area of the Sub-Plan, comparative level of development and the State of social services. The outlays under State Plan are of divisible and non-divisible nature and benefit the tribal people as well as the tribal regions.

7.52 Rs. 900 crores is the total flow of resources from the State Plan to the Tribal Sub-Plan during 1974-79 and during 1980-85 it is likely to be the order of Rs. 2,700 crores. Two methods have been adopted by the State Governments for reflection of the quantified funds in the budgets of the State. In one, each sub-head of a minor head in the budget of a sectoral administrative department is split into two parts — one reflecting the share of the financial provision for the Tribal Sub-Plan area and the other indicating the rest of the provision. This pattern is followed in some of the States such as Tripura, Bihar etc. According to the second method, all quantified funds are shown under one single Demand head controlled by the Tribal Development Department of the State. This is followed in States like Himachal Pradesh, Maharashtra, Gujarat, Madhya Pradesh and Rajasthan. With a view to studying the comparative advantages of the two systems, it is recommended that a study may be made at the level of Government of India to assess as to which of the systems is better so that a uniform system is evolved.

Role of the Central Ministries

7.53 The Central Ministries have been advised by the Planning Commission to prepare special programmes for tribals in consultation with the State Governments and at the same time integrate their outlay with the State Plan investment at the local level.

7.54 The Commission understand that the Central Ministries could only quantify Rs. 75 crores of nearly 1% of the total Central Plan budget for each of the two years, 1978-79 and 1979-80. During 1980-85 the drawal from the Central Ministries for the Tribal Sub-Plan is likely to be Rs. 750 crores which is considered as meagre. The Commission consider this to be highly unsatisfactory. We would, therefore, recommend that the Central Ministries/Departments should formulate appropriate Tribal Sub-Plans for their Sectors. They should also introduce budgetary mechanism as adopted by the State Governments for Tribal Sub-Plan with a view to ensuring automatic flow of funds for the tribal people and tribal regions.

Institutional Finance

7.55 Inspite of the fact that the decision to allow the tribal areas the benefit of institutional finance through Commercial Banks, the investment from the institutional finance was about Rs. 150 crores and it may be nearly Rs. 550 crores during Sixth Plan period. Despite the fact that the decision to allow the tribal areas the benefit of institutional finance through Commercial Banks and LAMPS at Differential Rate of Interest was taken quite sometime back, the modalities of flow through LAMPS have not yet been worked out. The Commission recommend that the Government of India may hold a meeting of the Reserve Bank of India, other participating Banks and the State Governments/Union Territory Administrations concerned to give an operational shape to the decision for advancing loans to the tribals at Differential Rate of Interest.

Non-Plan Funds

7.56 The Commission are in agreement with the Working Group on tribal development during Sixth Plan when it suggests that funds from non-Plan side for tribal areas should also be earmarked during every Annual Plan commencing from the Sixth Five Year Plan period. The State Governments should implement this recommendation immediately.

7.57 Since the implementation of Tribal Sub-Plan has involved huge expenditure by the State Governments, it is but natural that proper accounting system should be followed on a uniform basis. This Commission understand that the Minister of State in the Ministry

of Home Affairs had vide d.o. letter No. TD/15015/1/79-RU dated 22-9-1980 addressed to the Chief Ministers had requested them to send to the Ministry of Home Affairs progress reports of financial and physical achievements in Tribal Sub-Plan area for the period 1974—78. The available information shows that the State Governments have not fully responded to this letter since the information furnished by them to the Home Ministry is scanty in respect of all States excepting Andhra Pradesh, Karnataka and Maharashtra.

7.58 This Commission make the following recommendations for better reporting of financial and physical achievements in the Tribal Sub-Plan areas by the State Governments.

(i) A serious attempt should be made to compile the progress reports for each Integrated Tribal Development Project on quarterly basis.

(ii) The monitoring of tribal development programmes at the Integrated Tribal Development Project level and Block level should be suitably strengthened.

(iii) Since this Commission and their field organisations are now very much involved in the process of development, the Ministry of Home Affairs should request the State Governments to send at regular intervals copies of the progress reports in respect of Integrated Tribal Development Projects to this Commission as well their field organisations.

Outlay and expenditure—A review :

7.59 The first Tribal Sub-Plan corresponds with the Fifth Plan 1974—78. The Annual Plan 1978-79 which originally formed part of the Fifth Plan has been treated separately as the Fifth Plan was terminated one year in advance.

7.60 During 1974—78, the total expenditure in the Sub-Plan Area from State Plan resources and Special Central Assistance amounted to Rs. 562.69 crores (Annexure III), which forms 87.52% of the total outlay for the said period. Componentwise we notice that 89.73% of the State Plan outlay and 77.84% of the Special Central Assistance during the said period has been spent.

7.61 The States of Bihar, Gujarat and Rajasthan only could utilise the Special Central Assistance fully as against Karnataka, Madhya Pradesh, Tripura, Uttar Pradesh and Andaman and Nicobar Islands where the default was of the order of about 21%, 17%, 50% and 44% respectively. Similarly Karnataka, Madhya Pradesh and Uttar Pradesh could utilise only about 26%, 80.59% and 65.00% of the outlay under the State Plan. Interestingly West Bengal has utilised the State Plan outlay of Rs. 2,968 lakhs fully.

7.62 We have strong apprehension that the State Governments have been showing the sanction issued as expenditure incurred during the concerned years. If that is so, then it would be difficult to assess the actual progress in financial terms. This Commission, therefore, recommend that there should be proper monitoring of expenditure so that correct position is brought out. This recommendation would be implemented in letter and spirit if monitoring cells are set up at the Central level, State level and at the District level.

1978-79 : 88.66% of the total outlay for the year 1978-79 had been shown as spent in respect of 18 States having Tribal Sub-Plan. Componentwise we find that 87.00% and 96.3% of the State Plan outlay and Special Central Assistance respectively have been utilised during the year 1978-79.

1979-80 : The position has, however, improved considerably during 1979-80 when 97.06% of the outlay for Tribal Sub-Plan in the country was reported as spent. Further, componentwise 97.36% and 98.12% of the State Plan outlay and Special Central Assistance was reported as spent which is definitely an improvement. Another indicator of the improvement during 1979-80 over 1974—78 and 1978-79 is an important fact that the utilisation of Special Central Assistance was cent percent by the State Governments of Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Tamil Nadu, Tripura, West Bengal, and Goa, Daman and Diu. Thus the position is not that satisfactory in respect of Andhra Pradesh, Assam, Himachal Pradesh, Orissa, Rajasthan, Uttar Pradesh, and Andaman and Nicobar Islands in so far as Special Central Assistance goes.

7.63 Similarly the utilisation of State Plan outlay was cent percent in Andhra Pradesh, Bihar, Karnataka, Kerala, Manipur, Tamil Nadu, Tripura, and Goa, Daman and Diu. The figures in respect of all these excepting Andhra Pradesh, Tamil Nadu and Goa, Daman and Diu are provisional. However, the expenditure was much below the outlays fixed under State Plan in respect of Assam, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Rajasthan, Uttar Pradesh, West Bengal and Andaman and Nicobar Islands. In respect of Orissa the figures available are not being commented upon on account of printing error.

Physical achievements :

7.64 Detailed information regarding physical achievements are not readily available from the State Governments. The selected physical achievements made during 1974—79 relating to minor irrigation, soil conservation, electrification of villages, horticultural development, provision of drinking water, restoration of alienated land to tribals and enrolment of tribal children are given in Annexure IV.

Minor Irrigation :

7.65 The achievement is noticeable in Maharashtra, Orissa, and Andhra Pradesh where 3.33 lakhs, 1.03 lakhs and 0.61 lakh of hectares of additional area were brought under minor irrigation respectively.

Soil conservation :

7.66 0.63 lakh, 0.47 lakh, and 0.33 lakh hectares of land were brought under soil conservation in the States of Bihar, Gujarat, and Orissa, respectively. The progress in other States is quite unsatisfactory.

Villages electrified :

7.67 2,342, 1,178, 1,119 and 926 numbers of villages were electrified in Bihar, Maharashtra, Orissa and Andhra Pradesh respectively. Progress in other States being unsatisfactory has not been indicated.

Area under horticulture :

7.68 50,000, 12,082 and 14,000 hectares of land were brought under horticulture in Bihar, Andhra Pradesh and Orissa respectively. The progress in other States was minimum.

Water Supply :

7.69 5,792, 1,927, 340, 300 and 278 numbers of villages were provided with water supply in Orissa, Karnataka, Andhra Pradesh, Gujarat, and Rajasthan respectively. The progress achieved in the States of Uttar Pradesh, Andaman and Nicobar Islands and Himachal Pradesh being minimal does not require any comments.

Restoration of alienated land to tribals :

7.70 It is difficult to offer any comments about the acreage of land restored to tribals in the States of Andhra Pradesh, Bihar, Gujarat, Maharashtra, Orissa, Tripura and Madhya Pradesh as the total acreage of land alienated has not been given. The Commission recommend that the data relating to total acreage of land alienated the acreage of land actually restored to the tribals till 1979-80 may be furnished by all the States having Tribal Sub-Plans.

Enrolment of tribal children :

7.71 The figures of enrolment for children of the age-group 6—11 years and 11—14 years furnished by the State Governments relate to 1977-78 and, therefore, it is not considered appropriate to examine the same. The State Governments should furnish similar figures till 1979-80.

Protective measures :

7.72 Article 46 of the Constitution enunciates certain basic principles for promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections, while Article 23 prohibits begar (forced labour). Further the interests of Scheduled Tribes are secured from social injustice and exploitation through the provisions contained in Article 244(1) regarding administration and control of Scheduled Areas and Scheduled Tribes, Article 244(2) regarding administration of Tribal Areas and Article 339 regarding control of Union over the administration of the Scheduled Areas and the welfare of Scheduled Tribes.

7.73 The various facets of the protective measures which have been adopted for securing freedom of the tribals from social injustice and exploitation are outlined below :

Up-dating of land records in Tribal Sub-Plan areas :

7.74 It has been well recognised that updating of land records is essential not only for implementation of land reforms but also for access of the land holders to agricultural credit. The position of land records varies from State to State. For instance the available information reveals that in ex-intermediary areas, survey and settlement operations and in some cases, even resurvey operations have been either carried out or still in process of being carried out under State Plans and land records have been prepared or revised. But so far, the requisite machinery has not been set up in some States to keep these records up-to-date. However, the Commission regret to say that even in States like Madhya Pradesh, Rajasthan, Gujarat and Himachal Pradesh only special drives have been launched to clear the backlog of mutations and no resurvey operations have been started. The Commission are happy to note that in Assam, Bihar, Madhya Pradesh and Tamil Nadu where there are Scheduled Tribes, pass books are being issued to land owners on the basis of entries in the record of rights.

7.75 The Commission understand that even in States where land records are generally upto-date the interests of tenants and share croppers are not recorded with the result that they cannot enjoy the rights conferred on them as a result of up-dating of land records. With a view to enabling the tenants and share croppers to avail of these rights the State Governments of Assam, Orissa, Gujarat, Karnataka, Kerala and West Bengal have launched special drives. Though Act have been passed by the State Governments of Andhra Pradesh, Bihar, Tamil Nadu and Tripura to prepare records of rights of tenants and share croppers, but these have hardly been enforced as yet.

7.76 In States such as Bihar where Revisional Settlement operations have been taken up in the Tribal Areas there is a strong apprehension among the tribals that as in the earlier settlement operations in the current settlement operations also, the tribals' rights might not be recorded and they may lose even the land that they hold at present and that instead the money lenders, the Mahajans and other influential vested interests may benefit at the cost of the

tribals. The Commission, therefore, recommend that in all such cases the Government may take steps to suitably safeguard the interests of the tribals and amend the rules and laws wherever necessary. They should also set at rest the apprehension of the tribals adequate publicity among the tribals about their rights and also ensure that strict and tight supervision is exercised over the field staff so that no mischief is committed in respect of tribals interests and rights.

7.77 Suitable provisions have been made in the Tribal Sub-Plan of Andhra Pradesh, Arunachal Pradesh, Bihar, Himachal Pradesh, Orissa, Madhya Pradesh, Manipur, Meghalaya, Rajasthan and Tripura to carry out cadastral survey of tribal areas on a priority basis. The Commission recommend that while carrying out such operations the State Governments will take adequate precautions to ensure that the names of non-tribal transferees who are in unauthorised occupation of tribal lands are not recorded. Further the Commission feel that the main objective of such special operations in the tribal areas should be to unearth illegal transfers with a view to restoring the land to the original owners/tribals. Meticulous implementation of such a policy would create the desired confidence among the tribals and help the State Governments having large tribal population in quelling tribal unrest. The efforts made by the Government of West Bengal in recording the share cropping rights (Barga rights) of about 10 lakhs share croppers by December, 1980 are commendable inasmuch as the share croppers who have been recorded cannot be deprived of their legal right to the stipulated share of produce from the land. We are firmly of the view that the State Governments should set up suitable machinery at district and subdivisional levels with a view to recording the names of the tribals on a time bound basis.

LAND ALIENATION

7.78 Land alienation in tribal areas has been a continuing and unresolved and therefore a crucial problem. Laws have in recent times been enacted or existing laws suitably amended prohibiting transfer of land belonging to Scheduled Tribes. These provisions are found either in Revenue laws or in the social Regulations promulgated in persuance of the provisions of the Fifth Schedule to the Constitution. The following enactments (amendments incorporated wherever necessary) are worth mentioning here :

Sr. No.	State covered under Tribal Sub-Plan area	Act/Regulation	Main provisions
1	2	3	4
1.	Andhra Pradesh .	The Andhra Pradesh (Scheduled Areas) Land Transfer (Amendment) Regulations, 1970.	Prohibits transfer of land to non-tribals whether the owner is tribal or non-tribal. Authorises Government to acquire land in case a tribal purchaser is not available.
2.	Assam . . .	The Assam Land and Revenue Regulations, 1886.	Prohibits alienation of land in tribal blocks.
3.	Bihar . . .	Chhotanagpur Tenancy Act, 1908, Santhal Pargana Tenancy (Supplementary provisions) Act, Scheduled Area Regulations, 1969.	Prohibits alienation of land of tribals and provides for restoration for aliented land.
	Outsides Chhotanagpur and Santhal Pargana	Bihar Tenancy Act, 1885	Do.
4.	Gujarat . . .	Bombay Land Revenue Code 1879	Prohibits alienation of land of tribals and provides for restoration of alienated land.
5.	Himachal Pradesh .	The Himachal Pradesh Transfer of Land (Regulations) Act, 1968	Do.
6.	Karnataka . .	The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of certain Lands) Act, 1978.	Prohibits transfer of certain lands granted to persons belonging to Scheduled Tribes.
7.	Kerala (Not yet inforced)	The Kerala Scheduled Tribes (Restriction of transfer of land and restoration of alienated Lands) Act, 1975.	Do.
8.	Madhya Pradesh .	Madhya Pradesh Land Revenue Code, 1959.	Prohibits alienation of land.
9.	Manipur . .	Manipur Land Revenue and Land Reforms Act, 1960.	No transfer of land by a member of Scheduled Tribes to a non-member is valid without the permission of the Deputy Commissioner and District Council.
10.	Maharashtra . .	i. Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974. ii. The Maharashtra (Restoration of Lands to Scheduled Tribes) Act, 1974.	Prohibits alienation of land and provides for restoration of alienated land.

1	2	3	4
11.	Orissa (within Scheduled Areas)	The Orissa Scheduled Areas Transfer of Immovable Property (Scheduled Tribes) Regulation 1956.	Prohibits alienation of land and provides for restoration of alienated land.
	Outside Scheduled Areas	The Orissa Land Reforms Act, 1960.	Do.
12.	Rajasthan . .	The Rajasthan Tenancy Act, 1955. The Registration (Rajasthan amendment) Act, 1976.	Do.
13.	Tamil Nadu . .	The Board's Standing orders	Land assigned to specified Hill Tribals shall not be transferred to persons belonging to the same class without permission of Divisional officer.
14.	Tripura . .	The Tripura Land Revenue and Land Reforms Act, 1974.	Prohibited alienation of land and provides for restoration of aliented land.
15.	Uttar Pradesh . .	Uttar Pradesh Zamidars' Alienation and Land Reforms Act, 1960	Imposed restriction on transfer of land by Scheduled Tribes to non-Scheduled Tribes without permission of the Collector.
16.	West Bengal . .	The West Bengal Land Reforms Act	Prohibits alienation of land.
17.	Laccadive Minicoy and Amindive Islands	The Laccadive, Mincioy and Admindive Islands (protection of Scheduled Tribes) regulation 1964 and Amendment regulations 1973.	Imposed restrictions on transfer of land in way of sale, mortgage, gift or otherwise lease exchange, without the previous sanction of the Administrator.

7.79 In spite of the legislative enactments and Regulations for checking illegal transfer of land from the tribals to non-tribals, the problem of land alienation has not been solved altogether. There are still reports of benami transfers and illegal dispossession of land of tribals by non-tribals. For instance 17117.52 acres of tribal lands were alienated from 1960-61 to 1978-79 while only 1749.66 acres of lands were restored to the triabls in the said period in the State of West Bengal. Similarly in Orissa State out of 39,795 persons in the tribal areas where land has been restored till August, 1979, 18573 (atleast 50%) are tribals. We are of the view that what is true of Orissa and West Bengal may also hold good for other States, like Andhra Pradesh, Bihar, Madhya Pradesh, Maharashtra, Gujarat, Rajasthan and Tripura.

7.80 We would, therefore, recommend that the following action may be taken by the State Governments concerned for the restoration of the alienated lands to the tribals :

(i) Summary proceedings should be started against the non-tribals for illegal alienation of their land.

(ii) When the normal Revenue machinery is not able to cope up with the restoration of large chunks of alienated land to the tribals, the State Governments should create special machinery (may be created at the district level and subdivisional level), for tackling the problem on a time bound basis. The Central Government should provide financial assistance to the State Governments for the strengthening of revenue machinery for the said purpose.

(iii) The bottlenecks in the working of the programme of restoration of alienated land to the tribals should be reviewed periodically by the State Governments in consultation with the Board of Revenue so that the regulatory measures are stream-lined. This is essential as the tribals attach utmost importance to the ownership of land and its consequent alienation produces avoidable resentment among the tribals.

(iv) The State Governments should tone up the lowest level Revenue/Forest functionaries in the Sub-Plan areas so that they do not hob-nob with the exploitative agencies like the money-lender, liquor vendor, forest contractor with a view to dispossessing the tribals from their land as well as land use.

7.81 We have also made a study of the problem of updating of land records and made suitable recommendations in this regard with a view to preventing illegal/benami transfers of lands from the tribals to the non-tribals. These are given in paras 7.74 to 7.77 of this Chapter.

Forests and Tribals

7.82 It is by now well established that the tribals have dwelt mainly within the forests and outskirts of the forests. In the pre-Independence era the exploitation of forest, was being done by the State Governments through the agency of the contractors who in turn had to for natural reasons, depend heavily on the forest dwellers (tribals) for getting best out of the forest contractors. The tribals were engaged as labourers on meagre wages and there being no development programme worth the name in the forests, the contractors in collusion with the forest rangers not only exploited the tribals but also made them their virtual slaves.

7.83 Thus the rights and privileges of the tribals in forests regulated and restricted by the 1894 policy Resolution of the Government of India did not serve the desired purpose. It was accordingly recast by the 1952 Resolution which converted the rights and privileges into rights and concessions. This Commission are in agreement with the view expressed by the Working Group on tribal development during the Sixth Plan that the forest economy should be geared to the requirements of employment and economic progress of the Scheduled Tribes living in the forest areas. Due to pressure of population coupled with the requirements of the national economy there is a need to strike a reasonable balance between the interests of the forest dwellers and the development of forests. The rights of the tribals with regard to their growing dependence on the forest like timber for construction, fuel, fodder, fruits, flowers, herbs, medicines etc., will have to be met through organised development of social forestry.

7.84 The present objectives of maintaining one third of the total land under forests by keeping in view the needs of the local communities is well attainable. We hope that the Government of India will take these points into consideration while announcing the new policy resolution on forests which is very much over due.

7.85 Of late Tribal Development Cooperative Corporations have been set up in the States of Andhra Pradesh, Bihar, Madhya Pradesh, Gujarat, Maharashtra, Rajasthan, Orissa, Assam, Karnataka, Kerala, Tamil Nadu and West Bengal.

7.86 These Corporations as apex bodies of the LAMPS *inter-alia* arrange to market the forest produce procured through the LAMPS. We also understand that forest contracts for collection of minor forest produce are being given to these Corporations in the States like Orissa, West Bengal, Rajasthan, Maharashtra etc. But the forest Corporations have not yet fully involved the Tribal Development Cooperative Corporations in this programme. The Tribal Development Cooperative Corporations should be charged royalty at a much lesser rate than the rate chargable from the forest contractors.

(i) The Tribal Development Cooperative Corporations/LAMPS should have the sole right to procure minor forest produce directly from the tribal sellers. Further the tribals who sell the minor forest produce to the Corporation/ LAMPS should be given on the spot payment on the delivery of the minor forest produce by the tribal sellers.

(ii) The forest contractors should be totally eliminated from such pockets where the tribals concentrate, as he would attempt to undo whatever benefit is being received by the tribals as a result of these programmes.

(iii) The working of the existing Tribal Development Cooperative Corporations should be thoroughly reviewed with a view to making them sub-serve the interests of the tribals.

Excise Policy :

7.87 The cordinal principles of the excise policy in the tribal areas as set forth by the then Department of Social Welfare are given below :

(a) The contract system of liquor vending in tribal areas should be abolished.

(b) In areas where non-tribal population is interspersed, liquor vending should be through Government agencies.

(c) Tribals should be allowed to brew their own traditional drinks for domestic and social purpose.

7.88 There are no two opinions about the evil effect of drinking on the general community and more so on the tribals. It would not be untrue to say that the tribals have lost their land on account of the havoc caused by the liquor venders.

7.89 The State Governments have generally accepted the principles set forth in the excise policy as given above and thus have accordingly been taking steps to minimise the evil effects of illicit distillation and also to introduce complete prohibition.

7.90 The available information shows that the Government of Andhra Pradesh, Karnataka, West Bengal, Orissa, Maharashtra and Tripura have allowed the tribals to brew their traditional drink for personal and social purposes but not for commercial purposes. The Himachal Pradesh Government have revised the State excise policy with effect from 1-1-1981. The present excise policy has taken note of the severity of climate, social, and religious obligations and customs of the tribals. That is to say vends for sale of country liquor and foreign liquor have been reopened in the tribal areas with effect from 1-1-1981. We also understand that in States like Bihar and Orissa the vending of liquor has been totally stopped in certain territorial limits bordering neighbouring States. But we understand the liquor vendor, still holds his sway in the tribal areas of Orissa. The Working Group on tribal development 1980—85 have made the following suggestions for enforcement of the excise policy in the tribal areas :—

(i) The excise policy for tribal areas, as evolved by the Government of India should be implemented within a specified period and in any case within one year.

(ii) The tribals should be allowed to brew liquor for personal consumption and

social purposes. A strict watch should be kept to ensure that the concession to brew liquor is not misused.

(iii) Sustained social work enlisting the assistance of voluntary organisations should be undertaken to wean the tribals away from the habit of drinking.

7.91 We regret to comment that the tribals have not so far been weaned away from recourse to illicitly distilled liquor supplied by the liquor vendors. The Commission feel that the State Governments should take steps to totally eliminate the liquor vendors from the Tribal Sub-Plan areas. The tribals should be allowed to consume home-brewed liquor. In addition, there should also be adequate publicity through recognized and reliable voluntary organizations and social workers against the evil of drinking.

Credit and marketing :

7.92 The tribals have been exploited in various forms and through various agencies such as money-lenders, forest contractors, liquor vendors, forest rangers etc. The traders and the money-lenders have been responsible for total subjugation of the tribals.

7.93 Inspite of the regulatory measures the exploitation of tribals by the traders and money-lenders has continued. It was in this context that the large sized multipurpose societies (LAMPS) were revised in the Fifth Plan to provide facilities : (a) purchase of surplus farm and forest produce from the tribals, (b) sale of consumer goods and farm inputs to them; and (c) extension of consumption and production credit.

(a) *Sale of surplus farm and forest produce*

7.94 The LAMPS have started this work in the right earnest but even till now they have not been able to complete with the traders who are still entrenched in the tribal areas. The net-work of the LAMPS is not that large as that of private traders.

(b) *Sale of consumer goods and farm inputs*

7.95 The Tribal Development Cooperative Corporations, had set up consumer stores in the tribal areas for selling essential items like salt, controlled cloth etc. Subsequently these functions have been taken over by the LAMPS but inspite of this both the agencies continue to duplicate the functions of each other in the Sub-Plan areas in States like Maharashtra. In Orissa also though it was decided long back that the function of consumer stores in the Tribal Sub-Plan area may be taken over the LAMPS from the Tribal Development Cooperative Corporations, the change over has not been fully implemented.

7.96 The commission, therefore, recommended that there should be no duplication of functions by the Tribal Development Cooperative Corporations and LAMPS. That is to say, where there are two consumer stores, one opened by the former organisation and the other by the latter organisation. Only one store should function in that villages and the second store opened subsequently should be shifted to another needy village.

7.97 It has generally been observed that the essential items like, Kerosene oil and Salt are out of stock from the consumers stores in the tribal areas for most of the time. The poor tribals have to trek long distances for getting just half a litre of Kerosene oil and/or 1 kg. of Salt but they have quite often to return disappointed due to non-availability of stock. The allegation is that the kerosene oil and salt being scarce commodities in the tribal areas are sometimes sold away to the local Government servants as well as other influential people. This allegation may not be entirely true but there is much substance in it. The State Governments should take suitable measures to guard against such unpleasant situations. This could be possible if the consumer stores are periodically inspected by the officers of the Civil Supplies and Tirbal Welfare Departments more frequently. Simultaneously the Tribal Development Cooperative Corporations as well as the Project Administrators of the Integrated Tribal Development Projects and the Civil Supplies Departments/Corporations should make periodical reviews of the supply position and correct the shortcomings wherever necessary.

7.98 In this context the working of the weekly hats/shandys in the tribal areas has a pivotal role to play inasmuch as these are the centres where the tribal cannot only except to get fair return for his products but also receive essential commodities through barter system. Our reports are that the Tribal Development Cooperative Corporations/ LAMPS have not fully geared themselves to the situation. The result is that many tribals are forced to sell their minor forest produce and farm produce at throw away prices to the traders. We also know that the Andhra Pradesh Girijan Cooperative Corporation has set up Daily Requirement Depots (DRDs) in a number of villages where weekly shandys are held. These Domestic Requirement Depots also set up shops at the time of weekly shandys in order to provide essential commodities to the tribals in exchange for minor forest produce/ farm produce brought by the tribals. But our experience based on the reports of our field offices are not encouraging. The salesman in charge of the shop of Domestic Requirement Depot in the weekly shandy is not able to attract many tribal customers as he lacks business acumen. Secondly he has to function under the rules of the Corporation which are quite often inconsistent with rules of the trader. For instance in a weekly shandy in Paderu/Integrated Tribal Development Agency in Andhra Pradesh our field officer found that a trader had managed to get 15 kgs. of fine

quality ginger from a tribal cultivator for just only Rs. 7 while the retail price of ginger in Visakhapatnam town was Rs. 4 per kg. then. Had this purchase been done by a committed Government agency the tribal would have got a reasonable return for 15 kgs. of ginger and this would have increased his purchasing power.

7.99 We would, therefore, make the following recommendations with regard to the working of the weekly hats in the tribal areas.

(i) The Tribal Development Cooperative Corporations/LAMPS should open mobile shops in the weekly hats. These mobile shops should keep sufficient quantities of essential commodities which should be sold to the tribals in cash or in exchange for the minor forest produce/farm produce brought by the tribals.

(ii) The educated tribals may be encouraged to set up small shops in the weekly hats so that they can save the tribals from exploitation by the traders. Such budding tribals should be given financial support by the Integrated Tribal Development Projects to set up the trade.

(iii) The State Government should lift the articles procured in the weekly hats/shandys without any delay and these articles should be sold through the consumer outlets in the various growth centres. The State Civil Supplies Departments/Corporations should be entrusted with this job.

(iv) The working of the weekly hats/shandys should be supervised by a committed consisting of the representatives of the Tribal Development Cooperative Corporations and the local tribal leaders. The view of the local tribal leaders, on the working of these hats/shandys should be given due consideration for improving their performance.

(v) The Gram Panchayat, the State Govment or their local representatives who are concerned with the leasing out of hats/bazars/shandys should completely exempt the tribal shop keepers/vendors and the mobile shops of the Tribal Development Co-operative Corporations/LAMPS from payment of toll tax/license fee and other charges. Suitable provisions should be incorporated in the lease-deeds/contractual documents to this effect and these provisions should be strictly enforced by the authorities concerned so as to prevent harassment to the tribal traders.

(c) *Extension of production and consumption credit*

7.100 Apart from production credit the tribal also require consumption credit particularly during lean periods. His inability to get such credit from the Government sponsored agencies at exorbitant rate even for small amounts advanced to the tribals. We have by now agencies like LAMPS in the Sub-Plan areas and Tribal Development Cooperative Corporations outside the Sub-Plan areas inhabited by the Scheduled Tribes for meeting their requirements. The Commission, therefore, recommend that the consumption credit should be built into the production credit so that the tribal has to go to only one agency to secure the loan. The requirements of the tribals in each area should be assessed by the extension agency in consultation with the Block Development Officer.

ANNEXURE I

Total Population, Scheduled Triqes and Population and area under Tribal Sub-Plan.

(Population in lakhs, area in sq. kms.)

Sl. No.	State/U.T.	Total Population	Sch. Tribe Popn. * (1971 Census)		Percentage of S.T. popn. to total population		Sub Plan Area				Total geographical area of State	Total geographical area under sub-Plan	Percentage of area covereed under sub-Plan
			Pre-revised	Revised	Pre-revised	Revised	Total population	S.T. population pre-revised	Percentage of S.T. to total popn.	Percentage of ST popn. under sub-plan to St. popn. (Pre-revised in State)			
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Andhra Pradesh	435.03	16.58	22.26	3.87	5.12	17.88	9.11	50.95	54.85	2,76,754	30,294	10.95
2.	Assam	141.70**	13.44**	13.44	9.48	19.48	17.67	9.67	54.73	71.95	63,301**	9,467	14.96
3.	Bihar	563.53	49.33	49.33	8.75	8.75	74.93	37.86	50.53	76.75	1,73,876	43,603	25.08
4.	Gujarat	266.97	37.34	37.57	13.99	14.07	39.23	27.04	68.93	72.42	1,95,984	24,420	12.46
5.	Himachal Pradesh	34.60	1.42	1.42	4.10	4.10	1.14	0.84	73.68	59.15	55,673	23,954	43.03
6.	Karnataka	292.99	2.31	2.62	0.79	0.89	21.25	1.00	4.71	43.29	1,91,773	15,781	8.23
7.	Kerala	213.47	2.69	1.93	1.26	0.90	1.15	0.74	64.35	27.51	38,864	6,128	15.77
8.	Madhya Pradesh	416.54	83.87	98.15	20.13	23.56	05.85	62.72	59.25	74.78	4,42,841	1,63,938	37.02
9.	Maharahstra	504.12	29.54	38.41	5.86	7.62	29.96	18.47	61.65	62.53	3,07,762	38,654	12.56
10.	Manipur	10.73	3.34	3.34	31.13	31.13	3.48	3.13	89.94	93.71	22,356	20,126	90.03
11.	Orissa	219.45	50.72	50.75	23.11	23.13	62.25	34.17	55.74	68.41	1,55,842	69,785	44.78
12.	Rajasthan	257.66	31.26	31.35	12.13	12.17	20.93	13.65	65.22	43.67	342,214	19,571	5.72
13.	Tamil Nadu	411.99	3.12	4.50	0.76	1.09	2.17	1.45	66.82	46.47	1,30,069	4,919	3.78
14.	Tripura	15.56	4.51	4.51	28.98	28.98	4.52	46.48	69.92	76.27	10,477	6,679	63.75
15.	Uttar Pradesh	883.41	1.99	1.99	0.23	0.23	0.16	0.15	93.85	7.56	2,94,413	92	0.03
16.	West Bengal	443.12	25.33	26.03	5.72	5.87	14.89	10.42	69.98	41.15	87,853	4,952	5.64
17.	Sikkim	2.10	—	0.52	—	24.76	0.13	0.12	92.31	23.08	7,000	4,444	63.49
18.	A & N Islands	1.15	0.18	0.18	15.65	15.65	0.22	0.18	81.82	100.00	8,293	1,953	23.55
19.	Goa, Daman & Diu	8.58	0.07	0.07	0.82	0.82	0.39	0.07	17.95	100.00	3,813	72	1.89
	GRAND TOTAL	5,122.70	357.04	388.37	6.97	7.58	418.60	234.76	56.08	65.75	2,80,9158	4,88,832	17.40

NOTE:—List of Scheduled Tribes was amended by the Scheduled Castes and Scheduled Tribes orders (Amendment) Act, 1976. Col. 4 gives the original population 1971 Census (Pre-revise) and col. 5 gives the revised estimated population of Sch. Tribes.

Excludes figures for North Cachar and Miker (Karbi angolong) under Hill Area Development.

Revised population of Sch. Tribes covered under Tribal Sub-plan area is not available. Therefore, pre-revised population as per census 1971 is given in Col. 9.

ANNEXURE—II

Tribal, Development Projects—Fifth Plan

S. No.	State	Integrated Tribal Development Projects
		TOTAL
1	2	3
1.	Andhra Pradesh	7
2.	Assam	19
3.	Bihar	14
4.	Gujarat	9
5.	Himachal Pradesh	3
6.	Karnataka	5
7.	Kerala	5
8.	Madhya Pradesh	42
9.	Maharashtra	15
10.	Manipur	5
11.	Orissa	23(*)
12.	Rajasthan	5
13.	Tamil Nadu	9
14.	Tripura	3
15.	Uttar Pradesh	2(*)
16.	West Bengal	12
17.	A & N Islands.	1
18.	Goa, Daman and Diu	1
	Total	180

(*) The number of ITDPs in Orissa and U.P. was later reduced to 21 and 1 respectively. The total ITDPs in 1980 is 178.

ANNEXURE—III

Tribal Sub-Plan

Outlay and Expenditure

1974-75 to 1979-80

1974—75

(Rs. in lakhs)

S.No.	State	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	304.37	39.00	343.37	304.37	0.78	305.15
2.	Assam	—	24.00	24.00	73.68	20.00	93.65
3.	Bihar	482.00	56.00	538.00	482.00	56.00	538.00
4.	Gujrat	—	44.00	44.00	—	44.00	44.00
5.	Himachal Pradesh	113.97	—	113.97	112.64	—	112.64
6.	Karnataka	—	2.50	2.50	—	—	—
7.	Kerala	12.23	2.50	14.73	12.23	1.45	13.68
8.	Madhya Pradesh	305 00	57.00	362.00	258.00	57.00	315.00
9.	Maharashtra	—	30.00	30.00	—	—	—
10.	Manipur	—	—	—	335.38	Nil	335.38
11.	Orissa	765.10	86.00	851.10	765.10	72.25	837.35
12.	Rajasthan	339.00	50.00	389.00	—	50.00	50.00
13.	Tamilnadu	—	2.50	2.50	—	—	—
14.	Tripura	—	11.00	11.00	173.71	7.45	181.16
15.	Uttar Pradesh	—	1.00	1.00	—	—	—
16.	West Bengal	—	25.00	25.00	—	—	—
17.	A & N Islands	15.80	—	15.80	7.80	—	7.80
18.	Goa, Daman and Diu	—	—	—	—	—	—
	Grand Total	2337.47	430.50	2767.97	2524.91	308.93	2835.84

1975—76 (Rs. in lakhs)

S.No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	455.38	123.00	578.38	455.38	14.02	469.40
2.	Assam	145.00	100.00	245.00	143.35	6.00	149.35
3.	Bihar	1742.00	281.00	2023.00	900.00	281.00	1181.00
4.	Gujrat	700.00	200.00	900.00	697.22	200.00	897.22
5.	Himachal Pradesh	133.55	31.00	164.56	131.50	4.05	135.55
6.	Karnataka	—	10.00	10.00	—	—	—
7.	Kerala	14.45	15.00	29.45	14.45	15.52	29.97
8.	Madhya Pradesh	750.00	506.00	1256.00	680.00	506.00	1186.00
9.	Maharashtra	—	104.00	184.00	—	—	—
10.	Manipur	475.00	43.00	518.00	472.10	26.77	498.87
11.	Orissa	965.52	292.00	1248.52	727.80	142.24	870.04
12.	Rajasthan	807.00	150.00	957.00	807.00	150.00	957.00
13.	Tamil Nadu	1.72	12.00	13.72	1.72	12.00	13.72
14.	Tripura	225.00	36.00	261.00	224.52	30.27	254.79
15.	Uttar Pradesh	—	5.00	5.00	—	—	—
16.	West Bengal	783.00	72.00	855.00	783.00	72.00	855.00
17.	A. & N. Islands	18.10	20.00	38.10	18.82	NA	13.82
18.	Goa, Daman and Diu	—	—	—	—	—	—
	Grand Total	7206.73	2000.00	9206.73	6056.86	1459.87	7516.73

27—256 HA/ND/81

1976-77 (Rs. in lakhs)

S.No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	784.70	194.75	979.45	784.70	140.18	924.85
2.	Assam	570.00	203.00	773.00	411.27	137.19	545.46
3.	Bihar	4115.00	614.00	4729.00	3755.00	614.00	4369.00
4.	Gujarat	1600.00	326.00	1926.00	1437.16	326.00	1763.16
5.	Himachal Pradesh	252.99	68.00	320.99	172.30	31.38	203.68
6.	Karnataka	105.00	20.00	125.00	38.84	20.00	58.84
7.	Kerala	37.76	26.00	63.76	34.76	24.61	59.37
8.	Madhya Pradesh	4000.00	1097.00	5097.88	(combined 3659.80)	—	3659.00
9.	Maharashtra	2573.00	231.00	2604.00	1994.00	231.00	2225.00
10.	Manipur	700.00	90.00	790.00	700.00	86.60	786.29
11.	Orissa	1168.80	587.00	1755.80	1897.78	242.16	1339.94
12.	Rajasthan	792.00	246.25	1038.25	793.67	246.00	1039.67
13.	Tamil Nadu	117.00	44.00	161.00	101.82	44.00	145.82
14.	Tripura	367.46	68.00	435.46	255.69	52.10	307.79
15.	Uttar Pradesh	25.00	11.00	36.00	13.77	5.51	19.28
16.	West Bengal	823.00	149.00	972.00	823.00	149.00	972.00
17.	A. & N. Islands	21.70	17.00	38.70	19.17	11.67	30.84
18.	Goa, Daman and Diu	20.00	8.00	28.00	18.05	7.18	25.23
	Grand Total	18073.41	4000.00	22073.41	16109.18	2368.27	18477.45

S.No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1350.09	285.25	1635.34	1232.48	400.21	1632.69
2.	Assam	724.00	257.00	981.00	717.40	254.60	972.09
3.	Bihar	5378.00	807.00	6185.09	4915.00	807.00	5722.00
4.	Gujarat	2350.00	473.00	2823.00	2350.00	463.00	2813.00
5.	Himachal Pradesh	372.39	90.00	462.39	343.64	72.21	415.85
6.	Karnataka	128.50	24.00	152.50	23.67	24.00	47.67
7.	Kerala	51.00	25.00	76.00	42.46	25.17	67.63
8.	Madhya Pradesh	5324.00	1554.25	6878.25	3767.00	1412.81	5179.81
9.	Maharashtra	3278.00	378.25	3656.25	3270.00	378.25	3648.25
10.	Manipur	869.00	128.00	997.00	869.00	123.00	997.00
11.	Orissa	1985.46	770.15	2755.61	1942.39	491.30	2433.69
12.	Rajasthan	908.00	298.10	1206.10	897.19	298.10	1195.29
13.	Tamil Nadu	153.00	45.00	198.00	153.00	45.00	198.00
14.	Tripura	426.00	96.40	522.40	325.00	84.45	409.45
15.	Uttar Pradesh	35.00	15.00	50.00	25.81	10.33	36.14
16.	West Bengal	1352.00	225.00	1577.00	1352.00	225.00	1577.00
17.	A. & N. Islands	32.55	17.00	49.55	33.56	18.27	51.83
18.	Goa, Daman and Diu	29.07	11.00	40.07	32.70	11.00	43.70
	Grand Total	24746.06	5499.40	30245.46	22292.39	5148.70	27441.09

1978-79 (Rs. in lakhs)

S. No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1558·00	253·00	1811·00	1272·00	247·94	1519·94
2.	Assam	1000·00	325·00	1325·00	964·52	303·72	1268·24
3.	Bihar	6000·00	984·00	6984·00	5035·00	984·00	6019·00
4.	Gujarat	3350·00	596·00	3946·00	2666·81	596·00	3262·81
5.	Himachal Pradesh	586·24	188·42	774·66	544·44	180·98	725·42
6.	Karnataka	203·00	28·00	231·00	87·50	24·00	111·50
7.	Kerala	93·03	18·00	111·03	77·70	31·89	109·59
8.	Madhya Pradesh	6211·00	1866·00	8077·00	3362·00	1826·00	5188·00
9.	Maharashtra	4852·00	497·00	5349·00	4452·49	397·00	4849·49
10.	Manipur	1027·43	177·00	1204·43	1027·43	177·00	1204·43
11.	Orissa	4751·59	982·00	5733·59	5162·00	960·00	6122·00
12.	Rajasthan	1374·00	337·00	1711·00	2609·18	301·55	2910·73
13.	Tamil Nadu	159·00	49·00	208·00	119·84	49·00	168·84
14.	Tripura	595·67	115·00	710·67	578·00	115·00	693·00
15.	Uttar Pradesh	35·64	14·25	49·89	27·54	11·01	38·55
16.	West Bengal	1355·00	263·00	1618·00	918·00	258·00	1176·00
17.	A. & N. Islands	47·72	37·14	78·86	32·05	19·01	51·06
18.	Goa, Daman and Diu	45·00	22·00	67·00	24·58	14·40	39·98
	Grand Total	33244·32	6745·81	39990·13	2896·08	6496·50	35457·58

1979-80 (Rs. in lakhs)

S.No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1537·00	314·00	1851·00	1577·51	264·00	1841·51
2.	Assam	931·00	306·00	1237·00	789·68	323·50	1113·18
3.	Bihar	6525·00	829·00	7354·00	6525·00*	829·00*	7354·00*
4.	Gujarat	3920·00	486·00	4406·00	4169·79	486·00	4655·79
5.	Himachal Pradesh	782·30	125·00	907·30	637·92	116·19	754·11
6.	Karnataka	315·00	44·00	359·00	315·00*	44·00*	359·00*
7.	Kerala	158·75	35·00	193·75	158·75*	35·00*	193·75*
8.	Madhya Pradesh	7053·00	1611·00	8664·00	6110·00	1611·00*	7721·00*
9.	Maharashtra	4583·00	333·00	4916·00	4347·91	333·00	4680·91
10.	Manipur	1260·00	126·00	1386·00	1260·00*	126·00*	1386·00*
11.	Orissa	5851·00	880·00	6731·00	6475·10	830·00	7305·10
12.	Rajasthan	3334·00	327·00	3661·00	3154·83	293·82	3448·65
13.	Tamil Nadu	254·00	50·00	304·00	254·00	50·00	304·00
14.	Tripura	850·99	120·00	970·99	850·99*	120·00*	970·99*
15.	Uttar Pradesh	56·58	28·00	84·58	53·05	25·26	78·31
16.	West Bengal	1774·00	309·00	2083·00	1332·00	309·00	1641·00
17.	A. & N. Islands	262·98	6·75	269.73	215.90	21·99	237·89
18.	Goa, Daman and Diu	17.95	15.00	32.95	17.95	15·00	32·95
	Grand Total	39466·55	5944·75	45411.30	38245.38	5832·76	44078·14

* Provisional.

1974-78 (Rs. in Lakhs)

S.No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	2894·54	642·00	3536·54	2776·93	555.19	3332·12
2.	Assam	1439·00	584·00	2023·00	1345·79	417·79	1763·58
3.	Bihar	11717·00	1758·00	13475·00	10052·00	1758·00	11810·00
4.	Gujarat	4650·00	1043·00	5693·00	4484·38	1033·00	5517·38
5.	Himachal Pradesh	872·91	189·00	1061·91	760·08	107·64	867·72
6.	Karnataka	233·50	56·50	290·00	61·71	44·00	105·71
7.	Kerala	115·44	68·50	183·94	103·90	66·75	170·65
8.	Madhya Pradesh	10379·00	3214·25	13593·25	8364·00	1975·81	10339·81
9.	Maharashtra	5851·00	743·25	6594·25	5264·00	609·25	5873·25
10.	Manipur	2044·00	261·00	2305·00	2376·48	241·06	2617·54
11.	Orissa	4875·88	1735·15	6611·03	4533·07	947·95	5481·02
12.	Rajasthan	2846·00	744·35	3590·35	2497·86	744·10	3241·96
13.	Tamil Nadu	271·72	103·50	375·22	256·54	101·00	357·54
14.	Tripura	1018·46	211·40	1229·86	978·92	174·27	1153·19
15.	Uttar Pradesh	60·00	32·00	92·00	39·58	15·84	55·42
16.	West Bengal	2958·00	471·00	3429·00	2958·00	446·00	3404·00
17.	A. & N. Islands	88·15	54·00	142·15	79·35	29·94	109·29
18.	Goa, Daman & Diu	49·07	19·00	68·07	50·77	18·18	68·95
	Grand Total	52363·67	11929·90	64293·57	46983·36	9285·77	56269·13

1974—79 (Rs. in Lakhs)

S.No.	State/U.T.	Outlay			Expenditure		
		S.P.	S.C.A.	Total	S.P.	S.C.A.	Total
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	4452·54	895·00	5347·54	4048·93	803·13	4852·06
2.	Assam	2439·00	909·00	3348·00	2310·31	721·51	3031·82
3.	Bihar	17717·00	2742·00	20459·00	15087·00	2742·00	17829·00
4.	Gujarat	8000·00	1639·00	9639·00	7151·19	1629·00	8780·19
5.	Himachal Pradesh	1459·15	377·42	1836·77	1304·52	288·62	1593·14
6.	Karnataka	436·50	84·50	521·00	149·21	68·00	217·21
7.	Kerala	208·47	86·50	294·97	181·60	98 ·64	280·24
8.	Madhya Pradesh	16590·00	5080·25	21670·25	11726·00	4801·81	15527·81
9.	Maharashtra	10703·00	1240·25	11943·25	9716·49	1006·25	10722·74
10.	Manipur	3071·43	438·00	3509·43	3403·91	4418·06	3821·97
11.	Orissa	9627·47	2717·15	12344·62	9695·07	1907·95	11603·02
12.	Rajasthan	4220·00	1081·35	5301·35	5107·04	1045·65	6152·69
13.	Tamil Nadu	430·72	152·50	583·22	376·38	150·00	526·38
14.	Tripura	1614·13	326·40	1940·53	1556·92	289·27	1846·19
15.	Uttar Pradesh	95·64	46·25	141·89	67·12	26·85	93·97
16.	West Bengal	4313·00	734·00	5047·00	3876·00	704·00	4580·00
17.	A. & N. Islands	135·87	85·14	221·01	111·40	48·95	160·35
18.	Goa, Daman & Diu	94·07	41·00	135·07	75·35	32·58	107·93
	Grand Total	85607·99	18675·71	104283·70	75944·44	15782·27	92726·71

ANNEXURE IV

Selected Physical Achievements

(1974—79)

I. *Additional Areas brought under Minor Irrigation :*

	Hectares
Andhra Pradesh	60,768
Assam	21,485
Bihar	45,000
Gujarat	7,200
Maharashtra	3,33,00
Manipur	600
Orissa	1,03,400
Tripura	432

II. *Additional Area brought under soil Conservation :*

	Hectares
Andhra Pradesh	6,804
Assam	8,564
Bihar	62,940
Gujarat	46,608
Himachal Pradesh	280
Manipur	649
Orissa	32,970
Rajasthan	3,315
Tripura	4,127
West Bengal	2,061

III. *Villages Electrified :*

	Number
Andhra Pradesh	926
Bihar	2,342
Gujarat	95
Maharashtra	1,178
Manipur	175
Orissa	1,119
Rajasthan	652
Tripura	41

IV. *Area Under Horticulture :*

	Hectares
Andhra Pradesh	12,082
Bihar	50,000
Himachal Pradesh	2,661
Karnataka	46
Orissa	14,000
Rajasthan	930

V. *Villages provided with water supply :*

	Number
Andhra Pradesh	340
Himachal Pradesh	21
Karnataka	1,927
Orissa	5,792
Uttar Pradesh	20
A. & N. Islands	6
Gujarat	300
Rajasthan	278

VI. *Alienated Land restored to tribals :*

	(*In Hectares approx.*)
Andhra Pradesh	20,000
Bihar	8,960
Gujarat	7,085
Maharashtra	7,920
Orissa	6,250
Tripura	550
Madhya Pradesh	1,200

VII. *Enrolment of Tribal Children* (1977-78)

	6—11 yrs.	11—14 yrs.
Andhra Pradesh	49·4	8·7
Assam	79·0	43·0
Bihar	68·13	33·18
Himachal Pradesh	78·0	32·0
Madhya Pradesh	42·5	10·5
Maharashtra	72·0	22·9
Orissa	62·2	8·8
Rajasthan	35·6	12·9
Tamil Nadu	50·9	17·3
Uttar Pradesh	55·0	27·0
West Bengal	52·24	13·1

CHAPTER VIII

SPECIAL COMPONENT PLAN FOR SCHEDULED CASTES

The Scheduled Castes having a population of about 10 crores form nearly 15% of the population of the country. Their habitations are generally scattered in parts of villages or small villages all over the country. Thereafter, when planned efforts for development were started in the First Five Year Plan it was felt that allocations made under the Scheduled Castes programme would look after their special problems such as lack of education, stigma of untouchability etc., while the general sector plans would benefit them to a considerable extent in improving their economic lot. The Second Five Year Plan stated that "In the administration of development programmes, care has to be taken to ensure that schemes are so formulated that the weaker sections of the population are aided in the largest possible measure. While this is an aspect to be followed as closely as possible, only in some fields of development it is possible to show separately what proportion of the outlay is incurred for the direct benefit of disadvantaged sections. The special provisions made in favour of Backward Classes should be so utilised as to enable them to derive the maximum advantage from general development programmes and to make up as speedily as possible for retarded progress in the past." However, even in the early stages of plan implementation the fact started surfacing that the allocations made under the Scheduled Caste sector which were intended to be supplemental were in actual practice supplanting the flow of benefits. Since the Scheduled Castes were disadvantaged and weak the flow of benefits to them was found to be far from adequate. While the special allocations for them took greater care of educational programmes it was felt acutely that their economic development was hardly taking place and the benefits were generally by way of subsidies made available under a few schemes included in the Scheduled Castes programme.

8.2 Before the Second Plan was over the Ministry of Home Affairs made its first attempt to correct the situation. They suggested to the State Governments in September, 1959 "to ensure that maximum advantage is given to the backward classes from general development programmes by showing separately, wherever possible, the proportion of the outlay in the general sector allocated for the direct benefit of these disadvantaged people". The Planning Commission also addressed the various Central Ministries in September, 1960 "to earmark certain portions of the outlay in the general sector for welfare of backward classes". The Ministry of Home Affairs also suggested to the various Ministries of the Government of India before the close of the Second Five Year Plan to determine "what part of the programme for welfare of backward classes can and will be taken up from the general sector and indicate what portions/aspects of the progarmme should in their opinion receive attention and allocations from the special sector funds available with the Ministry of Home Affairs for supplementing the general sector programme". This matter was also discussed at the Conference of the State Ministers incharge of Welfare of Backward Classes held in Delhi on the 26th and 27th July, 1962. The Conference decided unanimously that wherever possible the principle of earmarking in development programmes under the general sector for the welfare of Scheduled Castes should be implemented by the various States/Union Territories as quickly as possible. Subsequently, the Committee on Untouchability, Economic and Educational Development of the Scheduled Castes, 1969 (Elayaperumal Committee, 1969) observed that the interests of Scheduled Castes to derive benefits from the general sector programmes was not safeguarded and the hopes expressed in the Second Five Year Plan were belied.

8.3 Andhra Pradesh was the first State to issue orders in December, 1960 that in the matter of sanctioning schemes under the Community Development Programme, local development works and roads in village plans, etc., the institutions handling the funds should sponsor works for the benefit of Harijans upto the limit of 15%. The State Government also directed that the Panchayat Samitis and Panchayats should spend at least 15% of the funds available with them for the development works in Scheduled Caste localities. To keep a constant watch for the implementation of these instructions, the State Government prescribed certain checks. The Panchayat Samitis were asked to review how far Panchayats have followed the principle of reservation of funds at the end of the financial year and the Zila Parishads were also asked likewise to review the implementation of these instructions by the Panchayat Samitis. The Government of Karnataka also issued instructions to all the development departments to earmark 18% of the total provisions of each development scheme for the benefit of Scheduled Castes. The Government of Kerala issued orders in June, 1965 that it was not necessary to earmark any percentage of funds for the Scheduled Castes from the total provision of each department but high priority to the claims of the Scheduled Castes in the matter of implementation of general developmental programmes should be made. The State Governments specially of Madras, Punjab, Jammu & Kashmir, Bihar, Madhya

Pradesh, Uttar Pradesh and the Union Territory of Pondicherry simply accepted in principle the need of reservation of funds in the general development schemes for the benefit of Scheduled Castes although they did not perhaps take any concrete steps in this direction. The Governments of Maharashtra, Orissa and Gujarat did consider the question of earmarking funds in general development schemes for the welfare of Scheduled Castes while the Government of West Bengal was opposed to any earmarking of funds in the developmental programmes for the Scheduled Castes. They were of the opinion that since the problems of the Scheduled Castes were the same there was no need for the orientation in the schemes under the general sector of the Plan for the welfare of Scheduled Castes.

8.4 The efforts mentioned above were seemingly sporadic in nature and lacked a clear and thoughtout strategy for creating a nationwide endeavour to eliminate poverty, underemployment and unemployment among the Scheduled Castes. Elayaperumal Committee voiced this feeling while reviewing the steps undertaken by the Government of Andhra Pradesh and Karnataka in the words that "it is of no use accepting the principle of reserving funds in general sector for the welfare of Scheduled Castes if these orders are not implemented". It appears that the main reason for this state of affairs is primarily due to the weak set up of the Social Welfare Departments at the Centre and in the States. Further, mere earmarking of funds had not made any discernible impact on the economic conditions of the Scheduled Castes mainly due to the fact that earmarking had not been related to specific schemes in which the weaker sections have traditional skills or for which necessary skills could be easily developed. Moreover, adequate attention had not been given to adjust the criteria of viability of particular productive schemes, without detriment to their productive efficiency, to suit the special needs of the weaker sections. Nor had project approach been adopted to ensure the formulation of schemes on an integrated basis and avoiding dilution of resources over scattered area. This Committee further examined the stand taken by the Central Ministries in this regard and made a practical suggestion that the Department of Social Welfare (which was then incharge of the welfare of Scheduled Castes) should be associated with an examination of on-going schemes of the various Ministries with a view to benefiting the Scheduled Castes. They felt that in case of schemes like schools and hostels run by the Ministry of Railways and Sainik schools, reservation should be made for Scheduled Castes and pointed out that the Ministries of Education, Irrigation and Power, Works and Housing and Urban Development had not issued instructions for earmarking of funds in the developmental schemes for the welfare of Scheduled Castes under the general sector of the plan. The Department of Community Development had issued such instructions and, further, asked the State Governments that preference should be given to areas inhabited by Scheduled Castes and Scheduled Tribes while carrying out the rural works and local development works programmes.

Quantification Approach :

8.5 The approach of combining a mere earmarking of funds as hitherto followed, with an exercise relatable to actual programmes was begun only in the V Plan. The Planning Commission decided that each department under the general sector should identify the schemes that can be taken up for the welfare of Backward Classes out of the General Sector Programme and earmark separate funds for this purpose. Guidelines issued by the Planning Commission to the State Governments for the preparation of Plans laid down that "in each sector schemes which can directly benefit these groups should be identified and the total investment for such schemes quantified. The outlay for the Scheduled Castes for such schemes should be earmarked, at least in proportion to their population and when possible some weightage may be given to their backwardness. Another group of schemes will be area-based. The outlays for these schemes should be quantified on the basis of level of deficiency of the concerned service in areas where these groups are concentrated".

8.6 The matter was again discussed in the Conference of State Ministers Incharge of Backward Classes Welfare held at New Delhi on 19th and 20th April, 1975. The Conference adopted the following resolutions in respect of the programmes relating to the Scheduled Castes :

(i) In accordance with the accepted strategy for the development of Scheduled Castes in the Fifth Five Year Plan, the main thrust of development will be provided by the General Sector. The efforts of the General Sector for the Development of this community should be quantified. Each department should examine the schemes in the general sector and quantify the benefits which should be made available to the Scheduled Castes. In making such quantifications, the eligibility conditions should be relaxed in favour of these communities wherever necessary. Such quantification should be made both at the time of the Plann- and budgeting.

(ii) Each sectoral programme, both at the Centre and the State, may be reviewed with reference to the eligibility conditions to be adopted in favour of Scheduled Castes, wherever necessary.

(iii) A sub-committee of the Cabinet and a Committee of Secretaries under the Chairmanship of the Chief Secretary may oversee and direct the flow of

sectoral allocations in favour of these communities. It is also necessary that the Planning/Finance Department should have cells for ensuring flow of resources. The Finance Department may further clear the annual budget proposals of the departments concerned only after such quantification has been made and previous year's performance reviewed.

(iv) The Department incharge of Harijan Welfare should watch the progress of quantification by the various departments. They should also evaluate at the district level whether the benefits as earmarked have reached the beneficiaries.

The recommendations made by this Conference were forwarded to the State Governments vide letters No. 11013/4/75-SCT. II dated 18-7-75 and No. BC-17014/4/75-SCT. II dated 6-8-75 by the Government of India, Ministry of Home Affairs. Further, guidelines for quantifying the benefits were issued vide Ministry of Home Affairs d.o. No. BC-11013/4/75-SCT. II dated 29-3-76. The question of quantification was also discussed with the Chief Ministers of some of the State Governments in October, 1976.

Progress of Quantification 1977-79 :

8.7 The progress of an exercise for identifying programmes and earmarking allocations to benefit the Scheduled Castes in the years 1976-77 and 1977-78 presents an uneven and indifferent picture. While some of the State Governments like Andhra Pradesh, Assam, Gujarat, Himachal Pradesh, Kerala, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and Union Territories of Chandigarh and Pondicherry had identified the programmes and quantified the amount which would be available for the Scheduled Castes out of general sector programmes seemed to have ended with identification only in some cases, States like Madhya Pradesh etc., which agreed in principle to earmark some percentage of general sector outlays to be spent on programmes for the development of Scheduled Castes had not brought this policy into actual practice. Some of the States had constituted Committees/Working Groups to identify the programmes where quantification of funds for the Scheduled Castes can be made, while others had not taken even preliminary steps to identify the programmes for the purpose of quantification. Then, a large number of States like Bihar, Orissa, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Tripura, Jammu & Kashmir and West Bengal which had substantial Scheduled Caste population no quantification of funds in favour of these communities was done.

8.8 To give brief Statewise details, in Punjab efforts ended in quantification, while in Uttar Pradesh small efforts were made during 1977-78. Though the Government of Madhya Pradesh have taken a decision long ago that at least 14% of the general sector outlay in the Fifth Plan would be spent on the Scheduled Castes, in practice nothing had been done, not even the preliminary exercise to identify the programmes where quantification of funds in favour of Scheduled Castes was possible had been taken. The Government of Karnataka had prepared a Sub-Plan for the Scheduled Castes and Scheduled Tribes under general sector in the Fifth Five Year Plan. Separate plan allocations were made for the Scheduled Castes in the programmes like agriculture, animal husbandry, fisheries, horticulture, sericulture, education, health and family planning, employment and training, communication and building, cooperation, forest, minor irrigation and rural development etc, and it was decided that an amount of Rs. 3654.81 lakhs would be spent on the basis of proportion of Scheduled Caste and Scheduled Tribe population. But this decision was not implemented at all. The Government of Orissa had simply shown an amount of Rs. 2 lakhs which was allotted in the budget for 1976-77 under the scheme of area development of Scheduled Castes, as the amount quantified. They had not identified the schemes in the general sector where quantification of funds for Scheduled Castes was possible. The other States simply stated that efforts are being made to identify the general sector programmes for this purpose. As regards the type of schemes, again, there was a lack of application. None of the State Governments had furnished a list of divisible and non-divisible items of the scheme. Some States like Uttar Pradesh had identified schemes in respect of a few departments only and not all the departments. Except Andhra Pradesh, Gujarat and Kerala, no State Government had quantified funds for Scheduled Castes on pro-rata basis. Even the claim of these three States could not be verified in the absence of complete list of divisible and non-divisible items of expenditure. Though the Government of Gujarat had decided to earmark at least seven percent of the total allocation under each head, it covered only individual oriented schemes and not all the divisible schemes. The progress of Kerala Government seemed to be somewhat better. They had identified schemes worth Rs. 1986.81 lakhs during 1976-77 and quantified an amount of Rs. 341.64 lakhs for the betterment of the Scheduled Castes which was more than 10% of the schemes identified. The State Government had, however, failed to give separate figures in respect of Scheduled Castes and Scheduled Tribes. During 1977-78, Rs. 262.00 lakhs had been quantified by the State Government, for the Welfare of Scheduled Castes and Scheduled Tribes. The Government of Tamil Nadu quantified funds on ad-hoc basis rather than on pro-rata basis. They covered general sector schemes which were either individual oriented, group-oriented or community-oriented, common schemes and schemes where only the national benefits accruing to Scheduled Castes would be quantified. In the absence of a detailed list of divisible and

non-divisible items of expenditure, exact percentage to the total allocation could not be known. It seemed that the State Government had roughly calculated the extent of benefit derived by the members of the Scheduled Castes and Scheduled Tribes, from various schemes and shown them as the amount quantified; otherwise there was no point in earmarking funds for the Scheduled Castes and Scheduled Tribes under the head 'State Roads', 'Fair Weather Roads'. The Government of Uttar Pradesh had covered only 11 departments and schemes worth Rs. 248.51 lakhs were quantified during the year 1977-78. During 1978-79, out of the total State Plan budget of Rs. 13,333.48 lakhs, an amount of Rs. 837.71 lakhs only in respect of 11 departments was quantified, constituting 6.28% of the total budget, under a special Head for the welfare of Scheduled Castes and Scheduled Tribes. The departments which had quantified funds for the benefit of Scheduled Castes and Scheduled Tribes had done the exercise more or less in the same schemes as was done during the year 1977-78. Some of the departments, i.e. Labour, Medical, Village Development, Industries, Field Development etc, had even included some schemes in their quantified sub-head which were in fact being run by the Harijan Welfare Department and were at some stage given to them for administrative convenience.

Special Component Plan Strategy 1979-80 :

8.9 The general approach of earmarking benefits for Scheduled Castes with reference to some programmes started taking the shape of a clear strategy conceptualised as the 'Special Component Plan for Scheduled Castes' with the exercise related to Five Year Plan (1978-83). The Working Group for the formulation of strategy and programme priorities for the welfare of Scheduled Castes, etc. then constituted by the Ministry of Home Affairs recommended in their report as follows :

"All substantive programmes under the backward classes sector should be taken over by the concerned sectoral authorities in their new plans. In order that the above goal clearly laid down by the Planning Commission is achieved, the Planning Commission can effectively help by laying down that every sectoral Plan including Area Plans should have an optimal Special Component Plan for the Scheduled Castes and should earmark a substantial share of their Plan provisions therefor; wherever the pattern of expenditure is not amenable to such allocation they should contain a specific optimal share for the Scheduled Castes in the resultant employment, training and other benefits of such Plan schemes. The Special Component Plan should also have an adequate inbuilt mechanism of concurrent monitoring and evaluation; and make the above measures a pre-condition for the Planning Commission's consideration and acceptance of the sectoral plan of all Central Ministries. A similar approach should also be adopted as a condition for the release of share-capital to Cooperative/Financial institutions and other public sector organisations. Such funds should be non-divertible and their satisfactory utilisation should be made a condition for further allocation of resources. In the case of the State Plans, the Planning Commission can help by providing for attractive incentives in the allocation of Plan resources for States which accept and implement this approach of an optimal Special Component Plan for Scheduled Castes. The Planning Commission may also insist on a concurrent monitoring and evaluation system being part of the Special Component Plan of every sectoral Plan as a pre-condition. The outlays under the backward classes sectors should be used for adapting all on going programmes suitably which may include relaxation of the norms liberalising subsidy, providing nucleus money, etc. It should be ensured that outlays, under the backward classes sector have a substantial multiplier effect, their use is made extremely flexible and any scheme of direct relevance to the Scheduled Castes and immediate concern should qualify for accommodation therein".

8.10 Subsequently, the Additional Secretary, Ministry of Home Affairs vide d.o. No. BC-14011/2/78-SCT. II dated the 3rd November, 1978 and 4th November, 1978 circulated a note to Chief Secretaries of all States and to Secretaries of the Central Ministries, respectively on the Special Component Plan. It was emphasised in the note that "The Special Component Plan should consist of schemes in each sector which can benefit the Scheduled Castes and earmark an adequate share of such schemes and correspondingly a substantial share of the sectoral plan provisions for them. In earmarking such a share of the benefits and a share of the sectoral plan provisions, it must be remembered that the share of the Scheduled Castes is not just the equivalent of their proportion. They from the largest single group among agricultural labourers and a substantial group among artisans and marginal farmers, etc., who need the benefit of employment generation, anti-poverty measures, diversification of a employment and horizontal and vertical occupational mobility and other such programmes of the Plan. Keeping this in view, it would be appropriate to earmark for them at least 50% of the benefits of individual and family-oriented schemes and correspondingly a good share of the Plan provisions. A reasonable share of the schemes pertaining to whole village or whole hamlets may

also be earmarked for villages or hamlets of which majority of inhabitants are Scheduled Castes, alongwith corresponding provisions. There are economic activities like leather industry where most of the workers are of the Scheduled Castes. In such cases, the sectoral plan should seek to maximise development to the fullest potential of the market with an emphasis on the additional income generated passing on to the workers. Wherever the pattern of expenditure is not amenable to such allocation the sectoral plan should contain a specific optimal share for the Scheduled Castes in the resultant employment, training and other such benefits of Plan schemes. The Special Component Plan should also contain an adequate in-built mechanism of concurrent monitoring and evaluation. These Plan provisions should be non-divertible and appropriate budgetary devices like separate minor heads should be created. Various Ministries and State Departments are incharge of public sector and cooperative organisations and institutions. The above approach may be got reflected in respect of them also while working out their medium term and annual Plans and allocation resources".

8.11 Soon after its constitution this Commission applied itself to the task of giving further concrete dimensions to the concept of Special Component Plan for Scheduled Castes. Some of the issues which this Commission took up with the Planning Commission was preparation of suitable guidelines to the States/Union Territories for preparing the Special Component Plan; having separate budget heads, provision of special Central Assistance on the lines of Tribal Sub-Plan and inclusion of separate chapter in the Five Year and Annual Plans clearly bringing out the financial and physical targets. The Commission are glad to note that the Planning Commission (Reference—D.O. No. PC/SW/14-1(3)/77/488 dated 16-4-79 from Shri D. T. Lakdawala, the then Deputy Chairman, Planning Commission addressed to Shri Bhola Paswan Shastri, Chairman of this Commission) have already taken steps on the following issues :

(1) Guidelines to the States/Union Territories.

(2) Instructions to the Central Ministries regarding identification of schemes suited to the needs of the various occupational groups and to earmark outlays under relevant schemes in proportion to their weight in the target group.

(3) Provision of Special Central Assistance for Scheduled Castes.

As regards the opening of separate heads for Scheduled Castes and making the plan non-divertible the Planning Commission have informed vide d.o. letter No. PC/SW/14-1(3)/77 dated 25-4-79 that these are matters of operational feasibility to be taken up by the Ministry of Home Affairs with the respective State Governments. Soon after the new Government took over in early 1980 the Prime Minister indicated that Draft Sixth Plan will be considered afresh. The Planning Commission, therefore, considered that it would be appropriate at that stage if a policy frame was adopted for Special Component Plan as well as Special Central Assistance for Scheduled Castes. The Planning Commission informed vide their letter No. PC/SW/14-1(3)/77 dated 22-2-1980 that they have already issued instructions to Central Ministries asking them to identify schemes, suited to the needs of the various occupational groups and earmark outlays under relevant schemes in proportion to their weight in the target group. The Commission regret to observe that the Central Ministries have not made any appreciable progress and they have not prepared any Special Component Plans for Scheduled Castes during 1979-80, the year under report. While taking note of the progress made in developing the Special Component Plan strategy for Scheduled Castes the Commission recommend that the question of making the Special Component Plan and Special Central Assistance funds non-divertible and non-lapsable should be taken up by the Ministry of Home Affairs, with the Planning Commission and various Central Ministries and State Governments/Union Territory Administrations.

Separate Budget Sub-Head for schemes under the Special Component Plan during 1979-80 *:*

8.12 For the effective implementation of the Special Component Plan, there should be a mechanism to make the funds earmarked non-divertible. To achieve this there should be an appropriate budgetary device like the opening of separate minor heads/sub-heads for the Special Component Plan for Scheduled Castes. Inspite of the instructions issued by the Government of India, Ministry of Home Affairs regarding the opening of a separate budget head/sub-head, very few States/Union Territory Administrations have taken action in this direction. The information received from 15 States (viz., Andhra Pradesh, Assam, Bihar, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tripura, Uttar Pradesh and West Bengal and Union Territory of Pondicherry) indicates that except Uttar Pradesh and Kerala no State/Union Territory has created separate budget sub-head for schemes under Special Component Plan. The Union Territory of Pondicherry has taken up the issue with the Comptroller and Auditor General of India as the Administration is not competent to open new minor needs.

The Commission are of the view that in order to ensure the Sectoral flow and optimum utilisation of funds, all the States/Union Territories should take urgent steps at their level to open a separate budget sub-head in the budget of each State Government/Union Territory

Administration, where the provisions made for the Special Component Plan may be quantified and duly exhibited.

8.13 This Commission had carefully considered the matter and with a view to avoiding delay in each State Government taking up the matter with its Accountant General concerned for the opening of separate budget sub-head, this Commission recommended to the Government of India in the Ministry of Home Affairs vide their letter No. 12/5/SCTC/79-RU dated 28-4-79 that the matter be taken up with the Comptroller and Auditor General of India by the Government of India itself so that suitable instructions are issued by the Comptroller and Auditor General of India for the opening of separate budget sub-head for Special Component Plan in each State. The Commission regret to note that the Government of India have not apprised the Commission of the action taken in the matter. The Government of India may kindly take up the matter with the Comptroller and Auditor General of India and ensure that appropriate instructions at the All India level are issued for the opening of separate budget sub-head for the Special Component Plan in each State.

Special Component Plan—Approach in the *Sixth Five Year Plan :*

8.14 The object and the strategy of the Special Component Plan have been unequivocally spelt out in the letter of the Prime Minister of India dated 12-3-1980 which she addressed to the States and to the Ministers of the Central Ministries, underlying therein the approach for the development of Scheduled Castes. Salient features of the communication are given below :

(i) The proportion of Scheduled Castes in the poverty population of India is much larger than their proportion of 15 percent in the total population. They are characterised by below-the-poverty-line economic status, poor asset ownership, general dependence on agricultural labour, subsistance farming, share-cropping, leather work and other types of low-income occupations; preponderance among bonded labourers; and subjection to social and civil disabilities.

(ii) The Special Component Plan, already prepared by the State Governments, have not only to be improved quantitatively and qualitatively but should also be implemented satisfactorily. Satisfactory implementation will require not only attention to programmes but also a clear-cut personnel policy consisting inter-alia of orientation of officers of Departments concerned with development towards the needs of the Scheduled Castes and their careful selection training and continuity of tenure.

(iii) The objective of the various development programmes in the Special Component Plan should be to enable Scheduled Caste families in the States to cross the poverty line within a short and specified period, if possible, at least half of them in this plan period itself.

(iv) It is particularly important to take note of the developmental needs of the Scheduled Castes in each occupational category, identify the available opportunities suitable for them, formulate appropriate developmental programmes in the light of the above and build those programmes in the light of the outlays into the Special Component Plan.

(v) The Scheduled Castes Development Corporation, which is another important instrument for the development of Scheduled Castes, should be activated and made effective in the field. Close linkages should be established between the sectoral programmes in the Special Component Plans and the Scheduled Castes Development Corporation's activities.

8.15 The Working Group on the Development of Scheduled Castes (1980-85) recommended that Special Component Plans should have the following elements :

(i) It should include the effort in every sector by every department and agency.

(ii) It should be based on the developmental needs of the Scheduled Castes.

(iii) The target group approach, taking into account the occupational categories, in which there are large numbers of Scheduled Castes, must be adopted..

8.16 The important instruments devised for ensuring, particularly the economic development of Scheduled Castes should be :

(i) The Special Component Plans for the Scheduled Castes of the States and Central Ministries;

(ii) The Special Central Assistance for the Special Component Plans of the States;

(iii) Scheduled Castes Development Corporations in the States and Central Assistance to the States for these Corporations.

The Sixth Plan document has stressed that the main thrust for the development of Scheduled Castes has to come from every sector of development and by every department and agency. The need based programme to be formulated for the Scheduled Castes would keep in focus target group in the occupational category. In implementing the programmes for their development the Institutional Finance, Scheduled Castes Finance and Development Corporations and additionally of Special Central Assistance would play a vital role. The composition of the

Scheduled Castes in the general population shows that 31.79% are engaged as agricultural labourers, 18.18% in construction, 15.63% in house-hold and also in various other occupations, whereas their percentage to total population is 14.67%. The Commission, therefore, consider that in order to ensure that adequate benefits flow to them under the Plan, the allocations to be made for them under different sectoral programmes should at least be proportionate to the target group and not merely conform to the percentage of Scheduled Castes with reference to general population.

Work done by the Central Ministries in respect of preparation of Special Component Plan :

8.17 The Commission regret to note that no Central Ministry/Department has completed the exercise of preparing the Special Component Plan for Scheduled Castes. The Commission, therefore, recommend that all the Central Ministries/Departments should prepare Special Component Plan for Scheduled Castes on urgent basis. While doing so the Ministries/Departments should go beyond mechanical allocations to the Special Component Plan and taking note of the needs of the Scheduled Castes, they should design appropriate new Centrally Sponsored Schemes and reorient existing Central schemes. The most important Ministries/Departments are Ministries/Departments of Agriculture, Rural Reconstruction, Industrial Development, Labour, Education, Health, Housing and Banking.

Work done by the State Governments and Union Territory Administrations in preparing Special Component Plans for 1979-80 :

8.18 The Ministry of Home Affairs have informed that the Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Orissa, Punjab, Rajasthan, Tripura, Uttar Pradesh, West Bengal and Union Territory of Pondicherry have prepared Special Component Plans for the welfare of Scheduled Castes during 1979-80. Details of total and Scheduled Caste population, total plan outlay, allocations, made under the Special Component Plan and its percentage to total plan outlay are given below :

State	Total SC population	%age of Sch. Castes population	1979—80		
			Total Plan outlay	Special Component Plan	%age
1	2	3	4	5	6
1. Andhra Pradesh	5816019	13·37	450.83	30·94	6·86
2. Assam	912551	6·24	155.00	2·16	1·39
3. Bihar	8385572	14·88	376·52	10·02	2·66
4. Gujarat	1890011	7·08	392·00	9·06	2.31
5. Haryana	1895933	18·89	219·76	5·77	2·62
6. Himachal Pradesh	807608	23·34	78·77	3·81	4·83
7. Karnataka	4277161	14·60	322·69	46·00	14·25
8. Kerala	2001549	9·38	217·61	9·01	4·14
9. Madhya Pradesh	5751467	13·81	477·19	15·04	3·15
10. Maharashtra	3177181	6·30	788·81	30·34	3.84
11. Manipur	16376	1·53	32·00	0·40	1·25
12. Orissa	3307300	15·07	209·98	4·64	2·20
13. Punjab	3348217	24·71	258·97	5·94	2·29
14. Rajasthan	4216266	16·36	277·95	7·44	2·67
15. Tripura	192860	12·39	29·80	1·30	4·36
16. Uttar Pradesh	19095413	21·62	757·24	27·68	3·65
17. W. Bengal	8900260	20·09	470·75	29.80	6·33
18. Pondicherry	72921	15·46	11·31	1·19	10·52
Total	74064665	14.17	5527·18	240·54	4·10

(92·5% of the total SC population of India)

A perusal of the above statement shows that in respect of all the States/UT which have prepared the Special Component Plan the allocations under it are well below the Scheduled Castes population excepting the State of Karnataka. In 1979-80 the Special Component Plan in the various States was of the order of Rs. 240.54 crores out of total plan outlay of Rs. 5527.18 crores and is equal to 4.10% of the total plan outlay as against the percentage of Scheduled Castes population of 14.17%. The Commission recommend that in view of the extreme backwardness of the Scheduled Castes population the percentages of allocations in the Special Component Plan of the State Governments should be more than proportionate to the

percentage of Scheduled Castes population in the State to the total population so as to make up for the backlog in the Scheduled Castes development. This should be in addition to the Special Central Assistance provided for the Special Component Plan.

8.19 The total per capita expenditure on the basis of Plan outlays of the States which have prepared the Component Plans comes to Rs. 109.53 for 1979-80 while the per capita expenditure on the basis of the Component Plan for Scheduled Castes comes to Rs. 29.55 for that year. It would, therefore, appear that per capita outlay percentage for Scheduled Castes under the Component Plan is only 27% of the per capita expenditure under the general plan outlays. Even if we take into consideration benefits from general sector that would accrue to the Scheduled Castes even then it is felt that the coverage would be exceedingly low. It is feared that with this low proportion of outlay in the Special Component Plan, the gap between the Scheduled Castes and the general population might further widen whereas our basic aim is to narrow down the gulf. In view of the poverty and backwardness of Scheduled Castes and wide gulf existing between them and the general population the Commission feel that the per capita expenditure under the Special Component Plan must not merely come at par with that for the general population but should be higher to make up for the backlog in the development of Scheduled Castes. It is also mentionable that the figures relate only to the exercise conducted by the State Governments and Union Territory of Pondicherry in preparing the Component Plan. No details regarding the actual utilisation of these allocations in the development of Scheduled Castes and the benefits accruing to them or physical targets achieved have been made available. It is doubtful whether any mentionable effort at monitoring the utilisations and achievements under the Special Component Plan had been initiated by the concerned State Governments/ Union Territory Administrations during 1979-80. The Commission, therefore, regret that they are unable to make any assessment of the impact of the Special Component Plan during 1979-80 in the absence of relevant data. Looking into the percentage of Scheduled Caste population to the total population in the States/Union Territories and comparing it with percentage allocations of Funds made under Special Component Plan, it is noted that appreciable effort have been made by the Government of Karnataka (97.60%) only. The States which could set apart 50% and more allocations are Manipur, Pondicherry, Maharashtra and Andhra Pradesh. The progress with regard to allocations of funds (ranging between 14% to 45%) is unsatisfactory in the States of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Orissa, Punjab, Rajasthan, Tripura, Uttar Pradesh and West Bengal.

8.20 The Commission, therefore, recommend that the Planning Commission and the Ministry of Home Affairs must stress upon the States/ Union Territories namely, Assam, Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Kerala, Maharashtra, Madhya Pradesh, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Manipur and Pondicherry to allocate funds under Special Component Plan not merely corresponding to the percentage of Scheduled Castes in their States/Union Territories but also with a suitable weightage keeping in view their backwardness. If need be, the Central Government should also render help and guidance to these States/Union Territories in the identification of appropriate schemes.

8.21 The Special Component Plan prepared by 13 States which were available in this Commission were examined in order to have an idea of the scheme contents and schemewise comparison of the allocations included in the Special Component Plan to the Scheduled Caste population in the State. The table below gives out this position :

Schematic details of percentage of allocations made by the State/Union Territories for Special Component Plan during 1979-80

Name of the State	% of SC population	Schemes in which proportional benefits flow to SCs (percentage to total scheme given in brackets)		Schemes in which proportional benefits do not flow to SCs
1	2	3		4
1. Andhra Pradesh	13·3	Crop Husbandry (15) Animal Husbandry (15) Fisheries (14·96) Cooperation (15) Community Development and Panchayat (15) Industries (15·04) Village & Small Scale Industries (15) Power (15) Employment (15) Education (15) Roads (15) Health (16.13) Social Welfare & Nutrition (15).		
2. Assam	6·1	Rural Electrification (10·53) (28·57) Rural Water Supply Roads (6·98) Health (6·67) Welfare & Nutrition (23·81)	Seri-culture & Weaving (6·85) Education (8·20) Housing (35·71) Social Welfare of Backward	Minor Irrigation (2·31) Crop Husbandry (5·76)

Name of the State	% of SC population	Schemes in which proportional benefits flow to SCs (percentage to total scheme given in brackets)	Schemes in which proportional benefits do not flow to SCs
1	2	3	4
		Class (57·74) Cooperation (13·99) Community Development & Panchayat (8·33) Village & Small Scale Industries (22·22) Soil & Water Conservation (10.71) Animal Husbandry (9·71) Fisheries (45·45).	
3. Bihar	14·1	I.R.D.P.(17·75)	Crop Husbandry (9·90) Animal Husbandry (2·29) D.A.P. (6·74) Cooperation (5·78) Rural Water Supply (8·20) Education (10·35) Health (11·99)
4. Gujarat	6·8	Crop Husbandry (25·04) Soil Conservation (9·96) Land Reforms (27·78) Animal Husbandry (6·80) D.A.P. (9·92) I.R.D.P. (19·00) S.F.D.A. (22·47) Minor Irrigation (40·00) Cooperation (26·88) Community Development & Panchayat (13·97) Village & Small Scale Industries (40·86) Power (15·66) Labour Welfare (10·67) Rural Water Supply (12·86) Education (9·25) Health (6·91) Housing (18·08) Urban Development (52·11) Social Welfare & Nutrition (12·95) Welfare of Backward Class (100·00)	
5. Haryana	18·9	Animal Husbandry (49·09) Fisheries (35·00) I.R.D.P. (32·04) Cooperation (23·97) Credit Marketing & Institutional Finance (50·00) Community Development & Panchayat (93·13) Industries (26·60) Employment (100·00) Education (27·96) Housing (20·00) Urban Development (50) Social Welfare & Nutrition (19·99) Welfare of Backward Class (100·00)	Crop Husbandry (6·40) Dairy Development (13·12) Minor Irrigation (6·40) Information & Publicity (13·14)
6. Himachal Pradesh .	22·2	Crop Husbandry (26·67)	Minor Irrigation (16·00)
7. Kerala	8·3	Soil Conservation (26·67) Dairy Development (8·33) Fisheries (10·00) Minor Irrigation (12·11) Forest (29·99) Cooperation (61·90) Community Dev. & Panchayat (23·89) Village & Small Scale Ind.(42·20) Power (77·38) Labour Welfare (26·67) Rural Water Supply (39·79) Education (15·00) Housing (40·85) Social Welfare & Nutrition (10·24) Information & Publicity (55·56)	Crop Husbandry (1·16)
8. Maharashtra	6.0	Animal Husbandry (17.49) Dairy Development (21.99) Fisheries (21·89) D.A.P. (12·39) Minor Irrigation (7·04) Cooperation (17·10) Community Development & Panchayat (13·00) Industries (23·24) Labour Welfare (14·55) Rural Water Supply (16·05) Education (43·30) Roads (13·00) Health (25·38) Housing (12·85) Social Welfare & Nutrition (13·00) Welfare of Backward Class (68·53)	Crop Husbandry (5.57) Urban Development (5·74)
9. Manipur	1·5	Rural Water Supply (10·45) Education (34·50) Housing (13·79) Village & Small Scale Industries (32·87)	Health (0·82)
10. Orissa	15·1	Animal Husbandry & Veterinary Services (15·72) Social Welfare & Nutrition (30·36) Welfare of Backward Classes (38·28)	Soil & Water Conservation (0·80) Fisheries (2·89) I.R.D.P. (5·14) Minor Irrigation (6·21) Forest (5·08) Cooperation (5·34) Industries (8·05) Rural Water Supply (8·05) Roads (2·40) Housing (3·30)
11. Punjab	24·7	Labour Welfare (26·00) Education (25·14) Housing (40·29) Social Welfare & Nutrition (25·25) Welfare of Backward Class (100·00) Cooperation (75) Community Development & Panchayat (25·47) Animal Husbandry & Vet. Services (26·73) Dairy Development (28·14) Fisheries (25·00)	Industries (11·66) Crop Husbandry (17·84) Soil & Water Conservation (10·02)

Name of the State	% of SC population	Schemes in which proportional benefits flow to SCs (percentage to total scheme given in brackets)	Schemes in which proportional benefits do not flow to SCIc
1	2	3	4
12. Tripura . . .	12·4	Land Reforms (12·67) Animal Husbandry (24·90) Dairy Development (28·28) Fisheries (24·12) Cooperation (61·05) Village & Small Scale Industries (17·02) Education (18·35) Health (100·00) Housing (40·94) Urban Development (50·00) Social Welfare & Nutrition (25·00) Welfare of Backward Class (100·00) Community Development & Panchayat (11·97)	Crop Husbandry (6·96) Forests (8.05)
13. West Bengal . .	19·9	Land Reforms (26·96) Fisheries (35·06) Housing (25·12) Welfare of Backward Classes (58·72)	Crop Husbandry (7·76) Animal Husbandry (13·83) Minor Irrigation (14·35) Forests (13·75) Cooperation (17·31) Village & Small Scale Industries (10·29) Rural Water Supply (17·65) Education (8·65)

It is noted from the above table that a few States/UTs have not allocated funds on some schemes in proportion to the population of Scheduled Castes in these States. Details of such States are given below :

S. No.	State/UT	Schemes in which proportiona benefits do not flow to Scheduled Castes
1	2	3
1.	Assam . . .	Minor Irrigation, Crop Husbandry.
2.	Bihar . . .	Crop Husbandry, Animal Husbandry and Veterinary Services, D.P.A.P. Cooperation, Rural Water Supply, Education & Health.
3.	Haryana . .	Crop Husbandry, Dairy Development, Minor Irrigation, Information and Publicity.
4.	Himachal Pradesh .	Minor Irrigation
5.	Kerala . . .	Crop Husbandry
6.	Maharashtra .	Crop Husbandry and Urban Development.
7.	Manipur . .	Health
8.	Orissa . . .	Soil and Water Conservation, Fisheries, I.R.D.P., Cooperation, Minor Irrigation, Forest, Industries, Rural Water Supply, Roads, Housing.
9.	Punjab . . .	Industries, Crop Husbandry, Soil & Water Conservation.
10.	Tripura . . .	Crop Husbandry, Forest
11.	West Bengal .	Crop Husbandry, Animal Husbandry, Minor Irrigation, Forest, Cooperation, Village & Small Scale Industries, Rural Water Supply and Education.

It is seen from the above that some States have not opportioned funds for the Scheduled Castes under such important schemes as Minor Irrigation, Crop Husbandry, Forest, Health and Rural Water Supply. In Bihar and West Bengal proportionate funds could also not be allocated under the vital programmes of Education. Orissa has scope for both marine fisheries as well as inland fisheries, adequate funds have not been earmarked under Fisheries Development. In Punjab although development in industrial sector has been high the Scheduled Castes could not claim sizeable funds under the Special Component Plan.

Administrative set-up for the implementation of the Programme

8.22 In keeping with the approach of formulation of the Special Component Plan for Scheduled Castes it is very necessary to have a strong administrative set up at the State/District/Block levels for monitoring the flow of funds and to watch that the funds reach the right person. On the basis of the information as furnished by the Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Orissa, Rajasthan, Tripura, Uttar Pradesh and West Bengal in their document entitled "Special Component Plan for Scheduled Castes" it is observed that the Government of Andhra Pradesh, Assam, Haryana, Himachal Pradesh, Karnataka, Kerala, Orissa, Rajasthan have not evolved any separate machinery for watching the flow of funds under the Special Component Plan. The Government of Gujarat is considering the matter for administration and monitoring of the programmes, while the Administrative infrastructure for coordinating and monitoring the programme for development of the Scheduled Castes in West Bengal is being strengthened. Details of the administrative set-up as intimated by States of Bihar and Uttar Pradesh are as given below :

(i) *Bihar :*

The Block will remain the unit of Administration for the welfare of Scheduled Castes. An additional B.D.O. will be posted in selected Blocks for administration of the Special Component Plan. All

selected Blocks will have a welfare Inspector with powers of labour inspectors. Below the Block level at least 10 extension agents per block will be appointed, first to survey and then to identify schemes and implement them. These agents will be from Scheduled Castes. Trained youngmen of the Scheduled Caste will conduct the survey in respect of land ownership, occupation, skills, etc. of Scheduled Castes at the block level. For monitoring, the actual performance in respect of various targets and outlines in the third quarter of each financial years will be reviewed.

(ii) *Uttar Pradesh:*

An officer has been nominated by every deptt. at the State level who would be responsible to take action regarding preparation and implementation of the Component Plan of the Department. The review of progress of expenditure and physical achievements under different schemes included in the Special Component Plan will be carried out every month by the Secretary of the concerned Development Department. The representative of Planning and Harijan Welfare Department will also be associated with these reviews. The administrative set-up of Harijan & Social Welfare Department at district level is being strengthened and an additional District Development Officer (Harijan Welfare) is being posted in each district to ensure inter-linking of various programmes and will also be designated as District Manager of Uttar Pradesh Scheduled Castes Finance & Development Corporation. A Research, Evaluation Survey & Monitoring Organization has been set up in the Harijan & Social Welfare Department to carry out surveys, studies and undertake evaluation to find out the benefits accruing to the Scheduled Castes under the development schemes. It would also monitor and consolidate the progress reports at the State level. At district level a new post of Asstt. Development Officer (Harijan Welfare) has been created along with clerical and menial staff. This officer will be attached to the District Development Officer and look after the work of the implementation of the Special Component Plan by the different departments and also function as District Branch Manager of the Scheduled Caste Finance & Development Corporation. He will also ensure flow of Institutional Finance to the Scheduled Castes. Short orientation courses/programmes have also been organised for them as well as District Development Officers. Further, in the 82 Blocks now selected for intensive development it is proposed to provide an Assistant Development Officer (Harijan Welfare) and a few V.L.Ws extra (1980-81).

From the above narration it is observed that the Government of Uttar Pradesh has set up an adequate mechanism at all the three levels.

8.23 For the effective implementation of the Special Component Plan in the States/Union Territories the Commission recommend the following administrative machinery :

(i) Central Level—There should be a wholetime high level officer supported by adequate staff in the Ministry of Home Affairs as well as in the Planning Commission for the coordination, monitoring and evaluation of the work relating to Special Component Plan. In addition each Administrative Ministry concerned should also have a Cell under a Senior Officer for monitoring and evaluation.

(ii) State Level—At State level there should be wholetime senior officer of the status of a Commissioner/Secretary for these purpose i.e. coordination, Monitoring and Evaluation and supported by adequate staff.

(iii) Distt. Level—(a) In order that the Special Component Plan receives adequate attention, the work should exclusively be put in charge of a senior officer under the Collector.

(b) Sub-Divisional Level—At the subdivisional level also a senior officer should be oppointed to implement and monitor the programme and flow of funds for the development of Scheduled Castes.

(c) Block Level—An Additional BDO with supporting staff should be posted at the Block level to look exclusively into the implementation of the Special Component Plan as it would not be possible for the existing Block Development Officer to develop required attention to this work. In respect of those Blocks which have 20% and more Scheduled Castes population intensive development of Scheduled Castes should be undertaken and an appropriate special organisation evolved for this purpose.

(iv) This Commission and their field staff should also have the authority to undertake monitoring and evaluation of the Special Component Plan.

Review Committees

8.24 In order to evaluate the working of the Special Component Plan and exercising supervision it is imperative to set up Committees at such appropriate levels as the State Governments/Union Territory Administration may deem fit. No State Government has reported setting

up of Committees except Haryana, Karnataka, Kerala, and Uttar Pradesh. The Government of Haryana have set up a Cabinet Sub-Committee under the Chairmanship of the Chief Minister and another Committee comprising of Secretaries of the various Departments under the Chairmanship of the Chief Secretary to ensure flow of benefits accruing to the members of Scheduled Castes from the general sector programmes implemented in the various departments. The Government of Karnataka proposes to set up a Committee in each district comprising of following persons :

(1) Deputy Commissioner	Chairman
(2) District Officer of Development Departments	Member
(3) Deputy Director of Social Welfare of the Division	Member
(4) District Social Welfare Officer . .	Member Secretary

The Deputy Commissioner will be responsible to implement the Sub-Plan. The Government of Kerala have informed that there is a Special Cell in the Secretariat to review the flow of funds from the general sector to schemes benefitting Scheduled Castes and Scheduled Tribes. The Government of Uttar Pradesh have set up following Committees :

(i) At the State level there would be an implementation and Review Committee to watch the progress of implementation of the Special Component Plans formulated by different Departments. It would be headed by the Chief Secretary and Secretaries and Heads of Development Departments will be the members. The break up of the Component Plan relating to different programmes would be communicated to Zonal and District Officers by differents for implementation in the field.

(ii) At Divisional level a Committee headed by the Divisional Commissioner and comprising of Zonal Officers of Developments will review the progress of implementation every month.

(iii) At District level a Committee with District Magistrate as the Chairman and District level officers of the Development Departments as members will review the implementation every month.

8.25 The Commission recommend that the State Governments/Union Territory Administrations implementing the Special Component Plan should set up Review Committees :

(1) at State level headed by Chief Secretary to review the progress of implementation every quarter ;

(2) at District level headed by District Collector/District Magistrate ; and

(3) at Block level headed by Block Development Officer to review the progress of implementation every month.

Determination of 'family' below the poverty line

8.26 The Prime Minister of India in her d.o. letter of 12th March, 1980 addressed to Chief Ministers and Governors of the States (under President Rule) on the formulation of Special Component Plan for Scheduled Castes observed that "the objective of the various development programmes in the Special Component Plan should be to enable Scheduled Castes families in the States to cross the poverty line within a short and specified period, if possible at least half of them in this plan period itself". As such the most important objective of the Special Component Plan is to enable 50% of the Scheduled Caste families in each State/Union Territory Administrations to cross the poverty line, during the Sixth Plan period. The main strategy of the State/Union Territory Administrations in formulating the Sixth Five Year Plan has been on the lines as advocated by the Prime Minister and the States of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Orissa, Rajasthan, Tripura, Uttar Pradesh and West Bengal and Union Territory of Pondicherry have formulated the Special Component Plan keeping the above objective in view. They have not, however, in their documents given any approximations of the proportion of Scheduled Castes families actually below the poverty line as no studies or sample surveys in this regard seem to have been carried out.

Scheduled Castes Finance & Development Corporations.

8.27 The Ministry of Home Affairs have in their directives to the States/Union Territories stressed the important role that has to be played by the Scheduled Castes Finance & Development Corporations. So far, 16 States, namely; Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Punjab, Orissa, Rajasthan, Tripura, Uttar Pradesh, West Bengal and Himachal Pradesh have set up these Corporations. Since 1978-79, Central Assistance is also being given for these Corporations by the Government of India. The Special Component Plans prepared by the State Governments barring some exceptions have not so far provided a big role for the Corporations probably because most of these bodies are still in their infancy. The remaining States having a good percentage of Scheduled Castes population namely Tamil Nadu (17.75%), Manipur (15.27%) and Jammu & Kashmir (8.25%) should also create Corporations for the development of Scheduled Castes.

Provision of Special Central Assistance for Special Component Plan during 1979-80.

8.28 Like the Special Central Assistance for the Tribal Sub-Plans, the Special Central Assistance for the Special Component Plans is designed to play a significant role in motivating the States to take up meaningful programmes for

the development of Scheduled Castes. It is conceived as an additive to each State Plan with reference to the totality of the programmes for the development of the Scheduled Castes; it is not on the schematic pattern, for specific schemes. It will be an additionality with a multiplier effect. It will also go a long way in helping to make the various programmes and schemes of State Governments for the development of the Scheduled Castes more meaningful, comprehensive and need based, and it will help to fill the gaps which the Central and State Plans are not in a position to fill. The intention is to provide the required thrust to programmes relevant for the development of the Scheduled Castes particularly in core sectors like Animal Husbandry, Agriculture, Village and Cottage Industries. During 1979-80 a Special Central Assistance of Rs. 5 crores was allocated to the State Governments by the Government of India as per details given below:

Statement showing the distribution of Special Central Assistance to States/Union Territories in 1979-80

S. No.	Name of State/Union Territory	% of Sch. Castes population to total SC population	Releases made in 1979-80 (Rs. in lakhs)
1	2	3	4
1.	Andhra Pradesh	7·22	53·00
2.	Assam	1·44	18·00
3.	Bihar	9·94	35·00
4.	Gujarat	2·28	29·00
5.	Haryana	2·37	15·00
6.	Himachal Pradesh	0·96	18·00
7.	Karnataka	4·81	54·00
8.	Kerala	2·22	35·00
9.	Madhya Pradesh	6·82	32·00
10.	Maharashtra	3·78	40·00
11.	Manipur	0·02	1·50
12.	Orissa	4·14	20·00
13.	Punjab	4·19	15·00
14.	Rajasthan	5·09	23·00
15.	Tripura	0·24	2·00
16.	Uttar Pradesh	23·19	63·00
17.	West Bengal	11·02	45·00
18.	Pondicherry	0·09	1·50
	Total	89·92	500·00 lakhs

NOTE: (i) In 1979-80 taken releases amounting to Rs. 5 crores were made.

(ii) Special Central Assistance is released to those States and UTs which prepare Special Component Plan.

It is apparent that the Ministry of Home Affairs have determined the quantum of allocations of Central Assistance with a weightage to the size of the Special Component Plan for Scheduled Castes prepared by the concerned States/Union Territories while taking into consideration the concentration of Scheduled Castes population in the States/Union Territories as well. Therefore, some States mentionably Karnataka, Andhra Pradesh, Gujarat, Maharashtra and Himachal Pradesh have been allotted more than proportionate funds while some other States having large Scheduled Caste population such as Bihar, Uttar Pradesh and West Bengal have received much less. It is mentionable that this assistance was released to the State Governments/Union Territories towards the close of the financial year. However, the release of these funds has shown that it has motivated the State Governments in making both a qualitative and quantitative improvement in their Special Component Plan. During 1980-81 a provision of Rs. 100 crores have been made for this purpose. Since Special Central Assistance is an additive to be correlated to the total programme for the development of Scheduled Castes, the Ministry of Home Affairs are applying the following criteria for allocating these funds to the States/Union Territories:

(i) The percentage of the Scheduled Castes families in the State covered by composite economic development programme in the Plan to enable them to cross the poverty line.

(ii) The percentage of the Special Component Plan to the Annual Plan as compared to the Scheduled Castes population percentage in the State.

(iii) Programmes for relatively weaker and more exploited groups among the Scheduled Castes like Civil Sanitation Workers ("Sweepers & Scavengers") bonded labourers, nomadic and vimuktajati communities of Scheduled Castes.

(iv) The performance in the implementation of Special Component Plan with reference to (i), (ii) and (iii) above.

8.29 The Commission are of the view that a provision of Rs. 600 crores in the Sixth Plan towards Special Central Assistance for the Special Component Plan is grossly inadequate taking into consideration the size of Scheduled Castes population, their economic and social backwardness and the scanty attention that they received during the earlier plans, therefore, it should be enhanced. The Commission, also recommend that these funds should be non-divertible and nonlapsable.

Observations & recommendations:

8.30 In conclusion it may be pointed out that the salient features of the strategy of Special Component Plan coupled with Special Central Assistance have been well worked out by the Government of India. The Special Component Plans, specially those relating to the year under report, submitted by the State Governments/Union Territory of Pondicherry indicate that these Governments Administrations have yet to give a realistic and practical shape to it. The Government of Karnataka has followed an

exemplary pattern of making available proportionate benefits on the basis of Scheduled Castes population out of State Plan resources while institutional finance. Centrally Sponsored Programme and Special Central Assistance would be in addition. During 1980—85 Plan they have estimated that nearly 25.28% of the total allocations would flow to the Scheduled Castes as compared to the Scheduled Caste population (14.6%). Further this does not include the benefits that would accrue from major and medium irrigation projects and power. Further, a number of new schemes and reorientation of existing schemes has been proposed by them. A resume of their Plan may be seen at Annexure. The Commission would in this connection like to make the following set of recommendations for a systematic and effective implementation of this vital programme :

Bench Mark Survey :

8.31 With a view to ensure the delivery of the benefits under the Special Component Plans to the Scheduled Castes it is recommended that "Bench Mark Survey" must be undertaken at grass root level in each State/Union Territory having sizeable Scheduled Castes population. The survey teams should prepare family/household details, highlighting the benefits already drawn, present economic status, occupational category to which they belong and type of vocational assistance they require. On the basis of information so collected 50% of the families below the poverty line may be selected for rendering assistance during Sixth Five Year Plan. Proper record of benefits made available to them may have to be maintained. The Bench Mark Survey of families proposed under the programme should be used on a continuing basis to provide multiple benefits and package programme as per needs. This device would also be useful in eliminating likely duplication of benefits and misutilisation of resources. During the Sixth Five Year Plan the Planning Commission has proposed to bring down the percentage of population below the poverty line from 48.44% to 30%, in terms of population nearly 101.68 million people will be brought above the poverty line. While in general population only 1/3rd of the population below the poverty line is proposed to be raised above this level, among the Scheduled Castes half of them are proposed to be raised above the poverty line. The achievements of this target seems to be a difficult task unless special efforts are made. On the basis of our past experience the Scheduled Castes among the beneficiaries in the Integrated Rural Development Programme, Small Farmers Development Agency and Drought Prone Area programme were only 34.5%. It would appear that the Scheduled Caste and Scheduled Tribe beneficiaries have formed only 1/3rd of the total number of beneficiaries under some of the Special Programmes directed towards eradication of poverty.

Therefore, this would make out a case for higher allocations for Scheduled Castes with reference to general population in the anti-poverty programme. The Commission, therefore, recommend that in the anti-poverty programmes the outlays for the Scheduled Castes may even have to exceed outlays generally admissible to them in proportion to their percentage in the target group in order to ensure that at least 50% of them are brought above the poverty line as is the declared policy of the Government.

Identification of Workers/Artisans :

8.32 Besides identifying cultivators, small and marginal farmers, agricultural labourers some sporadic efforts have been made to list a few other occupational groups like those engaged in leather, tanning and flaying, weaving, sweeping and scavenging etc. It is suggested that Scheduled Castes families belonging to other numerically insignificant groups (namely fishermen, traditional 'Dais', washermen, pot makers, drummers, basket makers, and those enaged in rope making, bidi making, fruit and vegetable selling, lac and mat making, construction, headload workers, cart pullers and rickshaw Pullers, pig rearing, carpenters, iron-smithy, collection of sea shells, lime making, etc.) may also be identified and their felt needs listed so that a comprehensive plan of assistance is prepared and no Scheduled Caste family below the poverty line is left out of the purview of the Special Component Plan.

Family Approach :

8.33 While identifying families for benefits due weightage should be given to joint families and extended families. In the rural set up sometimes land remains in the name of head of the household whereas in actual practice there are several persons who share the land. Keeping this in view financial assistance should be given not only to the owner of land but also to others who share the benefits of this land in the undivided family. While rendering assistance to Scheduled Castes families norm of normal single family (husband, wife and their children) should be the governing criterion.

Agriculture :

8.34 As far as possible all the Scheduled Caste families owning land under the command area of major and medium irrigation projects should be provided adequate channels of irrigation and also agricultural assistance be made available to them. In other areas plans should be so formulated that each Scheduled Caste land owner, not having a well, gets an irrigation well within next 5 years. Those possessing unproductive and poor quality of land must be provided subsidy at comparatively higher rates,

Updating of land records:

8.35 It is often alleged that land records especially those of the Scheduled Castes are not updated timely, possession of land to new allottees is given under great difficulties and their lands are sometimes forcibly occupied by others. Keeping this in view it is suggested that special machinery for safeguarding the interests of Scheduled Caste land owners/tenants in land may be created. To begin with, the schemes should be financed out of Special Central Assistance for first five years.

Land Alienation:

8.36 Cases are coming to notice where land alienation is taking place in respect of Scheduled Caste persons owning land thereby rendering them landless and indigent. This has also the effect of converting Scheduled Caste cultivators into landless agricultural labourers depending on others for their living and making them economically highly vulnerable. With a view to dealing with this situation some States such as Karnataka, Orissa and Uttar Pradesh have already enacted appropriate legislation for the prevention of land alienation among the Scheduled Castes. It is recommended that all the other States/Union Territories should also enact appropriate legislation for the prevention of land alienation from the Scheduled Castes to non-Scheduled Castes on the lines of similar legislation enacted for the Tribals by different States.

Composite programme for the development of land-holdings belonging to Scheduled Castes:

8.37 Wherever large chunks of land belonging to Scheduled Castes are available these should be selected for intensive development and their land owners given adequate financial assistance for boosting up the agricultural production. Development of such land in a compact area will undoubtedly provide better results.

Pattern of Assistance:

8.38 Wherever assistance through package programme is made available to the Scheduled Castes it should be ensured that adequate subsidy, preferably around 75%, is provided.

Financial Institutions:

8.39 It has to be ensured that important financial institutions and State Government enterprises operating in such fields like, Laghu Udyog Nigam, State Financial Corporations etc. should also make a beginning in spelling out their Special Component Plan for Scheduled Castes.

Programme Linkage:

8.40 While selecting beneficiaries under the Special Component Plan all efforts should be made to avoid likely wastage of resources. In this endeavour linking of benefits under different programmes is the most essential part. Some of the linkage which can be suggested are following:

(a) Supply of milch cattle to Scheduled Castes in area, covered by Dairy Development Corporation and Government dairies.

(b) Supply of cattle, piggery, sheep, goat, poultry in these areas which are close to rural veterinary centres.

(c) Housing programme for those workers who work in plantation, forest operations, and who really need a bigger house to run the occupation/trade.

(d) Weavers may not only be helped in arranging yarn to them but they should also be helped in providing training in new designs, supply of looms and setting up of dye houses, etc.

Vocational Training:

8.41 In training institutions like Industrial Training Institutes, additional seats may be created to increase the intake of Scheduled Castes. A stipendary scheme for Scheduled Castes boys and girls educated upto middle or High School may be included in the Special Component Plan to provide them training facilities in a variety of business establishments and other vocations (e.g., cycle repair, automobiles, grain market, vegetable vending, etc.) to enable them to pick up these vocations and subsequently assist them to establish their own business.

ANNEXURE

SPECIAL COMPONENT PLAN (1980—85) KARNATAKA

A brief resume of the Special Component Plan for the Welfare of Scheduled Castes for Five Year Plan 1980—85 prepared by the Government of Karnataka is contained in the following paragraphs.

Objectives

(1) It is envisaged to cover 50% of the Scheduled Caste families to cross the poverty line in a period of 5 years commencing from 1980-81.

(2) This objective of removal of poverty is sought to be achieved by taking up family oriented programme primarily in the agricultural and allied sectors including Sericulture. In addition to this in the secondary and tertiary sectors involving industry, leather craft, handicrafts, handloom and services etc. also the participation of Scheduled Castes is sought to be increased, in order to enhance income of their families.

(3) The Plan also recognises the need for strengthening the social infrastructure base consisting of schools, health centres and basic amenities like water supply, housing etc. to inhabitate the Harijans in both urban and rural sectors.

Approach & Strategy

(1) Towards keeping the family in focus, it is proposed to carry out a bench work survey to assess the present level of growth (or poverty) of the families, their family size, their assets like land holding, their level of skill formation, their occupation, etc. Based on this, it is proposed to administer to each family a package programme to benefit the family in such a way that it is enabled to cross the poverty line. By a package of programme is meant, provision of multiple benefit to each family so as to enable it to cross the poverty line. For example, if the benefits are distributed without an assessment of their family size and their needs, they do not produce the desired results. Because a milch animal to one family, a well to another family and a flock to sheep to a third, sometimes tend to produce no results since if consumer expenditure of a family is more than the income (including incremental income from the benefits provided under the programme), then the net result will be nothing.

(2) It is proposed to implement this new strategy and approach in a limited area of operation namely in a cluster of five to six selected villages with predominent/substantial Scheduled Caste population in each district in each year commencing from 1980-81 for five years.

(3) The approach also involves taking up of the schemes in an integrated manner keeping in view the linkage e.g. where a training programme in handlooms is envisaged, supply of loom and other appliances to the successful trainee, housing facility with workshed and supply of raw materials, arrangement of credit and marketing is also envisaged for him. In schemes of vital economic importance like Irrigation walls with Irrigation Pump sets fixed, bore-wells, community irrigation wells etc. It is proposed to provide at least for part of the programme attractive incentives in the shape of 75 per cent to 80 per cent subsidy.

The Special Component Plan for Scheduled Castes for 1980—85 as prepared by the Government of Karnataka is proposed be financed in the following manner :

Rs. (in crores)

S. No.	Source	Outlay	% to general plan outlay of Rs. 2356 crores
I.	*Government Outlay*		
1.	State Plan (including State Share) of Centrally Sponsored/Central Sector Schemes.	375·56	15·88
2.	Centrally Sponsored/Central Sector Schemes (Central Share)—Normal Assistance.	41·10	1·74
3.	Special Central Assistance	26·91	1·14
4.	Total Special Component Plan (Govt. outlay) (Total of 1, 2 and 3)	443·57	18·76
II.	*Financial Institutions* . .	153·81	6·50
	TOTAL .	597·38	25·26

The General Plan outlay excluding irrigation projects (pending approval) is of the order of Rs. 2365 crores. The population of Sch. Castes to total population in Karnataka forms 14.6%. Thus it is seen that the State Government's Plan i.e. Rs. 375.56 crores itself works out to 15.88% of the State Plan. The flow from institutional finance and special central assistance as well as normal assistance under Centrally Sponsored Schemes will be in addition. Further, it has to be assumed that the Sch. Castes will draw benefit out of major and medium irrigation projects and power. It is, therefore, noted that the State Government has done as best as they could in the matter of allotment of resources in this direction.

Plan in Outline

The outline in the plan is given below :

Agriculture & Allied Services

The Plan fully recognises the fact that the cultivators, particularly those engaged in dry farming can immediately cross the poverty line provided some source of Irrigation Pump set or a bore well or water from a source of Minor Irrigation works is provided to the cultivator. In addition to this they will be provided with subsidised agricultural inputs like seeds and fertilizers. Besides this, pesticides plant protection equipment etc. will also be given. They will be provided bullock carts with bullocks. Agricultural implements will be given. In addition Scheduled Caste farmers will be trained in improved farming.

Since Horticulture is a very remunerative sector and will immediately provide good returns to the beneficiaries, it is proposed to supply freely planting materials, tools and implements and seedlings, in addition to providing training.

Under the Integrated Rural Development Programme the principle followed is that 40 per cent of the outlay under the programme will go to the Scheduled Castes in SFDA, DRAP, CAD Blocks.

30—256 HA/ND/81

Under the Animal Husbandry sector also well integrated schemes are proposed to be launched in which rural veterinary dispensaries will be located in villages with Scheduled Castes population. Around the villages where the Rural Veterinary Dispensaries are located the Scheduled Caste beneficiaries will be identified and will be provided milch animals piggery, goat and poultry etc., at 80 per cent subsidy and 20 per cent loan from financial institutions. The programme for supply of milch animal will be encouraged in the area covered by Dairy Development Corporation and Government dairies.

Under Fishery sector, an integrated programme envisaging training of Scheduled Caste in both inland and marine fisheries, as well as provision of necessary requisites to pursue fishing as an occupation after successful completion of training, has been envisaged.

Under the forestry sector a new programme of inducting Sch. Castes in Tassar Silk production is taken up. In addition to this apiculture, social forestry, silvi pasture (in which pasture plantation alongwith forestry) will be taken up to benefit the Sch. Castes. In addition to this, a housing programme for plantation labourers who are generally Scheduled Castes has been envisaged. Besides, this free supply of forest produce to Scheduled Caste artisans engaged in basket making, cane making, wood work, etc. has been programmed.

Under the cooperation programme, incentives are sought to be provided to the Scheduled Castes in the shape of grant-in-aid towards share capital for enrolment as members of Cooperative Societies. Interest free loans for additional share capital contribution will be given. In order to strengthen the administrative structure of the Scheduled Caste cooperative provision has been made for giving managerial assistance to Schedule Caste cooperatives. Loans towards additional share capital and outright grants for special bad debt etc. are made.

Under the Rural Electrification Programme it is proposed to electrify Harijan Bastis and also to electrify a backlog of 1000 Harijan Bastis. Under Bhagya Jyoti Scheme, one bulb connection will be given free of charge. In addition to this, it is proposed to energise irrigation pump sets of Scheduled Castes.

It is proposed to assist Scheduled Castes entrepreneurs by loan assistance through State Financial Corporation. It is also proposed to allot industrial plots to entrepreneurs and sheds in industrial estates to Scheduled Castes. In addition to this, subsidy will be given in notified industrially backward areas to Scheduled Caste entrepreneurs.

Scheduled Caste weavers will be trained in handloom research training and design. In addition to this beneficiaries will receive benefit of an integrated programme involving training supply of loom and coverage under Handloom Development Corp. Project for silk. In addition to this collective weaving centres for weavers and dying houses will be established. In addition to this, programmes exist for giving subsidy for improved appliances, managerial grants and investment in Scheduled Caste societies.

Artisans of lacquer will be covered by craft complex which will provide them facilities of housing raw materials, credit and marketing etc. Besides this, assistance towards power operated single lathes for wood turning is also provided for. Under Khadi and Village Industries, Scheduled Caste artisans will be assisted in Bamboo, butara making Khadi looms, and other Khadi and Village industries including leather (in KVIB Sector). It is proposed to form Scheduled Caste coir cooperative societies giving the members share capital assistance. In addition to this candidates will be trained with stipends.

Leather work being an area of predominantly Scheduled Caste artisans, it has been proposed to assist artisans by way of supply of wayside cabins to cobblers and training them for upgradation of skills, and supply of tool kits to artisans. In addition to this, an integrated scheme called Leather Craft Complex in which Scheduled Caste persons will be employed and also provided with houses, raw-material and assured market for their products together with necessary training in latest design for leather goods, etc. Besides this, rural tanners, persons in carcass utilisation scheme etc. will also be employed. Shoe shine boys will also be helped by providing them cycles.

Under education sector, it is proposed to give Sch. Caste girls, attendance scholarships to purchase uniforms. Free supply of text books, stationery etc. to Scheduled Castes students has also been programmed. It is proposed to construct class-room in Scheduled Caste localities. In the area of collegiate education special coaching classes in colleges have been proposed to be organised to provide tuition to Scheduled Caste students. Above all opportunity cost scholarships to compensate for loss of wage parents incur by putting their children in schools instead of in earning jobs are also envisaged. About 1 lakh Scheduled Caste adults will be made literate. About half the number of literacy centres to be established during the year will be established in Harijan colonies, wherever facilities are available.

Under Health Sector, primary health centres and A.N.M. Sub-Centres and Primary Health Units will be established in the rural areas in the Harijan colonies. Community Health workers will also be drawn and trained from among Scheduled Castes.

Under sewerage and water supply sector it is proposed to take up open wells in Harijan colonies and digging of bore-wells and rural piped water supply schemes in villages with predominant/substantial Scheduled Caste population. In addition to this, piped water supply schemes under accelerated rural water supply programme will be taken up in predominant/substantial Scheduled Caste population villages. In the urban areas also schemes for conversion of dry latrines into sanitary latrines and loans to the municipalities for taking up drainage scheme in Scheduled Caste colonies have been envisaged, and urban water supply schemes for Scheduled Caste localities.

Under Housing sector, it is proposed to distribute houses under people's housing scheme both under HUDCO and Non HUDCO. House sites will be given in rural areas. In addition to this in urban areas also house sites are proposed to be given to Scheduled Castes. It is proposed to improve urban slums by providing facilities like drinking water, community latrines, roads, electricity, etc. In addition to this, tenament will be put up for Scheduled Caste families in those slums.

Under labour and labour welfare sector, it is proposed to reserve additional seats for Scheduled Castes in Industrial Training Institutes over the above 15 percent of the candidates who are normally admitted.

Under stipendary employment scheme, Scheduled Caste educated unemployed persons are proposed to be given a stipend of Rs. 150 per month for five years to do some gainful work in various establishments and departments of Govt. Under the Employment Affirmation Scheme, rural assets like tanks, roads, etc. are proposed to be created and many of these are anticipated to be villages with predominant Scheduled Caste population. In addition to this, this scheme gives guarantee of employment to Scheduled Caste agricultural labourers who remain without employment during the slack season of the year. This scheme has become a source of great succour and relief to this weakest of the Scheduled Caste sections.

CHAPTER IX

RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN SERVICES

The various benefits meant for the communities placed in the categories of Scheduled Castes and Scheduled Tribes (earlier known as depressed classes) are primarily because of their being economically backward and socially neglected over the past several centuries. It is in the fitness of things and in the larger interests of the society that these down-trodden people should come up and merge in the mainstream of national life. Reservation for them in public services is one of the many ways that has been provided in the Constitution and implemented by the Government of India and the State Governments. While tracing the history of this reservation policy, one finds that in as far back as 1934 the Government of India issued instructions to give fair percentage of representation to the depressed classes. Since this effort of the Government of India did not yield the desired result, they reviewed the whole issue and passed orders in 1943 to keep 8-1/3 per cent of the posts reserved for these communities. This percentage was increased to 12-1/2 in 1946 taking into account the percentage of the population of the depressed classes to the total population of the country at that time. It is pertinent, in this context, to point out that after Independence the whole policy of reservation was laid down by the Government of India in 1950 in pursuance of the provision of Article 16(4) read with Article 335 of the Constitution of India, providing therein reservation of 12-1/2% of vacancies in the case of Scheduled Castes and 5% of vacancies in the case of Scheduled Tribes. These percentages of reservation were subsequently enhanced in 1970 to 15% and 7-1/2% for Scheduled Castes and Scheduled Tribes respectively. In pursuance of the Constitutional provision and the policy of the Government of India in regard to reservation in services, the State Governments have also enacted laws/issued orders providing for Scheduled Castes and Scheduled Tribes reservation in services under their control. In the meantime many concessions and relaxations including reservation in promotion, etc. have been provided by the Government of India and the State Governments to the Scheduled Castes and Scheduled Tribes in services. In fact, on account of many measures that have been taken by the Government of India and the State Governments from time to time since 1950 there has been, no doubt, some increase in the intake of the members belonging to these communities in various groups/classes of services. This Commission have made an indepth study of the progress made with regard to representation of Scheduled Castes and Scheduled Tribes in the Services under Government of India and State Governments and the steps taken by the concerned Governments to increase the intake of candidates of these communities against reserved vacancies, and have given their observations and suggestions for further steps that are required to be taken for achieving the prescribed percentage of representation of these communities within a reasonable period of time, as detailed in the paragraphs below:

Representation of Scheduled Castes and Scheduled Tribes in Class I, II, III & IV posts in the Ministries/Departments/Offices of the Government of India, Public Enterprises and Public Sector Banks as on 1-1-1980.

9.2 This Commission had addressed circular letters to the Department of Personnel and Administrative Reforms, the Directorate General, Bureau of Public Enterprises and the Banking Division in the Department of Economic Affairs, Ministry of Finance for collection of information regarding the actual representation of Scheduled Castes and Scheduled Tribes in Class I, II, III & IV posts in respect of all Ministries/Departments/Offices of the Government of India, all the Central Public Enterprises and Public Sector Banks.

Government of India

9.3 The Department of Personnel could supply information in respect of 53 out of 56 Ministries/Departments/Offices (Annexure-I). Inspite of persistent efforts, the Department could not furnish information relating to the Ministries of Railways and Irrigation and the Directorate General of P & T. This information was subsequently collected by the Commission direct from the Ministry of Railways, Irrigation and the Director General, Posts & Telegraphs. In order to avoid delay in future, we recommend that the Ministries/Departments/Offices should furnish the position of actual representation of Scheduled Castes and Scheduled Tribes at the end of each calendar year to this Commission direct by the 30th June of the year that follows:

9.4 With a view to giving a comparative picture of the progress of the representation of Scheduled Castes and Scheduled Tribes in services in the Ministries/Departments/Offices of the Government of India, the Commission has obtained from the DPAR the information indicating the overall representation of Scheduled Castes and Scheduled Tribes group-wise as on 1st January 1965, 1970, 1975, 1979 and 1980. This information is given below:

Percentage

Year	Scheduled Castes				Scheduled Tribes			
	Cl. I	Cl. II	Cl. III	Cl. IV	Cl. I	Cl. II	Cl. III	Cl. IV
1	2	3	4	5	6	7	8	9
1965 .	1·64	2·82	8·88	17·75	0·27	0·34	1·14	3·39
1970 . .	2·36	3·84	9·27	18·09	0·40	0·37	1·47	3·59
1975 . .	3·43	4·98	10·71	18·64	0·62	0·59	2·27	3·99
1979 . .	4·75	7·37	12·55	19·32	0·94	1·03	3·11	5·19
1980 . .	4·83	8·07	11·54	19·16	1·04	1·24	3·04	5·30

9.5 Thus the percentage of representation of the Scheduled Castes and Scheduled Tribes has increased uniformly in all classes from 1965 to 1979. But during 1980, it has slightly come down in respect of Class III & IV for Scheduled Castes and in Class III for Scheduled Tribes respectively. However, it has not reached the prescribed percentage of reservation in Class I, Class II and Class III for Scheduled Castes and in all classes for Scheduled Tribes.

9.6 It would be interesting to make a brief mention of the concerned shown by the DPAR in their O.M. No. 36011/7/80-Estt.(SCT), dated 1-11-1980 addressed to all Ministries/ Departments for increasing the representation of Scheduled Castes and Scheduled Tribes in services. The O.M. has, inter-alia highlighted the following points :—

(i) Vacancies reserved for Scheduled Castes and Scheduled Tribes are meant to be filled up by members of these communities only, and de-reservation of reserved vacancies should not be restored to, as a matter of routine, without making serious and sustained efforts as prescribed to procure Scheduled Castes and Scheduled Tribes candidates, and before exhausting all the avenues for obtaining Scheduled Castes/Scheduled Tribes candidates. No reserved vacancy can be filled up by general community candidates unless it is de-reserved and the "reservation" carried forward to three subsequent recruitment years, wherever applicable.

(ii) Ministries/Departments should impress upon the appointing authorities the need to observe the reservation and other orders relating to representation of Scheduled Castes and Scheduled Tribes in services strictly. Glaring instances of discrimination or deliberate infraction of the orders relating to reservation and concessions in favour of Scheduled Castes and Scheduled Tribes in any office or establishment should immediately be brought to the notice of the appropriate authorities for suitable action. Ministries/Departments should ensure that whenever cases of such nature are brought to the notice of appropriate authorities, suitable action is also taken promptly. It should also be ensured that the instructions for the maintenance and the periodical inspection of rosters are strictly observed by the appointing authorities and Liaison Officers, and suitable action initiated against officials for deliberate negligence and lapses in the matter of following the reservation and other orders relating to Scheduled Castes and Scheduled Tribes.

I. SCHEDULED CASTES

Class I Posts

9.7 The overall representation of Scheduled Castes in Class I posts being only 4.83 as on 1-1-1980 should be considered as highly unsatisfactory.

9.8 The actual representation of the Scheduled Castes in Class I posts as given in Annexure I reveals that their representation is satisfactory in respect of the President's Secretariat and the Department of Legal Affairs where it is 16.67% and 14.71% respectively as against the prescribed percentage of 15. Their representation is nil in the Election Commission, Department of Agricultural Research and Education, Department of Parliamentary Affairs, Vice President's Office, Cabinet Secretariat and the Ministry/Department of Civil Supplies and Cooperation. This is highly depressing. The percentage of representation in respect of the other 48 Ministries/Departments/Officers (Annexure-I) is unsatisfactory as it varies between 0.20 to 11.83 percents of the prescribed reservation.

Class II Posts

9.9 The overall representation of Scheduled Castes in Class II posts being only 8.07% is considered as unsatisfactory. The representation of the Scheduled Castes is satisfactory in the Department of Parliamentary Affairs and Vice President's Office where it is 15.79 percent and 20.00 percent respectively as against 15 percent prescribed. The percentage of representation in respect of the other 53 Ministries/Departments/Offices excepting the Department of Agricultural Research and

Education varies between 1.00 to 13.20 percents. This is considered as unsatisfactory. In the Department of Agricultural Research & Education there being no Class II post the question of representation of the Scheduled Castes does not arise.

9.10 The representation of Scheduled Castes in Class II posts is poor in many Ministries/Departments/Offices on account of a huge backlog in as many as 53 Ministries/Departments/Offices in Class II posts. Therefore, we recommend that the Government of India may consider increasing the percentage of reservation for direct recruitment in Class II posts by 5 to 10% over the prescribed percentage until the backlog is wiped out.

Class III Posts

9.11 The overall representation of Scheduled Castes in Class III posts being on 11.54% is considered as unsatisfactory. The representation of the Scheduled Castes in Class III posts is nil even now in the Department of Agricultural Research and Education and Vice President's Office. However, their representation is satisfactory in 21 Ministries/Departments/Offices viz., Department of Parliamentary Affairs, Ministry of Works & Housing, President's Secretariat, Ministry of Labour, Department of Science and Technology, Department of Legal Affairs, Ministry of Rehabilitation, Department of Finance, Department of Food, Cabinet Secretariat, Union Public Service Commission, Ministry of Shipping & Transport, Ministry of Communication (excluding Director General, Posts & Telegraphs), Ministry/Department of Civil Supplies & Cooperation, Department of Economic Affairs, Ministry of Information & Broadcasting, Department of Supply, Department of Steel, Ministry of Tourism & Civil Aviation, Bureau of Public Enterprises and Director General, Posts & Telegraphs wherein it ranges from 14.18% to 20.83% as against the prescribed percentage of 15. However, the percentage of representation is still unsatisfactory as it varies between 5.35% and 13.25% of the prescribed percentage of reservation in respect of 33 other Ministries/Departments/Offices for which the information is available with the Commission.

Class IV Posts

9.12 The overall representation of Scheduled Castes in Class IV posts (excluding Sweepers and Scavengers) being 19.16% is considered as quite satisfactory. But there are still backlog in some Ministries/Departments/Offices which are detailed below :—

Backlog

1. Department of Parliamentary Affairs	13.64
2. Department of Personnel & Administrative Reforms (AR Wing).	6.25
3. Department of Expenditure	13.44
4. Ministry of Home Affairs	11.90
5. Department of Culture	5.79
6. Department of Heavy Industries	11.86
7. Department of Personnel & Administrative Reforms.	11.20

It is gratifying to note that the representation of Scheduled Castes (excluding sweepers and scavengers) is more than the prescribed percentage of reservation in 49 Ministries/Departments/Offices, whereas it is 13.44% and 13.64% in two other Departments of Government of India mentioned above. This may also be considered as satisfactory.

9.13 The percentage of representation in respect of the Department of Culture, Department of Personnel & Administrative Reforms (AR Wing), Department of Personnel & Administrative Reforms (excluding AR Wing), Department of Heavy Industries, Department of Expenditure and the Ministry of Home Affairs being less than that prescribed, the Commission recommend that these Ministries/Departments should make Special recruitment drives to fill up the backlog of Class IV posts.

II. SCHEDULED TRIBES

Class I Posts

9.14 The overall representation of Scheduled Tribes in Class I posts being only 1.04% is highly unsatisfactory.

9.15 Strangely, the representation of Scheduled Tribes in Class I posts is nil in as many as 23 Ministries/Departments/Offices of the Government of India. These are Election Commission, Department of Personnel & Administrative Reforms (AR Wing), Department of Parliamentary Affairs, Department of Social Welfare, Department of Agricultural Research and Education, President's Secretariat, Department of Electronics, Prime Minister's Office, Vice-President's Office, Department of Petroleum, Department of Rehabilitation, Department of Space, Department of Expenditure, Cabinet Secretariat, Ministry of Communication (excluding Director General, Posts & Telegraphs), Ministry/Department of Civil Supplies and Cooperation, Department of Culture, Department of Heavy Industries, Planning Commission, Department of Supply, Department of Steel, Department of Chemicals and Fertilizers and the Department of Statistics. This represents a very distressing state of affairs in these Ministries/Departments and needs to be remedied with the utmost urgency. The percentage of their intake varies between 0.04% and 4.37% in 33 other Ministries/Departments/Offices for which the information is available. In Commission's view the position is highly unsatisfactory in respect of these 33 Ministries/Departments/Offices of the Government of India. They should take special steps to fill up the backlog of representation.

Class II Posts

9.16 The overall representation of Scheduled Tribes in Class II posts being 1.24% is considered as highly unsatisfactory.

9.17 The intake of Scheduled Tribes in Class II posts is nil in 7 Ministries/Departments/Offices *viz.*, Department of Parliamentary Affairs, Department of Social Welfare, Vice-President's Office, Department of Power, Department of Steel, Department of Chemicals and Fertilizers and the Bureau of Public Enterprises, whereas, there is no Class II post in the Department of Agricultural Research and Education. This is highly distressing and most unsatisfactory and the situation needs to be remedied with the utmost urgency. In the remaining 48 Ministries/Departments/Offices of Government of India their representation is highly unsatisfactory as it varies between 0.08% to 4.76% of the prescribed reservation of 7.50%. Obviously, the representation of Scheduled Tribes in Class I posts will continue to be depressing so long as their intake is not improved in Class II posts. We would, therefore, recommend that the percentage of reservation for direct recruitment may be increased by 5-10 percent over the prescribed percentage so that the deficiency in Class II posts is wiped out within a period of time, say 5-10 years. This would also help in improving the representation of Scheduled Castes and Scheduled Tribes in Class I Posts/Services in course of time.

Class III Posts

9.18 The overall representation of Scheduled Tribes in Class III posts being 3.04% may be considered as unsatisfactory.

9.19 The representation of Scheduled Tribes is nil in 9 Departments, *viz.* Election Commission, Department of Personnel & Administrative Reforms (AR Wing), President's Secretariat, Prime Minister's Office, Vice-President's Office, Department of Petroleum, Cabinet Secretariat, Department of Heavy Industries and the Bureau of Public Enterprises. The question of representation of Scheduled Tribes in the Department of Agricultural Research and Education does not arise as there is only one Class III post. The representation of Scheduled Tribes in the Ministry of Home Affairs being 6.91% can be considered as satisfactory, whereas their representation in 45 other Ministries/Departments/Offices varying between 0.80% & 5.86% as against the prescribed reservation of 7.50% can be considered as highly unsatisfactory. We recommend that the percentage of reservation for direct recruitment in Class III posts may be increased by 5-10% over the prescribed percentage so that it could be possible to wipe out the deficiency within a reasonable period of time, say 5-10 years.

Class IV Posts

9.20 The overall percentage of Scheduled Tribes Class IV posts as on 1-1-80 is 5.30% as against the prescribed percentage of 7.50, which is far from satisfactory.

9.21 Ministry/Department/Office-wise position in respect of the available information reveals that the representation of Scheduled Tribes is nil in the Election Commission, Department of Agricultural Research, President's Secretariat and Vice-President's Office. This appears to be highly unsatisfactory. In respect of 11 others Ministries/Departments/Offices the representation of Scheduled Tribes is either more than prescribed or just equivalent to the prescribed reservation of 7.50% which can be considered as unsatisfactory. These are the Department of Personnel & Administrative Reforms (AR Wing), the Department of Parliamentary Affairs, Prime Minister's Office, Legislative Department, the Department of Space, Cabinet Secretariat, Union Public Service Commission, Ministry of Communication (excluding DG P & T), Ministry/Department of Civil Supplies and Co-operation, Ministry of Irrigation, and the Ministry of Information and Broadcasting. The representation of Scheduled Tribes varies between 1.60% and 6.60% as against the prescribed percentage of 7.50% in respect of 41 other Ministries/Departments/Offices (Annexure-I). The position is highly unsatisfactory. The Commission, therefore, recommend that special recruitment drives may be undertaken in the tribal areas of different States until the backlog is wiped out.

9.22 The Directorate General, Bureau of Public Enterprises has furnished to this Commission a statement of the representation of the Scheduled Castes and Scheduled Tribes in respect of 177 out of 184 Public Enterprises. The statement containing the relevant information is given below:—

Sl. No.	Group	Total No. of employees	Representation of SC		Representation of ST	
			No.	Percentage	No.	Percentage
1	2	3	4	5	6	7
1	Group A	93,984	2,726	2·90	623	0·66
2	Group B	97,756	5,003	5.11	1,329	1·35
3	Group C	12,74,581	2,30,505	18·08	98,329	7·71
4	Group D (excluding sweepers) .	3,53,981	79,167	22·36	38,083	10·75
5	Group D (sweepers) . . .	36,030	23,309	64·69	1,492	4·14
	TOTAL .	18,56,332	3,40,710	18·35	1,39,856	7·53

9.23 Seven Public Enterprises which have not yet furnished the required information are Tele-communications (consultant) India Ltd., Braith Waite Company Ltd., Mysore Porcelains Ltd., Delhi State Industrial Development Corporation Ltd., Balmer Lawrie & Company Ltd., Radio & Electrical Manufacturing Company Ltd., and Central Island Water Transport Corporation Ltd.

9.24 An analysis of the information given in the above statement reveals that the overall representation of Scheduled Castes is very poor in group A and B posts; whereas their representation is quite satisfactory, being more than the prescribed percentage in group C & D posts.

9.25 As regards Scheduled Tribes, the position is not much different from what has been observed in respect of the Scheduled Castes. But the representation of Scheduled Tribes in Group A posts is not even 1% and in Group B posts, it is not even 1.50% as against the prescribed reservation of 7-1/2% for each Group.

9.26 The Bureau of Public Enterprises has supplied as per Annexure II the enterprise-wise information regarding the actual representation of Scheduled Castes and Scheduled Tribes in respect of 163 out of 184 enterprises in the country as on 1-1-1980. An attempt has been made to project the adequacies and inadequacies in the matter of representation of Scheduled Castes and Scheduled Tribes by various Groups highlighting whether the percentage of actual representation is satisfactory or not.

I. SCHEDULED CASTES

Group-A

9.27 Surprisingly, the representation of Scheduled Castes in as many as 43 (26.38%) enterprises is nil in group A posts. The names of such enterprises appear in Annexure-II. This is highly distressing and most unsatisfactory. The representation of Scheduled Castes in 119 enterprises excepting the Indian Motion Pictures Export Corporation Ltd., is far from satisfactory. Their representation is 14.29% in Indian Motion Picture Export Corporation Ltd.

Group-B

9.28 The actual representation of Scheduled Castes is nil in 38 (23.31%) enterprises *viz.* Indian Dairy Corporation, Water and Power Development Consultancy Services Ltd., Banana & Fruit Development Corporation, Hindustan Organic Chemicals Ltd., Central Cottage Industries Corporation of India Ltd., Handicrafts & Handloom Exports Corporation Ltd., Mica Trading Corporation, North Eastern Handicrafts and Handloom Corporation, Tea Trading Corporation of India Ltd., Export Credit and Guarantee Corporation Ltd., Trade Fair Authority of India, General Insurance Corporation, New India Assurance Company, Heavy Engineering Corporation Ltd., Tungabhadra Steel Project Ltd., Bharat Wagon & Engineering Company Ltd., Artificial Limbs manufacturing Company Ltd., Bharat Leather Corporation Ltd., Hindustan Cables Ltd., Hindustan Salts Ltd., Mandya National Paper Mills Ltd., Nagaland Pulp Papers Ltd., National Instruments Ltd., Film Finance Corporation Ltd., Indian Motion Picture Export Corporation Ltd., Bharat Petroleumn Corporation Ltd., Biscco Lawrie Ltd., Hindustan Petroleum Corporation, Hydro Carbon India Ltd., Indian Oil Blending Ltd., Bharat Refractories Ltd., Indian Fire Bricks & Insulation Corporation Ltd., IISCO Station Pipe & Foundary Company Ltd., Metal Scrap Trading Corporation of India Ltd., Sponge Iron India Ltd., Hotel Corporation of India, Hindustan Prefabs Ltd., Rehabilitation Corporation of India Ltd., and Uranium Corporation of India Ltd.

9.29 In other words, this means that there is not even a single Scheduled Caste employee in Group B posts in 38 (23.32%) of the 163 enterprises for which the information has been supplied by the Bureau of Public Enterprises. The Commission have taken a very serious view of this lapse and have therefore made an appropriate recommendation in para 9.31 for arresting the backlog.

9.30 The actual percentage of representation of Scheduled Castes in Group B posts in 118 enterprises (73.39%) is far from satisfactory. However, their representation in only 7 (4.29%) enterprises, listed below is quite satisfactory as it is either equivalent to or more than the prescribed reservation.

Sl. No.	Name of the enterprise	Percentage of actual representation
1	Sambar Salts Ltd.	33.33
2	Bongaigaon Refinery & Petro-Chemicals Ltd.	27.20
3	Nayveli Lignite Corporation	25.00
4	Mineral Exploration Corporation	17.60
5	Indian Road Construction Corporation	17.00
6	International Airport Authority of India	15.91
7	Bharat Coking Coal Ltd.	15.50

9.31 The actual representation of Scheduled Castes in Group A posts is alarmingly poor on account of a huge backlog in group B posts. We, therefore, recommend that the Directorate General, Bureau of Public Enterprises should increase the percentage of reservation for direct recruitment in Group B posts by 5 to 10 percent over the prescribed percentage with a view to liquidating the backlog in Group B posts as well as improving their representation in Group A posts.

Group-C

9.32 The actual representation of Scheduled Castes in Group C posts is nil in respect of 6 (3.68%) enterprises *viz.* Banana & Fruit Development Corporation, Trade Fair Authority of India, Triveni Structurals Ltd., Bharat Leather Corporation Ltd., Indian Motion Pictures Export Corporation Ltd. and Hydro Carbon India Ltd.

9.33 The actual representation of the Scheduled Castes in Group C posts being much less than the prescribed percentage of 15 in 125 (76.69%) public enterprises under the various Ministries of Government of India is considered as far from satisfactory. However, their representation is either equal to or is more than the prescribed reservation in only 31 (19.69%) enterprises, the position of which is listed below :—

Sl. No.	Name of the enterprise	Actual percentage of reservation
1	Bharat Goldmines Ltd.	49.42
2	Air India	32.54
3	Bharat Coking Coal Ltd.	30.96
4	Western Coal Fields Ltd.	29.10
5	Eastern Coal Fields Ltd.	25.62
6	Hindustan Prefabs Ltd.	24.52
7	Tungabhadra Steel Projects Ltd.	22.82
8	Central Coal Fields Ltd.	22.55
9	International Airport Authority of India	21.89
10	Indian Tourism Development Corporation.	21.16
11	Indian Iron & Steel Station Pipe etc.	20.90
12	Indian Road Construction Corporation Ltd.	20.00
13	Indian Airlines	19.54
14	Cochin Refineries Ltd.	18.55
15	Projects & Equipments Corporation Ltd.	18.44
16	Bharat Dynamics Ltd.	18.33
17	Lubrizol India Ltd.	18.06
18	National Textiles Corporation	17.87
19	Madras Refineries Ltd.	17.80
20	Salem Steel Plant	17.56
21	Hindustan Teleprinter Ltd.	17.53
22	Indian Telephone Industries Ltd.	17.30
23	Housing and Urban Development Corporation.	16.90
24	Hindustan Photo Film Manufacturing Corporation.	16.85
25	National Fertilisers Ltd.	16.77
26	Bharat Pumps & Compressor Ltd.	16.71
27	National Industries Development Corporation Ltd.	16.67
28	Jute Corporation of India Ltd.	16.24
29	Food Corporation of India Ltd.	15.78
30	Delhi Transport Corporation	15.32
31	Bharat Electronics Ltd.	15.23
32	Praga Tools Ltd.	15.00

9.34 The Commission would, therefore, recommend that the Bureau of Public Enterprises should prepare time-bound programme for wiping out the backlog through special recruitment drives.

Group-D

9.35 It has been found that in Group D posts, the representation of Scheduled Castes is nil in as many as 39 (23.93%) out of 163 Enterprises, the names of which are given in Annexure II. This represents most unsatisfactory state of affairs. Further, their representation is far from satisfactory in 42 (25.77%) Enterprises. In another 82 (50.31%) Enterprises, their representation is either equal to or is more than the prescribed percentage which can be considered as satisfactory.

II SCHEDULED TRIBES

Group -A

9.36 The actual representation of Scheduled Tribes is nil in respect of 78 (47.85%) Public Enterprises out of total 163 Enterprises for which information is available in this Commission. In another 83 (50.92%) Public Enterprises, their representation is not satisfactory. Only in 2 Enterprises which represent 1.23 percent of the total Public Enterprises of the Country, the actual percentage of representation is satisfactory. They are Water & Power Development Consultancy Services Ltd. and Nagaland Pulp Papers Ltd., the percentage of their representation being 16.66 percent and 10.97 per cent respectively as against 7.5 per cent prescribed.

Group-B

9.37 So also, there is no representation of Scheduled Tribes in 90 (55.21%) of the 163 Public Enterprises in Group B posts and in 66 Public Enterprises representing 40.49 percent of the total 163 Enterprises the actual representation of Scheduled Tribes is not upto the mark i.e. their representation in 66 Public Enterprises is less than the prescribed percentage of reservation for Scheduled Tribes in Group B posts. Certain measures have been suggested for improving the representation of Scheduled Castes in Group B posts. The same suggestion would hold good here also.

9.38 Nevertheless, their representation has exceeded the prescribed percentage in only 7 public Enterprises, the details of which are as follows :—

Sl. No.	Name of the Entreprise	Actual percentage of representation
1	Nagaland Pulp Papers Ltd.	66.66
2	Indian Road Construction Corporation Ltd.	17.00
3	West Coal Fields Ltd.	11.83
4	Bolani Ores Ltd.	11.00
5	Delhi Transport Corporation	8.72
6	North Eastern Electric Power Corporation.	7.79
7	Hindustan Paper Corporation Ltd.	7.40

Group-C

9.39 The position in respect of the representation of Scheduled Tribes is slightly better in Group C posts when compared with Group A and B posts in different Public Undertakings in the country as their representation is nil in only 28(17.18%). Enterprises as against 78 (45.85%) and 90(55.21%) Public Enterprises where there is no representation of Scheduled Tribes in Group A and B posts respectively. Nevertheless this still represents most unsatisfactory and distressing picture. The actual representation of Scheduled Tribes in 107 (65.64%) Public Enterprises, though not nil is not at all satisfactory. The recommendation made in para 9.31 for making good the shortfall of representation of Scheduled Castes and Scheduled Tribes in services in respect of 107 public enterprises also holds good here. However the intake of Scheduled Tribes in only 28 (17.18%) Public Enterprises is satisfactory as their representation exceeds the prescribed percentage of reservation in the above mentioned Public Enterprises as seen in Annexure-II to this Chapter.

Group-D

9.40 The available data reveal a gloomy picture in respect of the representation of Scheduled Tribes even in Group D posts in 61 Public Enterprises wherein their representation is nil. These represent almost one third of the total Public Enterprises. In 70 more Public Enterprises representing 42.94% to the total Public Enterprises for which data are available, the actual representation of Scheduled Tribes is much less than the percentage of reservation prescribed for them by the Government of India. The representation of Scheduled Tribes should be increased by 5-10 per cent until the backlog is wiped out. Only one fifth (32 Enterprises) of the Public Enterprises are having representation of Scheduled Tribes which is either equal to or is more than the percentage of reservation prescribed for Scheduled Tribes.

Representation of Scheduled Castes and Scheduled Tribes in Public Sector Banks

9.41 The Banking Division in the Department of Economic Affairs, Ministry of Finance which controls all the Nationalised Banks, State Bank of India and the Reserve Bank of India could supply information about the actual representation of Scheduled Castes and Scheduled Tribes in respect of the 14 Nationalised Banks as on 1-1-1980, State Bank of India and its subsidiaries as on 30-9-1980 and the Reserve Bank of India as on 1-1-81. The information in respect of Reserve Bank of India is partial in as much as it does not relate to all the offices of the Bank. The information relating to subsidiaries of the Reserve Bank of India has also not been furnished.

9.42 The Banking Division has informed that the policies of the Government of India with regard to reservation in posts and services for Scheduled Castes and Scheduled Tribes have also been made applicable to six more Banks nationalised in April 1980 by issue of suitable instructions to these Banks on the 17th April 1980.

9.43 According to the information received from the Banking Division, implementation of Government Orders on reservation for these communities in regard to the posts filled by direct recruitment has been reviewed from time to time in the meetings of the Chief Executives of the Banks attended by the Union Finance Minister and the officials of the Ministry. As a result of the Special examinations for candidates belonging to these communities coupled with adequate relaxations in the qualifying standards, the 14 Nationalised Banks have been able to increase the representation of these communities as would be seen from the table below :—

Year	Officers		Clerks		Sub Staff	
	SC	ST	SC	ST	SC	ST
1	2	3	4	5	6	7
19-7-1969	14 (SC & ST)	—	144 (SC & ST)	—	1,513 (SC & ST)	—
1-1-1975	226 (0·58)	42 (0·10)	4,487 (4·34)	615 (0·59)	5,332 (11·13)	608 (1·34)
1-1-1979	1,558 (2·44)	268 (0·42)	17,489 (11·51)	2,815 (1·85)	12,195 (19·45)	1,753 (2·80)
1-1-1980	2,032 (2·98)	392 (0·57)	19,478 (12·11)	3,341 (2·07)	13,807 (20·98)	2,029 (3·08)

9.44 Separate figures for Scheduled Castes and Scheduled Tribes for the year of nationalisation i.e. 1969 are not available. However, if the comparative figures for years 1975 and 1980 as given above are any indication, we can safely say that the overall representation of Scheduled Castes in Sub-Staff in the Nationalised Banks has exceeded the prescribed reservation by 5.98 per cent on 1-1-1980. Though their representation has continued to improve in

officers grade and clerks grade during the years under reference, it could not reach the prescribed percentage of reservation. The Banking Division has informed that the reasons for low percentage in the officers grade is on account of the reason that 75% of the posts under bilateral agreement with Unions are filled up from the clerical grade and therefore the direct recruitment in that grade is limited. However, the Commission are of the view that the orders relating to filling up of the reserved posts by promotion should be strictly implemented.

9.45 With effect from 1-1-1979, the recruitment of staff in the officers and clerical grade in the Nationalised Banks was entrusted to the Banking Service Recruitment Boards.

Instructions were issued by the Government to the Chairman of these Boards to recommend adequate number of Scheduled Castes and Scheduled Tribes candidates against demands placed with them by the various banks. Simultaneously, the Banks were also advised to work out their requirements (including the backlog of revised vacancies if any) and communicate the same to the recruitment Boards for suitable action.

9.46 Government's instructions providing reservations for these communities in posts filled by promotion were extended to the public sector banks in December, 1977 and the banks were requested to implement these instructions and provide reservations for these communities in posts filled by promotion. Promotions in the banking industry are, by and large, governed by agreements/understandings with the recognised unions of banks employees. The managements of the banks had, therefore, been asked to modify their existing promotion policy after having consultations with the recognised unions. The six banks nationalised in April, 1980 have also been asked to implement this policy.

9.47 The statement at Annexure III shows the representation of Scheduled Castes and Scheduled Tribes in Public Sector Banks.

I. Scheduled Castes

9.48 The overall representation of Scheduled Castes in officers, clerks and sub-staff posts is 2.98, 12.11 and 20.98 respectively.

9.49 *Officers:* The representation of Scheduled Castes in the officers grade ranges between 0.63% in the Central Bank of India to 5.69% in the Bank of India, amongst all the 14 Nationalised Banks which is considered as unsatisfactory.

9.50 *Clerks:* The representation of Scheduled Castes in Clerks grade being 21.86%, 15.67% and 15.43% in the Indian Overseas Bank, United Bank of India and the Bank of Maharashtra respectively is considered as satisfactory. On the other hand, their representation being less than 12.87% in the remaining 11 Banks is considered as unsatisfactory.

9.51 *Sub-Staff:* The representation of Scheduled Castes being 11.03% in the United Bank of India for Sub-Staff is considered as unsatisfactory whereas their representation being 14.57% and 14.85% in Canara Bank and the Bank of Maharashtra is considered as satisfactory in as much as it is very near the prescribed percentage. Their representation in the remaining 11 Banks for sub-staff being more than 15% is considered as satisfactory.

II. Scheduled Tribes

9.52 The over all representation of the Scheduled Tribes in officers, clerks and sub-staff posts is 0.57%, 2.07% and 3.08% respectively.

9.53 *Officers:* The representation of Scheduled Tribes in all the 14 Banks ranging from 0.20% to 1.58% is considered as highly unsatisfactory.

9.54 *Clerks:* The representation of Scheduled Tribes Clerks in all the 14 Banks ranging from 0.50% to 4.33% is considered as highly unsatisfactory.

9.55 *Sub-Staff:* The representation of Scheduled Tribes in Sub-Staff posts ranging from 1.27% to 5.93% in all the Banks is considered as unsatisfactory.

9.56 The Commission recommend for increasing the representation of Scheduled Tribes in all the Grades and Scheduled Castes in Officers and Clerks Grades by 5 to 10% till such time they reach the prescribed percentage of reservation.

9.57 The Regional Recruitment Boards should open examination centres for Clerical and Sub-staff posts deep in the tribal areas of different States with a view to enable a large number of eligible tribals, who are still unemployed for taking advantage of the scheme.

State Bank of India and its subsidiaries

Scheduled Castes

9.58 The overall representation of the Scheduled Castes is 2.24%, 13.03% and 19.64% in Officers, Clerks and Sub-staff posts respectively.

9.59 *Officers:* The representation of Scheduled Castes in Officers Grade in the State Bank of India and 7 other Subsidiaries ranges between 1.27% to 4.59%, which is considered as highly unsatisfactory.

9.60 *Clerks:* The representation of Scheduled Castes for Clerks in the State Bank of India and 6 other Subsidiaries ranges from 8.34% and 13.73%, which is considered as unsatisfactory, whereas in the seventh Subsidiary i.e. the State Bank of Indore their representation being 14.68% is considered as satisfactory.

9.61 *Sub-Staff :* The representation of Scheduled Castes in Sub-staff posts being much more than 15% in the State Bank of India, State Bank of Bikaner & Jaipur, State Bank of Patiala and the State Bank of Travancore is considered as highly satisfactory. Their representation being 10.33%, 10.83%, 11.50% and 13.16% in the State Bank of Hyderabad, State Bank of Mysore, State Bank of Saurashtra and the State Bank of Indore for sub-staff posts is considered as unsatisfactory.

Scheduled Tribes

9.62 The overall representation of the Scheduled Tribes in Officers, Clerks and Sub-staff posts is 0.46%, 2.66% and 2.10% respectively.

9.63 *Officers :* The representation of Scheduled Tribes officers being less than 0.85% in the State Bank of India and all its subsidiaries is highly unsatisfactory.

9.64 *Clerks :* The representation of Scheduled Tribes in the State Bank of India and 7 subsidiaries ranges from 0.05% to 3.50% and it is considered as highly unsatisfactory.

9.65 *Sub-staff :* The representation of Scheduled Tribes sub-staff in the State Bank of India and all the 7 subsidiaries excepting State Bank of Indore ranges from 0.99% to 2.80% is highly unsatisfactory. In the State Bank of Indore only, their representation being 7.22% is considered as quite satisfactory.

9.66 The representation of Scheduled Tribes in Officers, Clerks and Sub-staff Grade being quite unsatisfactory calls for serious action on the part of the Government of India. We are of the opinion that the Government will have to issue instructions for special recruitment drives and increase in the percentage of reservation by 5-10% for Scheduled Castes and Scheduled Tribes till such time the backlog is filled up in the State Bank of India and its subsidiaries. In addition the Banking Service Recruitment Boards should hold meetings of the Selection Committees in the tribal areas with a view to enabling eligible tribal candidates to appear for interview for clerical and sub-staff posts.

Reserve Bank of India

9.67 The information received from the Banking Division does not relate to all the offices of the Reserve Bank of India. However, according to partial information the representation of Scheduled Castes Officers and Clerks and Scheduled Tribes Officers, Clerks and Sub-staff in the Reserve Bank of India being 4.11%, 11.16%, 0.78%, 5.24% and 4.65% respectively is considered as highly unsatisfactory. It is more so when the information furnished by the Reserve Bank of India is for the year as on 1-1-1981. Only in the Sub-staff posts the Scheduled Castes are over represented by 5.71%.

9.68 We are sorry to say that inspite of our best efforts, the Banking Division has not been able to furnish the information about the representation of Scheduled Castes and Scheduled Tribes in the subsidiaries of the R.B.I. viz. the Industrial Development Bank of India, Industrial Finance Corporation of India and the Industrial Reconstruction Corporation of India.

9.69 The recommendations made above for improving the representation of Scheduled Castes and Scheduled Tribes in respect of the Nationalised Banks and the State Bank of India may also be considered for implementation by the Government of India in respect of the Reserve Bank of India.

Reservation of Scheduled Castes & Scheduled Tribes in the matter of appointment to the teaching posts in Universities/Colleges.

9.70 The University Grants Commission agreed in principle in 1975 that reservations may be provided for Scheduled Castes & Scheduled Tribes for recruitment to the posts of lecturers in the Universities/Colleges. The modalities to be followed by the Colleges/ Universities while appointing Scheduled Caste/ Scheduled Tribe candidates are :—

(a) The number of posts to be filled under the reserved category may be determined facultywise, although no individual post may be designated as reserved post.

(b) The advertisement for the posts should indicate that preference would be given to Scheduled Caste/Scheduled Tribe candidates who are considered fit.

(c) On receipt of applications, the University may invite for interview all Scheduled Caste/Scheduled Tribe candidates who fulfil the minimum qualifications prescribed for recruitment to the post of lecturer.

Implementation of reservation order in relation to Promotion under Government of India.

9.71 Reservations for Scheduled Castes and Scheduled Tribes which were initially confined to vacancies filled by direct recruitment have been extended by stages to posts filled by promotion under the Government of India. The principle of reservation in promotion was extended in 1957 to all grades in all services which were filled by promotion through competitive examination limited to Departmental candidates on the lines of the posts filled by direct recruitment for which reservations were provided at 12-1/2% for Scheduled Castes & 5% for Scheduled Tribes. Further, the Government of India decided in the year 1963 to extend the principle of reservation by (i) Selection or (ii) on the results of Competitive Examination limited to Departmental candidates in the case of Class III & Class IV appointments in grades or services to which there was

no element of direct recruitment. However, this concession was not extended to Class I & Class II appointments. In 1968, these orders were extended also to cover grades having element of direct recruitment not exceeding 50% as well as promotion by selection method from Class III to Class II and within Class II and from Class II to the lowest rung or category in Class I.

9.72 The percentages of reservation in promotion have since been raised to 15% & 7-1/2% from 1970 for Scheduled Castes and Scheduled Tribes respectively. With effect from 27-11-1972, reservations have been introduced in vacancies filled by promotions on the basis of seniority subject to fitness, in all Classes i.e. Class I, II, III & IV (Group A, B, C and D). Further, in pursuance of the decision taken at the meeting of the High Power Committee held on 17-9-1975, instructions have been issued on 25-2-1976, making the reservation in promotion applicable in all grades in which the element of direct recruitment, if any, does not exceed 66-2/3% (as against the limit of 50% previously prescribed). The various orders regarding reservation for Scheduled Castes and Scheduled Tribes in vacancies filled by promotion referred to above, however, apply to regular promotions made in accordance with the rules of the service.

9.73 There is no reservation for Scheduled Castes & Scheduled Tribes in respect of posts filled by *ad-hoc* promotion. This has been explained in para 9.72 of this Chapter.

9.74 As regards implementation of reservation orders in relation to the posts filled by promotion by the various Ministries/Departments of the Government of India, the information detailing the no. of Scheduled Castes/ Scheduled Tribes employees promoted in services during 1977 and 1978 and the number of reserved vacancies that lapsed during the same period are given in the table below;

Group/Class	Sch. Castes			Sch. Tribes			
	Total No. of vacancies filled	No. of vacancies reserved	No. of SCs candidates promoted & their percentage to total reserved vacancies	No. of reserved vacancies lapsed	No. of vacancies reserved	No. of STs candidates promoted & their percentage to total reserved vacancies	No. of reserved vacancies lapsed
1	2	3	4	5	6	7	8
			1977 (As on 1-1-78)				
Gr. A (Cl. I) . . .	1,233	69	67 (97·10%)	1	21	14 (66·7%)	—
Gr. B (Cl. II) . .	3,353	479	336 (70·14%)	40	177	76 (42·94%)	22
Gr. C (Cl. III) . .	55,280	9,725	9,993 (102·76%)	256	4,543	2,757 (60·69%)	162
Gr. D (Cl. IV) excluding sweepers.	18,083	3,155	3,625 (114·89%)	35	1,701	1,169 (68·72%)	17
			1978 (As on 1-1-79)				
Gr. A. (Cl. I) . . .	2,470	246	108 (43·90%)	1	126	17 (13·49%)	—
Gr. B (Cl. II) . . .	5,454	758	615 (81·13%)	23	257	113 (43·97%)	14
Gr. C. (Cl. III) . . .	84,253	14,223	14,134 (99·37%)	308	7,586	2,924 (38·54%)	136
Gr. D (Cl. IV) (excluding Sweeper) . .	27,529	4,935	5,110 (103·55%)	84	2,375	1,591 (66·98%)	16

9.75 It would be seen from the above table that during the year 1977, of the total vacancies filled up, 69,479,9725 and 3155 vacancies in Classes I, II, III and IV respectively were reserved for Scheduled Castes and against these vacancies 67(97.10%), 336(70.14%), 9993 (102.76%) and 3625(114.89%) candidates respectively, were promoted.

9.76 During the same year, 21,177,4543 and 1701 vacancies in Classes I, II, III and IV respectively were reserved for Scheduled Tribes against which 14 (66.67%), 76(42.94%), 2757(60.69%) and 1169(68.72%) vacancies respectively were filled up by Scheduled Tribes candidates through promotion. The reserved vacancies which lapsed during the year accounted for 22 in Class II, 162 in Class III and 17 in Class IV services.

9.77 Similarly, during the year 1978, the reserved vacancies meant for Scheduled Castes worked out to be 246,758,14223 & 4935 in Classes I, II, III and IV services respectively against which 108(43.90%), 615(81.13%), 14134(99.37%) and 5110(103.55%) Scheduled Castes candidates respectively were appointed on promotion. The lapses in Classes I, II, III & IV services accounted for 1,23,308 and 84 respectively.

9.78 In the case of Scheduled Tribes, 126 vacancies were reserved in Class I services while 257,7586 and 2375 vacancies were reserved in Classes II, III and IV services respectively. The vacancies filled by the Scheduled Tribe candidates through promotion accounted for 17(13.49%), 113(43.97%), 2924(38.54%) and 1591(66.98%) in Classes I, II, III & IV services respectively. These appeared to be lapses of 14 reserved vacancies in class II, 136 in Class III and 16 in Class IV during that year.

9.79 It would be further seen from the above table that while the vacancies filled by the Scheduled Castes candidates in respect of Class III & Class IV posts have almost exceeded the reserved quota fixed for them, such reserved vacancies in the Class I and Class II services have lapsed both in 1977 and 1978. In the case of Scheduled Tribes, there appears to be marked short-fall in filling up of the reserved quota fixed for them in all classes of services.

9.80 The circumstances under which the percentage of reservation has exceeded 100% for Scheduled Castes in Cl. III & IV during 1977 & in Cl. IV during 1978 have not been explained by the Department of Personnel and Administrative Reforms. The Commission are of the view that the Department of Personnel and Administrative Reforms should obtain clarifications from the Ministries/Departments concerned and explain the reasons for exceeding the percentage of reservation for Scheduled Castes as indicated above.

9.81 We understand that the shortfall in posts filled by promotion to Classes I and II services are attributed to the fact that adequate number of Scheduled Castes/Scheduled Tribes candidates are not available in the feeder services and the feeder services have to depend on the promotion sources from still lower grades where Scheduled Caste/Scheduled Tribe candidates are not available to the extent required for filling up the reserved quota. However, this Commission recommend that the Ministries/Departments concerned should see that the reserved quota prescribed for Scheduled Castes and Scheduled Tribes in promotion is not allowed to lapse; rather they should make all efforts to fill up these reserved vacancies by relaxing standards in relation to qualification, length of service and experience wherever necessary.

9.82 According to Governments orders, "there will, however be, no carry forward of reservation from year to year in the event of an adequate number of Scheduled Castes and Scheduled Tribes candidates not being available in any particular year". The Commission recommend that the principle of carry forward of reserved vacancies applicable to posts filled by direct recruitment should also be extended likewise to the posts filled by promotion.

9.83 We further recommend that violation of reservation orders relating to promotion, on the part of the appointing authorities should be seriously viewed with an action taken thereon as suggested in para 9.152 of this chapter.

Cells in the Ministries/Departments

9.84 In accordance with the instructions issued by the Government of India, in each Ministry/Department, the Deputy Secretary in charge of administration or any other officer not lower in rank than a Deputy Secretary would function as Liaison Officer for ensuring compliance with Government orders regarding reservation for Scheduled Caste and Scheduled Tribe in services. In 1969, instructions were also issued to the various Ministries/Departments that they should set up a Cell within the Ministry/Department under the direct control of the Liaison Officer. The information available in this Commission shows that 38 Ministries/Departments have set up such Cells so far and 18 Ministries/Departments have not yet created such Cells due to various reasons. Details regarding the composition of the Cells functioning in these 38 Ministries/Departments and the reasons advocated by the 18 Ministries/Departments for not having such Cells, but are having separate arrangements for looking after the work relating to reservation orders are given as under in statements 'A' & 'B' respectively.

Statement A

Sl. No.	Name of the Ministry/Department	No. of persons	SC	ST
1	2	3	4	5
1	Department of Agriculture	4	2	1
2	Department of Agricultural Research and Education.	1	—	—
3	Department of Food	2	—	—
4	Department of Irrigation	2	—	—
5	Department of Commerce	2	—	—
6	Department of Defence	6	—	—
7	Department of Education	2	—	—
8	Ministry of External Affairs	2	1	—
9	Department of Power	2	—	—
10	Department of Economic Affairs	4	3	—
11	Department of Expenditure	1	—	—
12	Department of Revenue	4	1	—
13	Ministry of Finance (Defence)	3	1	—
14	Bureau of Public Enterprises	4	3	—

1	2	3	4	5
15	Ministry of Health and Family Welfare.	4	3	—
16	Department of Heavy Industry	2	—	—
17	Department of Industrial Development.	1	—	—
18	Ministry of Information and Broadcasting.	1	—	—
19	Ministry of Labour	3	2	—
20	Department of Petroleum	3	—	—
21	Planning Commission	1	1	—
22	Department of Statistics	2	—	—
23	Ministry of Railways	9	2	—
24	Ministry of Tourism & Civil Aviation.	1	1	—
25	Department of Supply*	—	1	—
26	Department of Rehabilitation	2	1	—
27	Ministry of Works and Housing.	1	1	—
28	Department of Atomic Energy	1	1	—
29	Department of Electronics	2	—	—
30	Department of Science & Technology.	2	—	—
31	Department of Space	2	—	—
32	Department of Parliamentary Affairs.	2	—	—
33	Department of Legal Affairs	1	—	—
34	Prime Minister's Office*	—	—	—
35	Comptroller and Auditor General of India.	2	—	—
36	Union Public Service Commission.	2	—	—
37	Election Commission	2	—	—
38	Ministry of Home Affairs (Department of Personnel & Administrative Reforms)	2	—	—

*Staff position not given.

Statement 'B'

Sl. No.	Name of Ministry/Department	Reasons
1	2	3
1	Department of Rural Development.	Pending sanction for setting up SC & ST Cell, arrangements for looking after the work connected with implementation of orders relating to reservation in service for SC and ST have been made by internal adjustment and one Assistant will be shortly made available.
2	Department of Civil Supplies and Cooperatives.	Pending recommendations of S. I. U. to create a SC/ST Cell the work regarding implementation of reservation orders is being carried out in Establishment Section.
3	Ministry of Communication.	Ministry being small, with a staff of 220, it is hardly necessary to set up a separate Cell. The work relating to reservation for SC/ST is being coordinated in the C &D Section of the Ministry.
4	Department of Social Welfare.	Need for separate Cell has not been felt. The work relating to SC/ST is being dealt with in Estt. Section under the charge of Liaison Officer.
5	Department of Coal.	Pending recommendations of Internal Work Study to create one post of Asstt. & LDCs for Separate Cell, the work is looked after by Estt. Section which has been designated as SC & ST Cell.
6	Legislative Department.	The volume of work does not justify the detailing of staff exclusively for formation of an independent Cell.
7	Department of Company Affairs.	The proposal to create an additional staff for SC/ST Cell was not approved by Deptt. of Expenditure in view of the Complete ban by the Cabinet. (proposal to grant special pay to one Assistant who could be entrusted with the work of the Cell has been made to the Department of Expenditure).
8	Department of Chemicals & Fertilizers.	So far as implementation of reservation orders are concerned, it is readily being done by the Central Coordination Division located in the FCI under the Department. It is, therefore, considered that the creation of separate Cell in the Department would be of no improvement. Cell for the Department has been created in the FCI under it.
9	Department of Steel.	Being a small Deptt. there is no necessary for a separate Cell. The work is being handled in the SATI-II Section and Administration Seciton. A cell was constituted in 1972. But discontinued in 1974, the work being distributed amongst various sections.
10	Department of Mines.	There is no Cell functioning in the Department. Pending recommendation of SIU to create a separate Cell, work being lookked after by Estt. Section.
11	Department of Culture.	A review for further streamlining the existing arrangements is under examination and the Cell will be set up as soon as the review is completed.
12	Cabinet Secretariat	Being small Secretariat appointment to Class IV and few other posts only are made outside the purview of the various schemes controlled by the Ministry of Home Affairs with regard to the standing orders regarding representation of SC and ST. This is being handled by the Adm. Section under direct control of Liaison Officer.

1	2	3
13	President's Sectt.	Being a small office, the work relating to the representation for SC and ST is looked after by Liaison Officer direct. He is associated by Adm. Section.
14	Vice-President's Secretariat.	Ditto.
15	Ministry of Home Affairs (Main)	Separate Cell to help the Liaison Officer to ensure a proper implementation of reservation orders could not be set up. The responsibilities of implementing the reservation order for SC/ST are being discharged by Administration Section.
16	Department of Personnel & Administrative Reforms (A.R. Wing)	In view of very small establishment of the wing, no separate cell has been set up. However, rosters being maintained by the Liaison Officer.
17	Ministry of Shipping and Transport	One part-time Desk Attachee is helping the D.Section concerned. He spends 1/12 of his time for SC/ST work.
18.	DG P & T	The work is looked after by staff section.

9.85 This Commission feel that the working of the existing Cells/arrangements relating to the compliance with the Government order regarding reservation for Scheduled Castes and Scheduled Tribes in services in various Ministries/Departments may be reviewed and wherever necessary suitable action taken for strengthening the same with required whole-time supporting staff. It may be ensured that instructions for maintenance and periodical inspection of rosters are strictly carried out by the appointing authorities and the liaison officers, and suitable action taken against those who are found negligent in following the reservation orders.

Creation of separate Cells in Universities to ensure implementation of orders regarding reservation for Scheduled Castes & Scheduled Tribes by the Government of India.

9.86 On the basis of the reservation made in the 42nd report of the Commission on Welfare of Scheduled Castes & Scheduled Tribes, the UGC has requested all the Universities to set up such cells. So far 27 Universities have either set up such cell or are taking steps to set up a cell.

9.87 This Commission are sorry to observe that as many as 85 Universities have not so far set up cells to ensure implementation of orders regarding reservation for Scheduled Castes and Scheduled Tribes in these Universities. This Commission, therefore, recommend that a special meeting of the Universities may be called by the University Grants Commission for ensuring urgent implementation of the Government orders on reservation in services and posts for Scheduled Castes and Scheduled Tribes as well as for setting up of Cells as mentioned above.

Reservation in posts filled by ad-hoc promotion

9.88 The Prime Minister observed in the meeting of the High Power Committee held on the 20th October, 1978 that no ad-hoc promotions should be made and that if such promotions are made Scheduled Castes/Scheduled Tribes employees should also be considered even though no formal reservation is made for them under the existing rules. In response to such observation of the Prime Minister, the Department of Personnel and Administrative Reforms has reiterated its earlier orders that resort to ad-hoc promotion should be kept to the barest minimum and if it is inescapable, it should not continue for long periods. They have further provided that though there is no formal reservation for Scheduled Castes and Scheduled Tribes in such ad-hoc promotions, the officers belonging to these communities who are eligible should also be considered alongwith other candidates for ad hoc promotions.

9.89 We hope that these orders will be carried out in letter and spirit by various Ministries/Departments of the Government of India.

Nomination to IAS of the SC and ST Officers from State Civil Services

9.90 The percentage of representation of Scheduled Castes and Scheduled Tribes has remained low in IAS as there is no reservation for them in the 33-1/3% quota of promotion from the State Civil Services to IAS. This matter was discussed in the meeting of the High Power Committee held on 20th October, 1978 under the Chairmanship of the Prime Minister who observed that reservation for Scheduled Castes and Scheduled Tribes employees should be made in this promotion quota. With a view to providing necessary concession to the officers belonging to these reserved communities in the matter of promotion to IAS from the State Civil Services, the IAS (Appointment by Promotion) Regulation, 1955 was being amended with the incorporation of a clause "Notwithstanding anything contained in Sub-regulation (4) and (5) above, the Scheduled Castes and Scheduled Tribes officers who are senior enough in the zone of consideration so as to be within the number of vacancies for which the select list is drawn up, shall be included in the select list provided they are not considered unfit for promotion". It is understood that except the Governments of Madhya Pradesh, Haryana, Punjab & Rajasthan, all other State Governments had agreed to the proposed amendment and that the Union Public Service Commission had also been addressed for their concurrence in this regard. Information with regard to further action taken in the matter is not available.

9.91 We suggest that the matter may be pursued with the remaining State Governments impressing upon them to agree to the proposed amendment mentioned above and the Union Public Service Commission be requested to accord concurrence to the same in the interests of Scheduled Castes and Scheduled Tribes.

Representation for Scheduled Castes and Sche- Tribes in judicial services

9.92 At present there are no reservations among Judges of High Courts/Supreme Court. It is recommended that suitable provision should be made for appropriate reservation of seats for Scheduled Castes and Scheduled Tribes among the Judges of High Court and Supreme Court.

9.93 The Judicial services in the various States of India consist of (i) State Higher Judicial Service, and (ii) State Judicial Service. In the former are included District and Sessions Judges, Additional District Judges, Chief Metropolitan Megistrates, etc., while the latter comprises Munsifs, sub-judges, metropolitan Magistrates etc.

9.94 The present position indicating the percentage of reservation provided in State Higher Judicial Service and State Judicial Service by direct recruitment under the various High Courts/States is gievn in the table below :—

Sl. No.	Name of High Court/State	State Higher Judicial Service		State Judicial Service		Remarks
		S.C.	S.T.	S.C.	S.T.	
1	Allahabad	Provision for reservation exists				
2	Andhra Pradesh	14%	4%	14%	4%	
3	Delhi	15%	7-1/2%	15%	7-1/2%	
4	Gauhati	Provision for reservation exists				
5	Kerala	8%	2%	8%	2%	
6	Madras	18% both SC& ST		18%	both SC & ST	
7	Orissa	16%	24%	16%	24%	
8	Punjab	25%		25%		
9	Rajasthan	16%	12%	16%	12%	
10	Calcutta	No reservation		10%	5%	
11	Himachal Pradesh	No reservation		15%	7-1/2%	
12	Karnataka	No reservation		15%	3%	
13	Patna	No reservation		14%	10%	
14	Haryana	No reservation		20%		
15	Bombay	The matter is under consideration of High Court.				
16	Jammu & Kashmir					
17	Madhya Pradesh	No reservation		No reservation		
18	Sikkim	Rules have now been framed.				
19	Nagland	No regular Judicial service set up				
20	Andaman & Nicobar Islands	Do.				
21	Arunachal Pradesh	Do.				
22	Chandigarh	Do.				
23	Dadra & Nagar Haveli	Do.				
24	Lakshadweep	Do.				
25	Mizoram	No district and Session judges.				

(i) *State Higher Judicial Services*

9.95 An analysis of the above table reveals that no reservation has been provided for Scheduled Castes and Scheduled Tribes in the State Higher Judicial Service in respect of High Courts/States of Calcutta, Himachal Pradesh, Karnataka, Patna, Haryana and Madhya Pradesh while there is no State Higher Judical Service in the State of Nagaland, Union Territories of Andaman & Nicobar Islands, Arunachal Pradesh, Chandigarh, Dadra & Nagar Haveli, Lakshadweep and Mizoram. Further the Union Department of Justice have informed that the question of reservation in the State Higher Judicial Service is under consideration of the High Courts of Bombay and Jammu and Kashmir. The Government of Sikkim have not framed rules in this regard. There is a provision for the reservation for Scheduled Castes and Scheduled Tribes in State Higher Judicial Service in respect of High Courts/States of Allahabad, Andhra Pradesh, Delhi, Gauhati, Kerala, Madras, Orissa, Punjab and Rajasthan. We also notice from the information furnished by the Department of Justice that in all the above noted High Courts/States excepting Allahabad, and Gauhati the reservation has been provided in accordance with the orders on reservation in services in force in these States. The

High Courts of Allahabad and Gauhati have intimated that the provision for reservation only exists in the State Higher Judicial service. We would recommend that the High Courts of Allahabad and Gauhati should provide distinct reservation for Scheduled Castes and Scheduled Tribes on the lines, of the reservation in services in force in the States of Uttar Pradesh and Assam, in which these High Courts are located.

(ii) *State Judicial Services*

9.96 The position in respect of State Judicial Service reveals that there is no reservation for Scheduled Castes and Scheduled Tribes in the High Courts/State of Madhya Pradesh. The State of Nagaland and the Union Territory Administration of Himachal Pradesh, Chandigarh, Dadra and Nagar Haveli, Lakshadweep and Mizoram, have got no regular Judicial Service set up. The High Courts of Allahabad and Gauhati have provided provision of reservation for Scheduled Castes and Scheduled Tribes in the State Judicial Service. We would, therefore, recommend that separate reservation for Scheduled Castes and Scheduled Tribes should be provided in the State Judicial Service on the lines of the orders on reservation in services for Scheduled Castes and Scheduled Tribes issued by the Governments of States in which these High Courts are located.

9.97 No reservation has been provided in the rules regarding promotion in respect of State Higher Judicial Service as well as State Judicial Services. This Commission recommend that the High Courts/State Governments concerned for providing reservations in promotions to Scheduled Castes with regard to the appointment of Judges under State Higher and State Judicial Services.

9.98 The actual position of latest representation of Scheduled Castes and Scheduled Tribes in the above Judicial Services under direct recruitment is still under collection by the Union Department of Justice.

9.99 (i) The Commission notice from the information furnished by the Department of Justice that no reservation has been provided for the Scheduled Castes and Scheduled Tribes in either State Higher Judicial Services or State Judicial Service in Madhya Pradesh High Court, Bombay High Court and Jammu & Kashmir High Court and that no reservation has been provided in respect of State Higher Judicial Service alone in the Calcutta, Himachal Pradesh, Karnataka, Patna and Haryana High Courts. The Commission feel that the Union Department of Justice should persuade the High Courts/State Governments in respect of Madhya Pradesh High Court, Bombay High Court and Jammu & Kashmir High Court to provide reservation for Scheduled Castes and Scheduled Tribes in both the State Higher Judicial Service and the State Judicial Service; the Department of Justice should in addition persuade the Calcutta, Himachal Pradesh, Karnataka, Patna, Haryana High Courts and the respective State Governments to provide reservation in the State Higher Judicial Services also for Scheduled Castes and Scheduled Tribes. The percentage of reservation in these services should be on the lines of percentage of reservation of Services for the Scheduled Castes and Scheduled Tribes in force in their respective States.

(ii) The Commission also recommend that the Department of Justice should collect and furnish to this Commission the actual intake of Scheduled Castes and Scheduled Tribes in various Judicial Services as on 1-1-1980.

9.100 No provision has been made for reservation in promotion for Scheduled Castes and Scheduled Tribes in the State Higher Judicial Service and State Judicial Service anywhere in the country. According to the Department of Justice, the High Courts of Bombay and Karnataka have stated that adequate number of Scheduled Castes and Scheduled Tribes judges are not available, while the other High Courts have not indicated any reason for not providing reservation in promotion the Judicial Services. The Commission recommend that the principle of reservation in promotion for Scheduled Castes and Scheduled Tribes be introduced in State Judicial Service/Higher Judicial Service also.

9.101 The Commission understand that out of 1409 Judges in the District Courts of various States/Union Territories in 1978 only 34(3.24 percent) belonged to Scheduled Castes and Scheduled Tribes. These 34 Scheduled Castes/Scheduled Tribes Judges were working in the District Courts of Haryana, Himachal Pradesh, Karnataka, Kerala, Maharashtra, Punjab, Sikkim, Uttar Pradesh and Delhi.

9.102 The Commission are, therefore, convinced that one important way to facilitate the entry of Scheduled Castes/Scheduled Tribes Advocates to qualify for entry to State Higher Judicial Services is to start pre-examination coaching centres already functioning in various parts of the country. The modalities of the scheme may be worked out by the Ministry of Home Affairs in consultation with the State Governments.

Services under the High Courts

9.103 The High Courtwise position of reservation provided to Scheduled Castes/Scheduled Tribes in the services under the High Court establishments (Ministerial and class IV) is as under :—

Sl. No.	Name of High Court	Services under High Court			
		Direct recruitment		Promotion	
		Sch. Castes	Sch. Tribes	Sch. Castes	Sch. Tribes
1	2	3	4	5	6
1	Andhra Pradesh	Provision has been made in service rules.			
2	Allahabad	18%	2%	Nil	Nil
3	Bombay	Nil	Nil	Nil	Nil
4	Calcutta	15%	5%	15%	5%
5	Delhi	15%	7-1/2%	15%	7-1/2%
6	Gauhati	Provision has been made in recruitment rules.			
7	Gujarat	Nil	Nil	Nil	Nil
8	Himachal Pradesh	Nil	Nil	Nil	Nil
9	Jammu & Kashmir	Reservation exists.			
10	Karnataka	Reservation exists for class IV posts only.			
11	Kerala	10% for SC/ST combined.			
12	Madhya Pradesh	Reply not received.			
13	Madras	18% for SC/ST combined			
14	Orissa	16%	24%	Nil	Nil
15	Patna	14%	10%	14%	10% (Class III)
		28%	20%	Nil	Nil (Class IV)
16	Punjab & Haryana	10% for SC/ST		—	—
17	Rajasthan	16%	12%	Nil	Nil
18	Sikkim	Rules have not been framed.			

9.104 On perusal of the above information collected from the Union Department of Justice, this Commission observe as under :—

(i) The Andhra Pradesh, Jammu and Kashmir and Gauhati High Courts have not indicated the exact percentage of reservation for Scheduled Castes/Scheduled Tribes.

(ii) No reservation has been provided in direct recruitment and promotion in services under the High Courts of Bombay, Gujarat, Andhra Pradesh and Sikkim while recruitment in promotion to services has also not been provided by the High Courts of Allahabad, Orissa and Rajasthan. Further the High Court of Karnataka has provided reservation for only class IV posts while Madhya Pradesh High Court has not yet communicated their reply to the Government of India.

The Department of Justice should furnish the latest position of representation of Scheduled Castes/Scheduled Tribes in services under the High Courts establishments, (Ministerial and class IV) so that the Commission could assess whether the percentage of reservation is in accordance with the percentage of reservation fixed for them by the State Governments for class I, II, III and various categories of posts under their control. It is also recommended that those High Courts which have not provided for reservation for Ministerial and Class IV posts should provide for such reservation corresponding to similar reservation provided by the respective State Governments concerned.

Simplication of the procedure for dereservation of vacancies

9.105 With a view to simplifying the procedure in regard to dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes, the Department of Personnel and Administrative Reforms have delegated the powers to the Ministries/Departments to dereserves reserved vacancies in recruitments made by promotion subject to the following conditions :—

(a) there is no eligible Scheduled Caste and Scheduled Tribe candidate in the feeder cadre.

(b) a copy each of the proposal is sent to the Commissioner for Scheduled Castes and Scheduled Tribes and Department of Personnel.

(c) the proposal should be concurred in by the Liaison Officer of the Ministry.

(d) dereservation should be accorded to at a level not lower than that of Joint Secretary to the Government of India.

(e) in case of disagreement between Liaison Officer and appointing authority, advice of Department of Personnel should be sought.

9.106 Thus it is observed that a provision has been made in the Government orders to the effect that a copy of the proposal for dereservation of a reserved vacancy in a particular Ministry/Department should be sent by the Ministry/Department concerned to the Commissioner for Scheduled Castes and Scheduled Tribes and Department of Personnel. We feel that since this Commission has been presently entrusted with functions broadly corresponding to those of the Special Officer under Article 338 of the Constitution and in view of the fact that the Commission has field organisation under their control to deal with matters relating to the welfare of Scheduled Castes and Scheduled Tribes, it is desirable that a copy of the proposal in the case of dereservation of reserved vacancies is also sent to this Commission for their views.

Associations and Organisations of Scheduled Castes and Scheduled Tribes.

9.107 Department of Personnel have provided in sub-section 1(iii) of Chapter 8 of the Brochure on "Reservation for Scheduled Castes and Scheduled Tribes in the Services" that simultaneously with the advertisement of vacancies in the news papers, the vacancy should be brought to the notice of the Scheduled Castes and Scheduled Tribes organisations so that they may advise the Scheduled Castes and Scheduled Tribes candidates about the proposed recruitment. But it has been observed that on account of increase in the employment of Scheduled Castes and Scheduled Tribes persons in the public sector organisations, over the years, a good number of associations of Scheduled Castes and Scheduled Tribes have been formed by the Scheduled Castes and Scheduled Tribes, obviously to keep a watch on the implementation of service safeguards in general and to forward individual complaints in particular to the offices concerned. The headquarters office as well as the field organisation of this Commission have received several communications during the year under report from the Central Government Departments/Offices seeking the Commission's view in dealing with the representations received from the unrecognised associations of the Scheduled Castes and Scheduled Tribes. Though the Department of Personnel have been updating the list of such associations, it has been observed that in the States of Uttar Pradesh, West Bengal, Bihar and Orissa where the Scheduled Castes number 185.50 lakhs, 88.16 lakhs, 79.50 lakhs and 33.10 lakhs respectively, there is only one association each to attend to the problems of the Scheduled Castes in these States. This is only illustrative and similar other instances can be cited. We have also noted that different officers of the Government of India, quite often do not take note of the representations forwarded through the associations of Scheduled Castes and Scheduled Tribes non-recognised/listed by the Department of Personnel.

9.108 We, therefore, suggest that all organisations of the Scheduled Castes and Scheduled Tribes which are in receipt of grant-in-aid from the Government of India and the State Governments for doing work among the Scheduled Castes, Scheduled Tribes should be recognised for the purpose. Further Sub-section 8-1(iii) of the Brochure should be amended to provide that these organisations may also forward representations regarding service matters from the Scheduled Castes and Scheduled Tribes employees regarding their grievances to the Departments/Offices concerned.

Pre-examination Training Centres for All India Service.

9.109 There are seven Pre-examination Training Centres for all India Services Examinations functioning at Allahabad, Delhi, Hyderabad, Jaipur, Madras, Patiala and Shillong with the objective of improving the representation of Scheduled Castes and Scheduled Tribes candidates eligible to appear in the Civil Services Examinations and other all India Services Examinations conducted by the Union Public Service Commission. The Scheduled Castes and Scheduled Tribes candidates are selected for admission to these Centres on Merit basis. The entire expenditure on the board and lodging of the candidates in these Centres is borne by the Government of India.

9.110 The performance of the Scheduled Caste and Scheduled Tribe candidates who got coaching in the above all India level Pre-examination Training Centres is given below :—

Sl. No.	Name of the Centre	Sanctioned strength	No. of trainees		No. of trainees finally qualified for appointment			Year of reference
			Admitted	Appeared	Current	Ex-trainees	Total	
1	2	3	4	5	6	7	8	9
	1. *All India Civil Services Pre-Examination Training Centre*							
1	Allahabad	80	61	61	3	14	17	1979-80
2	Rau's Study Circle, Delhi	40	38	38	9	N.A.	9	Do.
3	Hyderabad	30	29	29	1	—	1	1977-78
4	Jaipur	Not fixed	38	38	—	2	2	Do.
5	Madras	60	30	30	4	N.A.	4	1979-80
6	Patiala	50	51	40	4	—	4	1978-79
7	Shillong	50	29	29	6		7	1979-80

9.111 Thus, during 1979-80, 17 Scheduled Castes and Scheduled Tribes candidates from Allahabad Centre qualified themselves for appointment to all India Services and of them 14 were ex-trainees. The Rau's Study Circle, Delhi, however, enabled 9 Scheduled Castes and Scheduled Tribes candidates to qualify for appointment to all India Services during the same year, which is closely followed by the Shillong Centre from which 7 Scheduled Castes and Scheduled Tribes candidates qualified for appointment. Similarly, from Patiala Centre 4 Scheduled Castes and Scheduled Tribes candidates qualified for appointment in 1978-79, while from Madras Centre the same number of candidates succeeded in getting appointment in 1979-80. The information available in respect of the Centres functioning at Hyderabad and Jaipur shows that during the year 1977-78, out of 29 candidates who appeared in the examination from Hyderabad Centre only one candidate came out successful for appointment, while 2 ex-trainees from the Jaipur Centre could get through in the All India Civil Services examination to qualify for appointment although 38 candidates appeared from that Centre during that year.

9.112 For preparing Scheduled Castes and Scheduled Tribes students for appearing in the Engineering Services Examination, two Centres have been functioning one in Motilal Nehru Engineering College, Allahabad and the other in Regional Engineering College, Trichirapalli.

9.113 Details regarding the total number of Scheduled Castes and Scheduled Tribes candidates who appeared at the Competitive Examination and qualified for appointment during 1979-80 are given below :—

Sl. No.	Name of the Centre	Sanctioned strength	No. of trainees		No. of trainees qualified for appointment			Year of reference
			Admitted	Appeared	Current batch	Ex-trainees	Total	
1	2	3	4	5	6	7	8	9
	All India Engineering Services							
1	Trichirapalli	40	17	15	9	14	23	1979-80
2	Allahabad	40	19	15	8	—	8	1979-80

9.114 It would be seen from the above table that the Centres located at Trichirapalli and Allahabad have shown good results during 1979-80. As against 15 Scheduled Castes and Scheduled Tribes candidates of the current batch who appeared at the all India Engineering Services Examination during 1979-80, from each of the Centres at Trichirapalli and Allahabad, 9(60%) and 8(53%) respectively could come out successful. 14 ex-trainees of Trichirapalli Centre had also qualified for appointment during 1979-80.

State Level—Pre-Examination Training Centres

9.115 Pre-Examination Training Centres at the State level are also functioning at Ahmedabad, Allahabad, Ambala, Bangalore, Bhopal, Calcutta, Cochin, Cuttack, Delhi, Hyderabad, Lucknow and Ranchi for providing coaching facilities to Scheduled Castes and Scheduled Tribes candidates for the State Civil Services examinations, and Subordinate Services Examinations/Selection conducted by the State and Union Public Service Commission, etc. for the grades of Assistants, Stenographers, Lower Division Clerks, Sub-Inspectors of Police, Excise Inspectors and Food Inspectors etc.

9.116 Details regarding the sanctioned strength and the nature of courses offered by the different State Level Centres are given below :—

Sl. No.	Name of the Centre	Nature of Course	Sanctioned strength
1	Allahabad	1. Pradesh Civil Services and other allied examinations of the State.	50
2	Ambala	2. Stenographer (Hindi and English)	20
		3. Assistant Grade	20
		4. Clerks and Others	20
3	Bangalore	5. Assistant Grade Examination of UPSC and competitive examinations of different Nationalised Banks.	50
		6. Staff Selection Commission.	50
		7. Karnataka Pradesh Service Examination for Senior Assistant/ First Division Clerk.	50
		8. Karnataka Administrative Service Class II.	50
		9. State Public Service Class I & II Executive Posts.	50
4	Calcutta	10. West Bengal Civil Services (Executive)	40
5	Cochin	11. Clerks, Typists, Copyists, Stenographers,	

Sl. No.	Name of the Centre	Nature of Course		Sanctioned strength
		Village Officers etc. conducted by Kerala Pradesh Service Commission.	Unit-I. Graduate	—
		12. University, Secretariat, PSD Office Assistants.	Unit. II. Under Graduate.	35
		13. Stenographers, Clerks in Ltd. & Other Public Undertakings.		
		14. Clerks, Typists, Stenographer and probationary officers in State Bank and Nationalised Banks.		Do.
7.	Cuttack	15. State Civil Services		20
		16. Clerks and Assistant Grade.		40
8.	Delhi	17. Clerk Grade		35
		18. Auditor/Union Accountant.		35
		19. Assistant Grade		35
		20. Combined Stenographer.		35
		21. Stenographer		35
		22. Clerks Cadres of Nationalised Banks.		35
		23. Inspector of Central Excise and Income-Tax etc.		35
		24. Sub-Inspector (Executive Ministerial).		35
		25. Probationary Officers		35
		26. Grade II Stenographer		30
		27. Composite course		35
9.	Hyderabad	28. Group I & II Services of Andhra Pradesh Public Service Commission/Assistant Grade Examination & similar examinations conducted by Banks, Railway Service Commission.		70
		29. English shorthand & Typewriting Stenographer-UPSC.		140
10.	Ranchi	30. Bihar Public Service Commission.		25
		31. Assistant Grade Course.		20
		32. Stenographer course		20
		33. Lower Division Clerk		20

9.117 As regards the performance of the Pre-examination Training Centres for All India Services, the results of the Scheduled Castes and Scheduled Tribes candidates in various examinations are somewhat encouraging particularly in respect of the Centres located at Allahabad, Madras, Rau's Study Circle, New Delhi and Shillong. The other Centres are still lagging behind in their achievements. The Commission feel that in order to make these Centres result-oriented, eminent professors from various Universities and senior and experienced Officers of All India Services Cadre should be invited by these centres as Visiting Professors to render necessary guidance to the Scheduled Castes and Scheduled Tribes trainees to compete in various examinations. The Commission also feel that it might be useful to increase the period of training from nine months to atleast one year, with the first nine months devoted for intensive foundational instruction and the subsequent three months for examination-oriented training so as to enable the Scheduled Castes/Scheduled Tribes candidates to compete in the examinations for All India Services successfully.

9.118 It is understood that the Scheduled Castes and Scheduled Tribes trainees who drop out from the coaching centres, often do so in the event they get jobs in the Central Government/Central Public Undertakings, Nationalized Banks and State Governments/State Government Undertakings etc. They succeed in getting jobs in these Departments/Organisations by virtue of the coaching they get in the P.E.Ts. In order to get a complete picture of the placement of trainees/ex-trainees in various categories of jobs, a follow up register should be maintained by each Centre.

9.119 The Government of India may consider opening of at least 4 more Regional Pre-Examination Training Centres for All India Services, one each at Ranchi, Bhopal/Sagar, Bhubaneswar and Pune in the States of Bihar, Madhya Pradesh, Orissa and Maharashtra where the percentage of population of Scheduled Castes and Scheduled Tribes is pronounced, so as to cater to the needs of Scheduled Castes and Scheduled Tribes in these States as well as in the adjoining States. The Commission also recommend that with a view to meeting the regional requirements and removing regional imbalances in respect of the Pre-Examination Training Centres, the adequacy and location of the existing Regional and All India Services Centres may be examined by a Committee to be constituted by the Home Ministry.

9.120 (i) The Commission feel happy for the results achieved by the Scheduled Castes and Scheduled Tribes candidates who received coaching from All India Engineering Services Coaching Centres located at Allahabad and Trichirapalli. It is desirable to open more such Coaching Centres in other parts of the country for the benefit of the Scheduled Castes and Scheduled Tribes candidates.

(ii) The Commission recommend that more All India Engineering Services centres may be opened in the States where there are Engineering Colleges/Institutes of Technology. The location of such additional centres may be

decided by a Committee to be constituted by the Ministry of Home Affairs, as referred to in para 119.

9.121 (i) In so far as the Pre-examination Training Centres for the State level Services are concerned although complete information regarding their working is not available, it is understood that most of the Centres have not become result-oriented. For example, in the Pre-Examination Training Centre located at Cuttack in Orissa State, the sanctioned strength of 20 seats has never been full in the past several years. The drop out rate is quite high as the trainees leave the Centre in the midst of the course, after getting jobs. Consequently a very few of those candidates who complete the coaching get selected for the State Civil Services jobs. It is, therefore, desirable that in order to attract the Scheduled Castes and Scheduled Tribes students to such centres, wide-publicity to the scheme should be given in the leading regional newspapers as also through the non-official organisation, Scheduled Castes and Scheduled Tribes MPs/MLAs who can sponsor the names of the eligible candidates for availing of the coaching facilities.

(ii) The Commission further recommend that there should be at least one centre in each State for State Civil Services under Centrally Sponsored Programme. Besides, such centres should have two wings, the first wing should cater to Gazetted Civil Services while the second wing should cater to non-gazetted services like Stenographers, typists, Clerks/Assistants examinations, etc.

(iii) In addition to the existing programme for coaching in State Civil Services etc., the State Civil Services Centres should also start diversified courses under Centrally Sponsored Programmes for preparing candidates for examinations for various posts being held from time to time by the State Bank of India/ Nationalised Banks/Life/General Insurance Corporations of India/Steel Authority of India Ltd. and other Public Sector Enterprises/Banks, etc. so that adequate number of Scheduled Castes and Scheduled Tribes candidates can also enter such categories of posts and services. The existing Centres should be well equipped, well staffed and the scholarship rates should be revised with a view to making the coaching programme meaningful.

Coaching-cum-guidance centres for Scheduled Castes and Scheduled Tribes

9.122 Coaching-cum-Guidance Centres for Scheduled Castes and Scheduled Tribes which came into being as a result of the recommendation made by the Committee on the Untouchability, Economic and Educational Development of Scheduled Castes, with the objective of increasing the employability among the educated Scheduled Castes and Scheduled Tribes applicants seeking Group 'C' jobs. These Centres impart coaching in the vocational guidance, confidence building training, job development etc. These Centres have been established in the Employment Exchanges at Delhi, Jabalpur, Kanpur and Madras. The work done by these Centres during the year 1976—79* is given below :—

Year	Registration group guidance	Pre-submission guidance	Individual guidance and information	Placement	Counselling to parents	Confidence building training
1	2	3	4	5	6	7
1976	13,324 (—)	7,724 (—)	12,807 (—)	129 (—)	1,097 (—)	3,901 (—)
1977	12,487 (—6·3)	10,799 (+39·8)	15,801 (+23·4)	225 (+74·4)	999 (—8·9)	4,254 (+9·0)
1978	15,760 (+26·2)	8,085 (—25·2)	20,177 (+27·7)	387 (+72·0)	1,037 (+3·8)	2,774 (34·8)
1979	13,984 (—11·7)	7,387 (—8·6)	15,458 (—23·4)	1,479 (+282·2)	284 (—72·6)	2,894 (+4·3)

*Figures in brackets indicate percentage of change over the previous year.

Special Coaching Scheme for Scheduled Castes & Scheduled Tribes

9.123 (i) The Ministry of Labour has introduced a coaching scheme, on pilot basis, in Delhi and Ghaziabad for coaching of Scheduled Castes and Scheduled Tribes applicants for competitive examinations/selection tests held for appointment to Lower Division Clerks, Stenographers, etc. The duration of the coaching is 11 months for stenographers and 9 months for Clerks. The applicants, selected for training are paid stipend @Rs. 75.00 p.m. each and in addition, the trainee are also paid a consolidated sum of Rs. 75.00 for the entire session for purchase of books, stationery etc. The results of this scheme are reported to be encouraging as more than 50% applicants secured jobs within a period of one year after completion of their training. It is understood that in pursuance of the recommendations made by the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its Eighth Report (Recommendation No. 8.70)

the matter to extend the scheme to more areas, where there is concentration of Scheduled Castes and Scheduled Tribes, has been taken up by the Ministry of Labour with the State Governments/Union Territory Administrations. The State Governments of Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Meghalaya, Punjab, Sikkim and Uttar Pradesh and the Union Territory Administrations of Chandigarh and Goa have already sent their consent to extend the scheme to their States/ Union Territories. The State Government of Tamil Nadu is already running such a scheme. The State Governments of Andhra Pradesh, Jammu & Kashmir, Maharashtra, Manipur, Nagaland, Orissa and West Bengal and Union Territory Administration of Pondicherry have not so far given their consent.

(ii) The Commission recommend that there should be at least one such centre in each State and more than one centre in bigger States so that all the eligible Scheduled Caste and Scheduled Tribe candidates are covered by this scheme.

9.124 Since Coaching-*cum*-Guidance Centres are serving useful purpose in providing free employment coaching and guidance for Scheduled Castes and Scheduled Tribes applicants registered with the Employment Exchanges for Group 'C' posts, this Commission recommend that more such centres may be opened in the States/Union Territory Headquarters as also in the industrial complexes in all the States and Union Territories for catering to the needs of Scheduled Castes and Scheduled Tribes job seekers.

9.125 (i) Since there is a particular shortage of Scheduled Castes and Scheduled Tribes Stenographers/Typists and some other vocations to be identified locally, this Commission recommend that Stenographers/Typists and other Vocational Coaching centres should be run not merely at the State level but wherever necessary at the district level also. They could be managed through the State Govts. and such centres can be opened by the State Govts. themselves and where necessary they can also give funds to the reliable non-official agencies to open such centres on full subsidy basis as has been done in Tamil Nadu & Orissa.

(ii) The Commission understand that some States are also preparing eligible Scheduled Castes and Scheduled Tribes candidates for entry into Medical colleges by opening of Pre-examination Coaching Centres. The Commission recommend that Pre-examination coaching centres for admission to M.B.B.S. courses should be started in all States where admission is made on the basis of the results of a separate written examination other than the results of University/ Board of Secondary Education examination. These Centres should be opened under the Centrally Sponsored Programme for which funds are available with the Ministry of Home Affairs.

No. of Scheduled Castes and Scheduled Tribes persons registered and placements effected by the Employment Exchanges and their position in the Live Register and setting up Special State Employment Exchange for Scheduled Castes and Scheduled Tribes.

Registrations and Placement

9.126 According to Annexure IV, out of total registrations of 56,19,400 as in January, 1976, the Scheduled Castes and Scheduled Tribes numbered 6,96,400 and 1,76,700 respectively, while of 61,27,200 total registrations as in January 1979, 7,43,700 were from Scheduled Castes and 1,92,800 from Scheduled Tribes in the various employment exchanges in the country.

9.127 As regards placements, it is found that while only 4,96,800 persons forming 8.84% of the total registration were placed in various employments by the Employment Exchanges in January, 1976, the percentage of placements effected for Scheduled Castes and Scheduled Tribes out of total placements in the same year comes to 15.44% and 5.98% respectively. However, in January, 1979, 4,66,300 total number of placements were made and the Scheduled Castes and Scheduled Tribes formed 14.18% & 4.61% respectively of the total placements. Thus the above analysis reveals that there has been no improvement worth mentioning in the placement of Scheduled Castes and Scheduled Tribes in various posts and services by the Employment Exchanges in the country during the year 1979 when compared with 1976. On the other hand, there has been a slight shortfall in the percentage of placements for Scheduled Castes and Scheduled Tribes when compared with others. The reasons for low placement of Scheduled Castes and Scheduled Tribes candidates during 1979 may be ascertained by the Director General, Employment & Training from the State Directors of Employment and intimated to the Commission.

9.128 *Live Register :* The Scheduled Castes and Scheduled Tribes form 11.62% and 2.70% respectively of 97,84,300 total number of persons on the Live Register in January 1976 while out of 1,43,33,900 total number of persons in the Live Register as in January, 1979, 10.95% and 2.85% belonged to Scheduled Castes and Scheduled Tribes respectively. This means that there has been a slight reduction in the number of Scheduled Castes on the Live Register, whereas there has been a slight increase in the number of Scheduled Tribes persons in Live Register in January, 1979 when compared with 1976.

Special State level employment exchange for Scheduled Castes and Scheduled Tribes.

9.129 Due to limited employment opportunities available for Scheduled Castes and Scheduled Tribes in certain districts, of some States/ Union Territories the Government of India had

suggested to the State Governments/Union Territory Administrations for setting up of Special Employment Exchanges styled as Central Employment Exchange for Scheduled Castes and Scheduled Tribes in the States/Union Territories concerned. These Central Employment Exchanges maintain duplicate particulars of the Scheduled Castes and Scheduled Tribes candidates who are registered in all the Regional Employment Exchanges of a State so that the specific job requirements of Offices/Industrial Undertakings/Corporations etc. of a region are met in case the Scheduled Castes and Scheduled Tribes candidates of requisite qualification are not available in a particular regional employment exchange where such vacancy has occurred.

9.130 We now understand that the State Governments of Andhra Pradesh, Karnataka, Haryana and West Bengal only have set up such State level employment exchanges for Scheduled Castes and Scheduled Tribes candidates. The State Government of Madhya Pradesh did not have funds to open the State Level Special Employment Exchange while the State Governments of Assam, Bihar, Kerala have informed that they do not find it necessary to set up such State Level Exchanges as Special Cells for Scheduled Castes and Scheduled Tribes are already working in these States. The Administrations of Chandigarh and Dadra and Nagar Haveli Union Territories have not favoured the proposal due to the small size of the Union Territories. The plea of the State Governments of Assam, Bihar and Kerala that they do not find it necessary to set up Special State Level Employment Exchanges for Scheduled Castes and Scheduled Tribes as Special Cells for Scheduled Castes and Scheduled Tribes are already working in these States does not cut much ice as the Special Cells are concerned with the implementation of various Government Orders in regard to reservation in recruitment of Scheduled Castes and Scheduled Tribes whereas the Special State Employment Exchanges maintain category-wise lists of all Scheduled Castes and Scheduled Tribes candidates who have registered in regional employment exchanges in State.

9.131 (i) We, therefore, recommend that all other State Governments should set up such State Level Special Employment Exchanges for Scheduled Castes and Scheduled Tribes candidates who are registered in the regional employment exchanges on the lines of such exchanges set up by the State Governments of Andhra Pradesh, Haryana, Karnataka, and West Bengal. The availability of funds for setting up of such exchanges as faced by the Government of Madhya Pradesh should not pose any problem to the State Government as all the State Governments including Madhya Pradesh have by now prepared Special Component Plans for Scheduled Castes and the expenditure on setting up and maintenance of Special Employment Exchange should be a reasonable charge on the Special Component Plan for Scheduled Castes.

(ii) The lists of Scheduled Caste/Scheduled Tribe candidates maintained by the State Level Special Employment Exchanges should be made upto date by the regional employment exchanges annually.

Staff Selection Commission

9.132 The Staff Selection Commission is playing a catalyst's role in so far as recruitment of Scheduled Castes and Scheduled Tribes are concerned. It was at its request that the Ministry of Home Affairs agreed to take some additional steps towards improving the job capability of Scheduled Tribes and two Sub-Regional Offices were opened in the areas of tribal concentration, viz. Raipur and Gauhati. The Commission also convened a conference of all civil recruiting agencies to discuss ways and means for improving the recruitment of Scheduled Tribes and Scheduled Castes candidates to various posts. In order to reduce the deficiency in availability of Scheduled Tribes candidates, special examinations are held exclusively for them. The Staff Selection Commission has divided the country into 19 zones for recruitment of clerks, stenographers etc. Till 1980, 60 examination centres have been opened by that Commission, the zone-wise details of which are given below :—

Zone	Centre(s)
(a) *Northern Region*	
1. Himachal Pradesh	Simla
2. Jammu & Kashmir	Jammu, Rajauri and Srinagar.
3. Delhi	Delhi.
4. Chandigarh-Haryana and Punjap.	Chandigarh and Patiala.
5. Rajasthan	Jaipur, Jodhpur and Udaipur.
(b) *Central Region*	
6. Bihar	Dumka, Patna and Ranchi.
7. Madhya Pradesh	Ambikapur, Bhopal, Jabalpur, Jagdalpur and Raipur.
8. Uttar Pradesh	Aligarh, Allahabad, Bareilly and Gorakhpur.
(c) *Eastern Region and Sub-Regional Office at Gauhati*	
9. Andman and Nicobar Islands.	Port Blair
10. Orissa	Berhampur (Ganjam distt.) Cuttack, Koraput and Sambalpur.
11. Sikkim and West Bengal.	Bharampur (Murshidabad distt). Calcutta, Gangtok, Midnapur and Siliguri.
12. Assam and Meghalaya	Dibrugarh, Dispur (Gauhati), Shillong and Silchar.
13. Arunachal Pradesh, Manipur, Mizoram, Nagaland & Tripura.	Agartala, Imphal and Itanagar.
(d) *Western Region*	
14. Dadra & Nagar Haveli, Goa, Daman and Diu and Maharashtra.	Amravati, Aurangabad, Bombay, Nagpur, Nasik, Panaji, and Pune.
15. Gujarat	Ahmedabad, Rajkot and Surat.

Zone	Centre(s)
e) *Southern Region*	
16. Andhra Pradesh	Guntur, Hyderabad and Visakhapatnam.
17. Karnataka	Bangalore and Dharwar.
18. Kerala and Lakshadweep.	Calicut, Cochin and Trivandrum.
19. Tamil Nadu and Pondicherry.	Madras, Madurai and Salem.

9.133 According to the information available with our Commission, the number of Scheduled Castes and Scheduled Tribes candidates who had applied, appeared and were declared successful in open examination conducted by the Staff Selection Commission during 1979 are as follows :—

S. No.	Name of the Examination	Scheduled Castes			Scheduled Tribes		
		Applied	Appeared	Declared successful	Applied	Appeared	Declared successful
1	2	3	4	5	6	7	8
1	Clerk's grade Examination.	35,100 (17·03)	25,691 (15·84)	910 (19·90)	3,757 (1·82)	2,726 (1·68)	243 (5·34)
2	Stenographers	930 (5·65)	607 (4·54)	30 (10·24)	81 (0·49)	60 (0·45)	2 (0·65)
3	Inspector, Income Tax/ Central Excise etc.	9,408 (13·91)	5,733 (12·05)	209 (18·33)	1,937 (2·86)	1,169 (2·46)	125 (10·96)
4	Auditors, Junior Accountants & UDCs	6,379 (11·37)	3,723 (9·48)	638 (25·22)	1,151 (2·05)	722 (1·84)	112 (4·50)
5	Senior Observers	179 (5·43)	117 (4·73)	49 (13·84)	12 (0·36)	8 (0·32)	8 (2·26)
6	Investigators	1,461 (12·10)	769 (10·40)	102 (26·49)	207 (1·71)	103 (1·39)	45 (11·69)
7	Sub-Inspectors Exe. Delhi Police.	1,554 (16·92)	1,174 (15·49)	39 (27·46)	194 (2·11)	130 (1·72)	34 (23·94)

NOTE : Figures given in brackets indicate percentage to total.

9.134 It would be seen that an appreciable number of Scheduled Castes candidates were available and declared successful in different categories of examinations except Stenographers' examination in which their percentage was very low. In the case of Scheduled Tribes, however, the percentages of success in Clerks, Stenographers, Auditors and Senior Observers examinations were not upto the mark. The performance of these backward classes in various examinations can improve provided intensive coaching is imparted to them in Shorthand, Typewriting and other relevant subjects as suggested by us in para 9.100 of this chapter.

Reservation of Scheduled Castes and Scheduled Tribes in private sector establishments.

9.135 In February, 1975, the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes had expressed concern that no instructions had been issued by the Ministry of Industry to the Private Sector Undertakings directing them to reserve a certain portion of vacancies in favour of persons belonging to the Scheduled Castes and Scheduled Tribes. This question was again raised in November, 1976 and the Government decided to examine whether a condition could be imposed at the time of issuing of industrial licence and sanctioning financial assistance in the form of loans to the private sector establishments compelling them to give due representation to the Scheduled Castes and Scheduled Tribes. The Ministry of Law on being consulted in the matter felt that it was not permissible under the law to impose such a condition. The Ministry of Finance (Banking Division) in consultation with the Reserve Bank of India also did not favour introduction of measures to reserve posts for Scheduled Castes and Scheduled Tribes in the private sector undertakings as a precondition to sanction financial assistance since the Banks could not legally bind the borrowers in this regard as well as follow up this condition with a view to enforcing it.

9.136 The matter also came up before the High Power Committee under the Chairmanship of the Prime Minister in its meeting held

on 20-10-1978. The Prime Minister, while not favouring the proposal of reservation of posts for Scheduled Castes and Scheduled Tribes in private sector establishments through legislation felt that the private sector could at least be persuaded to adopt reservation in services for Scheduled Castes and Scheduled Tribes.

9.137 Subsequently, in April 1979 the Ministry of Industry called a meeting of the Organisations and Industrialists, which *inter alia*, decided (i) that the Industries Associations and Chambers of Commerce should compile statistical data regarding the number of Scheduled Caste and Scheduled Tribe employees in private sector at various levels by a sample survey, and (ii) the Economic Advisor in the Ministry of Industry should institute a system of reporting on the lines of employment of foreign technicians in private sectors. Further the work of reporting should be done confidentially so that valuable data are available for monitoring.

9.138 Persuance to the above decision, a reporting system was devised by the Economic Adviser in the Ministry by issue of a Public Notice calling for data from the private sector establishments but the response from them was, however, not encouraging.

9.139 The issue was placed before the Minister of Industry (now Minister of Finance) in February, 1980 who gave the following decision :—

> "As a first step, Industries (Development and Regulation) Act, may be suitably amended to provide for an undertaking by licensed industries to employ the requisite percentages of Scheduled Caste and Scheduled Tribe workers in their undertakings. In view of the constitutional provisions for reservation in favour of Scheduled Castes and Scheduled Tribes Members, I think it is feasible. This may be examined in consultation with the Ministry of Law".

9.140 But the Ministry of Law on being consulted in the matter has not favoured the amendment of the I(D&R) Act. However, the Ministry of Industry are now thinking in terms of sending individual public notices to all private sector undertakings with a view to ascertain the number of Scheduled Caste and Scheduled Tribe employees in private sector at various levels before considering any remedial measure.

9.141 The Commission recommend that suitable amendments be made in the Law or the Constitution as required with a view to providing for reservation of posts for the Scheduled Castes and Scheduled Tribes in private sector establishments also on the lines of reservations in public services.

9.142 We have already mentioned in this Chapter that the Scheduled Castes and Scheduled Tribes are still under represented in Class I and Class II services not only in the Government of India but also in the Nationalized Banks, State Bank of India and its subsidiaries, Central Public Undertakings and in the State Governments. In support of this we are placing below their overall representation in Class I and Class II posts, in the above mentioned organisations :—

Sl. No.	Organisation	Sch. Castes		Sch. Tribes	
		Class I	Class II	Class I	Class II
1	2	3	4	5	6
1.	Government of India.	4·83	8·07	1·04	1·24
2.	Public Enterprises.	2·90	5·11	0·66	1·35
3.	Nationalised Banks.	2·98 (Cl. I & II combined)		0·57 (Cl. I & II combined)	
4.	State Bank of India.	2·24 (Cl. I & II combined)		0·46 (Cl. I & II combined)	

9.143 The above table clearly reveals that the Scheduled Castes and Scheduled Tribes employees in the officers grade are no where near the percentage of reservation prescribed for them in any of the organizations. In fact, the Scheduled Tribes are also still under represented in Class III services. Further the position is also equally so in Class I and Class II posts for Scheduled Castes and Scheduled Tribes in all the State Governments. We are therefore of the view that there is no case for any agitation against Reservations in services for the Scheduled Castes and Scheduled Tribes.

Reservation of Scheduled Castes and Scheduled Tribes in the Services of State Governments and Union Territory Administrations.

9.144 In pursuance of the provisions of the Articles 16(4) and 335 of the Constitution of India, the State Governments like the Central Government have adopted policies in regard to ensuring fair and adequate representation of Scheduled Castes and Scheduled Tribes in public services under the State Governments without prejudice to the standard and efficiency of administration obtaining in the States. In furtherance of the said policies, the State Governments have made Acts/Orders providing therein reservation of posts in the public services to be filled by the Scheduled Castes and Scheduled Tribes in respect of direct recruitment/promotion and have taken various steps for strict enforcement of these Acts/Orders. The Union Territory Administrations by and large are following the policies adopted by the Government of India in the matter of reservation for Scheduled Castes and Scheduled Tribes in services.

9.145 In order to ascertain the actual representation of Scheduled Castes and Scheduled Tribes in services as on 1-1-1980 in different State Governments and Union Territory Administrations, a communication was addressed by this Commission to all the State Governments and Union Territory Administrations.

9.146 Inspite of several telegraphic reminders, the Commission have received information from 13 State Governments and 7 Union Territory Administrations. These are Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Orissa, Punjab, West Bengal and Andaman and Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Goa, Daman & Diu, Lakshadweep, Mizoram and Pondicherry. The Governments of Gujarat, Maharashtra and Tamil Nadu have furnished information as on 1-1-1979, the Governments of Orissa and Goa, Daman & Diu have sent information as on 1-4-1979 and 1-1-1978, whereas, the Governments of Jammu & Kashmir and West Bengal have furnished information as on 30-6-1980 and 31-3-1977. The information furnished by the State Governments of Himachal Pradesh and Madhya Pradesh is partial as it does not relate to all the Departments. The State Government of Sikkim has informed that the reservation for Scheduled Castes and Scheduled Tribes in services and posts as provided under Article 16(4) and 335 of the Constitution, has not come into force in the State and the matter is under consideration of the State Governments.

9.147 The State Governments of Andhra Pradesh, Assam, Bihar, Karnataka, Kerala, Manipur, Meghalaya, Nagaland, Tripura and the Union Territory Administration of Arunachal Pradesh have not so far furnished the requisite information. The above Governments/Administrations should arrange to furnish the information to the Commission without any further delay and should make arrangements for supply of this information in time in future.

9.148 The information furnished by the State Governments/Union Territory Administrations are given at Annexure V(a) and V(b).

Scheduled Castes

Class I Posts

9.149 There are no Scheduled Castes in the Union Territory of Lakshadweep.

9.150 The representation of Scheduled Castes in Class I posts is reported as nil in the Government of Madhya Pradesh. It is, however, not possible to offer comments as the information supplied by the State Government is partial.

9.151 The representation of Scheduled Castes in Class I posts which varies between 1.12 and 8.1 percents in the State Governments of Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Chandigarh, Delhi, Goa, Daman & Diu, Mizoram and Pondicherry being very much less than the prescribed percentage of reservation is considered as far from satisfactory.

Class II Posts

9.152 The percentage of representation of Scheduled Castes (varying between 1.1% and 12.25%) is less than the prescribed percentage in the States/Union Territories of Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Chandigarh, Delhi, Goa, Daman & Diu, Mizoram and Pondicherry and therefore, far from satisfactory.

9.153 The representation of Scheduled Castes in Class II posts in the Union Territory Administration of Dadra & Nagar Haveli being 75% of the total number of Class II employees is considered as highly satisfactory.

Class III Posts

9.154 The percentage of representation of Scheduled Castes in Class III posts being more than the prescribed reservation in Maharashtra & Dadra & Nagar Haveli, is considered as satisfactory.

9.155 The representation of Scheduled Castes which varies 11.126 between 1.1% and 15% in the States/Union Territories of Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Chandigarh, Delhi, Goa, Daman & Diu, Mizoram and Pondicherry, is far from satisfactory. In Madhya Pradesh their representation being 17% is quite satisfactory as it is more than the prescribed percentage.

Class IV Posts

9.156 The percentage of actual representation of Scheduled Castes employees in Class IV services is more than the prescribed percentage in respect of the State Governments and Union Territory Administrations as would be seen in the table below :—

S.No.	Name of the State/UT	Actual percentage of reservation of SC
1.	Gujarat	34·7(7)
2.	Haryana	28·9(20)
3.	Madhya Pradesh	19·3(16)
4.	Maharashtra	26·00(13)
5.	Orissa	15·96(16)
6.	Punjab	39·00(25)
7.	Uttar Pradesh	17·60(18)
8.	Chandigarh	28·9(20)
9.	Goa, Daman & Diu	2·8(2)

(The percentage of prescribed reservation has been given in brackets).

9.157 The Commission regret to comment that the percentage of actual representation of Scheduled Castes which varies between 5.63% and 19.45% is less than the prescribed percentage even now in the States of Himachal Pradesh, Jammu & Kashmir, Rajasthan and Tamil Nadu. They should take appropriate urgent steps to remedy the situation.

9.158 The percentage of representation of Scheduled Castes in Class IV posts has been reported as nil by the Union Territory Administration of Dadra & Nagar Haveli. The Commission are, however, doubtful about the correctness of this information in the Union Territory. The Administration may kindly check up the position again and report to this Commission in due course.

Scheduled Tribes

Class I Posts

9.159 The percentage of representation of Scheduled Tribes in Class I posts being 27.65, 41.66 and 63.55 in Delhi, Lakshadweep and Mizoram is considered as highly satisfactory. However, their percentage of representation in Class I posts in Gujarat, Himachal Pradesh, Maharashtra, Orissa, Rajasthan, Uttar Pradesh, West Bengal and Goa, Daman & Diu is very much less than what has been prescribed. For instance, the actual representation of Scheduled Tribes in the States of Orissa, Uttar Pradesh, West Bengal, and Goa, Daman & Diu is 0.23%, 0.04%, 0.35% and 0.9%, respectively, which is highly unsatisfactory.

9.160 The Governments of Madhya Pradesh, Tamil Nadu and the Administration of Pondicherry have not furnished the information about the representation of Scheduled Tribes in Class I posts. The Andaman and Nicobar Islands Administration have reported nil representation of Scheduled Tribes in Class I posts.

Class II Posts

9.161 Excepting Lakshadweep and Mizoram where the Scheduled Tribes constitute 52.0% and 76.73% of Class II posts, their representation in the States of Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Delhi and Goa, Daman & Diu being very much less than the prescribed percentage is far from satisfactory.

9.162 The Andaman & Nicobar Islands Administration have reported nil representation of Scheduled Tribes in Class II posts.

Class III Posts

9.163 The actual representation of Scheduled Tribes being 47.45%, 69.09% and 90.34% for Class III posts in Dadra & Nagar Haveli, Lakshadweep and Mizoram is considered as highly satisfactory, but their representation in the States of Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Andaman & Nicobar Islands, Delhi, Goa, Daman & Diu and Pondicherry is quite unsatisfactory as it ranges between 0.0% to 14.5% which is much less than the prescribed percentage even now.

Class IV posts

9.164 In the States/Union Territories of Gujarat, Madhya Pradesh, Dadra and Nagar Haveli, Lakshadweep and Mizoram, the Scheduled Tribes have got more than their prescribed share in Class IV posts in as much as they constitute 17.8%, 19.3%, 75% and 82.57% of the actual representation. But they are under-represented in Class IV posts in the States of Himachal Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, West Bengal, Andaman & Nicobar Islands, Delhi, Goa, Daman & Diu and Pondicherry. For instance, their representation is only 6% out of 24% in Orissa, 0.72% in Uttar Pradesh, 0.013% in Goa, Daman & Diu and 0.88% in Pondicherry. In Tamil Nadu, they are only 0.6% in Class IV posts out of 18% reservation which is combined for Scheduled Castes and Scheduled Tribes both. The State Government of West Bengal have reported nil representation of Scheduled Tribes in Class IV posts. According to them, there is no employee in Class IV posts on account of pay revision carried out in the year 1970. We feel that the State Government should make some arrangements by which the position of representation of Scheduled Tribes in the erstwhile (pre 1970) Class IV posts could be ascertained.

Reservation in promotion

9.165 Information about the actual representation of Scheduled Castes and Scheduled Tribes in promotion posts has been received from the State Governments of Madhya Pradesh and Union Territory Administrations of Chandigarh, Dadra & Nagar Haveli, Delhi, Goa, Daman & Diu, Lakshadweep & Pondicherry.

Scheduled Castes

9.166 The representation of Scheduled Castes in Class I posts in the tribal State of Madhya Pradesh is nil. Their representation is also nil in the tribal Union Territory of Lakshadweep as also in the Union Territories of Chandigarh, Dadra & Nagar Haveli, Delhi and Pondicherry.

9.167 The Scheduled Castes are inadequately represented in promotion posts in the State of Madhya Pradesh and the Union Territories of Delhi and Pondicherry while their representation is nil in Class II posts in the Union Territories of Chandigarh, Dadra & Nagar Haveli and the tribal Union Territory of

Lakshadweep. As regards Class III posts in promotion, the Scheduled Castes are under-represented in the States of Madhya Pradesh and Union Territory of Lakshadweep. They are over represented in promotion posts in the Union Territories of Chandigarh, Dadra and Nagar Haveli, Delhi & Pondicherry. The Government of Madhya Pradesh have informed that the representation of Scheduled Castes in promotion posts is nil, which may be on account of the fact that there are no avenues of promotion in Class IV posts. Nil replies have been furnished by the Union Territories of Dadra and Nagar Haveli and Lakshadweep. The Union Territory Administration of Delhi have reported that the percentage of representation of Scheduled Castes in promotion posts is 64.7% which appears to be quite encouraging. The Commission understand that the Department of Personnel have already issued instructions for reserving 25% vacancies for being filled by transfer by sweepers, farashes, chowkidars etc. who have put in minimum of five years of service and who may not be possessing the requisite qualifications for direct recruitment. Even those who may possess elementary literacy and give proof to read Hindi/regional language are considered for appointments as peons. The Commission recommend that similar instructions may be issued by the State Governments.

Scheduled Tribes

9.168 The representation of Scheduled Tribes in the State of Madhya Pradesh and for all the Union Territories from which the information is available is nil in respect of promotion posts. Their representation in Class II posts in Madhya Pradesh is less than the prescribed percentage whereas in Lakshadweep it is more than the prescribed quota. In other Union Territory Administrations furnishing information their representation is nil in Class II posts.

9.169 The Scheduled Tribes are under represented in promotion posts in Class III in Madhya Pradesh, Dadra & Nagar Haveli & Delhi, while they are over represented in Lakshadweep on account of the fact that the entire population of the Union Territory is listed as a Scheduled Tribe. In Chandigarh & Pondicherry, their representation in Class III posts is nil.

9.170 The representation of Scheduled Tribes in Class IV in Madhya Pradesh being 10.29% is less than the prescribed; while in Lakshadweep, their representation in Class IV posts is 100%. In the other Union Territories their representation in Class IV posts is nil.

9.171 This Commission are inclined to suggest that the State Governments/Union Territory Administrations concerned may take appropriate steps to ensure that the Scheduled Castes and Scheduled Tribes employees are given due share of the promotional posts being filled up in various Departments under their control.

Reservation in State Public Undertakings and Local Bodies

9.172 It is also necessary to monitor and evaluate the share of Scheduled Castes and Scheduled Tribes in the services under the State Public Undertakings and various local bodies. State Governments/Union Territory Administrations are requested that in future they may furnish data relating to reservation for Scheduled Castes and Scheduled Tribes in respect of Public Undertakings/Local Bodies under their control in addition to the data that they furnish in respect of Public services under their control.

Enactment of Acts/Issue of Orders etc.

9.173 The information available with this Commission reveals that Orissa and West Bengal are the only States which have enacted legislations namely "The Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975" and "The West Bengal Scheduled Castes (Reservation of Vacancies in Services and Posts) Act, 1976", respectively and have made rules thereunder for strict enforcement of reservation for Scheduled Castes and Scheduled Tribes in services and posts. The Government of Karnataka is reported to have proposed to enact a law for reservation of seats for Scheduled Castes and Scheduled Tribes in services. In so far as the other State Governments are concerned, they have issued executive orders from time to time for providing reservation for Scheduled Castes and Scheduled Tribes in Services and it appears that they have not yet made up their mind whether or not they should go in for enactment of such laws in their States. As a matter of fact, it is a common belief that laws are more forceful than the executive orders. Considering the inadequate representation of Scheduled Castes and Scheduled Tribes in various categories of services and with a view to improving the situation as rapidly as possible it is desirable that laws providing reservation for Scheduled Castes and Scheduled Tribes in services are enacted by those State Governments who have not done so, yet.

9.174 This Commission are, therefore, inclined to recommend that with a view to ensuring strict enforcement of reservation policies with reference to recruitment/promotion to various categories of posts under the State Governments, the State Governments may consider enacting legislations on the lines of the legislations made by the Government of Orissa and West Bengal.

High Power Committee to review the progress of implementation of Reservation Acts/ Orders

9.175 In Bihar, a High Power Committee has been constituted which investigates into any type of complaints received on appointments

and promotions of Scheduled Castes and Schedules Tribes. The Government of Gujarat have a High Power Committee at State level under the Chairmanship of the Chief Minister to review the performance of various Departments in the matter of recruitment of Scheduled Castes and Scheduled Tribes. This Committee has reviewed the progress of representation of Scheduled Castes and Scheduled Tribes in Services and have suggested *inter alia,* that (i) Special Coaching should be imparted to the Scheduled Castes and Scheduled Tribes students studying in the Medical and Engineering Colleges (ii) Special recruitment drive be undertaken to clear up the backlog and (iii) examination centres should be located in the tribal areas to enable the tribal candidates to appear at the recruitment examinations. In Haryana, the Committee on the welfare of Scheduled Castes and Scheduled Tribes consisting of the Legislatures of Haryana Vidhan Sabha also examine the position of reservation for Scheduled Castes in services in various departments of the State Government, and suggest measures to be taken for strict implementation of reservation orders. The Jammu & Kashmir Government have constituted an Enforcement Board which obtains reports concerning implementation of reservation orders from the concerned Secretaries and Heads of the Departments, scrutinise them with reference to the prescribed regulation and devise appropriate directives for effective enforcement of the prescribed reservation. As for Karnataka State, a High Power Committee with the Chief Minister as Chairman has been formed for watching the implementation of Government orders regarding reservation of vacancies for Scheduled Castes and Scheduled Tribes. A Cabinet Sub-Committee has also been constituted in Karnataka to review from time to time the policy of reservation of vacancies for these weaker sections of the society. Similarly, a permanent Committee under the Chairmanship of the Chief Minister is functioning in Madhya Pradesh for reviewing/inspecting the position regarding representation of Scheduled Castes and Scheduled Tribes in services. There is a standing Committee headed by the Minister, Harijan & Tribal Welfare, functioning in Orissa to review the progress of implementation of the provision of the Reservation Act and Rules and suggest measures for removal of bottle-necks/difficulties in the implementation of the provisions of the Act. So far as the Government of Rajasthan is concerned, they have constituted a High Power Committee to watch the progress of implementation of reservation policies. In the Union Territory of Delhi there is a High Power Committee headed by the Lt. Governor which meet periodically, to review the progress made for safeguarding the services interests of Scheduled Castes and Scheduled Tribes in Delhi Administration. The information available with the Commission reveals that the Governments of Himachal Pradesh and West Bengal have not constituted any High Power Committee to review the progress of implementation of reservation Acts/Orders. Information in this context is not available in respect of the remaining States and Union Territories.

9.176 Although detailed information regarding the achievements made by the High Power Committees in various States is not available, it is hoped that such Committees by virtue of their high status, serve as an effective instruments for ensuring the proper implementation of reservation Acts/Orders.

9.177 This Commission are, therefore, of the view that such High Power Committees should be set up in all the States and Union Territories where such Committees have not yet been set up preferably under the Chairmanship of the Chief Ministers to review from time to time the progress of representation of Scheduled Castes and Scheduled Tribes in services and to suggest measures for adequate representation of the members of these backward classes in the public services and private establishments.

Special Cell

9.178 With a view to coordinating and overseeing the implementation of the provisions of the Reservation Acts/Orders, various State Governments and Union Territory Administrations have set up Special Cells in the General Administration Departments/Harijan and Tribal Welfare Departments. Information available in this Commission shows that in Andhra Pradesh, the enforcement machinery comprising three Inspecting Assistant Commissioners (Welfare of Weaker Sections), has been set up to look after strict enforcement of the rules of Special representation. Similarly, the Government of Gujarat have constituted a Cell headed by a Deputy Secretary in the Social Welfare and Tribal Development Department for the purpose of watching the progress of implementation of the reservation orders. The officers of the Cell have visited a number of offices and organised meetings and discussions with the concerned officers there, regarding maintenance of roster and clearing of backlog of reserved posts. In Haryana State, there is one Vocational Guidance and Employment Cell for Scheduled Castes and Scheduled Tribes and Backward Classes with a view to watching the progress of implementation of reservation orders as also registration of the names of the Scheduled Castes and Scheduled Tribes, etc., unemployed persons in the State Employment Exchange. In Himachal Pradesh there is a Cell functioning under the charge of a Deputy Secretary (Personnel) to watch the implementation of reservation instructions issued by the State Governments from time to time. One Adivasi and Harijan Cell has been constituted by the Government of Madhya Pradesh which collects information from all the Departments in the State Government and examine them and place the same in the Committee headed by the Chief Minister. In Maharashtra, a Special Cell headed by a Deputy

Secretary is functioning in the General Administration Department to act as a watch-dog for implementation of various Government Orders in regard to reservation for and recruitment of backward classes, which, *inter-alia*, deals with all policy matters relating to reservation and other concessions available for these people in Services, ensuring of proper implementation of orders concerning recruitment and promotion and consideration of grievances on service matters of the employees belonging to the backward classes. The Employment Cell functioning in Social Welfare Department in Karnataka inspects the units offices to verify whether orders relating to reservation in favour of Scheduled Castes and Scheduled Tribes are implemented along right lines. The Inspection Reports are sent to the Heads of Departments for compliance and it has been ordered that the Secretary of the concerned department shall be responsible for ensuring such compliance. Moreover, the Inspection Report in question are brought to the notice of the Minister concerned in the State. In Orissa, the Employment Cell consisting of a team of officers is functioning in the Harijan and Tribal Welfare Department which has been entrusted with the task of looking to the strict enforcement of the Reservation Act as also investigating into the complaints received from the Scheduled Castes and Scheduled Tribes employees regarding service matters. The Government of Rajasthan have created two squads, each consisting of one Section Officer, one Assistant and one LDC, which visit various offices at the District Headquarters for inspection of rosters, etc., and render suitable guidance to them wherever necessary. Till 1979-80, the two squads visited 1198 offices and found various irregularities in regard to maintenance of roster register. There is an Employment Cell functioning in the Scheduled Castes and Tribes Welfare Department, Government of West Bengal for ensuring the implementation of reservation orders. Inspection of records of different establishments are conducted by the officers of this Cell and necessary guidance and assistance are provided to the appointing authorities in the matter of maintenance of rosters, etc. Among the Union Territories from which information has been received, the Union Administration of Delhi has set up a Special Cell to watch over the implementation of reservation orders. So also in Pondicherry, an Enforcement Cell has been set up under the direct control of the Chief Secretary. During 1979-80, this Cell conducted inspection on maintenance of rosters for Scheduled Castes and Scheduled Tribes in 13 departments.

9.179 The Commission recommend that Special Cells on the lines of those set up by the State Gavernments of Andhra Pradesh, Maharashtra, Karnataka, Orissa, Rajasthan and West Bengal may be set up by other State Governments in order to act as watch-dog body for implementation of various Government Orders/Acts for reservations for Scheduled Castes and Scheduled Tribes in services. The existing Cells in the State Governments mentioned above as well as the Cells to be set up in other States as recommended should be in direct charge of the Commissioner-*cum*-Secretary of Department concerned, who may be supported by a senior officer alongwith suitable supporting staff. The local officers of the Commission may also be associated with these Special Cells.

Department/Office/Undertakings level Cells

9.180 Apart from the Special Cell set up in the General Administration Department/Department for the Welfare of Scheduled Castes and Scheduled Tribes in the State Governments/Union Territory Administrations, there is also a need for Cells in all the Departments/Offices/Public Undertakings/Corporations etc. in the State Governments/Union Territory Administrations with a view to complying with the instructions of reservation, submission of Annual Reports/Statements, conducting annual inspection of rosters etc. We, therefore, suggest that a Cell should be set up in each Department/Office/Undertaking etc. under the direct control of the Liaison Officer who should be an officer of the rank of Deputy Secretary with the provision of adequate whole time supporting staff for the work enumerated above. These Cells should also attend to grievances of Scheduled Castes and Scheduled Tribes employees.

Panel action against violation of reservation Acts/Orders by the appointing authority

9.181 In Andhra Pradesh and Madhya Pradesh though the State Governments have not laid down any legal provision against the appointing authorities who make appointments in constravention of the provisions of the reservation orders, any appointment made in violation of these orders is considered irregular and whenever such cases come to light, the departments concerned are advised to cancel the appointment and to take disciplinary action against the persons responsible for making irregular appointments. The Government of Maharashtra have issued orders to the effect that failure on the part of the officers to implement the orders concerning reservation for Scheduled Castes and Scheduled Tribes in posts and services is seriously viewed with. In Orissa State, no panel provision has been made in the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 to deal with the appointing authorities resorting to appointment in contravention of this Act. However, the authorities making such irregular appointment shall be liable to disciplinary action in accordance with the provisions contained in the Orissa Government Servants Conduct Rules 1959. In the case of the Govt. of West Bengal, the appointing authorities making appointments in violation of the

provision of the Reservation Act in force in the State, is punishable under Section 7 of the said Act which says "if an appointing authority makes an appointment in contravention of the provision of Section 5 he shall be punishable with fine which may extend to two hundred and fifty rupees, provided that nothing contained in this section shall apply in relation to an appointment to any service or post which the appointing authority is the Governor". The Government of Karnataka has also proposed to provide for panel provision in the bill on reservation for Scheduled Castes and Scheduled Tribes which is under consideration of the State Government. The Union Territory Administration of Mizoram also takes disciplinary action against the officers for defying Government orders on reservation in services and posts for Scheduled Castes and Scheduled Tribes. As to the information available, in Himachal Pradesh no panel provisions have been made for dealing with the appointing authorities making irregular appointments in contravention of the reservation orders. Details regarding the action taken by the other State Governments and Union Territory Administrations on the issue of provision of legal action against the appointing authorities in the case of violation of reservation orders are not available. As regards Government of India, we understand that the instructions on the subject provide that cases of negligence or lapses in the matter of following the reservation and other orders relating to the representation of the Scheduled Castes and Scheduled Tribes should be viewed seriously and should be brought to the notice of the appropriate authority for taking suitable action.

9.182 However, this Commission feel that such legal/executive provision is necessary and, therefore, they recommend that in order to obviate irregular appointments as also to ensure proper representation of Scheduled Castes and Scheduled Tribes in services, the Acts/Orders in operation now in Government of India and in various States and Union Territories may be suitably amended incorporating there in appropriate legal/executive punishment for not following the Government orders/rules relating to reservation of posts for Scheduled Castes and Scheduled Tribes.

Relaxation and concessions for Scheduled Castes and Scheduled Tribes

9.183 In order to secure greater representation of Scheduled Castes and Scheduled Tribes in public services, relaxations in age standards and experience are given to them. In addition, some concessions in the payment of examination fees etc. are also granted to these people.

9.184 *Age limit:* Maximum age limit prescribed for direct recruitment/promotion to services or posts is relaxed in favour of Scheduled Castes and Scheduled Tribes by various State Governments. This relaxation varies from State to State. In Bihar, the maximum age limit prescribed for appointment to non-gazetted services or posts are increased by five years and for gazetted services or posts, the same is increased by three years in the case of the candidates belonging to Scheduled Castes and Scheduled Tribes. The Government of Karnataka have prescribed age relaxation by five years in favour of the candidates belonging to these backward classes. In Meghalaya, Orissa, Rajasthan and Tripura 5 years of age relaxation is allowed to the Scheduled Castes and Scheduled Tribes candidates.

9.185 This Commission are of the view that age relaxation of 5 years in the recruitment/promotion to various categories of gazetted and non-gazetted posts may be allowed in favour of Scheduled Castes and Scheduled Tribes.

Fees for examination/selection

9.186 In Bihar, Karnataka and Rajasthan the fees payable by Scheduled Castes and Scheduled Tribes candidates for admission to any examination or selection is one-fourth of those prescribed for general candidates. The Meghalaya Government allow 50% concession in the payment of examination fees in the case of Scheduled Caste and Scheduled Tribe candidates. The Commission recommend that full exemption of fees payable by the Scheduled Castes and Scheduled Tribes candidates for admission to any recruitment examination/selection may be allowed in order to alleviate their financial difficulty.

Relaxation in standard/experience

9.187 *In Maharashtra:* With a view to ensuring appointment of candidates belonging to Scheduled Castes, Scheduled Tribes, Denotified Tribes etc., in various posts and services, the qualification and experience are relaxable at the discretion of the Maharashtra Public Service Commission or the Competent Authority as the case may be in respect of Scheduled Castes and Scheduled Tribes and Denotified Tribes candidates if at any stage of selection sufficient number of candidates of these communities possessing the requisite qualifications are not available for filling up of the vacancies reserved for them. The Government of Himachal Pradesh have issued instructions to the effect that it is obligatory on the part of the Recruiting/Selection Body to select candidates belonging to Scheduled Castes and Scheduled Tribes possessing the minimum qualification for the posts even though he/she may not be assessed suitable to man the posts in question. These instructions apply to all quasi-technical, non-technical and technical (Class I, II, III and IV) posts. In Tamil Nadu, the minimum qualifying marks have been reduced from 40% to 30% for Scheduled Castes and Scheduled Tribes in the selection for appointment to State Services through Tamil Nadu Public Services Commission. The Tamil Nadu Public Service Commission has

taken a decision to recruit Scheduled Castes and Scheduled Tribes even if they have not secured the minimum qualifying marks, if sufficient number of candidates belonging to these communities are not available for selection, with prior approval of the Government. In Tripura, some relaxation in qualification is also allowed in favour of Scheduled Castes and Scheduled Tribes candidates at the time of consideration of eligibility for appointment.

9.188 This Commission do not have detailed information as to how far the orders relating to relaxation of qualification, experience etc. are being implemented actually in practice by the various departments in the State Governments and Union Territory Administrations. However, we suggest that the orders issued in this regard should be implemented with right earnest by all concerned. We, further, suggest that since adequate number of Scheduled Castes and Scheduled Tribes candidates are not available for appointment against reserved vacancies, the State Governments/Union Territory/Administrations may consider recruiting the Scheduled Castes and Scheduled Tribes with relaxed standardes and in order to bring such candidates to the minimum standard necessary for the posts and for maintenance of efficiency of administration, they should be given inservice training.

Exclusion of meritorious Scheduled Castes and Scheduled Tribes from the purview of reservation

9.189 It is understood that in Maharashtra while filling up vacancies in services and posts the Scheduled Caste, Scheduled Tribe and Denotified Tribe candidates selected on merit are required to be counted against the general (unreserved) posts, while in Karnataka, the Scheduled Caste and Scheduled Tribe candidates selected for appointment to different categories of posts on merit basis are not counted against the vacancies reserved for them.

9.190 This Commission are inclined to recommend that the other State Governments as well as Government of India may consider amending their Reservation Acts/Orders suitably incorporating there in a clause to the effect that the Scheduled Castes and Scheduled Tribes candidates selected on merit basis will not be counted against reserved quota fixed for them.

Appointment on the strength of application for services

9.191 The Government of Bihar have decided that a Scheduled Caste and Scheduled Tribe if not registered in the Employment Exchange and applies direct to the appointing authorities for job his/her application will be considered by the appointing authorities concerned. In Rajasthan, the Scheduled Castes and Scheduled Tribes are allowed to submit their applications direct to the appointing authorities for services and posts filled under reserved quota.

9.192 This Commission feel that the question of entertaining applications from the Scheduled Castes and Scheduled Tribes job seekers direct for consideration for appointment to various categories of posts may be considered by the appointing authorities and necessary instructions issued in that regard by the Government of India as well as the State Governments and Union Territory Administration on the basis of action taken by the Governments of Bihar/Rajasthan.

Grant of T.A. to Scheduled Caste and Scheduled Tribe candidates for attending written test/interview etc.

9.193 The Government of Himachal Pradesh like Government of India grant Travelling Allowance to the Scheduled Caste and Scheduled Tribe candidates appearing at the examinations and interview in connection with recruitment to various grades of services and posts. The Government of Maharashtra have issued order to the effect that the Scheduled Castes, Scheduled Tribes and Denotified Tribes candidates called for interview by the PSC or for interview/written test by the State Selection Board, should be allowed reimbursement of their travelling expenses incurred on account of their attendance to such interview/written test. The Haryana Government have made necessary provision for the grant of Travelling Allowance to the Scheduled Caste and Scheduled Tribe candidates when they are called for interview and written test in connection with their employment. In Karnataka Travelling Allowance is given to the Scheduled Caste and Scheduled Tribe candidates called for interview. The Government of Orissa have provided that candidates appearing at the examination/interview for Class I & II posts will be eligible for reimbursement of train fare by Second Class/Bus fare if such fare of journey to and fro i.e, and from the place of residence to the place of examination/interview and return journey exceeds Rs. 20/- and for the journey performed by the Scheduled Caste and Scheduled Tribe candidates appearing for the interview/written test for Class III and IV posts, train fare by Second Class/Bus fare will be admissible in case such to and fro fare exceeds Rs. 10/-. In Rajasthan, the candidates belonging to these backward classes are allowed second class railway fare by the passanger train by the shortest route from the railway station nearest to their normal place of residence and back provided the distance travelled by rail each way exceeds 50 miles. Extra charges, if any, incurred on reserving seats/berths in train is not reimbursable. The Government of Jammu & Kashmir and West Bengal have not made any provision for the grant of Travelling Allowance to the Scheduled Caste and Scheduled Tribe candidates called for interview/

written test as it appears from the information received from these Governments. Details in this regard from the other State Governments and Union Territories are not available for comments.

9.194 As a matter of fact, majority of the Scheduled Castes and Scheduled Tribes job seekers come from very poor families and are not able to meet the expenses connected with attendance to interviews/written tests held in distant places from the places of their residence. The Commission, therefore, recommend that the State Governments & Union Territory Administrations who are not extending Travelling Allowance facility to the Scheduled Caste and Scheduled Tribe candidates at present may consider this question and take decision for the grant of such Travelling Allowance to these backward classes people in order to alleviate their financial hardship.

Nomination of Scheduled Caste/Scheduled Tribe members to Public Service Commission/Selection Committees

9.195 In order to safeguard the interests of Scheduled Castes and Scheduled Tribes in services and posts it is felt necessary to have members of Scheduled Castes and Scheduled Tribes in the Public Service Commission and in the Selection Committees/DPCs entrusted with the task of selecting persons for appointment to various grades of services and posts. The information available in this Commission reveals that the Government of Himachal Pradesh have decided that as far as practicable nomination of members belonging to Scheduled Castes and Scheduled Tribes to the DPC, Selection Board, etc. should be kept in view while constituting such selection boards/committees. In Karnataka, there is a provision that one of the members of the Departmental Selection Committees in the State should be a person belonging to Scheduled Castes/Scheduled Tribes. It has also been a convention to ensure that atleast one of the members of the Public Service Commission is a Scheduled Caste/Scheduled Tribe although the Government of Orissa have not made any provision in the Reservation Act for nomination of Scheduled Caste/Scheduled Tribe members to the Selection Committees. They have nominated a Scheduled Tribe member to the State Public Service Commission. So also in Rajasthan no orders have been issued in the context of nomination of Scheduled Caste/Scheduled Tribe members to the Selection Committees, but a senior officer in each Head of the Department has been nominated as a Liaison Officer to look to the interests of Scheduled Castes/Scheduled Tribes in direct recruitment and promotion to different categories of posts. The Governments of Andhra Pradesh, Haryana and Gujarat have also not made any provision in their recruitment/promotion rules for nomination of Scheduled Castes and Scheduled Tribes to the Selection Committees/DPCs etc. In the Union Territory of Delhi a member belonging to Scheduled Castes/Scheduled Tribes is nominated to each Departmental Promotion Committee/Staff Selection Board to safeguard the interests of the Scheduled Castes/Scheduled Tribes job seekers.

9.196 With a view to safeguarding the interests of Scheduled Castes and Scheduled Tribes in services and posts, it is recommended that the State Governments and Union Territory Administrations who have not yet made provisions for nomination of Scheduled Caste/Scheduled Tribe members to the PSCs/Selection Committees/DPCs may consider making such provisions in the Reservation Acts/Orders in force in their States/Union Territories.

Provision for Scheduled Castes and Scheduled Tribes in promotional posts

9.197 It is observed from the information received from various State Governments and Union Territory Administrations that in so far as the promotional posts are concerned in Andhra Pradesh there is no reservation in promotion except in the service like Commercial Tax Subordinate Services, Revenue Subordinate Services, Registration Subordinate Services and Excise Subordinate Services. The Government of Gujarat have already decided to apply the reservation orders in promotion : (a) within Class IV, (b) Class IV to Class III, (c) within Class III, (d) Class III to class IV, (e) within Class II, and (f) Class II to the lowest rung of Class I grades or services in which the percentage of promotion is 33-1/2 or more with effect from 1-1-1977. Earlier, reservation in promotion, if any, did not exceed 50%. In Haryana, there exists a provision for reservation in promotion for Scheduled Castes in class III and class IV posts subject to seniority-*cum*-merit. There is reservation in promotion @ 15% and 7-1/2% for Scheduled Castes and Scheduled Tribes respectively in Himachal Pradesh. In Karnataka, orders have been issued providing reservation for Scheduled Castes and Scheduled Tribes at the rate of 15% and 3% respectively, of vacancies to be filled by promotion in all the cadres upto and inclusive of the lowest category of class I posts in which there is no element of direct recruitment does not exceed 66-2/3%. These orders are also applicable to all aided institutions other than those established and administered by the minorities on religion or language basis. The Government of Jammu & Kashmir have made a provision for 8% of vacancies to be kept reserved for Scheduled Castes and Backward Classes for promotion to all posts the maximum scale of pay whereof is upto Rs. 950/- p.m. subject to the condition that the direct recruitment for such category of posts is less than 25% and where direct recruitment is above 25%, only 4% vacancies are reserved for appointment by promotion. In Madhya Pradesh, promotion is considered on seniority-*cum*-merit basis. The zone of

consideration for Scheduled Castes and Scheduled Tribes is 1:7 as against 1:5 for general candidates. In Orissa, the percentage of reservation in promotion is equal to the percentage of the Scheduled Caste and Scheduled Tribe employees as on 1-4-1975 in the lower grade from which the promotion is made. The Government of Rajasthan have provided reservation of 15% for Scheduled Castes and 2% for Scheduled Tribes of the vacancies to be filled up by promotion, w.e.f. 10-2-1975 according to 40 point roster in all services of the State Government. The reservation principle as laid down by the Government of Tripura for direct recruitment is also applicable to the promotion cases. In West Bengal, there is a provision of reservation @ 15% for Scheduled Castes and 5% for Scheduled Tribes in the vacancies to be filled by promotion. There is, however, no reservation in promotion to any post the maximum pay scale of which is Rs. 2000 or more. In the Union Territory of Pondicherry, there is also reservation in promotion in accordance with the instructions issued by the Government of India.

9.198 The Commisssion are of the view that reservation in all categories of posts to be filled by promotion may be reserved for Scheduled Castes and Scheduled Tribes equal to the percentage fixed for direct recruitment irrespective of whatever pay scale these posts carry to create more avenues of promotion for these backward classes people. The Government of Jammu & Kashmir and West Bengal may consider waiving the maximum pay scale criteria which do not come under the purview of reservation in promotion.

Representation of Scheduled Castes and Scheduled Tribes in appointment to posts filled by transfer or deputation

9.199 The Government of Andhra Pradesh have issued orders that where the number of posts to be filled on deputation is fairly substantial the departments of Secretariat/ Heads of Departments concerned should endeavour to see that due proportion of such posts are filled by employees belonging to Scheduled Castes and Scheduled Tribes subject to availability of qualified candidates belonging to these communities. In Himachal Pradesh, the claims of Scheduled Caste and Scheduled Tribe are kept in view while filling up the posts on deputation. All the departments under the State Government have been asked to consider eligible Scheduled Castes/Scheduled Tribes alongwith others while sending employees on deputation. Information in this regard in respect of other States and Union Territories is not available with the result it is not possible to offer comments. However, it is a common experience that a good number of posts both technical and non-technical are filled up in various departments, mostly in States/Union Territory Public Undertakings on deputation basis. Since there is no provision of reservation in the posts being filled by deputation or transfer such posts in question are filled in by general candidates.

9.200 The Commission feel that the State Governments/Union Territory Administrations may consider making a provision in their Reservation Acts/Orders to the effect that where the number of appointments to be made on deputation is fairly substantial, the appointing authorities should ensure that a fair proportion of such posts are filled up by employees belonging to Scheduled Castes & Scheduled Tribes.

Carry forward of reserved vacancies

9.201 In the matter of carrying forward of reserved vacancies, the Government of Andhra Pradesh have issued orders to the effect that the carried forward vacancies and current reserved vacancies in a recruitment year shall be available or utilization even where the total number of such reserved vacancies exceed 50% of the vacancies filled that year in case the over all representation of Scheduled Castes and Scheduled Tribes in the total strength of the concerned grade or cadre has not reached the prescribed percentage of reservation. According to the orders in force in Gujarat State, if sufficient number of candidates eligible for appointment against reserved vacancies is not available from the listed classes on any occasion of recruitment, such vacancies may be treated as unreserved vacancies and filled accordingly and the same number of vacancies to be reserved shall be carried forward to the next two subsequent occasions of recruitment. However, on no such occasion shall the aggregate number of normal reserved vacancies and the carried forward vacancies together exceed 45% of the total number of vacancies to be filled. According to the provision made by the Government of Maharashtra in the reservation orders, if any of the vacancies reserved for a particular section of the Backward Class cannot be filled by the appointment of a member of that section for want of suitable candidates, they should be carried forward for five years subject to the proviso that the reserved vacancies and the vacancies carried forward together should not exceed 50 percent of the total vacancies on any occasion of recruitment. The Karnataka Government have also issued orders permitting carry forward of reserved vacancies to the subsequent two occasions of recruitment in case required number of candidates belonging to the Scheduled Castes & Scheduled Tribes are not available to fill up the reserved vacancies. In Orissa, if in any recruitment year the number of candidates belonging to Scheduled Castes & Scheduled Tribes is less than the number of vacancies fixed for them even after exchange of reserved vacancies between the Scheduled Castes and Scheduled Tribes, the remaining vacancies may be filled up by general candidates after dereserving the vacancies in the prescribed

manner and such dereserved vacancies should be carried forward to subsequent three years of recruitment. So also there is a provision in the West Bengal Scheduled Castes & Scheduled Tribes (Reservation of Vacancies and posts) Act, 1976 that in the absence of a qualified Scheduled Castes/Scheduled Tribes candidate in a particular year, the vacancy should be carried forward for the next two years and need not be carried beyond that period. This Commission are happy having learnt that various State Governments have made provisions in their Acts/Orders for carrying forward the unfilled reserved vacancies to subsequent years/occasions of recruitment. However, we feel that carrying forward of reserved vacancies for two subsequent years/occasions of recruitment as prescribed by the Governments of Gujarat, Karnataka, and West Bengal may not serve the purpose inasmuch as the time gap of two years is too small a time to get suitable Scheduled Caste/Scheduled Tribe candidates for filling up the reserved carried forward vacancies. The Commission, therefore, suggest that the period of carry forward of reserved vacancies should be extended to atleast 3 years and that the current reserved vacancies and carried forward vacancies together may exceed beyond 50% in a particular year in respect of all State Government Departments/Public Undertakings where the overall representation of Scheduled Castes & Scheduled Tribes has not reached the prescribed percentage of reservation.

Special Districtwise Reservation for Scheduled Tribes

9.202 Looking to the poor representation of Scheduled Tribes in Class III and Class IV services, some State Governments have increased their representation in accordance with their population in the District concerned. In other words, the uniform percentage of reservation prescribed for Scheduled Tribes in the State as a whole has been modified in respect of posts filled by direct recruitment relating to districtwise cadres in Class III and Class IV services for Scheduled Tribes. The State Government of Maharashtra have been following this practice w.e.f. 6 June, 1972. The position of representation prescribed for Scheduled Tribes relating to the tribal districts of Maharashtra State is given below :—

District	Percentage
Thane	22%
Nasik	22%
Dhule	22%
Kulaba	9%
Yavatmal . . .	14%
Chandrapur . . .	15%

9.203 Similarly the Bihar and Gujarat Governments have also provided increased percentage of reservation for Scheduled Castes and Scheduled Tribes for district level posts in class III and class IV services in accordance with their population in the tribal districts of the State Governments.

9.204 The above procedure has the advantage over the uniform percentage of reservation for the State as a whole inasmuch as the tribals who are due to historical reasons very shy in moving out of their district, would get employment in their native districts. This procedure will have the additional advantage of providing local functionaries to the ITDPs for tribal development thereby drastically minimised if not eliminate altogether the chances of exploitation of the tribals by outsiders. We, therefore, recommend that the State Governments having tribal population should provide special districtwise reservation for Scheduled Tribes in vacancies filled by direct recruitment in respect of districtwise cadres in Class III and Class IV services.

Confidential Reports on Scheduled Caste/Scheduled Tribe employees

9.205 We understand that the Government of India have already issued necessary instructions to various Ministries/Departments to provide a column in the confidential report form to enable the reviewing officers to give an assessment of the attitude of the reporting officers towards the Scheduled Castes and Scheduled Tribes employees working under them. The contents of this special column are : "If the Officer reported upon is a member of a Scheduled Caste/Tribe, please indicate specifically whether the attitude of the Reporting Officer in assessing the performance of Scheduled Castes/Scheduled Tribes officers has been fair and just". It may be pointed out here that in the meeting of the Governors and Chief Ministers held on 8-4-80, the problem regarding atrocities on Scheduled Castes/Scheduled Tribes was discussed and it was inter-alia observed in the said meeting that with a view to curbing such tendencies on the part of the Government servants, a special mention should be made in the Annual Confidential Reports of all officers about their attitude towards the Scheduled Castes and Scheduled Tribes. As far as our information goes, the Government of Himachal Pradesh have issued instructions to various departments to the effect that a special column carrying the words "Attitude of the officer towards Scheduled Castes and Scheduled Tribes" should be inserted in the Annual Confidential Report proforma.

9.206 This Commission is happy to note about the action taken by the Government of India and Himachal Pradesh Government for prescribing such a column in the Annual Confidential Report form for the officers in their Governments and to recommend that other State Governments/Union Territory Administrations may also adopt this system.

Grant of leave to Scheduled Caste and Scheduled Tribe employees for getting coaching in Pre-examination Training Centre

9.207 The members belonging to Scheduled Castes and Scheduled Tribes communities are getting into employment under the Central and State Government Departments and Public Undertakings as a result of the enforcements of the reservation orders. There may be cases where the Scheduled Castes and Scheduled Tribes employees of these Departments/Undertakings would be applying for admission to the Pre-examination Training Centres to improve their service prospects. The Government of India have already modified the leave rules empowering the Heads of Departments to grant extraordinary leave to the Scheduled Castes and Scheduled Tribes employees desirous of going in for training in the Pre-Examination Training Centre. The said rules say "Government servants belonging to the Scheduled Castes or the Scheduled Tribes may, for the purpose of attending the Pre-examination Training Course at the the centres notified by the Government from time to time, be granted extraordinary leave by the Head of Department in relaxation of the provision of Sub-Rules (2)". It is understood that the Government of India had taken up the matter with the State Governments, in the past requesting them to consider this issue. The Government of Andhra Pradesh, Himachal Pradesh and West Bengal have already issued instructions for grant of leave to the Scheduled Castes and Scheduled Tribes employees to enable them getting coaching in the Pre-Examination Training Centres.

9.208 This Commission feel that the matter may be pursued with the State Governments who have not yet taken action on this matter with the request to consider this issue urgently and issue instructions/directives to various Government Departments/Public Undertakings under their control for extending the facility of leave to the scheduled Castes and Scheduled Tribes employees working in such departments/undertakings to enable them to get coaching in the Pre-examination Training Centres to improve their service prospects.

Refresher Course for Officers responsible for implementation of reservation Orders

9.209 It is understood that the Government of India are operating a scheme for training of the officers dealing with the work relating to the implementation of reservation orders. It is further understood that a four-day Appreciation Course for Liaison Officers in the various Ministries dealing with reservation orders was conducted at the Institute of Secretariat Training & Management, New Delhi in September 1978 and that a similar course was being arranged also for Section Officers and Assistants.

9.210 While commending the steps taken by the Government of India in regard to training of officers dealing with reservation orders in various Ministries/Departments, this Commission recommend that there is need for regular refresher courses in all Departments to equip the concerned officers about the objectives of the reservation orders. We further recommend that such training programmes should also be arranged by various State Governments in their Secretariat Training Schools.

Engagement of Competent counsels to fight the cases filed in the courts against reservation orders

9.211 We understand that in the meeting of the Consultative Committee for the Ministry of Home Affairs held on 30-10-80, members expressed concern over the fact that in many of the cases filed in the courts challenging the reservation orders for Scheduled Castes/Scheduled Tribes, competent counsels are not engaged with the result the Government's policy is not projected and defended in the proper manner when such cases come up for hearing in the courts. In pursuance of the suggestions given by the members of the said Committee, the Government of India have already issued necessary instructions to various Ministries to take action to engage competent counsels for defending the Government's policy.

9.212 While appreciating the decision taken by the Government of India in regard to engagement of competent counsel to defend Government's policy in the cases of Writ petitions, we recommend that the State Governments/Union Territory Administrations may follow suit as such cases are also taking place in their State/Union Territory.

Grant of "Priority" & "age relaxation" for the purpose of employment in Government Service for released bonded labourers

9.213 *Vide* their O.M. No. S-11011(5)/78 dated 19/21st August, 1978, the Ministry of Labour in the Government of India has informed that Chief Secretaries of all State Governments/Union Territory Administrations except Jammu & Kashmir, Chandigarh and Pondicherry Administrations that the Government of India have decided to allow the following concessions to the Bonded Labourers for employment under the Government of India :—

(i) To allow age relaxation upto 40 years to all those who have been released from the Bonded Labour System for recruitment to Group-C and Group-D posts under Government of India.

(ii) For the purpose of employment through the Employment, Exchange persons released from the Bonded Labour system shall be accorded priority.

9.214 The Government of the States having Bonded labour system have been requested by the Ministry of Labour to provide similar concessions to the released Bonded Labourers. The Bonded Labour system is in vogue in the States of Andhra Pradesh, Bihar, Kerala, Madhya Pradesh, Karnataka, Orissa, Rajasthan, Tamil Nadu and Uttar Pradesh. The available information shows that all the State Governments except Kerala and Karnataka have accepted the suggestion of the Ministry of Labour and issued suitable instructions on the lines of Government of India. The replies form the State Governments of Kerala and Karnataka are still awaited.

9.215 (i) The Commission are aware that most of the Bonded Labourers belong to Scheduled Castes and Scheduled Tribes. Therefore, the Commission recommend that the State Governments of Kerala and Karnataka should also accept the above suggestions of the Ministry of Labour, for grant of priority and age relaxation for the purpose of employment to the Government Services in Gr. D posts, for the released Bonded Labourers.

(ii) (a) The Commission recommend that in respect of the released bonded labourers the criteria for appointment to Class IV posts should be reduced to mere reading knowledge of Hindi/regional language as has been explained in para 9.167 in respect of appointment of sweeper as peons.

(b) There should be provision for monitoring of the facilities given to the bonded labourers in respect of appointment to Government services both at the level of Central Government as well as State Government concerned.

(c) The results of the efforts made by the Ministry of Labour and State Governments should be ascertained by the Government of India and the data made available to this Commission.

Complaints/representations from the Scheduled Castes and Scheduled Tribes regarding their grievances relating to appointments against the reserved quota

9.216 During the year under report the Headquarters office and the field offices of the Commission received several complaints/representations from the Scheduled Castes and Scheduled Tribes employees relating to the appointment against the reserved quota, i.e. matters relating to confirmation, promotion, transfer and grant of other concessions in services in the Departments/Offices of the State Governments/ Union Territory Administrations, Government of India and State and Central Public Undertakings/Banks/Corporations etc.

9.217 The statistics of such complaints and representations received and their disposal relating to services under the State Governments/Union Territory Administrations is given at Annexure VI(a) while such data relating to Departments/Offices of Government of India are given at Annexure VI(b). The position regarding the disposal of complaints/representations in services matter received in the field offices of this Commission is given; at Annexure VI(c).

The State Governments/Union Territory Administrations

9.218 It is seen from Annexure VI(a) that the Headquarters office of the Commission received altogether 263 complaints/representations from Scheduled Castes and Scheduled Tribes employees working in different States/Governments/Union Territory Administrations for redressal of their grievances in services from April, 1979 to March, 1980. Of the total, 93 (35.36) complaints/representations relate to appointment, 61 (23.19) relate to promotion, 17(6.46) in respect of transfers and 92(34.98) relate to miscellaneous matters.

9.219 The Headquarters office of the Commission took up all the cases with the State Governments/Union Territory Administrations for taking suitable action on the complaints/ representations. The cases of 21 (7.98) Scheduled Castes and Scheduled Tribes employees have been rejected by the State Governments and Union Territory Administrations concerned. Only 2(0.76) such cases have given the desired relief to the Scheduled Castes and Scheduled Tribes employees. However 240 such cases representing 91.25% of the total number of complaints/representations received from Scheduled Castes and Scheduled Tribes employees are still pending with the different State Governments/Union Territory Administrations inspite of the continuous follow up efforts made by the Headquarters office of the Commission.

Complaints/representations of Scheduled Castes and Scheduled Tribes in Government of India

9.220 Similarly during April 1979—March 1980 the Headquarters office received 281 complaints/representations from Scheduled Castes and Scheduled Tribes employees working in different Ministries/Departments of the Government of India for taking up the such cases with the Ministries/Departments concerned. The statistical information relating to such complained received by the Headquarters office is given at Annexure VI(b), which shows that, out of total 281 complaints/ representations, 49 such cases representing 17.44% relate to appointments, 83 cases relate to promotion the percentage of which comes to 29.54%, 15 (5.34%) cases relate to transfer and 134 (47.69%) cases pertain to matters other than the ones mentioned above. Though the Commissions have been taking follow up action on all such cases after the same were referred to the Ministries/Departments concerned for redressal, only 7 cases representing 2.49% to

the total have given desired relief so far to the Scheduled Castes and Scheduled Tribes representationists and 38 such cases have been rejected by the Ministries/Departments concerned, the percentage of which comes to 13.52. The balance of 236 (83.99%) cases were still pending with the Ministries/Departments.

Complaints/representations received directly by the field offices

9.221 The details regarding the number of complaints/representations received by the field offices of the Commission during April, 1979-March, 1980 are given at Annexure VI(c) according to which the total number of such complaints/representations received during the said period is 2055, of which 1794 (87.30%) are from Scheduled Castes and 261 (12.70%). Such cases are from Scheduled Tribes employees and such cases 1984 have been taken by the field offices of the Commission during the period under report. Of these 179(9.02%) cases taken up by the field offices have given the desired relief to Scheduled Castes and Scheduled Tribes representationists whereas 256(12.90%) such cases have been rejected by the organisations and the balance of 1549 (70.07%) cases were still pending.

9.222 From the above analysis, it is observed that a large number of complaints/representations are still pending with the different Ministries/Departments of Government of India and the Departments/Offices of various State Governments/Union Territory Administrations. We, therefore, suggest that all the Ministries/Departments of Government of India and the Department of State Governments/Union Territory Administrations should attach utmost urgency in dealing with such complaints/representations so as to enable the Scheduled Castes and Scheduled Tribes representationists to get their grievances redressed at the shortest period possible.

9.223 The summaries of some of the important cases which have given desired relief to the Scheduled Castes and Scheduled Tribes representationists and the cases which have been rejected by the employing organisations are given at Annexure VII(a) and VII (b).

ANNEXURE—I

Statement showing the position regarding the actual representation of Scheduled Castes and Scheduled Tribes in Services and posts as on 1-1-1980 *in the various Ministries/Departments/Offices of the Government of India*

Sl. No.	No. of the Ministry/ Department/Office	Actual representation of Scheduled Castes/Sch. Tribes in posts & Services											
		Class I Total	SC	ST	Class II Total	SC	ST	Class III Total	SC	ST	Class IV Total	SC	ST
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Election Commission	10	—	—	75	8 (10.96)	1 (1.37)	83	10 (12.05)	—	47	15 (31.91)	—
2.	Department of personnel and Administrative Reforms (AR Wing).	26	1 (3.85)	—	43	3 (6.98)	1 (2.33)	63	4 (6.35)	—	32	2 (6.25)	4 (12.50)
3.	Department of Parliamentary Affairs	7	—	—	38	6 (15.79)	—	38	6 (15.79)	2 (5.26)	22	3 (13.64)	3 (13.64)
4.	Department of Social Welfare	43	4 (9.30)	—	124	13 (10.48)	—	314	32 (10.19)	4 (1.27)	160	33 (120.63)	3 (1.88)
5.	Department of Agriculture Research and Education	7	—	—	—	—	—	1	—	—	5	1 (20.00)	—
6.	Ministry of Works and Housing	992	63 (6.55)	8 (0.81)	2249	160 (7.11)	12 (0.53)	25599	3664 (14.31)	518 (2.02)	9094	1873 (20.60)	396 (4.35)
7.	President's Secretariat	6	1 (16.67)	—	92	10 (10.87)	2 (2.17)	102	16 (15.69)	—	94	20 (21.28)	—
8.	Department of Electronics	129	1 (0.78)	—	108	6 (5.56)	1 (0.93)	268	52 (18.06)	15 (5.21)	71	28 (39.44)	3 (4.23)
9.	Prime Ministers' Office	18	1 (5.56)	—	65	4 (6.15)	1 (1.54)	74	9 (12.16)	—	58	10 (17.24)	5 (8.62)
10.	Vice President's Office	3	—	—	5	1 (20.00)	—	16	—	—	9	2 (22.22)	1
11.	Ministry of Labour.	896	105 (11.83)	20 (2.23)	333	33 (9.91)	7 (2.10)	2944	431 (14.64)	117 (3.97)	1648	402 (24.39)	104 (6.31)
12.	Department of Science & Technology.	527	25 (4.74)	2 (0.38)	595	70 (11.76)	20 (3.36)	8477	1334 (15.74)	383 (4.52)	7089	1552 (21.89)	215 (3.03)
13.	Department of Company Affairs	205	15 (7.32)	3 (1.46)	170	16 (9.41)	1 (0.59)	1054	120 (11.39)	39 (3.70)	320	54 (16.88)	14 (4.38)
14.	Deparment of Legal Affairs	136	20 (14.71)	2 (1.47)	181	15 (8.29)	3 (1.66)	555	78 (14.05)	23 (4.14)	292	55 (18.84)	12 (4.11)
15.	Department of Petroleum	30	2 (6.67)	—	91	7 (7.69)	1 (1.10)	87	10 (11.49)	—	59	18 (30.51)	2 (3.39)
16.	Department of Rehabilitation	73	4 (5.48)	—	267	10 (3.75)	1 (0.37)	4345	616 (14.18)	55 (1.27)	1660	294 (17.71)	103 (6.20)
17.	Legislative Department	57	6 (10.53)	2 (3.51)	111	13 (11.71)	2 (1.80)	241	28 (11.62)	4 (1.66)	102	16 (15.69)	(7.84)
18.	Department of Revenue.	3057	218 (7.13)	75 (2.45)	6291	688 (10.94)	147 (2.34)	60636	7839 (12.93)	1716 (2.83)	20848	3819 (18.32)	1069 (5.13)
19.	Department of Space.	1974	4 (0.20)	—	1294	13 (1.00)	1 (0.08)	5111	312 (6.10)	75 (1.47)	1132	193 (17.05)	81 (7.16)
20.	Department of Power.	646	24 (3.72)	2 (0.31)	257	14 (5.45)	—	1001	114 (11.39)	14 (1.40)	337	84 (24.93)	12 (3.56)
21.	Controller & Auditor General	486	34 (7.00)	12 (2.47)	2999	138 (4.60)	19 (0.63)	47778	6228 (13.04)	1926 (4.03)	6478	1138 (17.57)	414 (6.39)
22.	Department of Expenditure	183	8 (4.37)	—	643	36 (5.60)	2 (0.31)	638	77 (12.07)	6 (0.94)	186	25 (13.44)	5 (12.69)
23.	Department of Finance	183	13 (7.10)	8 (4.37)	1224	77 (6.29)	3 (0.25)	25596	3667 (14.33)	777 (3.04)	1673	403 (24.09)	80 (4.78)
24.	Department of Atomic Energy	4896	28 (0.57)	2 (0.54)	2617	35 (1.34)	2 (0.08)	15542	1484 (9.59)	189 (1.22)	4763	1030 (21.63)	183 (3.84)
25.	Department of Food	213	20 (9.30)	5 (2.55)	499	46 (9.63)	8 (1.64)	1152	170 (14.76)	16 (1.39)	664	121 (18.22)	39 (5.87)
26.	Cabinet Secretariat	11	—	—	63	6 (9.52)	3 (4.76)	67	10 (14.93)	—	55	11 (20.00)	4 (7.27)
27.	U.P.S.C.	72	4 (5.56)	2 (2.78)	345	41 (11.88)	3 (0.87)	500	74 (14.80)	4 (0.80)	243	68 (27.98)	18 (7.41)
28.	Shipping and Transport	442	31 (7.01)	4 (0.30)	452	34 (7.52)	5 (1.11)	2644	378 (14.30)	86 (3.25)	1235	236 (19.11)	68 (5.51)
29.	Ministry of Home Affairs.	3306	116 (3.51)	61 (1.85)	2553	142 (5.56)	35 (1.37)	177345	22743 (12.82)	12250 (6.91)	47505	5651 (11.90)	2631 (5.58)
30.	Ministry of Rural Reconstruction	89	8 (8.99)	1 (1.12)	391	31 (7.93)	5 (1.28)	614	71 (11.56)	15 (2.44)	467	91 (19.49)	22 (4.71)
31.	Ministry of Communications (excluding DG P & T)	183	8 (4.37)	—	496	41 (8.27)	1 (0.20)	2101	415 (19.75)	106 (5.05)	820	252 (30.73)	59 (7.20)
32.	Ministry of External Affairs	704	48 (6.82)	27 (3.84)	1627	115 (7.07)	14 (0.86)	1716	197 (11.48)	49 (2.86)	684	134 (19.59)	5 (0.73)
33.	Ministry/Deptt. of Civil Supplies & Cooperation	37	—	—	221	15 (6.79)	1 (0.45)	239	48 (20.08)	6 (2.51)	100	21 (21.00)	7 (7.00)
34.	Ministry of Industrial Development	883	53 (6.00)	14 (1.59)	1465	95 (6.48)	9 (0.61)	3747	498 (13.29)	84 (2.24)	1771	391 (22.08)	87 (4.91)
35.	Ministry of Commerce	329	19 (0.30)	3 (0.91)	527	54 (10.25)	11 (2.09)	2497	310 (12.41)	86 (3.44)	678	138 (20.35)	42 (6.19)

ANNEXURE I—*Contd.*

Sl. No.	Name of the Ministry/ Department/Office	Actual representation of Scheduled Castes & Sch. Tribes in Posts & Services											
		Class I Total	SC	ST	Class II Total	SC	ST	Class III Total	SC	ST	Class IV Total	SC	ST
1	2	3	4	5	6	7	8	9	10	11	12	13	
36.	Department of Culture	140	9 (6.43)	—	318	27 (8.49)	1 (0.31)	2630	296 (11.25)	59 (2.24)	3642	211 (5.79)	163 (4.48)
37.	Department of Economic Affairs	280	26 (9.29)	2 (0.71)	572	39 (6.82)	7 (1.22)	2967	618 (20.83)	174 (5.86)	1526	331 (21.69)	96 (6.29)
38.	Department of Heavy Industries	28	1 (3.57)	—	78	4 (5.13)	1 (1.28)	99	9 (9.09)	..	59	7 (11.86)	(1) 1.69)
39.	Ministry of Information & Broadcasting	1392	68 (4.89)	19 (1.36)	4332	572 (13.20)	121 (2.79)	11481	1795 (15.63)	420 (3.66)	5024	1207 (24.02)	408 (8.12)
40.	Planning Commission	407	16 (3.93)	—	325	14 (4.31)	6 (1.85)	552	61 (11.05)	6 (1.09)	219	66 (30.14)	(4.11)
41.	Department of Supply	342	29 (8.48)	—	884	69 (7.81)	3 (0.34)	4130	594 (14.38)	132 (3.20)	1091	214 (19.62)	65 (5.06)
42.	Department of Steel	50	4 (8.00)	—	93	6 (6.45)	—	353	57 (16.15)	6 (1.70)	138	26 (18.84)	8 (5.80)
43.	Department of Personnel and Administrative Reforms	314	13 (4.14)	3 (0.96)	726	45 (6.20)	4 (0.55)	2316	233 (10.06)	50 (2.16)	1438	161 (11.20)	23 (1.60)
44.	Ministry of Agriculture	1062	76 (7.16)	14 (1.32)	1457	119 (8.17)	22 (1.51)	8203	1084 (13.21)	183 (2.23)	4524	1231 27.21	174 (3.85)
45.	Department of Education	423	33 (7.80)	13 (3.07)	646	49 (7.99)	1 (0.15)	1177	63 (5.35)	18 (1.53)	375	70 (18.67)	15 (4.00)
46.	Department of Mines	1983	72 (3.63)	8 (0.40)	664	34 (5.12)	8 (1.20)	7626	937 (12.29)	208 (2.73)	2819	656 (23.27)	160 (5.68)
47.	Department of Chemicals & Fertilizers	54	4 (7.41)	—	96	6 (6.25)	—	122	15 (12.30)	1 (0.82)	46	9 (19.57)	2 (4.35)
48.	Ministry of Tourism & Civil Aviation	931	61 (6.55)	18 (1.07)	1699	136 (8.00)	35 (2.06)	9946	1434 (14.42)	253 (2.54)	3374	961 (25.46)	249 (6.60)
49.	Bureau of Public Enterprise	43	4 (9.30)	1 (2.33)	67	4 (5.97)	— (—)	76	13 (17.11)	—	50	11 (22.00)	3 (6.00)
50.	Department of Coal	61	3 (4.92)	2 (3.28)	114	12 (10.53)	1 (0.88)	1783	101 (5.66)	83 (4.66)	1364	234 (17.16)	30 (2.20)
51.	Ministry of Health & Family Welfare	5444	218 (4.00)	46 (0.84)	1098	106 (9.65)	14 (1.28)	9856	1099 (11.15)	231 (2.34)	6885	1786 (25.94)	409 (5.94)
52.	Department of Statistics	308	18 (5.84)	— (—)	426	45 (10.09)	5 (1.17)	4283	523 (12.21)	108 (2.52)	709	116 (16.36)	42 (5.92)
53	Ministry of Defence	5422	210 (3.87)	26 (0.48)	4884	423 (8.66)	31 (0.63)	202369	24774 (12.24)	3038 (1.50)	275353	63353 (23.01)	12418 (4.51)
54.	Ministry of Railways	5526	423 (7.65)	83 (1.50)	4952	527 (10.64)	111 (2.24)	67058	77737 (11.59)	15265 (2.28)	776388	140018 (18.03)	43590 (5.61)
55.	Ministry of Irrigation	645	27 (4.19)	2 (0.31)	653	38 (5.98)	2 (0.31)	3867	441 (11.40)	53 (1.37)	1324	266 (20.09)	94 (7.10)
56.	D. G. P. & T.	2021	96 (4.75)	14 (0.69)	5155	368 (7.14)	18 (0.35)	397249	57295 (14.42)	13952 (3.51)	86117@	16178@ (18.79)	4357@ (5.06)
	TOTAL	47840	2311 (4.83)	499 (1.04)	57754	4662 (8.07)	717 (1.24)	1735497	200324 (11.54)	52830 (3.04)	1283596	245971 (19.16)	68075 (5.30)

@This figure excludes Extra Departmental Workers and Industrial Workers.

ANNEXURE—II

Statement showing the actual percentage-wise representation of Scheduled Castes and Scheduled Tribes in 163 public Enterprises as on 1-1-1980

Sl. No.	Name of the Enterprises	Actul Percentage of								Remarks
		Scheduled Castes				Scheduled Tribes				
		Group A	Group B	Group C	Group D	Group A	Group B	Group C	Group D	
1	2	3	4	5	6	7	8	9	10	11
I.	*Ministry of Agriculture & Irrigation :*									
	Department of Agriculture :									
1.	Andaman & Nicobar Islands Forest & Plantation Dev. Corporation Ltd.	Nil								
2.	Central Fisheries Corporation Ltd.	Nil	8·30	3·70	23·50	Nil	Nil	1·88	Nil	
3.	Indian Dairy Corporation	4·00	Nil	12·4	22·30	2·80	Nil	0·90	16·70	
4.	National Seeds Corpn. Ltd.	6·25	5·82	7·97	21·73	1·13	Nil	0·19	2·41	
5.	State Farms Corpn. Ltd.	11·66	8·00	1·38	10·84	Nil	Nil	3·12	3·50	
	Department of Food :									
6.	Central Warehousing Corporation	8·46	8·54	12·05	19·48	2·31	0·49	0·08	1·38	
7.	Food Corporation of India	6·05	7·49	15·78	22·36	1·26	0·35	2·14	3·92	
8.	Modern Bakeries(I) Ltd.	5·21	3·85	10·39	17·95	Nil	Nil	1·71	3·09	
	Department of Irrigation :									
9.	Water & Power Development Consultancy Services Ltd.	Nil	Nil	10·58	50·00	16·66	Nil	Nil	6·25	
	Department of Rural Development :									
10.	Banana & Fruit Development Corporation Ltd.	Nil	Nil	Nil	75·00	Nil	Nil	Nil	Nil	
II.	*Ministry of Chemicals & Fertilizers :*									
11.	Fertilizer Corpn. of India Ltd.	2·96	3·83	7·02	24·77	0·49	0·87	4·47	16·86	
12.	Fertilizer & Chemical (Travancore Ltd).	0·37	3·31	7·20	37·30	Nil	0·14	4·90	7·70	
13.	Fertilizer Planning & Development Ltd.	1·10	2·40	8·48	75·00	0·30	0·50	0·97	25·00	
14.	Hindustan Antibiotics Ltd.	3·81	5·31	4·38	17·10	Nil	2·12	0·35	2·40	
15.	Hindustan Insecticides Ltd.	3·82	0·92	10·11	22·06	Nil	Nil	1·54	3·15	
16.	Hindustan Organic Chemicals Ltd.	10·17	Nil	7·84	13·60	3·10	Nil	1·12	4·00	
17.	Indian Drugs & Phosphates & Chemicals Ltd..	0·63	1·54	7·33	14·56	0·25	Nil	0·34	0·83	
18.	Modern Fertilizer Ltd.	Nil	1·30	6·00	64·60	Nil	Nil	Nil	Nil	
19.	National Fertilizers Ltd.	7·10	12·60	16·77	29·11	1·20	0·50	0·89	2·74	
20.	Pyrites, Phosphates & Chemicals Ltd.	Nil	7·69	8·15	14·11	1·20	1·53	0·28	1·91	
21.	Rashtriya Chemicals & Fertilizers Ltd.	5·37	4·27	11·67	39·00	1·26	0·52	1·01	1·50	
22.	Smith Stainstreet Corporation Ltd.	Nil	3·70	0·67	15·73	Nil	Nil	Nil	Nil	
23.	Hindustan Fertilizers Ltd.	5·18	5·00	12·00	25·00	1·00	1·04	7·06	11·00	
III.	*Ministry of Commerce :*									
24.	Cashew Corporation of India Ltd.	Included in STC								
25.	Central Cottage Industries Corpn. of India Ltd.	Nil	Nil	1·30	8·00	Nil	Nil	Nil	Nil	
26.	Handicrafts & Handloom Export Ltd.	2·63	Nil	7·69	9·84	Nil	Nil	0·84	Nil	
27.	Mica Trading Corpn. of India	Nil	Nil	1·40	16·80	Nil	Nil	1·40	5·10	
28.	Mineral & Metals Trading Corpn Ltd.	0·52	4·80	6·86	Nil	0·52	0·52	2·63	Nil	
29.	North Eastern Handloom & Handicraft Corporation	Nil	Nil	7·00	Nil	Nil	Nil	10·00	39·00	
30.	Project & equipment Corpn. Ltd.	8·75	5·88	18·44	Nil	Nil	Nil	2·84	Nil	

ANNEXURE II—*Contd.*

1	2	3	4	5	6	7	8	9	10	11
	31. State Chemicals & Pharmaceuticals Corporation of India	Included in STC								
	32. State Trading Corporation of India Ltd.	7·45	5·29	6·43	Nil	2·58	0·45	0·25	Nil	
	33. Tea Trading Corpn. of India Ltd.	Nil	14·28	10·25	18·57	4·00	Nil	Nil	Nil	
	34. Export Credit & Guarantee Corpn. Ltd.	Nil	Nil	7·00	20·00	Nil	Nil	Nil	Nil	
	35. Trade Fair Authority of India	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	
IV.	*Ministry of Communication :*									
	36. Hindustan Teleprinters Ltd.	6·70	6·70	17·53	39·49	2·20	1·10	1·15	1·27	
	37. Indian Telephone Industries Ltd.	4·26	4·40	17·30	43·80	0·42	0·24	0·58	0·82	
	38. Telecommunication (Consultants) Ltd.	N.A								
V.	*Ministry of Defence :*									
	Department of Defence Production :									
	39. Bharat Dynamics Ltd.	13·75	14·03	18·33	37·96	1·25	Nil	1·91	9·26	
	40. Bharat Earth Movers Ltd.	6·59	8·24	12·86	24·49	0·73	2·33	1·68	4·49	
	41. Bharat Electronics Ltd.	4·66	3·66	15·23	27·22	0·62	0·28	0·18	0·75	
	42. Garden Reach Shipbuilder Engineers Ltd.	0·49	3·27	12·03	Nil	0·66	1·09	4·10	Nil	
	43. Goa Shipyard Ltd.	Nil	7·40	7·49	Nil	Nil	Nil	Nil	Nil	
	44. Hindustan Aeronautics Ltd.	5·45	5·50	12·91	Nil	0·66	1·38	2·33	Nil	
	45. Mazagon Dock Ltd.	3·53	9·09	6·29	10·42	1·06	Nil	1·08	2·44	
	46. Mishra Dhatu Nigam Ltd.	5·00	12·00	13·00	19·00	1·00	4·00	1·00	2·00	
	47. Praga Tools Ltd.	8·60	5·70	15·00	25·50	Nil	Nil	0·30	Nil	
VI.	*Ministry of Energy :*									
	Department of Coal :									
	48. Bharat Coking Coal Ltd.	0·70	15·50	30·96	Nil	0·20	0·80	10·49	Nil	
	49. Coal India Ltd.	0·85	1·97	3·95	Nil	Nil	Nil	Nil	Nil	
	50. Central Coalfields Ltd.	2·10	4·70	22·55	29·78	0·85	2·89	13·81	24·66	
	51. Central Mine Planning & Design Institute Ltd.	1·40	7·40	8·94	Nil	0·79	2·96	7·71	Nil	
	52. Eastern Coalfields Ltd.	1·60	1·50	25·62	37·98	0·05	0·05	1·12	0·66	
	53. Neyveli Lignite Corpn. Ltd.	1·43	25·00	6·32	13·44	Nil	Nil	16·04	23·00	
	54. Western Coalfields Ltd.	1·32	12·91	29·10	22·21	0·9	11·83	1·77	5·95	
	Department of Power :									
	55. National Hydro Electric Power Corporation Ltd.	0·92	0·79	4·05	11·91	Nil	Nil	Nil	2·32	
	56. National Project Construction Corporation Ltd.	0·60	0·71	4·26	9·30	1·19	Nil	2·36	0·86	
	57. National Thermal Power Corpn. Ltd.	3·60	5·30	13·71	11·50	0·30	Nil	9·94	23·30	
	58. North Eastern Electric Power Corporation Ltd.	Nil	1·20	3·20	6·93	3·22	7·79	1·12	7·07	
	59. Rural Electrification Corpn.	2·12	3·17	14·32	19·46	0·53	Nil	Nil	Nil	
VII.	*Ministry of Finance :*									
	60. General Insurance Corpn. of India	1·12	Nil	5·71	30·00	Nil	Nil	0·57	7·50	
	61. Life Insurance Corpn. of India	0·59	0·47	5·50	16·58	0·21	0·29	0·64	2·43	
	62. National Insurance Corpn. of India	0·30	0·15	4·74	12·02	0·10	Nil	0·34	1·91	
	63. New India Assurance Company Ltd.	0·89	Nil	8·76	Nil	Nil	Nil	0·50	1·08	
	64. Oriental Fire & Gen. Ins. Corpn.	0·45	0·23	5·48	16·04	0·07	Nil	0·53	0·65	
	65. United India Corporation	0·63	0·17	11·89	17·02	0·16	Nil	1·28	3·04	
VIII.	*Ministry of Health & Family Welfare :*									
	66. Hindustan Latex Limited	Nil	10·00	14·50	23·50	Nil	Nil	0·82	6·00	
IX	*Ministry of Industry :*									
	Department of Heavy Industry :									
	67. Bharat Heavy Electricals Ltd.	4·95	2·92	13·83	Nil	0·82	0·51	1·61	Nil	
	68. Bharat Heavy Plates & Vessels Ltd.	4·10	7·20	14·20	21·90	0·30	1·10	2·80	0·90	
	69. Bharat Pumps & Compressors Ltd.	1·54	5·30	16·71	11·36	Nil	Nil	0·09	Nil	

ANNEXURE II—*Contd.*

1	2	3	4	5	6	7	8	9	10	11
70.	Burn Standard Ltd.	Nil	3·59	3·78	24·33	Nil	0·60	0·14	5·70	
71.	Engineering Projects (India) Ltd.	10·55	9·42	12·86	40·00	0·65	0·41	2·32	Nil	
72.	Braithwaite & Company Ltd.				N.A.					
73.	Heavy Engineering Corpn. Ltd.	0·70	Nil	3·80	Nil	2·10	1·30	24·50	Nil	
74.	Hindustan Machine Tools Ltd.	2·28	4·74	12·04	20·63	0·55	0·62	2·40	5·10	
75.	HMT (International) Ltd.				Included in HMT Ltd.					
76.	Jessop & Company Ltd.	0·60	1·41	9·46	Nil	Nil	Nil	1·15	Nil	
77.	Mining & Allied Machinery Co. Ltd.	2·90	0·93	3.11	24·83	Nil	Nil	0·55	2·70	
78.	Mysore Porcelaine Limited	N.A.								
79.	Radio & Electrical Manufacturers Ltd.	N.A.								
80	Richarrdson & Cruddas (1972) Ltd.	1·40	2·65	10·41	21·30	0·70	Nil	2·21	0·26	
81.	Scooters India Ltd.	2·00	2·23	4·49	14·28	0·40	Nil	Nil	0·04	
82.	Triveni Structurals Ltd.	Nil	1.20	Nil	Nil	Nil	Nil	Nil	Nil	
83.	Tungabhadra Steel Products Ltd.	Nil	Nil	22.82	32.83	3.85	Nil	2.41	4.48	
84.	Layan Jute Manufacturing Co.	0·40	0·90	5·80	4·20	Nil	Nil	Nil	Nil	
85.	Bharat Wagon & Engg. Co. Ltd.	Nil	Nil	5·00	11·77	Nil	Nil	0·24	0·28	
86.	Bharat Brakes & Varles Ltd.	Nil	11·12	3·58	Nil	Nil	Nil	4·43	Nil	
Department of Industrial Development :										
87.	Artificial Limbs Manufacture Company Ltd.	1·72	Nil	12·79	23·85	Nil	Nil	2·33	5·50	
88.	Bharat Leather Corpn. Ltd.	Nil	Nil	Nil	50·00	Nil	Nil	6·60	Nil	
89.	Bharat Ophthalmic Glass Ltd.	7·14	7·50	9·92	11·47	Nil	Nil	0·76	1·14	
90.	Cement Corporation of India Ltd.	3·80	5·24	13·80	10·50	Nil	1·31	3·93	10·05	
91.	Cotton Corporation of India Ltd.	6·06	13·04	3·85	21·80	Nil	Nil	30·00	40·00	
92.	Delhi State Industrial Development Corporation Ltd.	N.A.								
93.	Hindustan Cables Ltd.	2·70	Nil	6·41	20·76	Nil	Nil	1·75	9·54	
94.	Hindustan Paper Corpn. Ltd.	2·33	5·60	5·00	17·40	2·33	7·40	10·5	7·70	
95.	Hindustan Photofilms Manufacturing Co. Ltd.	3.29	4.04	16.85	Nil	0.55	Nil	1.40	Nil	
96.	Hindustan Salts Ltd.	Nil	Nil	8·33	14·40	Nil	Nil	5·00	8·47	
97.	Instrumentation Ltd.	5·84	1·39	10·38	25·37	1·02	Nil	1·73	12·93	
98.	Jute Corporation of India Ltd.	4·30	5·50	16·24	22·53	Nil	1·38	0·75	2·81	
99.	Mandya National Power Mills Ltd.	Nil	Nil	5·95	18·70	Nil	Nil	0·44	0·45	
100.	National Textile Corpn. Ltd.	0·44	1·41	17·97	21·48	Nil	0·25	2·09	2·58	
101.	Nagaland Pulp Papers Ltd.	1·21	Nil	1·40	11·95	10·97	66·66	48·42	58·70	
102.	National Industrial Development Corporation Ltd.	9.00	4.45	16.67	25.00	2.00	0.74	2.40	3.13	
103.	National Instruments Ltd.	Nil	Nil	10·83	20·45	Nil	Nil	0·83	Nil	
104.	National Newsprint & Paper Millls Ltd.	0·51	3·77	6·85	19·23	Nil	Nil	1.07	5·89	
105.	National Small Industrial Corpn. Ltd.	2·40	2·31	8·60	17.90	Nil	0.05	0.72	1.92	
106.	Sambhar Salts Ltd.	Nil	33·33	12·07	21·15	Nil	Nil	Nil	0·86	
107.	Tannery & Footwear Corpn. of India Ltd.	Nil	2·97	9·30	47·22	Nil	Nil	Nil	Nil	
X.	*Ministry of Information and Broadcasting :*									
108.	Film Finance Corpn. Ltd.	Nil	Nil	5·80	5·88	Nil	Nil	2·90	Nil	
109.	Indian Motion Picture Export Corporation Ltd.	14·29	Nil	Nil	Nil	Nil	Nil	Nil	Nil	
XI.	*Ministry of Petroleum :*									
110.	Balmer Lawrie & Company Ltd.	N.A.								
111.	Bharat Petroleum Corpn. Ltd.	1·84	Nil	1·61	7·17	0·20	Nil	0·84	2·83	
112.	Biecco Lawrie Ltd.	Nil	Nil	13·00	10·02	Nil	Nil	Nil	Nil	
113.	Bridge 7 Roof Co. of India Ltd.	3·61	4·84	2·83	6·62	Nil	Nil	Nil	1·46	
114.	Bongaigaon Refinery & Petroleum Petro-Chemicals Ltd.	4·40	27·20	6·10	10·52	1·26	4·55	12·60	44·70	
115.	Caltex oil Refining (India) Ltd. (Visakh Refinery & Mktg. Unit.)	N.A.								
116.	Cochin Refineries Ltd.	0·50	5·95	18·55	Nil	Nil	1·19	5·67	Nil	
117.	Engineers (India) Ltd.	2·96	3·64	12·99	19·67	0·31	Nil	0.56	6·56	

ANNEXURE III—*Contd.*

1	2	3	4	5	6	7	8	9	10	11
118.	Hindustan Petroleum Corpn. Ltd.	2·62	Nil	6·62	16·75	0·87	Nil	1·05	2·76	
119.	Hydro Carbons India (P) Ltd.	N.A.								
120.	Indian Oil Corporation Ltd.	3·60	4·67	11·22	Nil	1.06	1·47	2·72	Nil	
121.	Indian Oil Blending Ltd.	Nil	Nil	10·92	Nil	Nil	Nil	2·73	Nil	
122.	Indian Petro-Chemicals Corpn. Ltd.	6·72	4·44	12·66	15·15	1·18	1·40	3·32	11·91	
123.	Indo-Burma Petroleum Co. Ltd.	2·95	4·16	6.91	4·70	0·98	Nil	2·76	48·23	
124.	Lubrizol India Ltd.	4·35	5·26	18·06	Nil	Nil	5·26	3·28	N'l	
125.	Madras Refineries Ltd.	Nil	2·70	17·80	Nil	Nil	Nil	Nil	Nil	
126.	Oil & Natural Gas Commission	6·15	5·64	8·09	13·88	1·10	1·04	2·72	4·83	
XII.	*Ministry of Railways :*									
127.	Indian Railway Construction Co. Ltd.	N.A.								
128.	Rail India Technical & Economic Services Ltd.	Nil	1·40	5·50	20·00	Nil	Nil	Nil	14·00	
XIII.	*Ministry of Shipping & Transport :*									
129.	Central Inland Water Transport Corporation Ltd.	N.A.								
130.	Cochin Shipyard Ltd.	2·86	5·73	10·15	Nil	Nil	0·40	1·65	Nil	
131.	Delhi Transport Corporation	2·38	4·93	15·32	23·15	Nil	8·72	0·62	0·11	
132.	Mogul Lines Ltd.	1·23	0·63	6·62	16·05	Nil	Nil	2·65	2·47	
133.	Dredging Corporation of India	7·15	9·00	7·35	Nil	Nil	0·73	8·82	Nil	
134.	Indian Road Construction Corpn. Limited.	10·00	17·00	20·00	100·00	5·00	17·00	4·00	Nil	
135.	Hindustan Shipyard Ltd.	2·56	2·46	9·48	12·83	Nil	Nil	1·44	0·55	
136.	Shipping Corpn. of India Ltd.	2·89	10·33	6·94	19·94	0·26	0·75	1·05	Nil	
XIV.	*Ministry of Steel & Mines :*									
	Department of Mines :									
137.	Bharat Aluminium Company Ltd.	2·60	3·15	10·51	21·53	0·40	1·18	12·56	24·32	
138.	Bharat Gold Mines Ltd.	9·14	5·96	49·42	59·12	1·02	0·66	0·18	0·22	
139.	Hindustan Copper Ltd.	4·73	4·30	12·22	9·29	1·09	1·20	9·88	46·31	
140.	Hindustan Zinc Ltd.	3·90	1·96	13·05	10·55	0·65	0·39	19·51	3·21	
141.	Mineral Exploration Corpn. Ltd.	6·40	17·60	11·50	25·70	1·00	Nil	5·30	6·90	
	Department of Steel :									
142.	Bharat Refractories Ltd.	Nil	Nil	8·96	15·07	Nil	Nil	8·14	19·80	
143.	Bokaro Steel Ltd.	0·86	2·58	12·27	Nil	1·19	2·87	10·09	Nil	
144.	Bolani Ores Ltd.	2·40	3·50	14·09	Nil	Nil	11·00	23·30	Nil	
145.	Hindustan Steel Ltd.	N.A.								
146.	Hindustan Steel Works Construction Ltd.	1·16	4·21	11·16	22·64	0·40	0·18	9·84	26·75	
147.	India Fire Bricks & Insulation Company Ltd.	Nil	Nil	5·63	2·80	5·40	Nil	12·71	28·03	
148.	Indian Iron & Steel Co. Ltd.	0·58	8·5	14·40	Nil	0·36	0·31	5·90	Nil	
149.	IISCO Stantion Pipe & Foundary Company Ltd.	Nil	Nil	20·90	Nil	Nil	Nil	Nil	Nil	
150.	Kudremukh Iron Ore Co. Ltd.	4·00	4·00	10·00	Nil	0·63	1·00	3·00	Nil	
151.	Manganese Ore India Ltd.	0·79	4·55	13·53	17·24	1·57	2·27	16·1	38·53	
152.	Metallurgical Engineering Consultants (India) Ltd.	2·08	1·00	8·87	14·19	0·78	4·36	13·52	49·34	
153.	Metal Scrap Trade Corpn. of India Ltd.	Nil	Nil	11·00	Nil	Nil	Nil	7·00	Nil	
154.	National Mineral Dev. Corpn. Ltd.	2·75	3·18	12·70	Nil	0·63	0·94	16·94	Nil	
155.	SAIC International Ltd.	N.A.								
156.	Salam Steel Ltd.	3·60	11·11	17·56	Nil	Nil	Nil	4·73	Nil	
157.	Steel Authority of India (Ltd.)	1·83	2·29	10·27	Nil	0·47	1·04	9·14	Nil	
158.	Sponge Iron India Ltd.	Nil	Nil	3·58	12·50	Nil	Nil	Nil	4·20	
XV.	*Ministry of Tourism & Civil Aviation :*									
159.	Air India	5·51	11·44	32·54	Nil	1·73	4·16	4·59	Nil	
160.	Air India Charters Ltd.	N.A.								

ANNEXURE II—*Concld.*

1	2	3	4	5	6	7	8	9	10	11
161.	Indian Airlines	2·79	8·99	19·54	Nil	0·44	1·98	2·65	Nil.	
162.	International Airport Authority of India.	9·46	15·91	21·89	29·11	2·70	2·27	3·63	4·17	
163.	India Tourism Development Corpn. Ltd.	5·93	7·94	21·16	32·31	0·43	0·66	0·51	1·93	
164.	Hotel Corporation of India Ltd. .	2·43	Nil	10·25	43·78	Nil	Nil	8·87	3·01	
XVI.	*Ministry of Works & Housing :*									
165.	Hindustan Prefabs Ltd. . . .	Nil	Nil	24·52	31·25	Nil	Nil	0·15	Nil	
166.	Housing & Urban Development Corporation Ltd.	Nil	9·00	16·90	17·70	Nil	Nil	6·80	5·90	
167.	National Buildings Construction Corporation Ltd.	9·90	2·60	14·77	7·47	0·80	0·90	1·23	Nil	
XVII.	*Ministry of Supply & Rehabilitation*									
	Department of Rehabilitation :									
168.	Rehabilitation Corpn. of India Ltd.	Nil	Nil	4·32	14·17	Nil	Nil	Nil	0·75	
	Department of Atomic Energy :									
169.	Electronics Corporation of India Ltd.	0·50	3·90	9·10	29.10	Nil	0·10	1·70	1·60	
170.	Indian Rare Earths Ltd. . . .	1·03	2·19	7·81	10·48	Nil	1·46	0·79	3·39	
	Department of Electronics :									
171.	Computer Maintenance Corpn. Ltd. .	0·42	3·44	10·56	Nil	Nil	Nil	Nil	Nil	
172.	Electronics Trade & Technical Development Corporation Ltd.	Nil	5·00	4·65	20·00	2.12	Nil	Nil	Nil	
173.	Semi Conductor Complex (P) Ltd.	N.A.								
	Department of Science & Technology :									
174.	Central Electronics Ltd. . . .	Nil	1·80	12·08	25·10	Nil	Nil	Nil	0·38	
175.	National Research Development Corporation.	Nil	6·00	11·36	27·27	Nil	Nil	Nil	Nil	
176.	Uranium Corporation of India Ltd.	3·30	Nil	3·37	6·10	1·66	Nil	14·65	49·49	

ANNEXURE—III

Statement showing the total number of employees and the number of Scheduled Castes and Scheduled Tribes employees among them in the Public Sector Banks as on 1-1-1980

Sl. No.	Name of the Bank	Total No. of employees			No. of Sch. Caste Employees						No. of Sch. Tribes employees					
		Officers	Clerks	Sub-Staff	Officers	%age	Clerks	%age	Sub-staff	%age	Officers	%age	Clerks	%age	Sub-Staff	%age
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	Nationalised Banks :															
1.	Central Bank of India	9396	16885	8924	59	0.63	1509	8.93	1348	15.10	19	0.20	325	1.92	162	1.81
2.	Bank of India	5902	17388	7001	336	5.69	2023	11.64	2636	23.36	93	1.58	659	3.79	262	3.74
3.	Punjab National Bank	5768	13873	7244	137	2.37	1776	12.87	1918	26.47	6	1.04	188	1.3	215	2.96
4.	Bank of Baroda	7246	14879	6208	365	5.04	1863	12.52	1297	20.89	43	0.59	193	1.3	252	4.06
5.	United Commercial Bank	4932	10425	5141	67	1.50	641	6.0	893	17.0	14	0.25	77	0.75	169	3.00
6.	Canara Bank	5621	16763	4139	107	1.90	2142	12.77	603	14.57	48	0.85	457	2.72	112	2.71
7.	United Bank of India	3227	8326	4568	82	2.54	1305	15.67	504	11.03	31	0.95	7	0.89	58	1.27
8.	Dena Bank	2940	6442	2949	61	2.08	762	11.83	516	17.50	7	0.23	279	4.33	175	5.93
9.	Syndicate Bank	5829	15329	4107	260	4.46	1606	10.47	940	22.89	32	0.54	525	3.42	224	5.45
10.	Union Bank of India	5876	11767	4926	125	2.13	1626	10.82	1174	23.83	14	0.24	130	1.10	106	2.15
11.	Allahabad Bank	2345	5787	3536	52	2.21	445	7.68	997	28.09	6	0.25	29	0.50	45	1.27
12.	Indian Bank	3366	7887	2656	135	4.01	871	11.04	734	27.64	30	0.89	83	1.05	122	4.59
13.	Bank of Maharashtra	2302	5896	2127	110	4.77	910	15.43	316	14.85	26	1.13	128	2.17	67	3.15
14.	Indian Overseas Bank	3270	9145	2280	136	4.16	1999	21.86	913	40.83	23	0.70	194	2.12	60	2.63
	TOTAL	68020	160792	65806	2032	2.98	19478	12.11	13807	20.98	392	0.57	3341	2.07	3341	3.08
1.	State Bank of India*	35093	75516	36564	730	2.08	10366	13.73	7363	20.14	169	0.48	2260	2.99	949	2.60
2.	State Bank of Bikaner & Jaipur	1677	4368	2217	47	2.80	504	11.54	475	21.42	1	0.06	153	3.50	36	1.62
3.	S. Bank of Hyderabad	1578	4833	1716	43	2.72	403	8.34	177	10.33	8	0.51	41	0.84	23	1.34
4.	S. Bank of Indore	710	2057	942	9	2.27	302	14.68	124	13.16	4	0.56	72	3.50	68	7.22
5.	S. Bank of Mysore	1174	3478	1252	36	3.06	363	10.43	136	10.83	10	0.85	82	2.35	34	2.71
6.	S. Bank of Patiala	1067	3236	1713	49	4.59	406	12.54	262	32.08	3	0.28	5	0.15	17	0.99
7.	S. Bank of Sourashtra	798	2719	1330	25	3.13	293	10.77	153	11.50	1	0.12	27	0.99	20	1.50
8.	S. Bank of Travancore	1209	3582	1887	29	2.39	363	10.13	362	19.18	4	0.33	17	0.05	53	2.80
		43306	99789	47621	969	2.24	13000	13.03	9353	19.64	200	0.46	2657	2.66	1000	2.10

ANNEXURE—III *Contd.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1.	Reserve Bank of India@	6377	17618	7782	262	4.11	1967	11.16	1612	20.71	50	0.78	924	5.24	362	4.65
2.	Industrial Development Bank of India£															
3.	Industrial Finance Corporation of India£															
4.	Industrial Reconstruction Corporation of India£															

*Information relates to 30-9-1980.

@ Information relates to 10-1-1981. This does not include a few offices.

£ Information not received from the Banking Division, Deptt. of Economic Affairs, Ministry of Finance, Govt. of India.

ANNEXURE-IV

Statement showing the total number of registrations and placements effected by the Employment Exchanges, the position of the Live Register and the Scheduled Castes and Scheduled Tribes among them for the last four years (1976—1979)

(Figures in thousands)

Year	Registrations (No.)			Placements (No.)			Live Register (No.)		
	Total	Sch. Castes	Sch. Tribes	Total	Sch. Castes	Sch. Tribes	Total	Sch. Castes	Sch. Tribes
1976	5,619·4	696·4	176·7	496·8	76·7	29·7	9,784·3	1,137·0	264·6
1977	5,324·6	637·4	161·1	461·6	69·0	26·3	10,924·0	1,281·9	287·5
1978	6,143·8	726·0	187·1	466·3	68·2	25·0	12,577·8	1,479·0	339·9
1979	6,127·2	743·7	192·8	466·3	66·1	21·5	14,333·9	1,661·1	408·1

ANNEXURE-V (A)

Statement showing the position regarding the actual representation of Scheduled Castes and Scheduled Tribes in Services and Posts as on 1-1-1980 in Central Government and in different State Governments/Union Territory Administrations

Sl. No.	Name of the State/U.T. Administration	Actual representation of Scheduled Castes and Scheduled Tribes in Posts and Services												Year of Reference
		Total number of posts				Scheduled Castes				Scheduled Tribes				
		Class I	Class II	Class III	Class IV	Class I	Class II	Class III	Class IV	Class I	Class II	Class III	Class IV	
1	Andhra Pradesh	Information not received												
2	Assam	Do.												
3	Bihar	Do.												
4	Gujarat	2848	10203	283624	49556	*795	438892	185892	30635	236	2062	20301	10440	1-1-79
5	Haryana	1145	4004	122698	36829	29	142	9343	10618	—	—	—	—	1-1-80
6	Himachal Pradesh	707	967	54164	9476	57	63	5906	1841	30	35	1828	433	1-1-80
7	Jammu & Kashmir	(8536)		92292	25008	(127)		2786	1408	—	—	—	—	1-1-80 (Partial)
8	Karnataka	Information not received												30-6-80
9	Kerala	Information not received												
10	Madhya Pradesh	11	97	3233	286	—	10	547	55	—	5	469	55	1-1-80
11	Maharashtra	3526	10854	189636	45367	202	827	24849	11799	48	225	7225	2264	1-1-79
12	Manipur	Information not received												
13	Meghalaya	Information not received												
14	Nagaland	Information not received												
15	Orissa	2109	10370	128339	49406	13	149	10006	7886	5	80	7425	4314	1-4-78
16	Punjab	2037	7861	198404	48326	13	535	26824	17610	7	8	15	39	1-1-80
17	Rajasthan	Information not received												
18	Sikkim	Information not received												
19	Tamil Nadu	2687	35631	17916	4323	124	2189	1831	508	—	30	128	24	1-1-79
20	Tripura	Information not received												
21	Uttar Pradesh	6697	24483	437213	144100	325	1127	43645	25443	3	62	1124	1042	1-1-80
22	West Bengal	6214	28580	252933	£	115	750	16686	£	22	155	4773	£	31-3-77
23	Andaman & Nicobar Islands	Complete information not received												
24	Arunachal Pradesh	Information not received												
25	Chandigarh@	144	626	8918	2511	4	11	795	671	—	—	—	—	1-1-80
26	Dadra & Nagar Haveli	Nil*	4	137	8	Nil*	3	15	—	—	—	65	6	1-1-80
27	Delhi	47	173	1862	578	1	23	182	84	13	1	78	33	1-1-80
28	Goa, Daman and Diu	355	626	13163	5989	4	7	147	165	3	—	19	8	1-1-78
29	Lakshadweep	24	25	951	510	—	—	—	—	10	—	562	461	1-1-80
30	Mizoram	225	593	8004	5366	10	28	169	450	143	455	7231	4431	1-1-80
31	Pondicherry	166	483	10338	4906	2	40	742	682	—	—	29	39	1-1-80
32	Central Government	39648	47012	663793	419767	765	3929	64851	89509	400	586	23560	20034	1-1-80

$Information from 14 Departments available.

£ As a result of pay revision in 1970, there is no employee in this Group i.e. (Class IV).

*All Class I posts are filled by deputation or transfer.

@Class I & II posts mainly filled by deputation in which case reservation does not apply. Class III posts were initially filled by deputations. The vacancies are now being filled by direct recruitment/promotion keeping in view the instructions of reservation for Scheduled Castes and Scheduled Tribes.

36—256 HA/ND/81

ANNEXURE

Statement showing the percentage of representation of Scheduled Castes and Scheduled

Sl. No.	Name of State/ UT/Central Govt.	Prescribed percentage of representation in Direct Recruitment								Prescribed percentage of reservation in promotion							
		SC				ST				SC				ST			
		Class				Class				Class				Class			
		I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1	Andhra Pradesh	14	14	14	14	4	4	4	4	——Information not supplied by the State Govt.——							
2	Assam	7	7	7	7	12H 10P	12H 10P	12H 10P	12H 10P	——Do.——							
3	Bihar	14	14	14	14	10	10	10	10	——Do.——							
4	Gujarat	7	7	7	7	14	14	14	14	——Do.——							
5	Haryana	20	20	20	20	—	—	—	—	—	—	20	20	—	—	—	—
6	Himachal Pradesh*	15	15	22	22	7·5	7·5	5	5	15	15	15	15	7·5	7·5	7·5	7·5
7	Jammu & Kashmir	8	8	8	8	No Tribes				——Information not supplied by the State Govt.——							
8	Karnataka	15	15	15	15	3	3	3	3	——Information not received.——							
9	Kerala	8	8	8	8	2	2	2	2	——Do.——							
10	Madhya Pradesh	15	15	16	16	18	18	20	20	15	15	16	16	18	18	—	20
11	Maharashtra	13	13	13	13	7	7	7	7	—	—	—	—	—	—	—	—
12	Manipur	15	15	2	2	7½	7½	2	2	——Information not received. ——							
13	Meghalaya	5$	5$	5$	5$	40@	40@	40@	40@	——No reservation in promotion posts ——							
14	Nagaland	—	—	—	—	45	45	45	45	——Information not received. ——							
15	Orissa	16	16	16	16	24	24	24	24	—	—	—	—	—	—	—	—
16	Punjab	25	25	25	25	—	—	—	—	14	14	20	20	—	—	—	—
17	Sikkim	——Reservation in services has not come into force so far——															
18	Rajasthan	16	16	16	16	12	12	12	12	16	16	16	16	12	12	12	12
19	Tamil Nadu	——18% both SC & ST——															
20	Tripura	13	13	13	13	29	29	29	29	——Information not received ——							
21	Uttar Pradesh	18	18	18	18	2	2	2	2	——Do.——							
22	West Bengal	15	15	15	15	5	5	5	5	15	15	15	15	5	5	5	5
23	Andaman & Nicobar Islands	—	—	—	—	—	—	16	16	——Information not received ——							
24	Arunachal Pradesh	—	—	—	—	45	45	45	45	——Do.——							
25	Chandigarh	20	20	20	20	—	—	—	—	—	—	20	20	—	—	—	—
26	Dadra & Nagar Haveli	—	15	2	2	—	7½	43	43	—	—	15	—	—	—	7½	—
27	Delhi	15	15	15	15	7½	7½	7½	7½	——Information not received——							
28	Goa, Daman & Diu	2	2	2	2	5	5	5	5	—	—	—	—	—	—	—	—
29	Lakshadweep	No reservation				15	15	15	15	15	15	15	15	15	15	15	15
30	Mizoram	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
31	Pondicherry	16	16	16	16	5	5	5	5	15	15	15	15	7½	7½	7½	7½
32	Central Govt.*	15	15	15	15	7½	7½	7½	7½	15	15	15	15	7½	7½	7½	7½
		16—2/3@				16—2/3@		16—2/3@									

*This information does

$For Boro Kacharis, Koch, Rabhas & other SCs.

@All Class I posts are being filled by deputation or transfer basis. Except Dy. Engineer &

£Direct recruitment by open competition on

Direct recruitment methods other than

V (B)—Contd.

Tribes in Services and Posts in Central Ministries/State Govts./U.T. Administrations—Contd.

Actual percentage of representation indirect recruitment								Annual percentage of representation by promotion								Remarks
SC				ST				SC				ST				
Class				Class				Class				Class				
I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV	
19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
—Information not supplied by the State Govt.																
—Information not supplied by the State Govt.																
—Information not supplied by the State Govt.																
4·5	5·9	10·7	34·7	2·3	32	9·1	17·8	—Information not received								
2·5	3·5	7·6	28·9	—	—	—	—	—Do.								
8·1	6·52	11·0	19·45	4·2	3·6	3·4	4·7	—Do.								
	(1·49)	3·2	5·63	No ST				—Do.								
—Informaton not received																
—Do.																
20	10·3	17	19·3	—	5·15	14·5	19·3	—	5·88	8·10	13·24	—	3·8	25·28	10·2	
5·8	7·6	13·1	26·0	13.0	2.1	3·8	4·9	—Information not received								
—Information not received																
No reservation in promotion posts								—Infomation not received								
—Information not received																
0·61	1·48	7·79	15·06	0·23	0·77	5·78	8·73	—Information not received								
7	8	15	39	—	—	—	—	—Do.								
—Reservation in services has not come into force so far																
5½	4	9	15	2	3	3½	·6	—Information not received								
5	6	10	12	—	0·8	0·7	0·6	—Information not received								
—Information not received																
4·8	4·6	9·98	17·6	0·4	0·25	0·25	0·72	—Inforamation not received								
1·85	2·62	6·60	—	0·35	0·54	1·89	—	—Do.								
Information not received						2·90	4·37	—Do.								
—Information not received																
2·5	3·5	7·6	28·9	—	—	—	—	—	—	9	7·9	—	—	—	—	
—	75	10·95	—	—*	—	47·45*	75	—	—	15·52	—	—	—	13·79	—	
2·13	13·9	9·77	14·53	27·65	0·57	4·18	5·71	—	12	11·34	64·70	—	—	1·39	Nil	
1·2	1·1	1·1	2·8	0·9	—	0·1	0·1	—Information not received								
—	—	—	—	41·66	52·0	69·09	90·39	—	—	4·12	—	—	28·20	48·37	100·0	
4·44	4·72	2·11	8·39	63·55	76·78	90·34	82·57	Nil	—Nil							
2·60	12·05	7·16	14·57	—	—	0·33	0·88	Nil	1·70	7·25	7·84	Nil	Nil	Nil	—	
4·45	7·93	9·77	21·32	1·01	1·25	3·55	4.78	—Information not received								

not include 14 Departments.

@For Khasis, Jaintias & Garos.

Medical Officers (Class II) all other posts of Class II are filled by deputation.

an All India basis reservation—SC-15%; ST-7½%.

open competition—SC-16-2/3%; ST-7½ %.

ANNEXURE-VI (A)

Statements regarding complaints/representations on Service matters from Scheduled Castes and Scheduled Tribes received by the Headquarters office of the Commission from April, 1979—March, 1980 (State Governments)/ U. T. Administrations

Sl. No.	Name of the State	Appointment		Promotion		Transfer		Miscellaneous		Total SC&ST Col. 3 to 10	No. of cases resulting in desired relief	No. of cases rejected	No. of cases pending	Remarks
		SC	ST	SC	ST	SC	ST	SC	ST					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	States :													
1	Andhra Pradesh	7	—	1	—	—	—	1	1	10	—	—	10	
2	Assam	1	—	—	—	—	1	4	—	3	—	—	3	
3	Bihar	31	4	13	4	2	4	16	3	77	—	2	77	
4	Gujarat	—	—	1	—	1	—	1	—	3	—	—	3	
5	Haryana	1	—	1	—	1	—	3	—	6	1	1	4	
6	Jammu & Kashmir	1	—	—	—	—	—	—	—	1	—	—	1	
7	Himachal Pradesh	—	—	1	—	—	—	4	—	5	—	1	4	
8	Karnataka	1	—	—	—	—	—	5	—	6	—	2	4	
9	Kerala	—	—	—	—	—	—	1	—	1	—	—	1	
10	Madhya Pradesh	—	—	1	1	2	—	8	—	12	—	1	11	
11	Maharashtra	2	—	5	—	2	—	6	—	15	—	3	12	
12	Manipur	—	—	—	—	—	—	1	—	1	—	—	1	
13	Meghalaya	—	—	—	—	—	—	2	—	2	—	—	2	
14	Nagaland	—	—	—	—	—	—	—	—	—	—	—	—	
15	Orissa	5	—	2	—	—	—	4	—	11	—	1	10	
16	Punjab	1	—	—	—	—	—	1	—	2	—	—	2	
17	Rajasthan	2	1	4	—	1	—	6	—	14	—	—	14	
18	Sikkim	—	—	—	—	—	—	—	—	—	—	—	—	
19	Tamilnadu	1	—	1	—	—	—	—	1	3	1	—	2	
20	Tripura	—	—	—	—	—	—	—	—	—	—	—	—	
21	Uttar Pradesh	22	2	16	—	1	—	8	1	50	—	1	49	
22	West Bengal	6	—	5	—	2	—	10	—	23	—	4	19	

ANNEXURE-VI (A)—Contd.

Statement regarding complaints/representations on Service matters from Scheduled Castes and Scheduled Tribes received by the Headquarters office of the Commission from April, 1979—March, 1980 (State Governments)/ U. T. Administrations

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Union Territory administrations :													
23	A. & N. Islands .	—	—	—	—	—	—	—	—	—	—	—	—	
24	Arunachal Pradesh .	—	—	—	—	—	—	—	—	—	—	—	—	
25	Chandigarh . .	—	—	—	—	—	—	6	—	6	—	3	3	
26	Dadra & Nagar Haveli	—	—	—	—	—	—	—	—	—	—	—	—	
27	Delhi . . .	5	—	5	—	—	—	2	—	12	—	2	10	
28	Goa, Daman & Diu	—	—	—	—	—	—	—	—	—	—	—	—	
29	Lakshadweep . .	—	—	—	—	—	—	—	—	—	—	—	—	
30	Pondicherry . .	—	—	—	—	—	—	—	—	—	—	—	—	
	TOTAL .	86	7	56	5	12	5	86	6	263	2	21	240	

ANNEXURE-VI (B)

Statement showing the number of complaints/representations on service matters from Scheduled Castes and Scheduled Tribes received by the Commission from April 1979 to March 1980
(Central Government)

Sl. No.	Name of the Ministry	Appointment		Promotion		Transfer		Miscellaneous		Total SC/ST Col. 3 to 10	No. of cases resulting in desired relief	No. of cases rejected	No. of cases pending
		SC	ST	SC	ST	SC	ST	SC	ST				
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Communication	1	—	1	—	—	—	—	—	2	—	—	2
2	Defence	1	—	8	—	—	—	7	—	16	1	2	13
3	Finance	6	—	18	—	4	—	13	—	46	1	12	33
4	Health	2	1	7	—	—	—	3	—	13	—	2	11
5	Home	2	—	3	—	—	—	4	—	9	—	—	9
6	Agriculture	6	—	6	—	2	—	2	—	16	1	3	12
7	Industry	—	—	3	—	—	—	6	—	8	—	2	6
8	Information & Broadcasting	2	1	1	1	—	—	3	—	7	—	—	7
9	Labour	2	—	6	—	—	—	9	—	11	—	1	10
10	Education and Social Welfare	1	1	—	—	1	—	4	—	7	—	1	8
11	Petroleum and Chemicals	—	—	—	—	1	—	4	—	5	—	—	5
12	Steel and Mines	1	—	2	—	—	—	4	—	7	—	2	5
13	Railways	4	—	11	—	6	—	37	—	58	2	2	54
14	Works and Housing	2	—	2	—	—	—	1	—	5	—	—	5
15	Shipping and Transport	10	—	—	1	—	—	7	—	15	—	3	15
16	Ministry of Commerce	1	—	—	—	—	—	4	—	5	—	—	5
17	Electronics	—	—	1	—	—	—	—	—	1	—	1	—
18	Science and Technology	—	—	1	—	1	—	2	—	4	—	1	3
19	Atomic Energy	4	—	4	—	—	—	3	—	4	—	—	4
20	Ministry of Supply	—	—	1	—	—	—	1	—	2	—	1	1
21	Air India	—	—	1	—	—	—	2	—	3	—	—	3
22	Post and Telegraph	2	1	9	1	—	—	14	—	27	2	4	21
23	Ministry of Law	—	—	1	—	—	—	—	—	1	—	1	—
24	Life Insurance Corporation	1	—	—	—	—	—	1	—	2	—	—	2
25	Food Corporation of India	—	—	2		—	—	—	—	2	—	—	2
26	Indian Air Lines	—	—	1	—	—	—	—	—	1	—	—	1
27	Indian Standard Institute	—	—	1	—	—	—	—	—	1	—	—	1
	TOTAL	45	4	80	3	15	—	134	—	281	7	39	236

ANNEXURE-VI (C)

Statement showing the total number of complaints/representations received directly by the offices of the Commission from the Scheduled Castes and Scheduled Tribes on service matters from April 1979 to March 1980

Sl. No.	Name of the office	State/U.T.	Total No. of cases received		Total of col. 4&5	Total No. of cases taken up with the concerned authorities (SC&ST combined)	Disposal of cases referred to Col. 5			Remarks
			SC	ST			No. of cases resulting in desired relief	No. of cases rejected	No. of cases still pending	
1	2	3	4	5	6	7	8	9	10	11
1	Deputy Director for SC & ST, Chandigarh.	1. Punjab	23	—	23	23	4	04	15	
		2. Himachal Pradesh	09	02	11	11	3	01	07	
		3. Haryana	19	—	19	19	2	05	12	
		4. Jammu & Kashmir	4	—	04	4	2	—	02	
		5. Chandigarh	03	02	05	5	—	01	04	
2	Director for SC & ST, Lucknow.	6. Uttar Pradesh	157	01	158	158	2	10	146	
3	Director for SC & ST, Ahmedabad.	7. Rajasthan	82	12	94	94	12	15	67	
		8. Maharashtra	217	36	253	253	54	51	148	
		9. Gujarat	64	12	76	76	10	07	59	
4	Director for SC & ST, Bhopal	10. Madhya Pradesh	419	103	522	522	34	81	407	
5	Director for SC & ST, Bhubaneswar.	11. Orissa	105	41	146	146	20	32	94	
		12. West Bengal	88	36	124	124	20	23	81	
		13. Andaman & Nicobar Islands.	Nil	—	—	—	—	—	—	
6	Director for SC & ST, Madras	14. Tamil Nadu 15. Andhra Pradesh 16. Kerala 17. Pondicherry 18. Lakshadweep	604	16	620	549	16	26	507	
		TOTAL	1794	201	2055	1984	179	256	1549	

ANNEXURE-VII (A)

I. *Cases which have resulted in Desired Relief*

A. *Commission for Scheduled Castes and Scheduled Tribes*

1. The All India Backward (SC/ST and BC) Minorities Communities Employees Federation complained to this Commission on 10-7-1979 alleging harassment and ill-treatment of Scheduled Caste employees by same Caste Hindu employees working in the Ashok Vihar Post Office, Delhi. The matter was taken up with the Post Master General, Delhi Circle, Delhi who replied vide letter dated 18-12-1979 that the concerned employees were suitably warned by the Senior Superintendent of Post Office, Delhi.

2. The State Additional General Secretary, All India Federation of Scheduled Castes, Tribes, Backward and Minorities Employees Welfare Association, Visakhapatnam, represented to this Commission on 21-7-1979 alleging that while the case for reinstatement of a Scheduled Caste ex-Messenger, in the Port Trust was pending finalisation with the Ministry of Transport he was threatened by the authorities to vacate the quarter and that Wage Board arrears of Rs. 2320 were adjusted towards payment of market rent. The matter was taken up by the Commission with the Chairman of the Port Trust who replied that after his removal from service on disciplinary grounds w.e.f. 14-11-1979 he was re-appointed as temporary Messenger due to orders of the then Minister of Shipping and Transport. Being a temporary employee, he was not entitled to retain the quarters and was liable to pay market rent for unauthorised occupation of quarters and his wages were accordingly adjusted. However, in view of his representation his eviction from the Port Trust quarters had been deferred till the Government orders were received on his representation.

3. One Scheduled Caste person employed at Aero Engines, HAL, Bangalore, represented to this Commission on 20-11-1979 that he was discriminated against by his too many Brahmin superiors in his Department and he was demoted. The matter was taken up by the Commission with the HAL, Bangalore, who had replied on 12-3-1980 that action was taken against the complainant under the Company's Standing Orders. But on account of improvement in the performance of work he was promoted as Highly Skilled Technical (Group-D).

4. One LSG Clerk LSM in the Karnataka Circle of the D.E., Phones, Bangalore, represented to this Commission on 6-9-1979 that out of 45 T. S. Clerks promoted by G.M.T., Bangalore, on 24-4-1975 w.e.f. 1-6-1974, points 4, 17 and 31 are reserved for Scheduled Tribes under 40 point roster and against this, only one S.T. was promoted and his case was not considered. He got promotion on 29-1-1976 w.e.f. 4-2-1976 and thereby the S. T. quota on promotion was ignored. He wanted that if suitable Scheduled Tribe candidates were not available, the some posts should have been carried forward for 3 years as per instructions concerning reservations for Scheduled Castes/Scheduled Tribes in services. He, therefore, wanted justice to be done to him. The Commission took up the matter with the DG P&T and was informed that the representationist did not fulfil the condition of 10 years of service for promotion. However, he was promoted as L.S.G. Clerk w.e.f. 29-11-1979 on the basis of the D.P.C. held in 1979.

II. *Cases which were taken up but have been rejected*

A. *Commission for Scheduled Castes and Scheduled Tribes*

1. The General Secretary, All India Federation of Scheduled Castes/Tribes/Backwards and Minorities Employees Welfare Association, Visakhapatnam, represented to this Commission on 17-4-1979 regarding unwillingness of the Chief Mechanical Engineer, Port Trust, Visakhapatnam, to fill up the post of Telephone Mechanic according to reservation orders. The Chairman, Port Trust, Visakhapatnam with whom the matter was taken up had replied that the post of Telephone Mechanic in the Mechanical Department had been abolished due to administrative and technical reasons and one Scheduled Tribe candidate working as Telephone Mechanic was promoted as Sub-Station Supervisor. As such the question of filling up of the post of Telephone Mechanic by reserved candidates did not arise.

2. In his representation dated 1-8-1979, the Secretary, Scheduled Castes Uplift Union, Reserve Bank of India, Madras Branch complained that the Scheduled Castes and Scheduled Tribes candidates called for interview against advertised posts were screened before conducting tests. The Commission took up the matter with the Central Office of the Reserve Bank of India on 20-8-1979 who replied vide their letter No. 1761/7/79/80, dated 18-10-1980 that in case the number of applications received from eligible candidates is disproportionately large, the Bank reserves the right to raise the standard for admission in the written test. This was made clear in the advertisement by the Reserve Bank of India.

3. In a representation dated 12-9-1979, the Joint Secretary, All India Canara Bank Scheduled Caste/Scheduled Tribe Employee's Association, Bangalore, had represented against the transfer of an employee to General Credit Section-I at a time when that employee was one of the petitioners (as Vice President of the above Association) who filed writ petition in the High Court of Karnataka against the Bank. It was alleged that the transfer of the petitioner was not appropriate. This Commission took up the matter with the Divisional Manager of the Bank who replied vide his letter dated 6-10-1980 that the petitioner was transferred from one section to another within the Head Office as a matter of administrative convenience and for smooth functioning the organisation. Further, the transfer was done without any vested motive.

4. One Scheduled Caste person working in the Department of Food, Ministry of Agriculture and Irrigation, New Delhi, represented to this Commission on 12-10-1979 that after 16 years of his service as peon in various sections of the Ministry he was promoted as Despatch Rider on 13-9-1978. He alleged in his representation that on account of a theft case at his residence he was detained by the police for interrogation. Pending final investigation he was suspended by his office and subsequently reinstated and reverted to the post of Peon. The matter was taken up by this Commission with the Ministry of Agriculture and Irrigation on 3-10-1979 who had replied in their letter dated 15-11-1979 that after careful consideration and with the approval of the Ministry of Agriculture and Irrigation, the representationist could not be appointed as Despatch Rider.

5. In his representation dated 14-11-1979, one Scheduled Caste employee working as a temporary sub-staff in the Patna Branch of the Indian Bank alleged that as a pre-planned move one relative of a Bank employee of the Patna Branch of the Indian Bank was appointed as a permanent sub-staff and he was removed from service. The matter was taken up by this Commission with the Regional Office of the said Bank who replied vide their letter dated 25-6-1980 that the representationist was working on a leave vacancy as a temporary sub-staff in the Patna Branch Office from 3-9-1977. When his application for permanent absorbtion in Bank service was received, it revealed on verification that the school transfer certificate produced by him was forged one and he was not a student of that school. Hence, he was not absorbed in the permanent service of the Bank.

6. A representation was received from a Scheduled Tribe lady doctor working as Demonstrator in Microbiology for 3 years and 4 months in the Lady Hardings Medical College. Delhi, alleging that while she fulfilled the essential qualifications laid down by the U.P.S.C. for the post of lecturer in their advertisement No. 8, published on 16-6-79, she was not called for interview by the U.P.S.C. She alleged that essential qualification in that advertisement had been wrongly interpreted so as to mean that the applicant should have at least 3 years experience as Registrar/Tutor/Demonstrator in the concerned specialisation in a medical college after having taken an M. D. Degree. But the stipulation that this 3 year period of experience should be after having taken the M. D. Degree had not been mentioned in the advertisement. The matter was taken up with the U.P.S.C. by this Commission on 19-9-1980.

The extract of the reply received from the U.P.S.C. vide their letter dated 25-9-1979 is reproduced below :—

"Dr. (Mrs.) Usha Seren Singh, a Scheduled Tribe candidate could not be called for interview as she does not satisfy E.Q. (iii) which lays down atleast three years experience as Registrar/Tutor/Demonstrator in the concerned speciality in a Medical College/Teaching Institute and this period is counted after acquiring the Post Graduate qualification in Pathology etc. She being a Scheduled Tribe candidate was treated at par with general candidates and the relaxation regarding experience which was applicable in the case of Scheduled Caste candidates, the post being reserved for them, could not be given to her".

7. Nine Scheduled Castes and Scheduled Tribe employees of the Postal Department represented to the Commission on 22-11-1979 through the Confederation of Depressed Classes Organisation of India, Nellore, Andhra Pradesh for refixation of their seniority. The Director-General P&T with whom the matter was taken up by this Commission on 12-12-1979 replied on 5-6-1980 as under :—

"Consequent on the Supreme Court judgement the seniority of all officials recruited between 22-6-1949 and 22-12-1959 had to be refixed on the basis of their date of entry into the grade and not on the basis of their date of confirmation as heretofore. Thus, the date of confirmation lost its relevance in the matter of seniority and length of service in the grade became the criterion for refixing the seniority. In the process, many officials belonging to all communities and not particularly Scheduled Caste/Scheduled Tribe community were affected losing their seniority and giving places to these recruited earlier to them. The Department of Personnel and Administrative Reforms, Order dated 20-4-1961 providing fixation of seniority of SC/ST officials on the basis of their date of confirmation could not be applied as the same was not in operation between the aforesaid dates of 22-6-1949 and 22-12-1959. In view of the position explained above, you will kindly agree that the P&T could do very little in the matter being beyond its competence."

8. In his representation dated 2-4-1979 to this Commission one Scheduled Caste Extra Departmental Mail Carrier for 11 years in the Trichy Postal Division (Tamil Nadu) complained that the Senior Superintendent of Post Office Trichy interviewed him and a number of other E.D. agents for the post of Gardener but did not select him. The Senior Superintendent of Post Office Trichy with whom the matter was taken up by this Commission informed vide letter dated 16-10-1979 that the suitability for the post was determined on the experience gained by the candidate in garden work which is required for the post. One Scheduled Caste person possessing the requisite experience was posted as a result of this interview and hence nothing could be done on the representation.

9. While forwarding a copy of his letter dated 13-7-1979 addressed to the then Minister of Labour and Parliamentary Affairs one Member of Parliament alleged therein that as against the Government instructions to fill up the single reserved vacancy in the recruitment year by the reserved category and further due to non-availability of a candidate of a reserved category to carry it forward to subsequent recruitment year and so on, the DG&ET had filled up the reserved vacancy by a general candidate in violation of the Government Orders. The reply furnished by the DG &ET, who examined the case in consultation with the Department of Personnel and Administrative Reforms is summed up as under :—

Recruitment Rules for the post of J.S.O. under question were revised in 1976 in response to a recommendation of the Third Pay Commission. The first vacancy arose in 1979 after the revision of Recruitment Rules and the first vacancy which occurred as a result of the incumbent proceeding on deputation, as the post of Deputy Director of Training (WO) was treated as unreserved. But the Scheduled Caste Senior Scientific Assistant could not be promoted to the post of J.S.O. as he did not satisfy the condition of completing minimum 3 years of service as required under the revised Recruitment Rules.

10. One Scheduled Caste person working in the Central Telegraph Office, Madras as a Clerk on passing the clerical examination on 27-6-1974 complained to this Commission on 6-8-1979 that though he had applied on 2-2-1979 for appearing in the TTS Group 'C' Examination to be held on 12-7-1979 he was not informed by the General Manager, Telecommunication Madras, about the action taken on his representation. The matter was taken up by this Commission on 9-8-1979 that the representationist was only 6th pass and did not possess the minimum educational qualification for the said examination.

ANNEXURE—VII(b)

I. Brief Details regarding a few Important Cases which resulted in Desired Relief to the Representationists Field Offices of Commission for SC & ST

I. *Himachal Pradesh*

1. One Scheduled Caste lady from Simla had forwarded a representation through the Commissioner for Scheduled Castes and Scheduled Tribes, stating that her husband who was working as sweeper in the office of the Executive Engineer, C.P.W.D. (Central Division), Simla expired on 30th December, 1978. After his death she had unsuccessfully requested the Executive Engineer, Simla to employ her son as a chowkidar in his office on compassionate grounds.

Her case was referred to the Superintending Engineer, Central Public Works Department, Chandigarh, Central Circle, who informed that the son of the representationist was appointed as Chowkidar by the Executive Engineer as far back as 11-9-1979.

2. One Scheduled Caste lady had represented through the Commissioner for Scheduled Castes and Scheduled Tribes stating that her husband who was serving as Sub-Inspector under Himachal Pradesh Police Department died on 14-5-1976. She had requested in her representation that one of her sons may be appointed as a constable in the Police Department.

This case was taken up with the Inspector-General of Police, Himachal Pradesh, who had informed the field office, Simla vide his letter dated 22-2-80 that necessary orders of appointment in favour of the representationist's son had since been issued.

3. One Scheduled Caste person working as Junior Engineer carrier, Office of A. E. Carrier, Jullundur, vide his representation dated 1-5-1979 forwarded through the Commissioner for Scheduled Castes and Scheduled Tribes stated that he was not given selection grade of Junior Engineer.

His case was taken with the General Manager Telecom., North Western Circle, Ambala, for necessary action, who had informed that the representationist had since been issued with necessary orders of promotion to the selection grade of Junior Engineer vide their Office No. STB/E-353/DPC/79-80/2, dated 10-12-1979.

II. *Punjab*

4. One Scheduled Caste person working as Supervisor in the office of the I.A.C., (Central) Range II, Ludhiana had sent his representation through the Commissioner for Scheduled Castes and Scheduled Tribes alleging that the reserved points had been given to non-Scheduled Castes. He had also stated that he was not given promotion to the post of Supervisor, Grade-I.

This case was taken up with the Commissioner of Income Tax, Patiala, Punjab for necessary action, who had informed vide his letter, dated 25-4-1980 stating that the representationist had since been promoted as Supervisor Grade-I from the month of March, 1980 against reserved point.

5. One Scheduled Caste person working as U.D.C., Office of the Executive Engineer, City Division, Punjab State Electricity Board, Taran Tarn, had sent his representation through the Commissioner for Scheduled Castes and Scheduled Tribes stating that though he had fulfilled all the requisite qualifications for the post of ABA/Assistant in the Hydel Project, Patiala, he was not promoted.

His case was taken up with the Director for Scheduled Castes and Backward Classes Department, (Punjab) who had intimated that the representationist was promoted as ABA/Assistant by the Chief Engineer, Hydel Project, Patiala.

III. *Uttar Pradesh*

6. One U.D.C. (SC) in the Survey of India, Dehradun, represented that he was appointed as L.D.C. w.e.f. 1-6-1964 and was promoted as U.D.C. in April, 1977 on 'merit-cum-fitness' basis and posted in the office of the Director, South Central Circle, Hyderabad. He had also stated that the L.D.C. working at Dehradun who was junior to him was also promoted as U.D.C. in the month of June, 1977 and was posted at Hydrabad. The U.D.C. who was junior to him could somehow manipulate and get transferred to Dehradun in the month of December, 1977 in the same capacity.

He further stated that he had submitted many representations to the Survey of India requesting that he may be posted at Dehradun but could not succeed. In view of the compelling grounds, he requested the authorities that in case his posting back to Dehradun as U.D.C. was not feasible at all, he might be reverted to his substantive post of L.D.C., but he made it very clear in his representation that if reversion is being solicitated, his name should be considered for promotion in the ensuring Departmental Promotion Committee at Dehradun itself: Accordingly, he was reverted to the post of L.D.C. and posted at Dehradun w.e.f. 1-11-1977.

He had again represented that according to the gradation list published as on 1-1-1978 by the Surveyor General of India, the L.D.C. junior to him had been considered by the D.P.C. held during the month of October, 1977 overlooking his claim.

The matter was referred to the Surveyor General of India, Survey of India, Dehradun, to intimate the actual facts of the case who had informed that the representationist had made a request that either he might be repatriated to Dehradun on out of turn basis on compassionate grounds or be permitted to come back to Dehradun on reversion. His case for repatriation to Dehradun could not be considered on out of turn basis as he was very junior in the list of UDCs who had applied for repatriation to Dehradun. In view of his own request to come back on reversion, he was posted back to Dehradun on reversion as L.D.C. and was granted Transfer T.A. etc.

When D.P.C. was held during the month of September, 1977, he was already holding the post of U.D.C. and hence there was no question of considering his name by the D.P.C.

The representationist was promoted as U.D.C. on ad-hoc basis w.e.f. 8-1-1979 against the existing vacancy at Dehradun and his case for promotion was considered by the D.P.C. on regular basis w.e.f. 2-5-1979.

7. The General Secretary, Scheduled Castes Uplift Union, Kanpur, had represented that the services of one Scheduled Caste employee of the Indian Institute of Technology had been terminated. He had, therefore, requested that his case for re-employment may kindly be considered.

The matter was referred to the Director, Indian Institute of Technology, Kanpur, to look into the matter who informed that the employee under question was working in the Institute as casual labourer on fixed consolidated pay during the period from 1967 to 1971. He was never holding an appointment on a regular pay scale. In 1971, he left his casual employment. He returned to the Institute recently after a lapse of several years. As a casual employee, he did not have any lien in the Institute and was not entitled to re-instatment.

On humanitarian grounds, he was recently engaged as a sweeper on casual basis against a leave vacancy.

8. One Scheduled Caste person working as Investigator (L/F) in the office of the S.I.S.I., Ministry of Industries, Govt. of India, Agra, had represented that this promotion in the grade of SIPO (L/F) was overdue and, therefore, his case for promotion may kindly be considered immediately.

The matter was taken up with the Development Commissioner (small Scale Industries), Ministry of Industries, New Delhi, to look into the matter who had intimated that the Departmenal promotion Committee considered his case but did not recommend him for promotion to the grade of SIPO. However, his name would again be placed before the DPC for this purpose.

IV. *Maharashtra*

9. The Commission's field office of Ahmedabad had taken up the representation of one Scheduled Caste Clerk in the office of the Sr. Supdt. of R.M.S. 'L' Division, Bhusawal, regarding his promotion as U.D.C. and posting at Nagpur with the Post-Master General, Maharashtra Circle, Bombay, who has since replied that the official had been promoted by virtue of his passing merit rating test with effect from 16-5-1979.

10. The field office at Ahmedabad had taken up the representation of one Scheduled Caste person from Santacruz (East) Bombay-55 with the Director-General of Shipping, Bombay regarding his promotion to the post of L.D.C. from peon. In their reply the concerned authority intimated that the representationist who was serving as Peon in the Directorate of Marine Engineering Training, Bombay had since been promoted to officiate as Lower Division Clerk in the same office with effect from 1-3-1980 in the time-scale of pay of Rs. 260-400.

11. A representation for cancellation of the transfer order on promotion as Assistant was received from one Scheduled Caste person working as Senior Observer, in the Meteorology office, Nagpur-5. The field office of the Commission had taken up the matter with the Administrative Officer, Meteorology Department,

New Delhi, who had intimated that the representationist was transferred to Bombay on promotion as there was no vacancy in the Nagpur Region to accommodate him. He had, however, been accommodated in the home Region against a vacancy that arose subsequently.

V. *Gujarat*

12. One Scheduled Caste person from Palanpur, District Banaskantha represented his case to the field office of the Commission for appointment in the State Bank of India. The matter was taken up with the Secretary, Regional Recruitment Board, S.B.I., Ahmedabad with the result the representationist was appointed in the Mehsana Branch of S.B.I.

13. One Scheduled Caste employee in the Western Railway, Rajkot, represented to the field office of the Commission for his promotion to the post of Welfare Inspector under the reserved quota. His case was forwarded by the Commissioner for Scheduled Castes and Scheduled Tribes, New Delhi. The matter was taken up with the Divisional Superintendent, Western Railway, Rajkot, who had informed that the applicant had been promoted on ad-hoc basis as per roster of reservation for Scheduled Castes.

14. One Scheduled Tribe employee of Telephone Department at Porbandar, District Junagarh, represented for his transfer to Surat. The field office at Ahmedabad, took up the case with the General Manager, Telecom, Ahmedabad, successfully with the result the representationist was issued transfer orders as per his request.

15. One Scheduled Caste employee working as Jr. Clerk in the Dispensary No. 15 Naroda of the Employees State Insurance Corporation, Ahmedabad represented for house building loan and transfer. The matter was taken up with the Regional Director, Employees State Insurance Corporation, Ahmedabad. The concerned authorities had informed that the case of the representationist for his regular appointment had been taken up and after his regular appointment, his request for house building advance would be considered. He was also transferred to the nearest dispensary No. 38.

16. One Scheduled Caste person, working as Assistant Engineer, Telephone Exchange, Rajkot, complained about harassment and threatening by a non-Scheduled Caste customer. Further, he requested for his transfer to his home State Bihar. His case was taken up with the Director General, Telephones, New Delhi who ordered his transfer to Bihar Circle.

VI. *Orissa*

17. One Scheduled Caste person who had been working as a Sweeper in the office of the Postmaster-General, Orissa Circle, Bhubaneswar, since 22-11-72, represented on 24-5-79 to the concerned authority for appointment as a Peon. His case was taken up with the PMG who informed that the representationist had since been absorbed as a peon belonging to test category Class IV.

VII. *West Bengal*

18. One Scheduled Caste person employed as Superintendent II, Directorate of Inspection, DGS&D, Department of Supply, Calcutta, represented on 2-5-79 for his regular promotion as Superintendent (SL-I). His case was taken up with the DGS&D, New Delhi, who informed that he had been promoted as Superintendent (SL. I) on regular basis w.e.f. 1-4-1979.

19. The President, Hygeine Institute SC and ST employees' Council, Calcutta, forwarded the case of one Scheduled Caste person working as U.D.C. in the office of the Director, All India Institute of Hygeine and Public Health, Calcutta, requesting the concerned authority that he be given seniority over others and also promotion as Head Clerk against the reserved quota. This case was taken up with the Director concerned who informed that the representationist was allowed to work in a leave vacancy on purely temporary basis without affecting inter seniority over others who were not willing to avail of such short term leave vacancy promotion. Thus, the question of granting him seniority over others did not arise. However, the representationist in his turn had already been promoted as Head Clerk on regular basis in terms of 40 point roster.

VIII. *Rajasthan*

20. One representation from a Scheduled Caste person regarding his recruitment for the post of Sr. Tech. Asstt. (Geo) in Indian Bureau of Mines (Ministry of steel and Mines, Deptt. of Mines); Nagpur was received through the Commissioner office at New Delhi.

The matter was taken up with the Controller, Indian Bureau of Mines, New Secretariat Building, Nagpur who had since replied that the application of the representationist may be considered for appointment to the post of S.T.A. (Geo), and he had already been appointed in the same capacity w.e.f. 15-11-1979.

21. One Scheduled Caste person re-employed as U.D.C. in the office of the Executive Engineer, Irrigation, Bharatpur, alleged that all other fellow employees were promoted and posted in the office of the Chief Engineer, Irrigation, Rajasthan, Jaipur, but his transfer order was cancelled by the Government as he belonged to Jaipur district. So his case for transfer to home district was recommended by Commission's field office at Ahmedabad to the Chief Engineer, Irrigation, Jaipur.

Later on, his request was considered and he was transferred to Jaipur in July, 1980.

22. A representation from one Scheduled Tribe person was received through the office of the Commissioner for Scheduled Castes and Scheduled Tribes, New Delhi, regarding the nonpayment of his salary and travelling allowance.

The matter was taken up with the Executive Engineer, Water Works, Alwar, who had since replied from March to July as desired by him on 16-8-1979, as well as the travelling allowance on 11-9-1979.

II. *Brief History of Cases where our efforts failed to bring any Relief*

Field Offices of Commission for SC & ST

I. *Punjab*

1. One Scheduled Caste person working as Assistant Cashier Godown Keeper in the Central Bank of India, Abohar, Punjab had sent a representation through the Commissioner for Scheduled Castes and Scheduled Tribes stating that he joined in the Bank in October, 1974 as Assistant Cashier/Godown Keeper at Abohar Branch and he was due for promotion from September, 1979.

His representation was forwarded to the General Manager, Central Office, Central Bank of India, Bombay for consideration.

The head office of the Central Bank of India had replied that the representationist claimed promotion to either head-cashier post (in clerical cadre) or for Chief Cashier post (in the officers cadre). The scheme of reservation in promotion for Scheduled Castes and Scheduled Tribes employees in the Central Bank apply to promotion from one cadre to another viz., from the sub-staff to clerical cadre and from clerical cadre to officer cadre only and not within same cadre i.e. for all posts attracting special allowance which is a

functional allowance. They had also stated that when the representationist would be eligible for the post of Head Cashier as per seniority, he would be posted as Head Cashier in the clerical cadre. They had also intimated that according to the reservation of 15% for Scheduled Castes and 7-1/2% for Scheduled Tribes, eligible candidates belonging to these categories would be considered on the basis of inter-seniority for the vacancies reserved for them. They need not compete with the general candidates in seniority.

II. *Jammu & Kashmir*

2. One Scheduled Caste person in his representation dated 25-3-1980 stated that he was selected as an Assistant in the Divisional Office of the New India Insurance Company Ltd., Shalamar Road, Jammu Tawi and was placed at serial No. 5 but he could not get appointment. There was no Scheduled Caste or Scheduled Tribe candidate in the said company.

This case was taken up with the Divisional Manager, New India Insurance Company Ltd., who had intimated that as per the rules, they are to keep 50% of the total fresh vacancies for reserved categories in the following rates.

Scheduled Caste	20%
Scheduled Tribes	10%
Ex-servicemen	10%
Handicapped	3%
Dependents of Ex-servicemen killed in action	7%

They had also informed that there were already 5% reserved category candidates working in the Jammu Divisional Office and the statement given by the representationist was incorrect.

III. *Himachal Pradesh*

3. One Scheduled Caste person working as Junior Engineer in Fault Control, Ambala, had represented through the Commission for Scheduled Castes and Scheduled Tribes stating that 18 posts which fell vacant during the year 1977 had been dereserved and allotted to general categories. There were more vacancies in the year 1978-79 and 1979-80. However, he was not considered for selection in the grade of Junior Engineer.

His representation was forwarded to the General Manager, Telecom, North Western Circle, Ambala for necessary action. The General Manager, Telecom North Western Circle, Ambala, had intimated that due representation was given to the Scheduled Caste and Scheduled Tribe candidates while determining the vacancies for S/GJE upto 1977. At that time no Tribe candidates were available for promotion to S/GJE cadre. After exhausting exchange of Scheduled Tribe points with Scheduled Caste points, 14 points of Scheduled Tribes candidates were left, against which 14 officials of other communities were approved.

In the meantime, more vacancies for 1978-79 and 1979-80 occurred and in those vacancies too, adequate representation was given to Scheduled Castes and Scheduled Tribes candidates. The name of the representationist did not come within the eligible zone amongst Scheduled Caste candidates and as such his case was not considered for promotion to the cadre of S/GJE. His case would be considered as and when his turn would come.

IV. *Uttar Pradesh*

4. One Scheduled Caste person from Research Designs and Standards Organisation, Ministry of Railways, Government of India, Lucknow had represented that he was victimised and harassed by his South Indian Officers and being proceeded under disciplinary rules. He had therefore, requested that he may be saved from the harassment and disciplinary action.

The matter was taken up with the Director General, Research Designs and Standards Organisation, Ministry of Railways, Lucknow for redressal of grievances who had informed that the representationist was being proceeded under disciplinary action under the Discipline and Appeal Rules for his grave misconduct and the allegations made by him were entirely baseless. So far as the allegation of victimisation and harassment by the South Indian Officers was concerned, the allegation had no basis and was not correct.

The Director General had also informed that the representationist had imputed mischievous motive against the South Indian Officers under the pretext of his being a Scheduled Caste employee. He had stated that there was no discrimination moted out to him or any other Scheduled Caste employee in his office.

5. One Scheduled Caste person employed as Draftsman (Civil), Bharat Heavy Electricals Limited, Hardwar had represented that his promotion for the post of Senior Draftsman was overdue and due to ill-treatment of the officers, his case for promotion could not be considered in time though his juniors were promoted. He had, therefore, requested that necessary action for his promotion may kindly be taken and he may be promoted against reserved quota.

The matter was taken up with the Director-General, Bharat Heavy Electricals Limited, Hardwar who had informed that the representationist was found unfit by the Departmental Promotion Committee during the year 1972. In the IV batch, 47 Junior Draftsmen were promoted in the month of January, 1976, but the case of the representationist could not be considered with those 47 Junior Draftsmen. He had further said that the case of the representationist would, however, be considered for promotion according to Company's rules.

6. One Scheduled caste person working as a Highly Skilled Technician, Hindustan Aeronautics Limited, Kanpur had represented that his promotion was due to the post of Master Technician but the same was not considered by the authority concerned. He had, therefore, requested that he may be promoted to the post of Master Technician as early as possible.

The matter was referred to the concerned authority who had informed that the representationist was not considered for the post of Master Technician due to lack of knowledge and experience. They had also informed that the representationist had also made a petition to the Grievance Committee in connection with his promotion but his petition was also turned down by the Grievance Committee.

V. *Maharashtra*

7. This case pertains to the harassment meted to a Scheduled Caste person working as a clerk in the Central Bank of India, Bombay Office. The matter was taken up with the Chief Manager (Operations) who has since informed that the representationist attended office on 8th November, 1979, half an hour late and when he was asked to work on the scroll counter meant for Ministry of Commerce challans, he refused to do so and went away without signing the muster. When asked to explain about his misconduct, instead of replying directly to the management, he sent out copies to various six organisations in contravention of Service Rules and Regulations which require that no employee should involve outside Government or Semi-Government Agencies without first exploring the possibility of resolving the dispute internally with the management. A suitable warning memo had been given to the representationist and the matter has treated as closed.

VI. *Gujarat*

8. A representation was received from one Scheduled Caste person who had applied to the Kandla Port, Gandhidham, Kutch for the post of Junior Clerk/

typist. On taking up the matter with Port authorities, the field office at Ahmedabad was informed by the Deputy Director, Kandla Port that the performance of the representationist was much below the required standard in the test as well as interview. Therefore, his selection was not possible and the case was rejected.

9. One physically handicapped Scheduled Caste person from Gandhidham village applied for the post of peon to the General-Manager, Bank of India. The case was taken up by the field office at Ahmedabad with the General Manager, Bank of India, Ahmedabad. The Bank authority informed that since the representationist showed a poor performance in the interview, he could not be selected.

10. One Scheduled Caste employee of the Telephone Department represented that his case for promotion to the higher post was not considered by this Department and thus he was not given justice. The matter was taken up with the General Manager, Ahmedabad who had informed that no injustice was done to the representationist as he failed during the training of cable splicer and hence he could not be considered for promotion to the higher grade.

11. A telegram for cancellation of transfer of one Scheduled Caste employee as Sub-Inspector in Western Railway, from Jamnagar to Mehsana was received by the field office, Ahmedabad. The matter was taken up by the field office with the Chief Security Officer, Western Railway, Churchgate, Bombay. But the Railway authorities intimated that the case of transfer of the representationist from Jamnagar was made in the interest of administration and that he reported for duty at Mehsana.

VII. *Orissa*

12. One Scheduled Caste official from the District Industries Centre, Bhawani Patna, Orissa represented on 19-1-80 to the Industries Secretary for promotion to Class II post in view of his experience, better service records, etc. The case was taken up with the Industries Department which informed that since the representationist was a non-matriculate, he was not eligible for promotion to Class II of Orissa Industries Service as per the provisions of the cadre rules and the Orissa Reservation of vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975.

13. One Scheduled Caste representationist working as Daftry in the office of the Chief Construction Engineer, Bengali Multipurpose Project, Orissa represented on 17-3-79 to the Commissioner for Scheduled Castes and Scheduled Tribes, New Delhi that his case was also ignored. His case was taken up with the concerned authority who informed that as the basic requirement of the post was knowledge in Ferro-printing and the representationist was not having acceptable standard in that job he was not selected for appointment as Ferro-printer.

VIII. *West Bengal*

14. One Scheduled Caste person employed as Section Officer, Statistical Section, Calcutta Dock Labour Board represented on 19-4-79 to the Chairman of the said Board for promotion as Personnel Officer or Labour Officer as he claimed to possess the qualifications and experience as stipulated in the recruitment rules. The case was taken up with the concerned authority was informed that the post of Personnel Officer/Labour Officer was a promotion post to be filled up on the basis of seniority-cum-merit by selection from among the candidates belonging to the lower cadre carrying the scale of pay of Rs. 900-1580 and having at least 7 years experience (5 years in the case of SC/ST) as per decision of the Board, at its meeting held on 7-3-79. Since the representationist was holding the post of Section Officer/Inspector carrying the scale of Rs. 900-1440 and did not fulfil the stipulation laid down by the Board, his case was not considered for the post of Personnel Officer/Labour Officer.

IX. *Rajasthan*

15. A representation was submitted by one Scheduled Caste person of Alwar district regarding termination of his services. His case was taken up with the D.I.G. (Head Office), Rajasthan, Jaipur who in his reply intimated that when the representationist was holding an official post at Raghunath Gadh, District Sikar in 1968, he was trapped red-handed by the Anti-Corruption Bureau for taking a bribe of Rs. 100 on 7-6-68. A case was filed against him in the court and he was sentenced to one year imprisonment and a fine of Rs. 100. In view of the judgement, the D.I.G. Jaipur Range issued an order No. 756, dated 21-6-71 for termination of his services. The applicant, therefore, could not be reinstated in service in view of the court's judgement.

16. One Scheduled Caste person from the Sub-Taluka, Nasirabad, Ajmer. represented for his promotion to the higher grade on roster basis as three of his fellow employees were promoted leaving him behind. His case was taken up with the Department of Personnel and Administrative Reforms, Government of Rajasthan, Jaipur who inform that since the representationist was much junior in seniority, his case for promotion could not be considered with others.

CHAPTER X

ERADICATION OF UNTOUCHABILITY

Untouchability is a national problem and its eradication within the shortest possible time is a constitutional obligation. In order to eliminate this evil practice completely from this country it would not only be necessary to curb the overt forms through the working of the P.C.R. Act, but it would also require a multi-pronged attack for raising the social, educational and economic level of the people who have been suffering from discrimination over the centuries due to this practice. The Government and the Nation will have to mobilise all agencies and techniques available for changing the attitudes of the people who practice untouchability.

Protection of Civil Rights Act, 1955

10.2 In the First Annual Report of the Commission, the history and the provisions of the Untouchability Offences Act now termed as the Protection of Civil Rights Act, 1955 were given. The amended Act, came into force from the 19 November, 1976. It was hoped that with the enforcement of the Protection of Civil Rights Act, 1955 no loopholes will remain which could be used by the offenders to escape punishment. It is our endeavour in this report to review the working of the provisions of the P.C.R. Act, 1955 to see whether the aims and objectives of the amendment of the earlier Act have created the desired conditions for awarding necessary punishment to those who still practise untouchability and act as a deterrent to others.

Scope and requirements of the Act

10.3 It would be appropriate to quote from the report of the Ministry of Home Affairs on the working of the provisions of Section 15-A of the Protection of Civil Rights Act, 1955 for the year ending 31-12-1978 in this regard. It says, "The Protection of Civil Rights Act", 1955, hereinafter referred to as the "P.C.R. Act", has integrated within its fold punitive measures for the offenders of which one of the most important is that, offences arising out of the denial of Civil Rights have been made cognizable and non-compoundable, while earlier they were cognizable but compoundable. The Act provides for minimum and maximum punishments and for graded punishments for repeated offences. The graded punishments range from a minimum imprisonment for one month and a fine of Rs. 100 to a maximum imprisonment of six months and a fine of Rs. 500 for the first offence; a minimum imprisonment for six months and fine of Rs. 200 to a maximum imprisonment of one year and fine of Rs. 500 for the second offence; and a minimum imprisonment for one year and fine of Rs. 500 to a maximum of two years imprisonment and fine of Rs. 1000 for the third and subsequent offences. The State Governments can impose even collective fines on the inhabitants of an area where the untouchability offence has been committed or abetted or offenders have been harboured. With its considerably tightened penal provisions, the present Act also provides for the punishments of a public servant, who wilfully shows negligence in the investigation of any offence punishable under this Act. Section 15-A(3) of the Act has made the Central Government responsible to coordinate the measures taken by the State Governments and Section 15-A(4) requires the Central Government to place on the table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provision of Section 15-A(1) and 15-A(2) of this Act. Section 15-A(1) of the Act places the onus squarely on the State Governments to take all necessary measures to ensure that the rights arising from the abolition of untouchability are made available to, and are availed of by those subjected to any disability arising from untouchability. Section 15-A(2) of this Act requires the State Government to take measures for providing adequate facilities including legal aid, appointment of officers for initiating and exercising supervision over prosecutions, setting up of Special Courts, appointment of Committees at different levels, conducting periodic surveys on the working of the provisions of this Act, and identification of the areas where persons suffer from disabilities. These measures spelt out in Section 15-A(2) are illustrative and not exhaustive.

10.4 In the effective implementation of the provisions of the Protection of Civil Rights Act, 1955, the State/Union Territory Administrations are expected to furnish the P.C.R. Cell at the Centre, with the periodical reports (for the first and second half of the year) for the cases registered under the "Protection of Civil Rights Act, 1955 and also the data on the processing of such cases at different levels."

Annual Report of the Ministry of Home Affairs

10.5 The Ministry of Home Affairs have so far laid on the table of Lok Sabha and Rajya Sabha, the Reports of the Government of India in this regard for the years 1977 and 1978. The Report in respect of 1979 has not yet been placed in the Lok Sabha or the Rajya Sabha (upto the end of December 1980). The Commission for Scheduled Castes and Scheduled Tribes had also approached the Ministry of Home Affairs, as well as the State Governments and the Union Territory Administrations to

supply information on eradication of untouchability and implementation of the provisions of the P.C.R. Act, 1955 for their 1979-80 Report. It is regretted that information has not been received from a number of State Governments and the Union Territory Administrations. States which have not provided any information are Haryana, Karnataka, Kerala, Madhya Pradesh (information upto 30-6-80 has been incorporated on the basis of information supplied by our Director at Bhopal). Uttar Pradesh (part information received from Director, Lucknow, has been utilised), Manipur, Tamil Nadu, West Bengal, Tripura and Union Territories of Goa, Daman & Diu and Delhi. The Government of Jammu & Kashmir have supplied partial information but the data on the number of cases registered under the P.C.R. Act are still awaited from them. Nil reports have been received from the States of Assam, Punjab, Sikkim, Meghalaya, Nagaland and the Union Territories of Andaman & Nicobar Islands, Mizoram, Dadra and Nagar Haveli, Arunachal Pradesh, Lakshadweep and Chandigarh.

10.6 The Commission regret to note the delay in the presentation of the Annual Report on the working of the P.C.R. Act, 1955 on the table of the two houses of the Parliament. As this is due to delay in receipt of information from the State Governments/Union Territory Administrations, the Government of India should take up the matter with the State Governments/Union Territory Administrations so as to ensure that the relevant reports are sent to the Government of India by the State Governments/ Union Territory Administrations timely and without any delay. The State Governments/ Union Territory Administrations should be asked to make special arrangements to ensure this in future.

10.7 The Commission also recommend that the P.C.R. Act, 1955 be amended so as to require the State Government/Union Territory Administrations which have Legislatures to place an Annual Report on the working of the P.C.R. Act on the table of the State Legislatures as well. The Report should also be discussed in the State Legislatures. The Commission also recommend that the Annual Report should also be discussed in the Parliament.

Annual Report on the working of Section 15-A of the P.C.R. Act, 1955

10.8 The Commission in their first report had reviewed the Annual Report for the year 1977 and had also given statistics regarding cases registered under the P.C.R. Act and their disposal during 1979 based on the information collected from the Ministry of Home Affairs and the State Governments. Since the Ministry of Home Affairs have now presented their Annual Report to the Parliament giving details of statistics regarding all the States and Union Territories it would be appropriate to give some of the details given therein and the comments of the Commission on the same.

State-wise position of the cases dealt with by the Police

10.9 A statement indicating the number of cases pending at the police level in 18 States and Union Territories is given at Annexure-I. The disposal of cases by the police during 1978 has come down to 89.99% compared to 91.76% in 1977. 75.38% of the total cases with the police were challaned in 1978 compared to 80% in 1977. The percentage of pending cases, therefore, increased from 8.24% in 1977 to 10% in 1978. The percentage of cases closed by the police without challaning also increased from 11.78% in 1977 to 14.6% in 1978. The review of the progress in the disposal of cases under the Act was not upto the mark in the following States/Union Territories :—

Type of disposal	Overall percentage for India	Names of States where performance is not upto the mark
(a) Challaning of registered cases.	75.38	Delhi Administration (6.67%), Bihar (34.30%), Haryana (37.50%), Goa, Daman & Diu (50%), Pondicherry (52.95%), Himachal Pradesh (54.55%), Orissa (55.67%), Uttar Pradesh (57.55%), Rajasthan (66.29%), Andhra Pradesh (67.30%) and Karnataka (67.75%).
(b) Pendency of cases with police.	9.98	Delhi (73%), Bihar (59.70%), Haryana (37.50%), Kerala (20.85%), Orissa (27.35%), Karnataka (24.75%).
(c) Pendency of cases in the courts.	67.66	Delhi (100%), Bihar (98.50%), Karnataka (95.65%), Uttar Pradesh (94.15%), Rajasthan (83.84%), Punjab (80%), Orissa (79.05%), Madhya Pradesh (75.35%), Maharashtra (75.13%), J. & K. (75%), Goa, Daman & Diu (75%), Andhra Pradesh (72.50%) and Kerala (69.69%).

Disposal of cases by courts

10.10 Appendix V of the Annual Report of the Ministry of Home Affairs gives the details of the disposal of cases by the courts (Annexure II). However, it is found that in this Annexure, the percentage of convictions shown against each State relates to the total cases pending disposal by the courts and not to the total cases decided in the concerned State. Thus the picture of acquittals and convictions as given in the Report of the Ministry of Home Affairs does not give the correct picture in this regard. A statement showing the pitcure of convictions and acquittals under the P.C.R. Act, 1955 during 1977 and 1978 is prepared on the basis of data from the Annual Report of the Ministry with the changed emphasis on percentage of convictions and acquittals calculated on the basis of total decided cases in various States and is given in Annexure III. It would be seen

from this Annexure that 490 cases ended in convictions in 1978 out of the total decided cases 2492 giving the percentage of convictions at 19.66%. In 1977, the percentage of convictions was 27.36% in the country. 551 cases ended in convictions out of total of 2014 cases decided in 1977. In 1978, the percentage of convictions is higher than the average in all the States except Orissa (6.45%), Gujarat (8.43%) and Tamil Nadu (14.11%). The percentage of convictions is more than 50% only in the States of Madhya Pradesh (64.42%), Rajasthan (60.47%) and Uttar Pradesh (58.82%). In Goa, Daman and Diu, the lone case decided ended in conviction. The percentage of convictions in other States is between 20% to 25%.

Statistics regarding cases registered under the P.C.R. Act and their disposal during 1979

10.11 On the basis of information received from some of the State Governments in response to our Circular letter, a statement has been prepared giving details of cases registered under the Act, and their disposal by the police and the courts has been given in Annexure IV. It would be seen from this annexure that 9 State Governments and the Union Territory of Pondicherry have supplied the required information. 5 State Governments and 6 Union Territories have intimated that no cases of atrocities have been registered in the States/Union Territories during 1979. The comparative figures of fresh cases registered in the States from which information for 1979 have been received are given below:

Sr. No.	State	No. of cases registered during		Percentage of net increase or decrease
		1978	1979	
1.	Andhra Pradesh	151	144	— 4.69
2.	Bihar	51	35	—31.37
3.	Gujarat	716	506	—29.33
4.	Himachal Pradesh	30	18	—40.00
5.	Madhya Pradesh	398	168	—57.79
6.	Maharashtra	1,283	1,604	+25.02
7.	Orissa	106	122	+15.09
8.	Rajasthan	168	136	—19.05
9.	Uttar Pradesh	267	251	—12.54
10.	Pondicherry	34	32	— 5.88
		3,224	3,016	— 6.45

Figures upto 30-6-1979.

10.12 It would be seen from the above table that although there has been a general decrease in the number of cases by 6.45% in these 9 States and one Union Territory, in Maharashtra and Orissa there is an increase in the number of cases by 25.02% and 15.09% respectively. It may, however, be pointed out that the number of cases registered in a State does not always reflect the actual social conditions regarding practice of untouchability in the States.

Disposal of cases by police

10.13 A statement showing disposal of cases in the 9 States and one Union Territory during the year 1978 and 1979 by the police is given in Annexure V. It would be seen from this annexure that the percentage of cases not challaned by the police increased from 14.29% in 1978 to 17.15% in 1979. The percentage of cases not challaned by the police was very high in 1979 in the States of Uttar Pradesh (39.04%), Rajasthan (31.54%), Himachal Pradesh (28.57%) and Union Territory of Pondicherry (37.5%). It may also be noted that in the case of Bihar, Gujarat Maharashtra, Rajasthan, Uttar Pradesh and the Union Territory of Pondicherry there has been an increase in the percentage of cases closed by the police without challaning as compared to 1978.

Challaning of registered cases

10.14 During the year 1979 the percentage of cases challaned came down in these States to 74.85% from 77.95% in 1978, thus showing a corresponding increase in the percentage of cases pending with the police from 7.76% in 1978 to 7.99% in 1979. The percentage of cases challaned during the year declined in all the States except in Andhra Pradesh and the Union Territory of Pondicherry.

Disposal of cases by courts

10.15 A comparative statement showing the disposal of cases under the P.C.R. Act, 1955 during the year 1978 and 1979 in these States by the courts is given in Annexure VI. It would be seen from this statement that the percentage of cases decided by the courts in these States came down to 27.10% in 1979 from 28.37% in 1978. The States which showed better results are Gujarat (49.73%), Andhra Pradesh (37.55%) and Himachal Pradesh (29.03%), and the Union Territory of Pondicherry with 90% decided cases. It may also be seen that except in the case of Andhra Pradesh, Gujarat and the Union Territory of Pondicherry percentage of cases decided has fallen in all other States as compared to 1978. No case was decided in Bihar in 1979.

Cases ending in convictions

10.16 The overall percentage of cases ending in convictions in the 9 States and 1 Union Territory (Annexure VI) came down from 22.34% in 1978 to 14.96% in 1979. However, percentage of cases ending in convictions was as high as 62.04% in Madhya Pradesh, 33.33% in Himachal Pradesh and 20.26% in Maharashtra, 10.10% in Andhra Pradesh and 16.67% in Rajasthan. It may also be noted that except for Himachal Pradesh, the percentage of cases ending in convictions has come down from percentage of 1978 in these States. The percentage of convictions is very low in the States of Gujarat—2.48%. No case ended in conviction in Uttar Pradesh and Orissa.

10.17 The Commission have observed with regret that the percentage of convictions under the P.C.R. Act, 1955 is very low. It was 27.36% in 1977 which came down to 19.66% in 1978. For 1979 relevant information is available only for 9 States and 1 Union Territory. The relevant data has been analysed. In these States the percentage of conviction in 1979 was 22.34%. The Commission recommend that States/Union Territory Administrations should take steps to improve the quality of investigation and prosecution. It would thus be seen that one of the objectives of the Act, i.e., to plug the loopholes so that the persons practising untouchability do not escape punishment has not yet been realised. While dealing with 'periodic surveys' a detailed analysis of the result of cases filed under the Protection of Civil Rights Act, 1955 has been given as supplied by the Government of Maharashtra. In view of the declining trend in the percentage of convictions under the P.C.R. Act, 1955 in various States and in the country, the Commission recommend that detailed analysis of the result of the cases filed under the P.C.R. Act, 1955 be carried out by the State Governments/Union Territory Administrations so that an all India position is available in this regard for taking an overall view and appropriate remedial action for ensuring that no person who practise untouchability escapes punishment.

Work done by State Governments/Union Territory Administrations under Section 15-A of P.C.R. Act, 1955

Facilities including legal aid

10.18 Under Section 15-A(2)(i) adequate facilities including legal aid are to be provided to the persons subjected to any disability arising out of "untouchability". There are general legal aid schemes for the Scheduled Castes and Scheduled Tribes which are being implemented in most of the States the details of which were given in the last Report.

10.19 The annual income limit prescribed for availing of the benefits of legal aid scheme in various States is as follows :

	Rs.	
Andhra Pradesh	1,500	(mofussil areas)
	2,000	(in the cities of Hyderabad and Secunderabad).
Gujarat	1,800	
Madhya Pradesh	2,400	
Orissa	2,500	
Tamil Nadu	2,500	
Himachal Pradesh	3,000	
Maharashtra	3,600	
Bihar	3,600	
Karnataka	5,000	

10.20 In view of the general cases of poverty among the Scheduled Castes and the fact that a great majority of them are below the poverty line and also suffer from the stigma of untouchability, the removal of which is a constitutional obligation of the Government, free legal aid should be provided to the Scheduled Castes without any financial limits on their income.

10.21 In Gujarat, in addition to legal aid the concerned persons are also compensated for loss of earning on days of hearing as per minimum wages schedule and are also provided with travelling expenses by cheapest mode of conveyance for their journey to the place of hearing and back. Andhra Pradesh provides Scheduled Castes and Scheduled tribes litigants with aid to meet all the expenses including cost of attendance in the courts, filing of documents etc. It is recommended that the other State Governments should also provide similar facilities to the Scheduled Castes and Scheduled Tribes persons who have to visit courts for hearing. This should include adequate aid to meet all the expenses including compensation for loss wages which they would have earned during the days on which they attend court, cost of conveyance in attending the court, cost of stay including board and lodging, cost of filing documents, court fee etc.

Power to sanction legal aid

10.22 In some States like Andhra Pradesh, the sanctioning authority for legal aid is the Collector while in Orissa legal aid is sanctioned by the Divisional Officers. In Haryana, the District Welfare Officers are empowered to sanction legal aid upto Rs. 100 while the Deputy Commissioners are given power to sanction legal aid beyond this amount. The Commission reiterate their recommendation to the State Governments for delegating powers to sanction legal aid to levels lower than the District Collectors that is to say to the Sub-Divisional Magistrate where such powers have not been delegated. The States which have not yet introduced the scheme of legal aid may do so expeditiously.

10.23 The Government of Karnataka, besides providing legal aid, have also created posts of Legal Advisors for Scheduled Castes and Scheduled Tribes in all the districts. The Government of Madhya Pradesh has created one post each of the Government pleaders in the districts of Bastar, Surguja, Mandla, Shahdol, Dhar, Sidhi, Jhabua and Raigarh in order to protect the interests of Scheduled Castes and Scheduled Tribes pertaining to civil, criminal and revenue cases. The Government of Uttar Pradesh have appointed an Assistant District Government Counsel in 28 districts of the State in order to create an agency to which Scheduled Caste and Scheduled Tribe persons can go freely for both advice and conducting their cases. In Tamil Nadu in each district the Collector prepares a panel of lawyers preferably belonging to Scheduled Castes or Scheduled Tribes and the choice of the pleader or the advocate under the rules is left to the litigants. In Punjab one Law Officer (Assistant District Attorney, Class I/II) has been posted in each office of the District/Sub-Divisional level and free legal service and advice is provided to the poor under

the supervision of District Magistrate/Sub-Divisional Magistrates. In the Union Territory of Pondicherry, the eligible Scheduled Castes are entitled for legal aid in all proceedings before the Civil and Criminal courts in ejectment and eviction cases. Fees for the pleader is paid by the Government and he is not entitled to receive any fees from the party.

10.24 The Commission recommend that State Governments should maintain separate panel of competent lawyers to handle these cases and the affected Scheduled Caste persons should have the choice to select any lawyer from this panel as has been provided by Tamil Nadu and some other States.

10.25 A review of the existing legal aid facilities for the Scheduled Castes in various States shows that there are ceiling of income limit for availing of these facilities and the authorities vested with powers to sanction legal aid in various States are at times beyond the reach of the poor litigants requiring this aid. In view of the general mass poverty amongst Scheduled Castes and Scheduled Tribes and the fact that removal of untouchability is a Constitutional obligation the Commission recommend that :

(i) The State Governments/Union Territory Administrations which have not yet introduced the free legal aid system should introduce it without further delay and free legal aid should be provided without any financial limits on the income of the Scheduled Caste litigants.

(ii) The Commission recommend that the legal aid should be adequate to meet all the expenses including compensation for loss of wages of the litigants which they would have earned, cost of conveyance in attending the courts, cost of stay including board and lodging, cost of filing documents, court fees etc.

(iii) It is recommended that the State Governments should delegate powers to sanction legal aid to the levels lower than the District Collector, that is to say to the Sub-Divisional Magistrates.

(iv) The States should maintain separate panel of competent lawyers to handle these cases and the affected Scheduled Caste persons should have the choice to select any lawyer from this panel.

Setting up of Special Courts

10.26 The Provisions of Section 15-A(1) envisage the setting up of Special Courts for ensuring that rights arising from the abolition of untouchability are made available and are availed of by the persons subjected to any disability arising out of untouchability. The Government of India have stressed great importance and advised the State Governments to set up special courts to bring quick justice and ensure punishment of the offenders with deterrant rapidity. So far Andhra Pradesh have set up special mobile courts in 1979. The details of the special courts in Andhra Pradesh were given in the Commission's first Report. The Commission have noted that in Andhra Pradesh, the percentage of pending cases with courts which was 72.48% in 1978 has come down to 62.4% in 1979. In Uttar Pradesh, a Judicial Magistrate has been nominated in each district by the High Court to try cases arising out of the P.C.R. Act, 1955 on priority basis. In Maharashtra, the High Court is reported to have issued instructions to the Criminal Courts to bring the number of pending over six months' old cases to nil. District and Session Judges have been requested to watch the position in respect of these cases. The pendency of cases in Maharashtra is very high. It has increased from 75.12% in 1978 to 82.61% in 1979. *The Government of Kerala* have requested the State High Court for issuing suitable instructions to subordinate courts for quick disposal of P.C.R. Act cases. The District authorities have also been directed for giving special attention to these cases. *The Government of Bihar* have intimated the Commission that in view of the small number of cases in the State, "no setting up of special courts for the trial of offences under P.C.R. Act is considered necessary". The Government of Madhya Pradesh are contemplating to establish 7 mobile special courts for trial of offences under the Act. This has been reported by our Director, Bhopal. Madhya Pradesh also have very large number of pending cases and the pendency has increased from 75.3% to 82.3%. The Commission would welcome an early decision by the State Government. *The Government of Orissa* are in correspondence with the High Court regarding setting up of special courts for trial of offences under the P.C.R. Act, 1955 and also cases of atrocities on Scheduled Castes and Scheduled Tribes and other weaker sections of the society. *The Government of Rajasthan* have intimated that special courts have been constituted in the State for quick disposal of cases concerning atrocities on Scheduled Castes and Scheduled Tribes and that if need arose their number would be increased. The Commission hope that these special courts would also try cases arising out of the Protection of Civil Rights Act, 1955. The Government of Uttar Pradesh, Kerala, Tamil Nadu, Maharashtra, Meghalaya, and Orissa are considering for setting up of such special courts in consultation with their Law Department and High Courts. The Governments of Jammu & Kashmir, Delhi Administration, Assam, Lakshadweep, Himachal Pradesh, Chandigarh Administration, Haryana, Gujarat, Manipur, Goa, Daman & Diu, West Bengal and Nagaland do not feel the necessity for setting up of special courts for dealing with the Protection of Civil Rights cases.

The Commission reiterate their recommendations given in their first Report that States where there are large number of pending cases arising

out of P.C.R. Act, 1955 should set up special courts and provide procedure of summary disposal. Special Prosecutors should also be appointed at Government cost.

10.27 A review of the Annual Report on the working of the P.C.R. Act has revealed that besides other things there are inordinate delay in the disposal of cases by police as also the courts. The percentage of pendency of cases with the police is very high in the States of Bihar, Haryana, Kerala, Orissa, Karnataka and the Union Territory of Delhi. The pendency of the cases with courts is 67.66% for the country and it is still higher in the States of Bihar, Karnataka, Uttar Pradesh, Rajasthan, Punjab, Orissa Madhya Pradesh, Maharashtra, Jammu & Kashmir, Andhra Pradesh, Kerala and Union Territories of Delhi and Goa, Daman & Diu.

Appointment of Officers for initiating of exercising supervision over prosecutions under the Protection of P.C.R. Act, 1955

10.28 Under Section 15-A(2)(ii), the State Governments are required to appoint officers for initiating or exercising supervision over prosecutions for the contravention of the provisions of this Act.

Andhra Pradesh :

10.29 In Andhra Pradesh, the Chief Secretary has been made responsible for the implementation of this Act. Similarly at the district level, the Collector performs the same function. Special Cells at the State and the district levels have also been constituted. A Special Cell in the Crime Branch (C.I.D. Branch of the State) has been established to probe into the atrocity and untouchability cases in the State.

Bihar :

10.30 The State Government have created 'Harijan Cells' at the State, district and block levels. A special police station is also functioning at the State Secretariat for registration of those cases which could not be registered elsewhere. All cases under the P.C.R. Act are being treated as Special Report cases.

Gujarat :

10.31 Officers at various levels have been appointed for supervision of the implementation of cases arising out of P.C.R. Act. Three 'Harijan Cells' are functioning under the supervision of Special Inspector General of Police in 3 police ranges, Rajkot, Gandhinagar and Vadodara Special Revenue-cum-Police Harijan Cells are also functioning since 1977 in the districts of Ahmedabad (Rural), Surendranagar, Mehsana and Sabarkantha. Two more such Cells have been created in the districts of Surat and Kheda. These Cells are mobile and visit villages to locate disputes over the lands with a view to tackle the issue at the spot.

Himachal Pradesh :

10.32 Special Cell has been created in the Secretariat at State level and in Police headquarters at district level.

Karnataka :

10.33 In Karnataka, a Special Cell "Civil Rights Enforcement Cell" headed by the Superintendent of Police has been set up. The Cell has additional duties of looking after reservation for Scheduled Castes in Government services and local bodies and for monitoring the utilisation of funds under the Component Plan/ Tribal Sub-Plan for Scheduled Castes and Scheduled Tribes.

Kerala :

10.34 A special mobile squad at Kasrgod in Cannanore district under the Crime Branch (C.I.D.) had been created.

Madhya Pradesh :

10.35 A Special Cell headed by D.I.G. Police, Harijan Kalyan has been established. Special Police Stations have also been set up to investigate complaints under the P.C.R. Act, at—

(1) Morena : for all districts of Gwalior Division.
(2) Bilaspur : for all districts of Bilaspur Division.
(3) Panna : for all districts of Rewa and Sagar Divisions.
(4) Raipur : for all districts of Raipur Division.
(5) Jabalpur : for all districts of Jabalpur Division.
(6) Bhopal : for all districts of Bhopal Division.
(7) Ujjain : for all districts of Ujjain Division.

Maharashtra :

10.36 There is a Special Cell under the D.I.G. Police, Bombay, Special Task Force have also been set up at 6 Police Range headquarters to deal with the P.C.R. Act and atrocities against Scheduled Castes and Scheduled Tribes.

Orissa :

10.37 The Collectors and the Superintendents of Police have been made fully responsible for effective implementation of the Act, and all cases under the Act have been made special report cases.

Pondicherry :

10.38 Superintendent of Police (C.I.D.) has been made responsible for the implementation of the provisions of the Act. A Special Cell has also been established headed by Collector-cum-Secretary to review these cases.

Rajasthan :

10.39 A Special Cell has been created in the Home Department of the State Government. A Cell has also been set up at the State Police level. Quarterly review of the crime situation is done. Six monthly meetings are required to be held at the State level also.

Tamil Nadu :

10.40 While no Special Cell has been created at the State level, there is a Special Cell headed by the Additional Inspector General of Police already functioning in the State. Six mobile squads are functioning in the districts of South Arcot, Thanjavur, Tiruchirapalli, Tirunelveli, Coimbatore and Madurai. 7 more such Cells are proposed to be set up under the Centrally Sponsored scheme for effective implementation of the P.C.R. Act.

Tripura :

10.41 The Government of Tripura have appointed officers at Sub-Divisional level for initiating and exercising supervision over prosecution of cases under the P.C.R. Act.

Uttar Pradesh :

10.42 In Uttar Pradesh, a special Enquiry Cell has been formed under the supervision of D.I.G. Police.

10.43 The Commission reiterate the recommendation made in their First Report that the Ministry of Home Affairs (P.C.R. Cell) may evaluate the working of the mobile Police Squads and the Special Police Stations set up in the various States so that their working is made more effective on the basis of evaluation report.

Setting up of Committees under the Provisions of Section 15-A(2)(iv) of the P.C.R. Act.

10.44 The State Governments are required to set up Committees at such appropriate levels as they may think fit to assist them in formulating or implementing various measures under the Act.

10.45 According to the information furnished by the State Governments in response to the Circular of the Commission, it is found that State Level Committees were functioning in the States of Andhra Pradesh, Gujarat, Madhya Pradesh, Orissa and Uttar Pradesh. It appears that in some States where such Committees were functioning earlier, the Committees were not reconstituted after the expiry of their terms. The Government of Bihar have informed that no Committees have been set up while according to information available earlier there was such a Committee in the State. However, no meeting of this Committee was even held in 1978. The Government of Himachal Pradesh also have informed that no such Committee has been set up. In Rajasthan, a Committee functioned under the Chairmanship of the Chief Secretary during 1978, but no such Committee seems to have been functioning in the State during 1979.

10.46 The Governments of Punjab, Jammu & Kashmir, Assam and Tamil Nadu have also not set up any Committee. Information from the States of Haryana, Karnataka, Kerala, Manipur, Tripura and West Bengal are not available. In the Union Territory of Goa, Daman & Diu a Committee under the Chairmanship of the Chief Secretary is formed to review the working of the Protection of Civil Rights Act, 1955.

10.47 The Commission recommend that the States/Union Territories where such Committees have not been set up, the State Governments/Union Territory Administrations may take early steps for the setting up of such Committees.

Identification of untouchability-prone areas

10.48 Under Section 15-A(2)(vi), the State Governments are required to identify the areas where disabilities arising out of untouchability and to adopt such measures as would ensure the removal of such disabilities from such areas. On the basis of reports received as a response to the Commission's Circular and earlier information available with the Commission the progress in this regard is as under :

Kerala :

10.49 The Government of Kerala have identified the interior areas of Kasrgod and Hosdurg talukas of Cannanore district as untouchability prone areas.

Karnataka :

10.50 The Districts of Bijapur and Gulberga have been marked as most sensitive areas in the State with regard to practice of untouchability.

Maharashtra :

10.51 In Maharashtra, certain areas were identified as untouchability prone areas in 19 districts of the State. The State Government have also identified 242 sensitive villages where there is likelihood of trouble between caste Hindus and the Dalits in the districts of Nanded, Beed, Parbhani, Osmanabad and Aurangabad. Preventive measures by the Police have also been taken.

Madhya Pradesh :

10.52 In Madhya Pradesh, the districts of Morena, Ratlam, Ujjain, Sagar, Jabalpur, Bilaspur and Raipur have been identified as sensitive areas.

10.53 While no other State Governments have so far declared any areas as untouchability prone some State Governments have been giving special attention to some areas in their States by creating special machinery to tackle the evil of untouchability. In Andhra Pradesh the State Government have established special mobile courts in the districts of East Godavari, West Godavari, Cuddapah, Chittor and

Mahaboobnagar. In Gujarat, the State Government have established special revenue-cum-Police Cells in the districts of Ahmedabad (Rural), Mehsana, Surendranagar, Sabarkantha, Surat and Kheda.

10.54 The State Governments of Assam, Himachal Pradesh, Bihar, Jammu & Kashmir, Manipur, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan have indicated that they do not have any special areas which can be so listed.

10.55 The Commission recommend that early steps be taken by State Governments/ Union Territory Administrations to complete the task of identification of untouchability prone areas in accordance with the provisions of the P.C.R. Act, where this task has not been undertaken and completed.

Periodic surveys

10.56 Under Section 15-A(v) of the P.C.R. Act, the State Governments are required to make provisions of periodic surveys on the working of the provisions of the Act with a view to suggest measures for the better implementation of the provisions of this Act. The Commission regret to note that no State Government undertook such surveys during 1979. However, the Government of Madhya Pradesh have established a Special Cell of High Level multi-disciplinary nature comprising a social psychologist, a Police Officer, and an administrator. This Cell is located at the State Headquarters to conduct survey of specially sensitive areas pertaining to atrocities and analyse the crimes based on untouchability.

Surveys

10.57 The Government of Maharashtra have supplied detailed analysis of the result of cases filed under the Protection of Civil Rights Act. A copy of the statement showing the number of offences registered under the Protection of Civil Rights Act during the years 1976 to 1979 alongwith the number of cases under various forms of untouchability is given in Annexure VII. It would be seen that 85% of the cases registered under the P.C.R. Act relate to abuses on caste consideration. In most of these cases the complainants are Neo-Buddhists. These abuses are hurled of mostly in the course of quarrels and not on the ground of practice of untouchability as such. The cases filed for giving abuses to Neo-Buddhists on caste abuses are ending in acquittal because the courts including the High Court, Bombay have held that section 7(1)(d) of the P.C.R. Act relating to abuses on caste is applicable to member of the Scheduled Castes only, and the Neo-Buddhists are not Scheduled Castes. The State Government have filed an appeal to the Supreme Court.

10.58 As regards other cases many of them end in acquittal. The reasons are that the complaints are lodged late; there is variance between the FIR and the statements made in the Court by the witnesses/complainants etc. Cases are compounded in the Court by the parties, and besides it has to be established that the offences have occurred on the grounds of untouchability which is provided in the P.C.R. Act. In a few cases the complaints are false ones.

10.59 The State Government are alert to the problem of eradication of untouchability and to take necessary measures as and when necessary. Excepting the cases relating to abuses on caste consideration which are 1381 in the whole State for the year 1979, the other cases under the P.C.R. Act are few in number, i.e., 216 for that year. It has been viewed that considering the small number of pendency of cases in the courts under the P.C.R. Act, which are less than 100 in most of the Districts, there was no need to set up a special court for trial of such offences. However, this matter is under active consideration of the State Government.

10.60 The problems relating to Scheduled Castes, non-Scheduled Castes and those dealing with offences under the P.C.R. Act, are being looked into by the Social Welfare Department of this State.

10.61 It is, however, pointed out that under the P.C.R. Act, cases are not compoundable in courts. The Government of Maharashtra may take this fact into consideration.

10.62 The States are required to conduct periodic surveys under the P.C.R. Act. The Commission regret to note that no surveys were carried out and only the Government of Maharashtra had undertaken a detailed analysis of the results of the cases filed under the P.C.R. Act. The Commission, therefore, recommend that detailed analysis of the results of cases filed under the P.C.R. Act, 1955 be carried out by other State Governments/Union Territory Administrations so that an all India position is available in this regard for taking an overall view and appropriate remedial action.

Strengthening of the machinery for the administration of P.C.R. Act, 1955

10.63 The Government of India have a Centrally Sponsored scheme for sanctioning grants-in-aid to the State Government for stregthening the machinery for the administration of the P.C.R. Act, 1955. According to information obtained from the Ministry of Home Affairs, the Government of India have in 1979-80 allocated an amount of Rs. 33,33,366 to the State Governments for this purpose. The details of the allocations are as under :—

	Rs. in lakhs
1. Andhra Pradesh	8.01
2. Bihar	3.00
3. Gujarat	6.79
4. Kerala	1.36
5. Madhya Pradesh	1.03
6. Maharashtra	3.20
7. Orissa	2.25
8. Uttar Pradesh	2.30
9. West Bengal	4.39
10. Rajasthan	0.50
11. Assam	0.50

10.64 The Commission regret to note that inspite of the funds provided by the Ministry of Home Affairs for strengthening of Machinery for administration of the P.C.R. Act by the States there is inordinate delay in the processing of the cases under the P.C.R. Act. The details of delays have been given at relevant place in the chapter under the heading delay in challaning of registered cases and delays in disposal of cases by the courts. The Commission recommend that the Government of India should prescribe guidelines for improvement in the working of the P.C.R. Act so that time lag between the registration of cases and its disposal is reduced to the very minimum.

10.65 In the first Report of the Commission in para 9.19 the Commission had recommended that "the study of the Protection of Civil Rights Act, 1955 should find a prominent place in the curricula of all police training courses right from that for I.P.S. officers to that for constables." While reiterating this recommendation the Commission further recommend that the P.C.R. Act, 1955 should be translated into regional languages and made available at each police station so that the police personnel are able to handle the cases registered under this Act with a better understanding of the provisions of the Act for proper follow up action.

Complaints regarding progress of untouchability received in the Commission

10.66 During the period April 1979 to March 1980, 34 complaints were received in the Commission. Statewise information in respect of these complaints is given below:

No. of cases received in the Commission Headquarters relating to untouchability practice

Sr. No.	State	Temples	Wells	Hotels	Barbars	Marriages	Schools	Miscellaneous	Total
1	2	3	4	5	6	7	8	9	10
1	Andhra Pradesh . .	1	..	..	..	..	..	2	3
2	Bihar	..	1	..	..	..	..	1	2
3	Karnataka . . .	..	1	1	..	..	..	..	2
4	Tamil Nadu . . .	2	4	1	..	..	1	2	10
5	Uttar Pradesh . . .	1	3	3	2	1	..	6	16
6	Delhi	..	..	..	..	..	..	1	1
	TOTAL .	4	9	5	2	1	1	12	34

These cases were taken up with the concerned State Governments regarding action taken were called by the Commission. Details of some typical cases are given below:

SOME TYPICAL CASES

Karnataka:

1. *Social Boycott of Scheduled Castes and Idigas on village Durs of Mysore Taluka*

10.67 A news item in the 'Daccan Herald' captioned "Social boycott of Harijans and Idigas" was published on 4-3-1980. In response to this, the Commission called for detailed report from the Secretary to the Government of Karnataka, Social Welfare and Labour Department. The enquiry has disclosed that there are reasonable grounds to believe that the social boycott of Harijans and Idigas by the other caste Hindu people in Durs village is true.

10.68 Of the total population of Durs village of about 3,500 Lingayats form the largest majority and the Scheduled Castes constitute the second largest community. Boycott of Scheduled Castes in the community feeding during the festival known as Kangelli Mallappa festival started the unrest among the village Scheduled Castes. This, followed by a clash between Scheduled Castes and Lingayats over non-admission of a Scheduled Caste youth in a Lingayat (Caste Hindu) hotel and the subsequent police case got registered by Scheduled Castes under the P.C.R. Act, aggravated the bickerings between caste Hindus and the Scheduled Castes.

10.69 In retaliation to the P.C.R. case, the Lingayats and other Caste Hindus demanded penalty and public apology from Scheduled Castes during the course of Panchayat meeting. The Scheduled Castes protested and abandoned the Panchayat abruptly. Economic blockade was made against Scheduled Castes by the caste Hindus ensued this incident. Even Muslims were urged by Caste Hindus to desist from selling articles to Scheduled Castes. All except 2 Caste Hindus (2 Idigas) boycotted Scheduled Castes. Police warning to the caste Hindus went unheeded.

10.70 Subsequently, two more festivals were celebrated in the village, one festival by caste Hindus (without inviting Scheduled Castes) on 4-2-80 and the other festival separately by Scheduled Castes on 5-2-80. Refusal by caste

Hindus to sell the articles essential for the celebration of the festival by the Scheduled Castes, stoppage of supply of water and electricity on the occasion created difficulties for the Scheduled Castes in celebrating the festival but these difficulties were cleared by the police who were present there on the bandobast duty.

10.71 Meanwhile, a fresh case was instituted *suo motto* by the police against caste Hindus under section 107 I.P.C. to prevent breach of peace and to ensure safety of 8 Scheduled Castes. During the current pendency of this case before the Tehsildar Magistrate, the Scheduled Castes and the caste Hindus are sternly entranched in two opposite groups both of which have decided not to compromise with each other and determined to let the law take its own course.

Tamil Nadu :

2. *Five Scheduled Castes die in clash with Hindus at Unjanai village near Devakottai in Ramanathapuram district.*

10.72 This is an incident first reported in 'The Hindu' dated 29-6-79, captioned "5 killed in clash over worship", at Chinna Oonjanai, six kilometres from Devakottai, in Ramnad district of Tamil Nadu. The Commission had referred the matter to the State Government as well as to the Deputy Director, Madras, and had called for a detailed report.

10.73 The report of the Deputy Director, Madras narrates the following about the incident.

10.74 In Unjanai village, there is a temple of the deity called Kalani Pariya Ayyanar. There used to be annual festival which was celebrated together both by Caste Hindus and the Scheduled Castes. The Caste Hindus as well as the Scheduled Castes used to contribute for this festival. This festival, which had not been celebrated for the last 13 years, was proposed to be celebrated on 4th and 5th of June, 1979. Even though the Scheduled Castes expressed their desire to contribute, caste Hindus did not collect any money nor allowed them to participate in the Festival. Hence the Scheduled Castes wanted to celebrate the festival on the same dates in their own locality. Since there would be trouble if both groups were allowed to celebrate the festival on the same dates, the Revenue authorities arranged a meeting on 3-6-79 which was presided over by the District Collector. It was agreed that—

(i) The Caste Hindus would celebrate the festival on 4th and 5th June and the Scheduled Castes would participate in the worship, but they would not participate in carrying the mud horses.

(ii) If the Scheduled Castes decided to celebrate they might do so after the concluding day of the celebration of caste Hindus.

10.75 Accordingly, the two groups celebrated the festival. Since the caste Hindus delayed the celebration of the concluding day of the festival the Scheduled Castes approached the B.D.O., Devakottai to arrange for police bandobast to perform their festival of carrying mud horses ("Purevi Yaduppu"). The Jt. S.P. called both the Scheduled Castes and caste Hindus for a meeting in B.D.O.'s office, but the caste Hindus did not turn up. The Caste Hindu priests, who turned up later after some time, refused to offer Pujas for the mud horses prepared by others. As they did not complete the concluding festival they added that the Scheduled Castes should not be allowed to perform the festival. The discussion continued the next day in the village and the Scheduled Castes informed that they were making all arrangements for the festival on 1-7-79. The District Collector decided to give police protection to Scheduled Castes on 1-7-79 and asked caste Hindus to complete the last day festival before 30-6-79. The Caste Hindus filed a petition in the sub-court, Devakottai to prevent from placing their mud horses in the Ayyanar temple.

10.76 On 28-6-79, there was a sudden planned attack by Caste Hindus on the Scheduled Castes with deadly weapons. They raided the houses of the Scheduled Castes, broke open their houses, set fire to huts and hay stocks. They murdered two Scheduled Castes, S/Shri Pariaiah and Theradish and inflicted injuries to others. On the way to hospital, Shri Kulandish died and two more Scheduled Castes Shri Sathish and Veerasoni died in the hospital. 10 Scheduled Castes were sent to a hospital in Madurai.

10.77 A cash grant of Rs. 100 each has been disbursed for fully damaged houses and Rs. 50 for partially damaged ones. Rice of 10 Kgs. was distributed to each of 26 families who suffered damages. The District Collector has recommended to the State Government for payment of cash grant of Rs. 2,000 to each of the Scheduled Caste victims who lost property worth more than Rs. 5,000 and Rs. 1,000 or 50% of the damage to those who sustained loss of less than Rs. 5,000 out of C.M.'s discretionary fund.

10.78 On the judgement delivered by the sub-Judge on 3-7-79, to the effect that the Scheduled Castes would place their mud horses 50' north of the horses placed by the caste Hindus, the Scheduled Castes celebrated and concluded the festival on 4-7-79. Forty caste Hindus were taken into custody and search for the other culprits was going on.

10.79 The report of our Deputy Director has not said anything about the drama "Harishchandra" enacted by the Caste Hindus on 5-6-77. The State Government of Tamil Nadu in their letter to the Commission have stated that 'Harishchandra' is a drama enacted in the villages. It is a Hindu mythological story of a King who lost everything for the sake of uttering

the truth. There is a feeling among the caste Hindus that, if this drama is staged, they would get plenty of rain during that year.

10.80 In this drama there is a song, sung by the King, when he was serving as a menial in the burrial ground, mentioning the name of Pariya, a Scheduled Caste community. The Scheduled Castes started raising objections to the singing of this song, and the Government of Tamil Nadu have passed a Government order not to mention these insulting words. The Tamil Nadu Drama Actors' Association has also passed a resolution that they would not sing that particular song.

10.81 Now this drama is staged without uttering these words in the song. Whenever, this drama is enacted, the police provide adequate bandobast and there have been no clashes in the recent past.

10.82 The Commission offered the following comments and suggestions :

(i) The genesis of the circumstances under which the Unjanai temple 'Puravi Yaduppu' festival was not celebrated for 13 years should be investigated to ascertain the reasons as to why the festival was not celebrated for such a long period.

(ii) The Commission feel that the local administration took a weak and vecillating stand by not giving an even-handed treatment to the Scheduled Castes equivalent to that of caste Hindus in respect of the decisions given by them regarding religious celebrations. The Scheduled Castes had a right to participate in all religious ceremonies relating to temple festivals. The decision of the authorities to allow the caste Hindus first to celebrate the festival, even though it was based on an agreement between the parties arrived at in the presence of the Collector and must have given the caste Hindus an impression that the Administration was on their side and this perhaps, encouraged the caste Hindus in violating even the agreement arrived at by them and the Scheduled Castes regarding the celebration of the festival by the caste Hindus upto the 12th or 13th June 1979 after which the Scheduled Castes were due to take their turn in celebrating the festival.

(iii) According to the above agreement, the Scheduled Castes were to celebrate the festival after the caste Hindus had performed the ritual of removing 'Kappu' (mud horses) by the 12th or 13th of June. The caste Hindus violated the agreement and unnecessarily prolonged their celebrations beyond the stipulated dates. Even then the district administration exhibited weakness in firmly dealing with the situation and in not compelling the Caste Hindus to adhere to the agreement arrived at by them. This, perhaps, further encouraged the caste Hindus in their adopting illegal and aggressive postures.

(iv) The fact that the caste Hindus deliberately prolonged the celebrations and violated the agreement should have been enough to alert the authorities and they should have collected suitable advance intelligence and made adequate local police arrangements to prevent any mischief by the caste Hindus. The Commission feel that the district Administration failed in this particular respect. The R.D.O. was in the village on June 26 and one day earlier the Jt. Superintendent of Police was also in the village. They should have assessed the situation. The caste Hindus and the Scheduled Castes were directed by the Jt. Superintendent of Police on June 25 to visit the office of the R.D.O. but the Scheduled Castes alone went there at the appointed time. Later on, the Velars who also act as priests in this village came and declared that they would not offer Puja for the mud horses made by Scheduled Castes. It is learnt that at a secret meeting on the night of June 27 caste Hindus of 12 villages decided to attack the Scheduled Castes, which they actually did on June 28 with deadly weapons. How all this preparation escaped the notice of the local authorities is not understood.

(v) The Commission also feel that the cash grant of Rs. 50 to Rs. 100 given by the Collector for damaged houses is just nominal. It is necessary that adequate compensation should be given to the Scheduled Castes to enable them to rebuild their houses and rehabilitate themselves in the village. Similarly, adequate compensation should also be given to those Scheduled Castes who sustained injuries in this unfortunate incident.

(vi) It is also necessary that the families of the deceased should be adequately compensated and in case, there is no other male or female earning member in those families, the State Government should arrange for giving employment to at least one member in each of these families so that they do not have to starve for lack of any earning member in the family.

(vii) The State Government may also consider advising the local officers for taking adequate and suitable preventive action under section 107/117 Cr.P.C. against the mischievous caste Hindu elements in the area with a view to binding them down to maintain peace and security in future.

(viii) The State Government should also continue adequate police arrangements in the village until normalcy is restored and the Scheduled Castes feel secure and safe.

(ix) It is understood that the sub-Judge, Devakottai, delivered a judgement on the petition filed by the Caste Hindus that the Scheduled Castes would place their mud horses (Puravi) 50' north of the horses already placed by the Caste Hindus. A copy of the judgement is awaited from the Government of Tamil Nadu.

A copy each of the reports of the Collector and the I.G. Police is also awaited.

3. *"Harijans' huts burnt in Tamil Nadu village— 8 injured."*

10.83 This is an incident reported in 'The Indian Express' dated 10-10-79, captioned "Harijans' huts burnt in Tamil Nadu village — 8 injured" at Jothilnaiskanur village in Usilempetti taluka of Madurai district. The Commission had referred the matter to the State Government of Tamil Nadu, and had called for a detailed report.

10.84 The Government of Tamil Nadu have furnished a report which reveals the following facts :—

10.85 On 26-9-79 evening a scuffle arose between a Scheduled Caste woman and a caste Hindu woman. While taking water from a tap, a Scheduled Caste woman put her water pot on the pot of the caste Hindu woman. This led to the quarrel between two groups of people who came to pacify the two quarreling women Sequal to this, again a clash occurred between the Scheduled Castes and the caste Hindus at 6 A.M. on 27-9-79. 18 Scheduled Castes and 3 caste Hindus were injured. Police rushed to the spot and cases in Elumalai P.S. under sections 147, 148, 323, 324, 336, 436 and 395 I.P.C. were registered.

10.86 One of the injured, a Scheduled Caste, died in the hospital and hence the section under crime No. 114/79 was altered to 147, 148, 323, 324, 436 and 302 I.P.C.

10.87 It appears that the law and order machinery was not efficient to check the violence, as a result of which the clashes again resulted on 27-9-79 after the incident of 26-9-79. Besides, even though police picket was stationed in the village, 6 more houses were gutted in fire on 28-9-79. A special police party has been formed to investigate the case.

10.88 Thirty two huts belonging to Scheduled Castes and 10 belonging to caste Hindus were damaged by fire. 30 Scheduled Castes were given cash grant of Rs. 100, 5 kg. rice, one Dhoti and one Saree and one shirt each. The relief provided is meagre.

10.89 The Commission asked the Zonal Director, Madras who has already addressed a letter to the State Government for giving adequate relief to the Scheduled Castes victims and to inform the Commission about the progress. The reply is awaited.

4. *Huts set on fire, following clash*

10.90 A news item in 'Hindu' captioned "Huts set on fire, following clash" was published on 19-1-80. The Commission called for an urgent report from the Director for Scheduled Castes and Scheduled Tribes, Madras. The Zonal Director for Scheduled Castes and Scheduled Tribes, Madras, visited Alekkudi on 4-5 February and furnished a detailed report to the Commission. The findings of the enquiry are as under :

10.91 Alekkudi Panchayat has a total population of 3665 persons residing in 733 households out of which 1350 belong to Scheduled Castes having 272 households. There has been some ill feeling between the caste Hindus and the Scheduled Caste people of the village on account of the Mariamman temple situated in the village and also on account of the disputes over the fishing rights in the village lake. The Scheduled Castes had the feeling that the caste Hindus wanted to establish their monopoly rights over the temple. The Scheduled Castes had filed a petition before the Deputy Commissioner for Hindu Religious Endowment for inclusion as parties over a notice the Deputy Commissioner issued, making the temple a property of the Endowment. This matter was pending. However, the village tank was utilised for fishing also by the caste Hindus on the basis of the fishing rights granted to them by the State Government.

10.92 On 17-1-79, the Scheduled Castes entered the Marriamman temple for the first time with police protection, and consequent upon this the villagers did not engage them in harvesting the crops during 1979.

10.93 On 17-1-80, there was a scuffle between a group of caste Hindu boys and Scheduled Caste boys and the houses of the Scheduled Castes were set on fire. 29 houses were gutted effecting 36 families in addition to 3 shops (one belonging to a Harijan). The maximum loss was suffered by one Shri Karuppian, a cycle shop owner, whose 8 cycles were damaged in the fire.

10.94 Cash relief ranging between Rs. 50 to Rs. 100 was provided to each victim. Free ration and dress were also distributed. An *ex-gratia* grant of Rs. 500 was granted to all the 36 affected victims. So far, no relief has been granted for the cycle shop owner but his case has been recommended by the Collector and sent to the Director of Harijan and Tribal Welfare, Madras for the grant of loan. A police case in Vallam P.S. under sections 147, 148, 323, 324, 436 and 307 I.P.C. has been filed

and 33 accuseds have been arrested. A Peace Committee has been formed with Shri Pitchai as its President with representatives from both sides to maintain peace in the village. Police force has been established at the village itself near the Scheduled Caste basti and extensive foot patrolling by the police was going on. The Scheduled Castes appreciated the prompt action taken by the District Administration which not only prevented the spreading of arson but also saved their lives.

The Zonal Director, Madras has offered the following comments and suggestions :

(1) A police out-post may be opened in the village to enable the Scheduled Castes to have a greater sense of security.

(2) Steps may be taken to settle the village tank with a village co-operative society in which all the families of the village should be represented by one member each.

(3) Immediate steps may be taken for the construction of pucca housing through the Tamil Nadu Harijan Housing and Development Corporation for the Scheduled Castes of the village.

(4) The loss sustained by the cycle shop owner, Shri Karuppalyah, may be assessed and a grant equivalent to that may be given to him.

(5) A labour society of Scheduled Caste agricultural labourers may be formed and the Collector may ensure that the harvest work in the village will be got done only through the society.

10.95 The Commission had also referred the matter to the State Government. Report from the State Government was received on 31-3-80. According to this report, the incident occurred as a result of a quarrel between Shri Thangakarnan, Secretary of the AIADMK of Alekkudy village unit and his friends with Scheduled Castes thinking that they had voted for Congress(I). The State Government have also given the details of the relief measures already indicated in the Director's report above. In addition, the State Government also sanctioned Rs. 80,000 for providing interest free loans for reconstruction of the houses by the victims of this incident. The Commission have again taken up the matter with the State authorities and have suggested that since the houses of the Scheduled Castes were burnt by the Caste Hindus, these should be reconstructed free of cost by the Government and the loans sanctioned for the purpose to Scheduled Castes should be converted into grants. The State Government have also been requested to take necessary measures as suggested in the Director's report and indicated above.

10.96 The report received by the Commission from the State Government of Tamil Nadu reveals that one Shri Thangakarnan, Secretary of AIDMK of Alekkudy village unit with his friends picked up a quarrel with some Scheduled Castes thinking that they had voted for Congress(I) which resulted into a clash between Scheduled Castes and the Caste Hindus. According to the report, the Assistant Superintendent of Police, Thanjavur Town and Inspector of Police, Thanjavur Taluk Police Station with reinforcement rushed to the spot after getting the information. Fire fighting squad was summoned. Police pickets and patrol were arranged and the situation was brought to normalcy immediately. However, though there was no loss of life, 22 persons sustained minor injuries and 29 huts of Scheduled Castes occupied by 36 families were damaged by fire. The estimated loss was about rupees one lakh. On a complaint given by a Scheduled Caste, a case in Vallem police station Crime No. 11/80 under Sections 147, 148, 323, 324, 436 and 306 I.P.C. and on a complaint given a Caste Hindu another counter case in the same Police Station in Crime No. 12/80 under Sections 147, 323 and 324 I.P.C. were registered. Thirty three accused persons have been arrested and six persons have surrendered before the court.

10.97 There is a mention about the relief measures taken by the State Government in the report under reference. The State Government paid immediately a cash grant of Rs. 100 per family. *Ex-gratia* grant of Rs. 500 per family was also paid from Chief Minister's Public Relief Fund. The clothings contributed by philanthrophic institutions were also distributed to the victims. Each family was given a dhoti, a saree and a banian. The rice collected from the people was also distributed to the victims at the rate of 4 Kg. per family at the time of leaving the rehabilitation centre. The State Government also sanctioned Rs. 80,000 for providing interest free loan for reconstruction of the houses.

10.98 As the case is still under investigation, the Commission are keeping in touch with the State Government of Tamil Nadu to know the developments of the said case.

5. *Probe into the death of a Scheduled Caste girl in Salem*

10.99 In the Hindu, dated 13-3-79, it was alleged that a Scheduled Caste girl was found dead under mysterious circumstances in Salem district, Tamil Nadu, in December 1978. The Commission asked for the facts of the case from the Chief Secretary of Tamil Nadu Government.

10.100 The cause of the incident as reported by the State Government was that, Rajathi, 15 years old Scheduled Caste girl, daughter of Shri Ramah, resident of Nellipalayam village in Salem district took water from a mud pot in the house of Perianna Goundar who got enraged at this, and slapped her on the cheek. Thereafter, the girl was found missing. Perianna, the Gounder informed the father of the girl and asked him to search for her in the neighbouring village and gave him Rs. 50 for expenses. The

dead body of the girl was found in the irrigation well of Perianna Gounder on 29-12-78. A case was registered in Tiriushargada police station and the dead body of the girl was sent for post-mortem where the Government doctor stated that the deceased appeared to have died of asphyxia due to drowning.

10.101 The Scheduled Castes of Nellipalayam village felt that proper investigation was not made by the police and the girl was actually beaten to death by the landlord. They did not work for two days. They demanded that their hours of work be reduced and wages be paid as per the Minimum Wages Act. They wanted that the loans taken by them from the Gounders be written off and pledged jewellaries be returned to them. The Gounders refused to meet these demands and also refused to employ them for cultivation work. The Revenue Officer tried to bring about peace among the two groups but he could not succeed in his effort.

10.102 The case was registered under section 174 Cr.P.C. and under section 7(1)(d) of P.C.R. Act. The matter is *subjudice*.

10.103 The Commission observed that though all the external available evidence, including post-mortem report, points out this case to be one of suicide. there is still a suspicion that it could have been a case of murder, particularly in view of the fact that the girl had not been scolded or beaten up for the first time and that she has never thought of committing suicide earlier under similar circumstances. Therefore, the State Government have been requested to satisfy the Commission that there was no foul play in this case, and the matter may be confidentially enquired into through intelligence Branch to find out whether this was really a case of suicide or a case of murder.

10.104 Secondly, the State Government may consider paying adequate compensation of at least Rs. 5000 in any case to the family of the deceased as decided by the local Panchayat.

10.105 Thirdly, the investigation of the case registered under section 7(1)(d) of the P.C.R. Act may be expedited.

Uttar Pradesh :

6. *"Harijans alleged harassment"*

10.106 There was a news item in the Times of India dated 7-3-80 captioned "Harijans alleged harassment". The Commission called for a detail report from the Chief Secretary to the Government of Uttar Pradesh.

10.107 The fact of the incident as per the report of the District Magistrate, Rampur is as under :

10.108 The Scheduled Castes of village Kashipur, district Rampur complained that the Muslim barbers of the village refused to cut their hair. An on-the-spot enquiry was conducted by the Sub-Divisional Magistrate which revealed as follows :

10.109 There are about 60% of Muslims and 40% of Hindus dwelling in the village Kashipur of Thana Ganj, district Rampur out of which 15 belong to Scheduled Castes (Balmikis). These Scheduled Castes had adopted Christianity about 15 years back, but have been reconverted to Hinduism. There are 4 Muslims barbers and one Hindu barber. Majority of the Balmikis of Rampur village are employed in the municipality and police line in Rampur city and some are working as labourers. Their womenfolk are engaged as sweepers in the village. During the mid-term Lok Sabha election, Shri Ashik, son of Shri Kalaan Nai refused to give his scissors to Shri Saran Balmiki on being requested by him to cut his hair. At this refusal, Shri Saran presented the entire incident before the Scheduled Castes of the village in a different manner saying that, "the barbers of the village have refused cutting the hair of Scheduled Castes. When Government is on an effort of eradicating the untouchability, the barbers of the village are observing it more rigidly".

10.110 Shri Saran and other Balmikis of the village made a complaint regarding this matter to the Chairman, Shri Daya Ram Sagar of the Uttar Pradesh Scheduled Caste and Dalit Class Welfare Committee, Hajpur of district Nainital. Shri Daya Ram Sagar reported this matter to the police station Ganj, on the basis of which Ashik son of Shri Kalaan, Gasita, son of Shri Kallan, Manglu son of Shri Kallan and Badlu, son of Shri Buddha (all muslim barbers) were arrested and sent to jail. A case No. 48 under section 6 of the P.C.R. Act was registered against the above named persons.

10.111 As a result of this incident, tension was created between the Muslims and the Scheduled Castes and the Muslims refused to accept the services of Scheduled Caste women.

10.112 On knowing this, the Station Officer, P. S. Ganj, visited the village and tried to bring about a compromise between the two parties. On 10-3-80, he held a meeting in which the members of both parties were present. It was decided in the meeting that the Scheduled Castes would continue doing the cleaning work and the Pradhan of the village would convince the muslim barbers to cut the hair of Scheduled Castes.

10.113 On 18-3-80, Shri Ramji Lal, Organiser of Scheduled Caste Sangharsh Committee, presented a memorandum to the District Magistrate in which it was alleged that the residents of Kashipur village have socially boycotted the Scheduled Castes and are threatening them of dire consequences.

10.114 When the Sub-Divisional Magistrate and the Station Officer inquired about this from the Scheduled Castes, they replied that ever since the arrest of the above quoted barbers, the

Gram Pradhan Shri Ibna Hasan has provoked the villagers against the Scheduled Castes and has collected Rs. five to six thousands to fight the case against the Scheduled Castes in the court. They also alleged that Shri Ibna Hasan had advised the muslim barbers not to cut the hair of the Scheduled Castes.

10.115 A detailed drscussion to bring about a compromise between the parties was made by the S.H.O. and the Sub-Divisional Officer. But the barbers argued that on refusal of giving the scissor by one barber why all the barbers were arrested and that too on the basis of the false report. They (Barbers) said that they would fight the case till the last and would not cut anybody's hair, and would also leave the occupation of barber. Further, they stated that their sons have their saloons opened in Rampur and they are prepared to cut the hair of the Scheduled Castes. But the Scheduled Castes specifically stressed that they would get their hair cut by the people arrested against whom the case has been registered, till then there would not be any compromise.

10.116 On 21-3-80, another meeting was called in which Shri Shouket Alikhen, an advocate, Secretary of the Dalit Class Welfare Committee and other Scheduled Caste leaders of the village were present. Shri Shannuddhan stated in this meeting that if the barbers cut the hair of other caste Hindus, they shall also have to cut the hair of Scheduled Castes. Since the chief accused Shri Ashik Nai was not keeping well, his brother Mallu gave his consent for cutting the hair of the Scheduled Castes. Since it was late evening hours Mallu was asked to touch the chin of the Scheduled Castes present there and he did that. The Scheduled Castes were satisfied and a compromise was made between the parties.

10.117 Now there was no more tension in the village and peace was restored by the local Administration.

Provision of employment by Goverment in case of economic boycott of Scheduled Castes by Caste Hindus

10.118 It would be seen from the description of some of the representations above that whenever Scheduled Caste people have tried to assert their constitutional rights, whether it is against the practice of untouchability or for obtaining minimum wages, the high caste Hindus and even other sections of the society have reacted by imposing economic sanctions against them. The Commission, therefore, recommend that the Scheduled Caste persons who are deprived of their livelihood be provided employment by the State Governments, by taking up suitable schemes of employment in such areas till such time the economic boycott is withdrawn. The State Government should not merely prosecute the offenders under the P.C.R. Act but should also levy collective fines in such cases of mass social boycott.

PART II

ACTION PLAN FOR ERADICATION OF UNTOUCHABILITY

10.119 A reference has been made in the first Report of the Commission on the Action Plan for eradication of untouchability by the Government of India. The Government of India had prepared a comprehensive draft Action Plan for eradication of untouchability on which the Commission had sent detailed comments. A copy of these comments is enclosed in Annexure VIII. The Commission, while expressing their general agreement to the draft Action Plan, had suggested inclusion of Special Component Plan for the Scheduled Castes in their Medium Term Plan 1978—83 and Annual Plans. The Commission had also suggested provision of Special Central Assistance for the Scheduled Castes to supplement the Special Component Plan. The Commission express their gratification on the action taken by the Ministry of Home Affairs in accepting these proposals and have reviewed the working of the Special Component Plan elsewhere in this report. The Commission are firmly of the view that the uplift of the socio-economic status of the Scheduled Castes is essential for the eradication of untouchability. The Commission, therefore, reiterate urgent action by the Government of India on the other suggestions and specially those listed below :—

(i) *Special chapters in the Plan documents*

10.120 The Commission consider that a special chapter in the Plan documents is necessary for giving a comprehensive and coordinated picture of the development of the Scheduled Castes/Scheduled Tribes so that focus on the development of these sections is available at one place.

(ii) *Landless agricultural labourers*

10.121 First priority should be accorded to the members of the Scheduled Castes and Scheduled Tribes in allotment of surplus land under the Ceiling Law or cultivable Government waste land or newly reclaimed or developed land as they are the most disadvantaged and depressed groups in the society. Follow up action should also be taken for recording of the rights of the allottees and arrangements made for provision of irrigation facilities and other inputs. Obviously, possession of allotted land is as important as allotment itself and, therefore persons who seek to dispossess them from their allotted lands should be summarily tried and given deterrent punishment. For this purpose suitable law may be enacted and the provision of Section 144, Cr. P.C. which allows illegal occupants in actual possession of the land the protection to continue their illegal occupation be suitably amended.

(iii) *Minimum Wages*

10.122 The Commission consider it neces-

sary to give larger allocations for works programmes, programmes of creating employment opportunities etc. for the rural poor, who mostly belong to these disadvantageous groups. It is necessary that these programmes should be taken up as a lever to help the agricultural labourers to increase their bargaining position *vis-a-vis* the land owning community. These works and the employment programmes should be carried out not only in the lean season but also during the working seasons so that the landless labourers are enabled not only to get the minimum wages prescribed by the various State Governments but are able to be in a bargaining position to obtain a living wage which should be enough to feed and house himself and the members of his family and also to meet necessary expenditure for the admission of his children.

(iv) *Land ceiling laws*

10.123 The land ceiling laws should be strictly enforced within a time bound programme. Lacunae in the land ceiling laws should be identified and removed. These laws should be put in the Ninth Schedule of the Constitution. Expeditious implementation of land laws is essential because it is found that those in illegal or Benami possession of large chunks of land are often found to be responsible for perpetration of atrocities on Scheduled Caste persons. In order to protect the interests of the Scheduled Caste/Scheduled Tribe farmers at least 50% of the lower level posts like Patwari/Karmachari, Amin, Constable, Head Constable, Sub-Inspector of Police etc., should be filled by the members of Scheduled Castes/ Scheduled Tribes.

(v) *Share croppers*

10.124 The problem of share croppers should not be dealt together with those of the marginal and small farmers. In order to do justice to the Scheduled Caste/Scheduled Tribe share croppers it is necessary that urgent steps are taken to record their rights in the land records.

(vi) *Bonded labour*

10.125 The Commission are firmly of the view that there is need for a crash programme for further identification and rehabilitation of bonded labourers by undertaking special programmes.

(vii) *Land alienation*

10.126 The Scheduled Caste/Scheduled Tribe marginal farmers and allottees of land should be given protection against land alienation. For ensuring prompt disposal of cases of alienation of their lands special courts may be set up and in all such cases, the Government should be a party. The special courts should have powers to summary disposal and also expenses connected with these cases should be borne by the Government on behalf of the Scheduled Caste/Scheduled Tribe litigants.

(viii) *Streneous occupations*

10.127 The Commission reiterate their suggestion that programme should be launched to enable the Scheduled Castes, Scheduled Tribes, and others who are engaged in rickshaw pulling, cart pulling, etc. to become owners of their rickshaws and carts etc.

(ix) *Social programmes*

10.128 The Commission have dealt in detail with the problems of sweepers and scavengers in the chapter on Social Development and recommend that highest priority should be accorded to improve the living and working conditions of those Scheduled Castes and others who are engaged as sweepers, scavengers, tanners, flayers, etc.

(x) *Education*

10.129 Efforts should be made through the process of formal education to emphasise that all human beings are equal and that untouchability is a sin. It is observed that ideas of the untouchability are more deep rooted among the women particularly in rural areas. Special attention is, therefore, required for spread of education amongst girls of all castes including the Scheduled Castes and Scheduled Tribes. It is recommended that suitable curricular changes are made in all levels of education to instil in the minds of the people that untouchability is a sin and special attention be given for education of girls who are more inclined to practice untouchability.

(xi) *Intercaste marriages*

10.130 Many State Governments have introduced the scheme of encouraging intercaste marriages in accordance with the draft action plan for eradication of untouchability. Details of the incentives offered by the various States are given below :

10.131 The Government of *Maharashtra* provide financial assistance to the extent of Rs. 200 to Rs. 300 while the States of *Andhra Pradesh, Madhya Pradesh, Orissa* and *Uttar Pradesh* have provided for grant of Rs. 1,000 in case of intercaste marriages where one of the spouses is a member of Scheduled Caste community. However, in *Madhya Pradesh* intercaste married couples also receive a gold medal and a certificate and in *Uttar Pradesh* besides medal and the certificate, interest free loan of Rs. 15,000 is also awarded for setting up of small scale industry. The Government of *Goa, Daman & Diu* and *Tripura* award a sum of Rs. 2,000 while those of *Bihar, Gujarat* and *Union Territory of Pondicherry* have provided a payment of Rs. 5,000. In case of *Pondicherry*, however, while Rs. 1,000 is given in cash the remaining amount is paid in small savings certificates in the name of the couple. The Government of *Tamil Nadu*, pay a cash grant of Rs. 200 for purchasing house-hold utensils. Besides, a gold medal equivalent to 1-1/2 sovereign of 14 carat gold and a certificate is

awarded. The house site measuring 3 cents is also provided to the couple, wherever Government lands are available (except in Madras city). Other incentives are allotment of 10 tenements by the Tamil Nadu Slum Clearance Board to the intercaste married couples whose income is less than 250 per month each under hire purchase scheme in a year. Similarly Tamil Nadu Housing Board allot flats/plots/houses out of the unutilised quota meant for Scheduled Castes to the inter-caste married couples. A sum of Rs. 1200 is given as subsidy on allotment. This scheme is confined to Madras City only. Inter-caste married couples whose combined income is less than Rs. 6,000 per annum are awarded a cash grant of Rs. 300 and sum of Rs. 4,000 for investing in fixed deposit jointly in the names of the couple in any Nationalised Banks for five years. The Government of *Punjab* are considering to introduce the scheme of providing incentives for inter-caste marriages.

10.132 The Commission recommend that special efforts should be made to encourage inter-caste marriages by liberalising the award of incentives for such marriages and children of such persons should receive special consideration in admission to educational institutions and in securing employment.

(xii) *Mass Movement*

10.133 At present, the Ministry of Home Affairs sanction grants-in-aid to voluntary agencies for carrying out propaganda for eradication of untouchability. During the year 1979-80, the following non-official organisations receiving grant-in-aid from the Ministry of Home Affairs :

Sr. No.	Name of the Organisation	1979-80
1	All India Harijan Sevak Sangh, Delhi	3,73,000
2.	Bhartiya Depressed Classes League, New Delhi	3,79,300
3	Ishwar Sharan Ashram, Allahabad	29,520
4	Thakkar Bapa Ashram, Nimakhandi, Orissa	4,000

10.134 There is need to involve a large number of voluntary organisations. The Ministry of Home Affairs should, therefore, review the policy of sanctioning grants-in-aid to only a few organisations only for eradication of untouchability. They must involve voluntary social organisations like Arya Samaj, Ramakrishna Mission and others in enlarging this programme and to convert it to a mass movement for involving all sections of the society for eradication of untouchability. One of the important features of the mass movement should be to give due publicity of the provisions of the Protection of Civil Rights Act, 1955 and for this purpose the Commission recommend that the P.C.R. Act, 1955 should be translated in the regional languages and made available down to the level of the police stations, Gram Panchayats, primary schools, secondary schools and other institutions including voluntary organisations as the correct appraisal of the provisions of this Act would help in changing the attitudes of those who are prone to practice untouchability.

(xiii) *Use of mass media*

10.135 The Ministry of Information and Broadcasting, as indicated in our First Annual Report, bring out pamphlets, cinema slides and documentaries on the theme of eradication of untouchability for exhibition particularly among rural masses. However, their efforts will have to be increased manifold for making a dent on the mental attitudes of the people so that eradication of untouchability becomes a reality. They should create a special Cell in the Ministry for this purpose and indicate the work done in this regard in their Annual Report. The Information Department of the State Governments and Union Territory Administrations should also create similar special Cells in their Departments for organisation of special programmes for eradication of untouchability within the shortest possible time.

ANNEXURE I

Statement Position and percentage of cases at police level (1978)

Sr. No.	Name of the State/Union Territory Administration	No. of fresh cases registered plus No. of cases with police brought forward from previous year end	No. of cases not challaned after investigations during the year	No. of cases challaned during the year	No. of cases still pending with police for investigations	Remarks
1	2	3	4	5	6	7
1	Andhra Pradesh	156(100%)	24(15·40%)	105(67·30%)	27(17·30%)	
2	Bihar	67(100%)	04(6·00%)	23(34·30%)	40(59·70%)	
3	Gujarat	785(100%)	52(6·62%)	680(86·63%)	53(6·75%)	
4	Haryana	08(100%)	02(25·00%)	03(37·50%)	03(37·50%)	
5	Jammu & Kashmir	04(100%)	01(25·00%)	03(75·00%)	..	
6	Himachal Pradesh	33(100%)	12(35·36%)	18(54·55%)	03(9·09%)	
7	Karnataka	465(100%)	35(7·50%)	315(67·75%)	115(24·75%)	
8	Kerala	52(100%)	..	37(71·15%)	15(28·85%)	
9	Madhya Pradesh	422(100%)	41(9·70%)	352(83·50%)	29(86·80%)	
10	Maharashtra	1285(100%)	192(14·54%)	1083(84·28%)	10(00·70%)	
11	Orissa	106(100%)	18(16·98%)	59(55.67%)	29(27·35%)	
12	Punjab	05(100%)	01(20·00%)	04(80·00%)	..	
13	Rajasthan	175(100%)	46(26·29%)	166(66·29%)	13(07·42%)	
14	Tamil Nadu (except Chingleput(W) district)	1037(100%)	200(19·29%)	746(71.94%)	91(08·77%)	
15	Uttar Pradesh	325(100%)	80(24·60%)	187(57·55%)	58(17·85%)	
16	Delhi	15(100%)	03(20·00%)	01(6·67%)	11(73·33%)	
17	Goa, Daman & Diu	02(100%)	01(50·00%)	01(50·00%)	..	
18	Pondicherry	34(100%)	15(44·10%)	18(52·95%)	01(02·95%)	
	TOTAL	4976(100%)	727(14·61%)	3751(75·38%)	497(09·98%)	

*There is discrepancy in figure.

ANNEXURE II

Number and percentage of cases disposed off by the Court and pending trial

Sr. No.	Name of State/Union Territory Admn.	Total cases pending in Court including these filed during year 1978 (col. 4+3 Annexure-I)	No. of cases ended in conviction during the year (% in brackets)	No. of cases ended in acquittal during the year (% in brackets)	No. of cases till pending in court at the class of the year (% in brackets)	Remarks
1	2	3	4	5	6	7
1	Andhra Pradesh	149(100%)	10(6·78)	31(20·80)	108(72·50)	
2	Bihar	65(100%)	..	1(1·50)	64(98·50)	
3	Gujarat	1528(100%)	58(3·80)	630(41·20)	840(55·00)	
4	Haryana	05(100%)	..	..	05(100)	
5	Jammu & Kashmir	08(100%)	..	02(25·00)	06(75·00)	
6	Himachal Pradesh	37(100%)	04(10·80)	12(32·45)	21(56·75)	
7	Karnataka	734(100%)	08(1·10)	24(3.25)	702(95·65)	
8	Kerala	66(100%)	05(7·58)	15(22·73)	46(69·69)	
9	Madhya Pradesh	844(100%)	134(15·90)	74(8·75)	636(75·35)	
10	Maharashtra	2219(100%)	113(5.09)	439(19·78)	1667(75·13)	
11	Orissa	148(100%)	02(1.35)	29(19·60)	117(79·05)	
12	Punjab	05(100%)	..	01(20·00)	04(80·00)	
13	Rajasthan	266(100%)	26(9·77)	17(6·39)	223(83·84)	
14	Tamil Nadu (except Chingleput (W) district)	1309(100%)	117(8.94)	712(54·39)	480(36·67)	
15	Uttar Pradesh	290(100%)	10(3·45)	07(2·40)	273(94·15)	
16	Delhi Administration . . .	06(100%)	..	..	06(100)	
17	Goa, Daman & Diu . . .	04(100%)	01(25·00)	..	03(75·00)	
18	Pondicherry	21(100%)	02(9·52)	08(38·10)	11(62·38)	
	TOTAL .	7704(100%)	490(6·36)	2002(25·98)	5212(67·66)	

ANNEXURE III

Statement showing the statewise number and percentage of cases disposed of by the court and the P.C.R. Act, 1955 during 1977 and 1978

Sr. No.	Name of the State/Union Territory	Total No. of cases challaned in the court +B.F. cases with the court		Total No. of cases decided		Percentage of cases decided to total cases in col. 3/4		No. of cases ending in conviction		Percentage of conviction cases to total cases decided		No. of cases acquitted		Percentage of acquitted cases to total cases decided	
		1977	1978	1977	1978	1977	1978	1977	1978	1977	1978	1977	1978	1977*	1978
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	Andhra Pradesh	68*	149	22	41	32·35	27·52	1	10	4·55	24.39	21	31	95·45	75·61
2	Bihar	12@	65	—	1	—	1·54	—	—	—	—	—	1	—	100·00
3	Gujarat	1870	1528	1022	688	54·65	45·03	64	58	6.26	8·43	958	630	93·74	91·57
4	Haryana	2	5	—	—	—	—	—	—	—	—	—	—	—	—
5	Himachal Pradesh	32	37	13	16	40·63	43·24	3	4	23·08	25·00	10	12	76·92	75·00
6	Jammu & Kashmir	2*	8	—	2	—	25·00	—	—	—	—	—	2	—	100·00
7	Karnataka	466	734	47	32	10·09	4·36	33	8	78·21	25·00	14	24	27.79	75·00
8	Kerala	44@	64	11	20	25·00	31·25	1	5	9·09	25·00	10	15	90·91	75·00
9	Madhya Pradesh	874	844	350	208	40·05	24·64	168	134	48·00	64·42	182	74	52·00	35·58
10	Maharashtra	599@	2219	55	552	9·18	24·88	9	113	16·36	20·47	46	439	83·64	79·53
11	Orissa	85	148	2	31	2·35	20·95	—	2	—	6·45	2	29	100·00	93·55
12	Punjab	NA	5	NA	1	NA	20·00	NA	—	NA	—	NA	1	NA	100·00
13	Rajasthan	329	266	48	43	14·59	16·17	25	26	52·08	60·47	23	17	47·92	39·53
14	Tamil Nadu	683	1309	437	829	63·98	63·33	246	117	56·29	14.11	191	712	43·71	85·89
15	Uttar Pradesh	107	290	—	17	—	5·86	—	10	—	58.82	—	7	—	41.18
16	West Bengal	—	—	—	—	—	—	—	—	—	—	—	—	—	—
17	Delhi	7	6	—	—	—	—	—	—	—	—	—	—	—	—
18	Goa, Daman & Diu	4	4	1	1	25·00	25·00	1	1	100·00	100·00	—	—	—	—
19	Pondicherry	9	21	6	10	66·67	47·62	—	2	—	20·00	6	8	100·00	80·00
		5193	7702	2014	2492	38·78	32·36	551	490	27·36	19·66	1463	2002	72·64	80·34

* B.F. cases with the police and the court Not Available in respect of Andhra Pradesh and Jammu & Kashmir.

@ Information available upto 30-6-77 in respect of Bihar, Kerala and Maharashtra.

Source : Annual Report of the working of the Provisions of Section 15-A of the P.C.R. Act, 1955 for the year ending Dec. 1977 (Ministry of Home Affairs).

ANNEXURE IV

Statement regarding cases registered under the Protection of Civil Rights Act, 1955 and their disposal during the year 1979

Sr. No.	Name of the State/ Union Territory	Brought Forward and pending with		No. of fresh cases registered	Total of cols. 3, 4 & 5	No. of cases closed by the police after investigation but without challaning	No. of cases challaned in court	No. of cases disposed of by court		Total of col. 9 and 10	No. of cases pending at the year with	
		Police	Court					No. of cases ending in conviction	No. of cases ending in acquittal/ compounding /others/		Police	Court
1	2	3	4	5	6	7	8	9	10	11	12	13
1	Andhra Pradesh	27	108	144	279	25	129	17	72	89	17	148
2	Bihar	7	32	35	74	5	11	..	..	..	26	43
3	Gujarat	53	840	506	1399	68	459	16	630	646	32	653
4	Himachal Pradesh	3	21	18	42	6	10	3	6	9	5	22
5	Madhya Pradesh	29	636	168@	833	12	139	85	52	137	46	638
6	Maharashtra	NA	NA	1604	1604	248	1305	46	181	227	51	1078
7	Orissa	29	117	122	268	24	65	..	3	3	62	179
8	Rajasthan	13	112	136	261	47	97	3	15	18	5	191
9	Uttar Pradesh	NA	NA	251	251	98	143	..	3	3	10	140
10	Pondicherry	Nil	Nil	32	32	12	20	2	16	18	Nil	2
		161	1866	3016	5043	595	2378	%578 (172)	978	1150	254	3094

@(upto 30-6-1979).

ANNEXURE V

A Statement showing the disposal of cases under P.C.R. Act, 1955 during the years 1978 and 1979 by the Police

Sr. No.	Name of the State/Union Territory	Total No. of fresh cases registered plus B.F. cases from previous year		No. of cases not challaned during the year and their percentage—Col. 4 to 3		No. of cases challaned during the year and their percentage—Col. 5 to 3		No. of cases pending with the police for investigation and their percentage	
		1978	1979	1978	1979	1978	1979	1978	1979
1	2	3	4	5	6	7	8	9	10
1	Andhra Pradesh	156	171	24(15·38)	15(14·62)	105(67·31)	129(75·44)	27(17·31)	17(9·94)
2	Bihar . .	67	42	4(5·97)	5(11·90)	23(34·33)	11(26·19)	40(59·70)	26·(61·90)
3	Gujarat . .	785	559	52(6.62)	68(12·16)	680(86·62)	459(82·11)	53(6·76)	32(5·72)
4	Himachal Pradesh	33	21	12(36·36)	6(28·57)	18(54·55)	10(47.62)	3(9·09)	5(23·91)
5	Madhya Pradesh	422	197	41(9·72)	12(6·89)	352(83·41)	139(70·56)	29(6·87)	46(23·35)
6	Maharashtra	1285	1604	192(14·92)	248(15·45)	1883(84·28)	1305(81·36)	10(0·78)	51(3·18)
7	Orissa . . .	106	151	18(16·98)	24(15·89)	59(55·67)	65(43·05)	29(27·35)	62(41·05)
8	Rajasthan .	175	149	46(26·29)	47(31·54)	166(66·29)	97(65·10)	13(7·42)	5(3·36)
9	Uttar Pradesh .	325	251	80(24·62)	98(39·04)	187(57·54)	143(56·97)	58(17·84)	10(3·98)
10	Pondicherry .	34	32	15(44·12)	12(37·50)	18(52·94)	20(62·50)	1(2.94)	Nil
		3388	3177	484(14·29)	545(17·15)	2641(77·95)	2378(74·85)	263(7·76)	254(7·99)

ANNEXURE VI

A Statement showing the disposal of cases under P.C.R. Act, 1955 during the years 1978 and 1979 by the courts

Sr. No.	Name of the State/ Union Territory	Total No. of fresh cases challaned plus B.F. cases with courts		No. of cases decided by courts		No. of cases ending in convictions		No. of cases ending in acquittals		No. of cases pending with courts	
		1978	1979	1978	1979	1978	1979	1978	1979	1978	1979
1	2	3	4	5	6	7	8	9	10	11	12
1	Andhra Pradesh	149	237	41(27·52)	89(37·55)	10(24·39)	17(19·10)	31(75·61)	72(80·90)	108(72·48)	148(62·45)
2	Bihar	65	43	1(1·54)	—	—	—	1(100·00)	—	64(98·45)	43(100·00)
3	Gujarat	1528	1299	688(45·03)	646(49·73)	58(8·43)	16(2·48)	630(91·57)	630(97·52)	840(54·97)	653(52·27)
4	Himachal Pradesh	37	31	16(43·24)	9(29·03)	4(25·00)	3(33·33)	12(75·00)	6(66·67)	21(56·75)	22(70·97)
5	Madhya Pradesh	844	775	208(24·84)	137(17·68)	134(64·42)	85(62·04)	74(35·58)	52(37·96)	636(75·36)	638(82·32)
6	Maharashtra	2219	1305	552(24·88)	227(17·39)	113(20·47)	46(20·26)	439(79·53)	181(79·74)	1667(75·12)	1078(82·61)
7	Orissa	148	182	32(20·93)	3(1·65)	2(6·45)	—	29(93·55)	3(100·00)	117(79·05)	179(98·35)
8	Rajasthan	266	209	43(16·17)	18(8·61)	26(60·47)	3(16·67)	17(39·53)	15(83·33)	223(83·83)	191(91·39)
9	Uttar Pradesh	290	142	17(5·86)	3(2·10)	10(58·82)	—	7(41·18)	3(100·00)	273(94·19)	140(97·90)
10	Pondicherry	21	20	10(47·62)	18(90·00)	2(20·00)	2(11·11)	8(80·00)	16(88·89)	11(52·38)	2(10·00)
		5567	4244	1607(28·87)	1150(27·10)	359(22·34)	172(14·96)	1248(77·66)	978(85·04)	3960(71·13)	3094(72·90)

ANNEXURE VII

Statement showing number of offences registered under the Protection of Civil Rights Act, during the years 1976-1977, 1978 and 1979 in Maharashtra

Motive	1976	1977	1978	1979
1. Prevention of entry into temple	20	23	20	16
2. Obstruction to draw water from common well/taps	60	80	87	70
3. Abuses on caste consideration	278	499	1,072	1,381
4. Insult on grounds of untouchability in hotel, saloons etc..	..	16	15	13
5. Over votting in election	..	..	11	..
6. Petty matters	..	..	62	111
7. Social boycotts	..	4	5	6
8. Marathwada Agitation	..	..	11	..
	364	622	1,283	1,597

ANNEXURE VIII

COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

Comments on Action Plan for Eradication of Untouchability

The Commission for Scheduled Castes and Scheduled Tribes commend the Action Plan for Eradication of Untouchability prepared by the Ministry of Home Affairs and express their general agreement therewith. It has been rightly emphasised in the Action Plan that it must have economic development programme as its foundation, which should be supported by social, educational and ethical programmes and legal action. Though a multipronged attack on the problem is imperative, its economic aspect has to be stressed as during the entire period of planning after Independence the benefits derived by the Scheduled Castes from the general developmental programmes have been nominal. For the Scheduled Tribes a sub-Plan idea was conceived as late as during the Fifth Plan to ensure due benefits to them out of the Plan funds. But for the Scheduled Castes as a target group no such special plan has been formulated so far. Their economic condition has, in fact, been worsening and the number of those below the poverty line increasing. From 1961 to 1971 the number of landless labourers among the Scheduled Castes increased from 345 to 518 per thousand, while the number of cultivators among them declined from 378 to 279. The Scheduled Castes suffer not only from economic and educational backwardness but are also victims of social discrimination.

2. The protection of Civil Rights Act, 1955, came into force in the amended form on 19-11-1976. Though the amended Act considerably tightened the penal provisions and incorporates various new features to curb the practice of untouchability, the Annual Report on the working of the provisions of Section 15-A of the Act for the year 1977 submitted by the Ministry of Home Affairs in Parliament in Dec. 1978 shows that it does not appear to have made the desired impact so far. The number of fresh cases registered under the Act declined from 7047 in 1976 to 3425 in 1977. By no means does it indicate that the incidence of untouchability declined in one year. In a State like Bihar only 2 cases were registered in 1977 (upto June 30). No State Government have reported setting up of special courts for the trial of offences under the Act, nor have any State Government conducted any survey during 1977 in pursuance of this provision. The Commissioner for Scheduled Castes and Scheduled Tribes has reported that many of the Government officers have not even heard of this Act. Obviously, a lot more requires to be done for strict implementation of this Act.

3. Untouchability is a by-product of the Hindu caste system. Due to its ancient origin the evil has deep roots and manifests itself in a variety of overt and covert forms. While the over practices of untouchability can be curbed and even eradicated with the aid of the State, well thought out and concerted multi-level efforts are needed to root it out from the source, that is, the human mind. In this latter sphere, very little appears to have been achieved so far. It is necessary that alongside the implementation of the Protection of Civil Rights Act and the programmes for socio-economic development of the Scheduled Castes, determined and constant onslaught on the basic evil, i.e., the caste system should be carried out by the State as well as conscious and progressive people. Voluntary organisations and mass media have to be mobilised in a much more concerted and effective manner to discourage casteism and untouchability and indeed to strike at the root of the caste system itself. Awareness is to be brought about particularly in the rural masses with the help of mass media so that caste prejudices disappear from their minds. Right from the formative stage the psychology of the young minds is to be attuned to ideas of equality and brotherhood and against the evil practice of untouchability with the help of suitable literature and other side.

4. The Commission offer the following comments on some important aspects and items in the Action Plan:

Special Component Plan: For accelerating the economic development programmes for the Scheduled Castes it is imperative that on the lines of the Tribal Sub-Plan all the concerned Central Ministries and all the State Governments/U.T. Administrations should make specific separate provision in such sector for indicating the financial and physical targets that they visualise for the Scheduled Castes. The Ministry of Home Affairs should, in addition, provide special Central Assistance for the Scheduled Castes, as in the case of the Scheduled Tribes, to supplement the Special Component Plan. For the Scheduled Tribes the proposed Special Central Assistance is of the tune of Rs. 350 crores. As the population of the Scheduled Castes is double that of the Scheduled Tribes population, it will be desirable to allocate Rs. 700 crores for the Special Central Assistance for the Scheduled Castes. The funds provided under the Special Component Plan and the Special Central Assistance should have separate Budget sub-head and should be non-divertible and non-lapsable.

Special Chapter in the Plan

5. With a view to having a comprehensive and coordinated picture of the development of the Scheduled Castes/Scheduled Tribes, a separate chapter may be brought out in the Central/State Plans (both Annual and Medium Term) indicating the financial and physical targets for these two groups. The benefits accruing to them should be quantified both in financial and physical terms. It will help in proper evaluation of the developmental programme for these two disadvantaged groups.

Economic Programmes

General financial assistance policy:

6. In all the schemes relating to land and agriculture, irrigation, horticulture, cottage industries etc., where financial assistance is provided by the Government, the Commission propose that the element of subsidy should be at least 75% and that of 25% at DRI (differential rate of interest). The financial assistance should be in kind as far as possible. The recovery of loan should start only after the benefits actually start accruing to the beneficiaries and the recovery should be in easy instalments.

7. This problem has been discussed at two places, in paras 7 to 11 and again in paras 25 to 32. Ownership of land bestows social status upon the landless labourers apart from improving their economic condition. The Commission recommended that in allotment of surplus land under the ceiling law or cultivable Government waste land or newly reclaimed or developed land, first priority should be given to the Scheduled Caste/Scheduled Tribe landless labourers as they are the most disadvantaged and depressed groups in the society and only after meeting their requirements fully, these may be allotted to others. Whenever land is settled with the Scheduled Castes/Scheduled Tribes it should be entered in the record of rights and it should be ensured that it is properly demarcated and actual possession given to the allottees and proper protection

ensured to maintain their continuous occupation. A Scheduled Caste/Scheduled Tribe family should be settled on developed land as far as possible. When this is not possible it should be given grant for developing it or, still better, it should be engaged by the Government on wages for developing it. Each such family should also be provided with an irrigation well either on 100% grant basis or with at least 75% subsidy and 25% loan at DRI. The recovery of loan should be in easy instalments and it may not start until the land has yielded one or two crops. Inputs such as seeds, fertilizers, etc., should be also provided on a similar basis in kind but the first round of inputs should be provided free of charge. Until the allottees start getting income from the land they should be given consumption loan at DRI for essential social purposes like marriage, funeral etc.

Minimum Wages:

8. The Commission emphasise that special public works programmes should be undertaken not only during loan seasons but even during agricultural seasons. These programmes should be of planned permanent nature, e.g. schemes of irrigation, soil conservation, afforestation, pukka roads, reclamation of land, etc., which will help in increasing production and income. In these programmes exploitation of labour by middlemen should be eliminated and the labour engaged directly by the official agencies. This will lead to improving the bargaining power of the Scheduled Caste agricultural labourers and ensure minimum wages to them. Incidentally, disputes over payment of minimum wages are one of the factors responsible for atrocities on the Scheduled Castes.

Organisation of the rural poor:

9. The Government may actively promote organisation of the rural labour including the Scheduled Caste labour through voluntary bodies and unions. The representatives of the labour must also serve on the committee of these organisations. This will help in improving their bargaining power.

Land Ceiling Laws:

10. The land ceiling laws should be strictly enforced within a time bound programme, say, a year or two. The first priority in distribution of surplus ceiling land should be given to the Scheduled Castes/Scheduled Tribes since they form the bulk of the landless. Only after meeting their requirements in full such land may be given to others. Lacuna in the land ceiling laws should be identified and reserved. These laws should be put in the Ninth Schedule to the Constitution.

11. It is essential that the possession of land allotted to the Scheduled Castes from surplus land or Government waste land should be protected. Persons who dispossess them of their lands should be summarily evicted and tried under law which should provide deterrent punishment. The land should be restored to the original allottee. For this purpose suitable law may be enacted. The provisions of Sec. 144 Cr.P.C.; which allows illegal occupants in actual possession of the land and protection to continue their illegal occupation, be suitably amended.

12. Expeditious implementation of land laws is essential from another angle. Those in illegal or benami possession of large chunks of land are often found to be responsible for perpetration of atrocities on Scheduled Caste persons who are allotted surplus ceiling land but are not allowed to derive benefits from that land. Therefore, strict enforcement of these laws will not only lead to a significant reduction in the present disparities of incomes and wealth, one of the processes for achieving the primary objectives of the Plan, but will also minimise the incidence of atrocities on the Scheduled Castes. There have also been many cases of atrocities over demand for higher wages. In many of these cases the local officials, particularly the lower level Revenue and Police officials, collude with the landlords. In order to protect the interests of the Scheduled Caste/Scheduled Tribe farmers, landless labourers and share-croppers the Commission recommend that irrespective of the reserve quota in services on the basis of the population of the SC/ST in a State/District, at least 50% of the lower posts like Patwari/Karmachari, Amin, Constable, Head Constable, Sub-Inspector of Police, etc; should be filled by the Scheduled Tribes. Moreover, in sensitive areas majority of these posts (not merely 50%) should be manned by the SC/ST.

Share-croppers:

13. The Commission agree with the proposal in para 24(iv) of the Action Plan but would suggest that the problem of share-croppers may be dealt with under a separate heading and not under Marginal Farmers. The Commission further recommend that in order to met out justice to the Scheduled Caste/Scheduled Tribe share-croppers it is essential that categories of public services connected with land records, e.g. village Patwaris or Mandals and survey officials should be strengthened and at least 50% of these posts should be manned by the Scheduled Castes/Scheduled Tribes and in sensitive areas majority of these posts (not merely 50%) should be held by them. A special drive for recording the rights of share-croppers in a time bound programme is imperative. At present, under the existing legislation in some States even where their rights are recorded they are entered as under tenants. This position should be changed by amending the law and the share-croppers given the status of tenants directly under the Government.

Bonded Labour:

14. The bonded labour (of para 20) consist of both the Scheduled Castes and Scheduled Tribes. They should be identified through Government, autonomous and voluntary agencies. A crash programme for rehabilitation of bonded labour should be undertaken. The lacuna in the programme should be identified immediately. Priority should be given for rehabilitation of the released bonded labour on land but some of them or some members of their families, may be rehabilitated in other occupations/industries and for this purpose at least 75% subsidy and 25% loan at DRI may be provided. They may be provided the same facilities as suggested for landless labourers in para 7 above. In case simultaneous rehabilitation is not possible or is likely to take some time, the Government should provide relief grant for maintaining the released bonded labour and his family until such time as he is rehabilitated. This period should be kept to the minimum not only from financial but also social and psychological angles. Until they are able to start their livelihood their consumption needs for essential social purposes should be met by the Government through loans at DRI.

Land alienation:

15. The protective measures (i) to (iii) mentioned in para 24 do not relate only to marginal farmers. As such they should be placed under a separate heading of Land Alienation and Protection. There is need for preventing alienation of land not only in respect of marginal farmers but all farmers among the Scheduled Castes including those who have been allotted land. The Commission agree that as in case of the Scheduled Tribes there should be law to prevent alienation of land belonging to the Scheduled Castes. For ensuring prompt disposal of cases of alienation of their lands special courts may be set up and in all such cases the Government may be a party. These special courts may be given powers of summary disposal and the Government may meet all the expenses on behalf of the Scheduled Castes litigants. In cases where in a land dispute a Harijan is killed the Government machinery must ensure that the land in possession of the deceased Harijan passes on to the heirs of the deceased and in no circumstances whatsoever the persons who have committed aggression should be allowed to take over possession of the land.

Artisans :

16. With reference to para 31 the Commission would like to add that where new skills/industries are developed or needed at least 50% of the trainees should belong to the Scheduled Castes/Scheduled Tribes.

Strenuous Occupations :

17. With reference to para 38 seed money should be provided by the Government and loan provided at DRI to rickshaw pullers and cart pullers who may be required to repay the loan in easy instalments. They should also be provided with residential facilities and facilities for parking their rickshaws and carts.

Social Programme

Unclean Occupations :

18. In para 37 relating to this subject the recommendations of the Committee on Customary Rights to scavenging contained in their Report submitted in August 1966 should be referred to. After the submission of the said Report the Government had informally assured the late Prof. Malkani that a provision of Rs. 5 crores would be included in the next Five Year Plan beginning from 1866-67 itself. But hardly any positive step was taken. The Ministry of Health and Family Welfare should be requested to make adequate provision for the programme of conversion of dry latrines into water-borne ones and this programme may be completed within two years. Where underground sewers connecting the same with flush latrines cannot be laid, hand flush latrines should be introduced and Government subsidy given for the same. Simultaneously a well thought out programme for diversion of people from unclean to clean occupations may be undertaken. The concrete suggestions given by Prof. Malkani in his Report in 1966 may be implemented with funds provided for the purpose by the Ministry of Home Affairs and other concerned authorities.

19. It has been suggested that municipalities should be provided with special funds for supplying working uniforms implements, etc. Some Municipal bodies were found to have misused these funds for other purposes like disbursing salaries of their staff. Therefore, these funds should be put under a separate head and made non-divertible. It will not be advisable to leave the implementation of this programme to the municipalities alone. It should be entrusted to a Board comprising officers of the Municipality as well as the local officers of the Social Welfare/Harijan Welfare Department as well as social workers. It has been suggested that the Ministry of Works and Housing may set apart Rs. 25 crores for this programme in the Sixth Plan. It is necessary to involve the Ministry of Health also in this programme. It is a good idea that by giving occupational allowance to scavengers their wages may be increased to the level of that of Class III employees.

20. The Commission strongly support the recommendation in para 37(iv) about providing facilities of residential schools, pre-matric scholarships and Balwadis for children of those engaged in unclean occupations, particularly scavengers. Their education particularly should be so oriented as to enable those to settle in gainful employment after completion of secondary/higher secondary education who want to do so, so that they may not have to revert to their traditional occupation.

Provision of drinking water :

21. The Action Plan does not refer to the problem of drinking water. The most common practice of untouchability against the Scheduled Castes is that they are generally prevented from using common wells/other sources of water in rural areas and occasionally in urban areas. Therefore, the importance of meeting this basic need of the disadvantaged group of the Scheduled Castes can hardly be over-emphasised. From the integration point of view it is indeed desirable that the Scheduled Castes should be enabled to use common drinking water wells alongwith caste Hindus. But in actual practice the Scheduled Castes are deprived of this facility in many cases. It will be more practical and it will also avoid inconvenience to the Scheduled Castes if wells are provided in their hamlets/*tolas*. Considering this basic need of the poor Scheduled Caste people any other consideration should not stand in the way of making this essential provision in their habitat.

22. Where wells are not feasible, piped water supply schemes may be taken up with a provision for public taps. Keeping in view the size of the population more than one well/tap may be provided. Water supplied through public taps should be free of charge. Only when water connections are provided in individual houses water supply may be taxed on a concessional rate for the Scheduled Castes.

Education :

23. With reference to para 79 the Commission recommend that rights from the formative stage curriculum should be prescribed emphasising that all human beings are equal and that untouchability is a sin. It is observed that the ideas of untouchability are more deep rooted in women than in men, particularly in rural areas. It is, therefore, essential that special attention may be paid to the education of girls of all castes including the Scheduled Castes.

Mass Movement :

24. A mass movement against the evil of untouchability in particular and the caste system in general may be organised on the following lines :

(i) Every year a fortnight may be earmarked for celebrating anti-untouchability programmes in the form of meetings, conferences, seminars, symposis, prabhat pheris, padayatras, processions, essay contests and debates for students, etc. Inter caste dining in Harijan localities should form an essential item of these celebrations. This could greatly help the anti-touchability drive if this particular item were effectively implemented in rural areas. Community dinners on the National Days and other special occasions should be organised in villages particularly in areas where untouchability is practised rigidly. These dinners may be subsidised by the Government. Not only the seating arrangement should be fixed but Harijan men and women of the same village should also be engaged for cooking and serving purposes. All political parties and social workers may be requested to extend motive cooperation for the success of this programme and political leaders and officers, if any, belonging to the village but serving elsewhere as well as the local MLA, etc., may be specially invited to participate in this programme.

(ii) The adult education programme should be utilised for propagating anti-untouchability ideas.

(iii) The teachers have to play an important role in building up this movement. They should be carefully selected and motivated so that they can make positive contribution in this field. Those found guilty of practising or encouraging untouchability should be severely dealt with.

(iv) Mass media, particularly films and television should be exploited for anti-untouchability propaganda and private film producers making powerful films and documentaries on the subject should be suitably rewarded and encouraged.

(v) Inter-caste marriages should be popularised in a big way. Preferential treatment in the form of some financial assistance of award

and some concession in recruitment to services may be extended to those couples where one of the spouses is a Harijan and the other a non-Harijan.

25. It has been suggested in para 64 that not less than 5% of the total outstanding of banks should be provided to the Scheduled Castes and Scheduled Tribes. In view of the Commission it should be 50% of the incremental credit and not that of total outstanding.

26. In para 68 priority for co-operative credit should be laid down as follows: the landless, marginal farmers and small farmers. No credit need be made available to affluent farmers.

Enforcement of civil Rights and Ending of Atrocities:

27. Special courts for trying cases of land disputes, wage disputes, bonded labour, etc., have already been suggested in para 15 above. For enforcement of Civil rights and ending of atrocities also special courts are essential. In all such cases procedure of summary disposal should be provided for. Special prosecutors should be given the option to engage a defence lawyer at Government cost.

28. At the end of para 89 a Social Penance Tax has been proposed. This likely to be resisted and resented and lead to further antagonism between caste Hindus and Harijans. Instead of levying such a tax the following measures are suggested.

(a) Collective punitive fine may be imposed on areas where the Scheduled Caste people are subjected to continuous atrocities.

(b) In sensitive areas where atrocities on the Scheduled Castes persist special police force may be posted and the entire cost of maintaining such force realised from the residents of the area.

29. Special Police Stations should be set up in all the States to deal with cases under the Protection of Civil Rights Act, 1955, and cases of harassment of and atrocities on the Scheduled Castes/Scheduled Tribes. The personnel deployed in these Police Stations should be men of proven integrity and dedication and, as indicated earlier, at least 50% of them, if not more, should belong to the Scheduled Castes/Scheduled Tribes.

ADMINISTRATIVE, MONITORING AND CO-ORDINATING MACHINERY

Implementation:

30. It has been noticed in the past that even though policy guidelines are laid down and programme formulated, they fail to materialise in the field at the implementation stage. It is, therefore, absolutely necessary that implementation of the Protection of Civil Rights Act and socio-economic development programme should receive top priority and attention and wherever necessary the local administrative machinery should be adequately strengthened.

Special column in C.R.:

31. A special column may be included in the proforma of the Annual Confidential Report in respect of certain categories of officers to assess their contributions towards advancement of the Scheduled Castes/Scheduled Tribes in general and prevention of atrocities on them in particular. These categories of officers may be as follows:

(a) Commissioners/District Magistrates/SDOs/Tehsildars/Circle Officers.

(b) I.G./D.I.G./S.Ps/Dy.S.Ps/Inspectors/Sub-Inspectors of Police.

(c) S.D.Os.

32. There should be a monitoring and evaluation machinery to regularly monitor the implementation of the Protection of Civil Rights Act and cases of atrocities. This machinery may also monitor implementation of developmental programme for the SC/ST, based on the special Chapter in the Plan referred to in para 5 above. This machinery may work under special cells to be set up at the State/District levels. At the State level the cell may be headed by the Chief Secretary and at the district level by the District Magistrate. The cell may meet once a quarter.

Apex Coordinating Body:

33. A coordination machinery at the highest level should be set up at the Centre and in the States to ensure implementation of the Protection of Civil Rights Act, prevention of atrocities on the SC/ST implementation of development programmes and safeguards provided for the SC/ST and to issue general guidelines and directions in all vital matters concerning the SC/ST.

CHAPTER XI

ATROCITIES

The term "atrocity" has not been defined by the Penal Laws, but those offences like murder, rape, arson, assault resulting in grievous hurt and physical injury and other such crimes committed on Scheduled Castes and Scheduled Tribes and punishable under the Indian Penal Code are treated as atrocity cases for the purpose of this report. Those offences committed by the non-Scheduled Castes/non-Scheduled Tribes are only considered as "atrocities" and have been analysed in the present report. The cases arising out of the practice of untouchability against the members of the Scheduled Castes are covered under the Protection of Civil Rights Act, 1955 (P.C.R. Act, 1955) and dealt with separately.

11.2 Atrocities on the members of the Scheduled Castes/Scheduled Tribes have posed a serious problem for the country and steps to check them are being taken both at the Central and State levels. The National Integration Division of the Ministry of Home Affairs have been collecting from 1974 data pertaining to the number of atrocities committed against members of the Scheduled Castes and Scheduled Tribes from the States/Union Territories. This was being done by the National Integration Division (N.I.D.) (D. Section) upto March 1980 after which the work relating to the atrocities on Scheduled Castes is being handled by the P.C.R. Desk in the Scheduled Castes and Backward Classes Development (SC&BCD) Division of the Ministry of Home Affairs which is under the charge of a Director. The staff dealing with the subject consists of a Desk Officer, a Research Officer and an Investigator, an U.D.C. and a Stenographer Grade D. For quite sometime after the switch over of the work to the SC&BCD Division, the State Governments were forwarding their monthly, six monthly reports on atrocities committed against the members of the Scheduled Castes and Scheduled Tribes under one covering letter to the Ministry of Home Affairs and even to-day some of the State Governments are following the same procedure. The P.C.R. Desk have processed the data relating to Scheduled Castes only and have supplied the same to this Commission. The Tribal Development Division of the Ministry of Home Affairs are dealing with the subject of atrocities on Scheduled Tribes since March 1980. The Tribal Development Division had, however, processed the data relating to atrocities on Scheduled Tribes available with the P.C.R. Desk of the SC&BCD Division for preparing a reply to a Parliament Question and a copy of the same has also been supplied to this Commission. For the purpose of this report, therefore, the data as received from the SC&BCD Division and a copy of the reply in respect of a Parliament question as received from the Tribal Development Division have been taken into account.

11.3. The Commission had also issued a circular letter to various State Governments seeking information on atrocity/harassment cases against Scheduled Castes and Scheduled Tribes. Under this letter besides sending information on number of cases of atrocities, the State Governments were also requested to supply a statement regarding cases registered under various provisions of the I.P.C. against Scheduled Castes, Scheduled Tribes and their disposal during the years 1977-1978 and 1979. When the total number of cases of atrocities on Scheduled Castes furnished by the State Governments in response to the Commission's Circular were checked with the number of cases furnished by them to the National Integration Division of the Ministry of Home Affairs which had collected information about atrocities on Scheduled Castes, it was found that the total number of cases shown in the Statement supplied to the Commission was different than those supplied to the National Integration Division. The State Governments have been asked to clarify this discrepancy. It appears that inspite of clear instructions from the Ministry of Home Affairs that the States should supply information regarding all crimes committed against Scheduled Castes and Scheduled Tribes by non-Scheduled Caste/Tribe persons, the States do not follow these instructions when they supply atrocity figures in their six monthly reports regarding disposal of cases. It appears that the number of atrocity cases committed against Scheduled Castes and Scheduled Tribes purely on Caste/Tribe considerations are included in their six monthly reports. It is the considered opinion of the Commission that the State Governments should supply information in their monthly and six monthly reports regarding all crimes committed against Scheduled Castes and Scheduled Tribes under various sections of the I.P.C. in all their returns. The proforma for supplying information regarding disposal of cases should be the same as the one used for supplying similar information regarding disposal of P.C.R. cases to the Ministry of Home Affairs. The Commission also recommend that the Ministry of Home Affairs should call a meeting of the Heads of the Special Cells for P.C.R. Act/Atrocity Cells in the States/Union Territories to consider the standardisation of the proformae for collection of relevant data and other related matters

regarding prompt detection, investigation, prosecution and trial of cases and follow up action in accordance with the guidelines of the Ministry of Home Affairs may also be discussed in the conference.

Analysis of data on Atrocities on Scheduled Castes

11.4 In Annexure I is given the comparative statement indicating the State/Union Territory-wise break-up of total number of cases of atrocities against Scheduled Castes reported during the years 1977 to 1979. The State/Union Territory which did not report any case of atrocity during the said years have not been included in the list.

11.5 It would be seen from this statement that the number of cases of atrocities against Scheduled Castes in the country increased by 38.52 per cent in 1978 against the year 1977 from 10879 cases in 1977 to 15070 cases in 1978. However, in 1979 the total number came down to 13861 which is 8.02 per cent less than the previous year in the country. The number of cases increased in 8 States and the Union Territory of Pondicherry. The increase ranges from 12.61 per cent in Bihar to 200 per cent in Assam. State-wise trend of occurrence of atrocities in selected States/Union Territories reporting 100 and more cases during 1978/1979 is given in Annexure II.

11.6 It would be seen from the Annexure II that although there has been a net decrease of 8.2 per cent cases in the country, as a whole in 1979 from the figure of 1978, there are 5 States which have registered a net increase in the number of atrocity cases. These States are Punjab (106.02 per cent), Karnataka (32.98 per cent), Madhya Pradesh (19.32 per cent), Kerala (15.6 per cent) and Bihar (12.61 per cent). In the other States, the percentage of net decrease ranges from 12.04 per cent in case of Gujarat to 68.15 per cent in the case of Orissa.

11.7 The State/Union Territory-wise analysis of trend of atrocities, in relation to the percentage of Scheduled Caste population to the total Scheduled Caste population in India, is given in the table of Annexure III.

State-wise trend of atrocities

11.8 *Uttar Pradesh*

(i) In Uttar Pradesh, 5660 cases, representing 37.56 percent of the total cases in the country in 1978, were reported. The number came down to 4102 in 1979 representing 29.59 percent of the total reported cases, thus registering a net decrease of 27.53 percent. It may, however, be pointed out that even now the proportion of total cases of atrocities in Uttar Pradesh is still more than the proportion of Scheduled Caste population in Uttar Pradesh to the total Scheduled Caste population in the country which is 23.02 percent.

Madhya Pradesh

(ii) The next State in order of number of cases of atrocities in Madhya Pradesh, where the total nnmber of cases increased from 3240 (21.50 percent) in 1978 to 3866 (27.89 percent) in 1979. In case of Madhya Pradesh, there has been a net increase of 19.32 percent. It may also be mentioned that Madhya Pradesh accounts for only 6.08 percent of the country's Scheduled Caste population and therefore, the State Government will have to take special measures for checking atrocities on Scheduled Caste persons.

Bihar

(iii) Bihar accounted for 1911 (12.68 percent) cases of atrocities in 1978 and the number increased to 2152 (15.53 percent) in 1979. The net increase comes to 12.61 percent in 1979. Bihar accounts for 9.09 percent of Scheduled Caste population of the country and is one of the States where special steps are needed to control the cases of atrocities against Scheduled Castes.

Kerala

(iv) Kerala is another State where the number of cases has increased from 767 (5.09 percent) to 887 (6.40 percent) registering a net increase of 15.65 percent. Taking into consideration the fact that Kerala houses only 2.21 percent of Scheduled Caste population in India, its proportion of atrocities cases in the country is very high.

Rajasthan

(v) Rajasthan accounted for 760 cases of atrocities (5.48 percent) in 1979 against 886 (5.88 percent) in 1978, thus recording a net decrease of 14.22 percent. However, its proportion of atrocity cases is still higher than the proportion of its Scheduled Castes population to the country's total Scheduled Caste population which is 5.01 percent.

Maharashtra

(vi) Maharashtra registered 1053 (6.99 percent) atrocities cases in 1978. The number showed a net decrease by 52.53 percent and came down to 503 cases representing 3.63 percent of the total atrocity cases in the country. In the case of Maharashtra the proportion of cases has come down appreciably and is now less than the proportion of country's Scheduled Caste population in the State which is 3.78 percent.

Gujarat

(vii) Although Gujarat has registered a net decrease of 12.04 percent in the number of atrocity cases registered in 1979, the proportion of these cases to the total number of atrocity cases registered in the country is 3.58 percent and 3.43 percent in 1978 and 1979 respectively. Gujarat accounts for only 2.03 percent of the country's Scheduled Caste population in the State.

Himachal Pradesh

(viii) The analysis of the trend would not be complete if a reference is not made to the trend of cases in Himachal Pradesh, which although accounts for less than 100 cases of atrocities (66 in 1978 and 83 in 1979) still has a higher proportion of atrocity cases vis-a-vis its proportion of all India's Scheduled Caste population in the State. Against country's 0.09 percent of Scheduled Caste population in the State. Himachal Pradesh's share in the number of atrocity cases is 0.44 percent in 1978 and 0.61 percent in 1979.

Other States

(ix) Among the States which had less than 100 cases of atrocities and have not been included in Annexure II the position of net increase or decrease can be seen in Annexure I. There has been a net increase of cases in 1979 in case of Assam (200.00 percent), Haryana (21.21 percent), Himachal Pradesh (25.76 percent), Punjab (106.02 percent) and the Union Territory of Pondicherry with 35.71 percent.

Comparative analysis of crime-wise atrocities

11.9 (i) *Murder:*

In Annexure IV is given the incidence of murder cases during 1978 and 1979. The total cases of murders during 1978 being 457, the number has come down to 387 during 1979, thus registering a decrease by 15.32 percent. Out of 387 total murder cases in the country in 1979, Uttar Pradesh alone has registered 191 cases constituting 49.35 percent of the total murder cases in the country. Uttar Pradesh is followed by Madhya Pradesh (54 cases), Bihar (48 cases), Punjab (18 cases), Karnataka (15 cases), Andhra Pradesh (13 cases), Gujarat (13 cases), Maharashtra 12 cases) and Rajasthan (11 cases). It may, however, be noted that Uttar Pradesh, Madhya Pradesh and Bihar alone have reported 293 murder cases which constitute 75.70 percent of the total murder cases in the country. The comparative trend of analysis of murder cases in relation to the proportion of Scheduled Caste population in the various States may be seen in Annexure III. It would be seen from this Annexure that Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Punjab and Uttar Pradesh are the six States where the proportion of murders committed in the country is more than the proportion of Scheduled Caste population in the State. Against a net decrease of 15.32 percent in the case of murders in India, there has been a net increase in the number of murders in the States of Andhra Pradesh (160.00 percent), Madhya Pradesh (31.71 percent) and Punjab (80.00 percent). It may, however, be mentioned that one case each of murder was registered in Himachal Pradesh and West Bengal in 1979, against no such cases in 1978. In all other States there has been a net decrease in the number of murders. In case of Haryana the number came down from 4 in 1978 to 0 in 1979. The percentage of net decrease ranges from 7.14 percent in Gujarat to 71.05 percent in Rajasthan.

(ii) *Rape:*

The details of rape cases during 1978 and 1979 in various States is given in Annexure V. From 541 rape cases in 1978 the number came down to 425 in 1979 showing a net decrease of 21.63 percent. Uttar Pradesh alone has registered 122 rape cases in 1979 constituting 28.77 percent of the total rape cases in the country. Uttar Pradesh is followed by Madhya Pradesh (96 cases), Bihar (79 cases), Rajasthan (34 cases), Haryana (20 cases), Maharashtra (19 cases), Punjab (14 cases), Andhra Pradesh (14 cases) and Kerala (10 cases). Other states have recorded less than 10 cases each. It may also be noted that Uttar Pradesh, Madhya Pradesh and Bihar have together registered 297 cases representing 70.04 percent of the total rape cases in the country. It would be seen from Annexure III that the States of Bihar, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh had a greater proportion of country's rape cases in 1979 to their proportion of country's Scheduled Caste population. Against general declining trend of rape cases in the country, some States have showed a net increase. These States are Himachal Pradesh (200.00 percent), Punjab (180.00 percent), Haryana (42.86 percent), Andhra Pradesh (16.67 percent), Bihar (3.95 percent) and Madhya Pradesh (2.15 percent). Out of the States which figure in Annexure IV, there were three States which did not record any case of rape in 1979. These are Assam, Tamil Nadu, and Delhi. In other States the percentage of net decrease ranges from 20.00 in Gujarat to 80.00 in Orissa.

(iii) *Grievous Hurts*

The details of the incidence of cases of grievous hurts during 1978 and 1979 are given in Annexure VI. In 1979, 14 States registered 1423 cases of grievous hurts against 1582 cases in 1978 in 15 States and the Union Territory of Delhi, thus showing a net decrease of 10.05 percent. Uttar Pradesh alone accounted for 487 cases (34.22 percent) in 1979. Other States which had more than 100 cases are Madhya Pradesh (394), Bihar (185) and Rajasthan (124). Together these four States accounted for 1190 cases representing 83.62 percent of the total cases in the country. It would be seen from Annexure III that Bihar, Gujarat, Himachal Pradesh, Kerala, Madhya Pradesh are the States where the proportion of cases of violence resulting in grievous hurts in the States in 1979 was higher than the proportion of country's Scheduled Caste population in the State. Against an overall net decrease (10.05 percent) relating to violence there was a net increase in 7 States. These

are Haryana (160.00 percent), Karnataka (100.00 percent), Kerala (90.00 percent). Punjab (65.00 percent), Himachal Pradesh (33.33 percent), Bihar (26.71 percent) and Gujarat 2.08 percent). The other States showed a net decrease ranging from 4.14 percent in case of Madhya Pradesh and 92.86 percent in case of Orissa.

(iv) *Arson*

The details of the incidence of arson cases during 1978 and 1979 are given in Annexure VII. It would be seen from this Annexure that in the year 1979, 1011 cases of arson were registered in 13 States against 1203 cases registered in 1978 in 15 States and one Union Territory, thus showing a net decrease of 15.96 percent. Bihar alone accounts for 337 cases representing 33.33 percent followed by Uttar Pradesh with 326 (32.25 percent) and Madhya Pradesh with 178 (17.61 percent) cases. All other States have less than 100 cases each. The three States together account for 841 cases constituting 83.19 percent of the total cases of arson. Against the net decrease of 15.96 percent cases of arson in the country, there has been a net increase of cases in Punjab (200.00 percent), Bihar (29.62 percent) and Rajasthan (13.73 percent). Out of the States which registered arson cases in 1978, there were no cases of arson in Tamil Nadu, West Bengal and the Union Territory of Pondicherry in 1979. In other States, there has been a net decrease ranging between 11.44 percent in case of Madhya Pradesh to 79.04 percent in the case of Maharashtra. The number of arson cases in Himachal Pradesh remained the same in 1979. It would be seen from Annexure III that in the States of Bihar, Himachal Pradesh, Kerala, Madhya Pradesh, Rajasthan and Uttar Pradesh the proportion of cases of arson in 1979 was higher than the proportion of country's Scheduled Caste population in those States.

(v) *Other offences*

It would be seen from Annexure IX that in the year 1979 the majority of the atrocities were classified as 'Other offences'. This accounted for 10616 cases out of the total of atrocity cases of 13861 (76.59 percent). The State-wise details of the incidents of other offences during 1978 and 1979 are given in Annexure VIII. It would be seen that there was a net decrease of cases thus classified in 1979 from the figure of 1978 by 5.94 percent. Madhya Pradesh has the largest number of cases under this head. 3144 (29.62 percent), closely followed by Uttar Pradesh which accounted for 2976 cases (28.03 percent). Bihar reported 1503 cases representing 14.16 percent. These 3 States together accounted for 7623 cases representing 71.81 percent of the total cases. Against an overall decrease of 5.94 percent in these cases during 1979, 7 States showed net increase in the number of cases under this head. The increase ranged between 10.03 percent in the case of Bihar to 119.15 percent in the case of Punjab. Other States showed net decrease ranging between 1.75 percent in the case of Tamil Nadu to 70 percent in the case of Union Territory of Delhi.

(vi) Annexure IX gives the crime-wise details of the total number of atrocities committed on the Scheduled Castes during 1978 and 1979. This is a general table from which Table IV to VIII have been prepared for facility of analysis.

Analysis of atrocity cases on Scheduled Tribes

11.10 The present analysis of atrocity cases on Scheduled Tribes is based on the reply to the Lok Sabha Unstarred Question No. 6118 of 30-7-80 as furnished by the Ministry of Home Affairs for the years 1978, 1979 and 1980 (upto May).

State-wise analysis of the number of cases of atrocities on Scheduled Tribes

11.11 The details of cases of atrocities committed on Scheduled Tribes during 1978 and 1979 have been given in Annexure XI. The total number of atrocities on Scheduled Tribes during 1978 was 2452 as reported from 11 States and 5 Union Territories. The cases were reported from the States of Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Orissa, Rajasthan and Uttar Pradesh and the Union Territories of Andaman and Nicobar Islands. Arunachal Pradesh, Dadra and Nagar Haveli, Goa, Daman and Diu and Pondicherry. Madhya Pradesh was the single major State reporting 1221 cases which constitute 49.80% of the total atrocity cases reported in the country during the year, while Maharashtra reporting 325 cases, was the second in the list on the number of atrocity cases reported. Rajasthan, Gujarat and Bihar reported respectively 292, 254 and 182 cases of atrocities on Scheduled Tribes and the percentage of cases reported by Maharashtra, Rajasthan, Gujarat and Bihar constitute 13.25%, 11.91%, 10.36% and 7.42% respectively. Rest of the States reported less than 50 cases each, i.e., Kerala, Karnataka, Orissa, Manipur, Andhra Pradesh and Uttar Pradesh reporting 44, 37, 36, 17, 14 and 1 case respectively.

Out of the 5 Union Territories, Dadra and Nagar Haveli alone reported 17 cases of atrocities followed by Arunachal Pradesh and Andaman and Nicobar Islands reporting 6 and 4 cases respectively while Goa, Daman and Diu and Pondicherry reported one case each.

The number of cases reported during 1979 being 2107, there has been a decrease of 14.07% cases during the year as compared to 2452 cases reported during 1978. No cases were reported from Manipur, Uttar Pradesh and Pondicherry and the number of cases has shown a downward trend in Gujarat, Kerala, Maharashtra, Orissa, Rajasthan and Dadra and Nagar Haveli indicating a decline of cases by 70.47%, 38.64%, 64.62%, 55.56%, 29.79% and 88.24% respectively. In Goa, Daman and

Diu, the number of cases of atrocity remained constant, i.e., 1 case being reported in each of the years of 1978 and 1979 while the cases indicated an upward trend in Bihar, Karnataka, Madhya Pradesh and Arunachal Pradesh with respectively 21.43%, 9.89% 7.79%, 12.45% and 83.33% increase over the one year period.

During 1979, the number of cases (1373) continued to be maximum in Madhya Pradesh which accounted for 65.16% of the total cases of atrocities reported during the year. Madhya Pradesh was followed by Rajasthan, Bihar, Gujarat and Karnataka reporting 205, 200, 75 and 64 cases. In the rest of the States/Union Territories, the number of cases reported varied from 1 to 27 each.

The cases of atrocities on Scheduled Tribes reported during 1980 is only upto May and, therefore, does not indicate the total trend.

Crime-wise analysis of atrocity cases on Scheduled Tribes

11.12 Crime-wise details of atrocities committed on Scheduled Tribes during 1978 and 1979 may be seen in Annexure XII. Out of the total 2452 cases of atrocities reported during 1978, cases under "Other Offences" were 1716 accounting for 69.98% of the total cases. Cases of violence resulting in grievous hurt numbered 307 followed by arson (173), rape (131) and murder (125) cases. The cases of violence, arson, rape and murder constituted 12.52%, 7.06%, 5.34% and 5.10% respectively of the total cases reported during 1978.

The overall decrease in number of atrocity cases on Scheduled Tribes during 1979 being 14.07%, the rate of decrease in atrocities relating to 'Other Offences', violence, arson and murder during the year was 5.65%, 37.13%, 46.24% and 54.40% respectively. It is distressing to note that cases of rape increased from 131 during 1978 to 145 in 1979 indicating an increase of 10.69% over the one year period.

A comparison of analysis in the report on atrocities against Scheduled Castes and Scheduled Tribes would show that the analysis relating to atrocities against Scheduled Tribes is incomplete in so far as the crime-wise, State-wise figures were not available and had not been tabulated by the Tribal Development Division as these were not required by them to answer the Parliament Question. It would thus be seen that the data relating to the atrocities on the Scheduled Tribes received in the Ministry of Home Affairs is not being dealt with in the same manner as the data in respect of Scheduled Castes. The Commission, therefore, recommend that the data on atrocities on Scheduled Tribes should also be compiled and tabulated by the Ministry of Home Affairs to give a comparative picture of atrocities committed against Scheduled Tribes in various States. Similarly, the position of crime-wise picture should also be compiled and analysed State-wise.

Review of cases received in the Commission

11.13 The Commission had requested the State Governments/Union Territory Administrations to send regularly reports of all cases of atrocities against the Scheduled Castes and Scheduled Tribes. They were also requested to send a brief report on each case of atrocity to the Commission either by teleprinter/telex or wireless followed by a detailed report through a letter.

11.14 However, the main source regarding the cases of crimes committed on the weaker sections in different parts of the country has been the press reports of some of the leading national newspapers both in English and in Hindi. Cases of atrocities have also been brought to the notice of the Commission by its field offices. Besides, the victims or their next of the kin have also written direct to the Commission. Depending upon the nature of the crime/atrocity, the Commission called for reports from the State Governments and in some cases from their field offices. Based on the above sources the Commission received during the period 1-4-79 to 31-3-80 a total of 322 cases on which action was initiated. The State/Union Territory-wise and crime-wise break-up of these cases is given in the table below :

Sl. No.	Name of the State/Union Territory	No. of atrocities reported in the Commission's headquarters office from April 1979 to March, 1980.					
		Murder/Suicide	Violence	Rape	Arson	Other cases	Total
1	Andhra Pradesh.	6	4	—	2	2	14
2	Biha	42	5	3	12	2	64
3	Gujarat	2	1	1	—	1	5
4	Haryana	1	1	—	1	—	3
5	Himachal Pradesh.	—	—	—	1	1	2
6	Karnataka	1	1	—	1	1	4
7	Kerala	—	1	1	—	—	2
8	Madhya Pradesh.	4	10	2	—	2	18
9	Maharashtra	2	—	1	1	—	4
10	Orissa	4	2	1	—	2	9
11	Punjab	5	1	2	1	3	12
12	Rajasthan	1	1	—	—	1	3.
13	Tamil Nadu	18	8	—	3	6	35
14	Uttar Pradesh	58	26	4	17	34	139
15	West Bengal	—	2	—	1	—	3
16	Chandigarh	1	—	—	—	—	1
17	Delhi	—	—	1	1	1	3
18	Pondicherry	1	—	—	—	—	1
	TOTAL	146	63	16	41	56	322

11.15 Details of some of the cases alongwith action taken etc. is given in the Annexure XV.

11.16 The largest number of atrocity cases are from the State of Uttar Pradesh being 139 representing 43.17 percent. Cases from Bihar numbered 64 representing 19.88 percent while those from Tamil Nadu numbered 35 cases representing 10.87 percent. There were 18 cases from Madhya Pradesh, 14 from Andhra Pradesh and 12 from Punjab representing 5.59 percent, 4.35 percent and 3.73 percent respectively. Thus 87.59 percent of cases numbering 282 were reported from these 6 States. The remaining 40 cases were reported from the States of Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Maharashtra, Orissa, Rajasthan, West Bengal and the Union Territories of Chandigarh, Delhi and Pondicherry.

11.17 Out of 322 cases 146 related to murder accounting for 45.34 percent of total cases. 63 cases representing 19.57 percent were those in which the victims suffered grievous hurts. There were as many as 16 cases of rape representing 4.97 percent while 41 cases related to arson representing 12.73 percent. Some of these cases were of serious nature resulting in great loss. The remaining 56 cases are classified as 'other cases' under various sections of IPC representing 17.39 percent. In table II of this Chapter is given the number of atrocities committed on Scheduled Castes and Scheduled Tribes and the reasons of such atrocities. It would be seen from that table that 97.83 percent (315) out of 322 cases related to atrocities on Scheduled Castes and only 7 cases related to atrocities on Scheduled Tribes. The highest number of cases were in Uttar Pradesh and 58 (41.73 percent) out of the 139 cases in the State were those in which the victims were murdered. Out of the 64 cases of atrocities in Bihar in 42 cases (65.63 percent) the victims were murdered.

11.18 In Tamil Nadu out of 35 cases of atrocities, 18 cases (51.43 percent) were those in which the victims were murdered. It is interesting to note that from the figures received from the Ministry of Home Affairs only 5 cases relating to murders have been reported from Tamil Nadu. It thus strengthens our recommendation made earlier that the Ministry of Home Affairs should standardise reporting of atrocity cases and their follow up action after calling a meeting of the Heads of the P.C.R./Atrocity Cell in the State.

11.19 *Causes of atrocities*

1. Atrocities committed on Scheduled Castes have social and economic causes at the root. The social cause lies in the practice of untouchability which is a by-product of the Hindu caste system pushing the Scheduled Castes down to the lowest rung of the social ladder in the caste hierarchy. With the growing social awakening and the efforts made by the Scheduled Castes to get their rightful place in the society they have been victims of harassment and atrocities by the Caste Hindus. The social disability against the Scheduled Castes is further reinforced by economic factors like land disputes, forcible harvesting of crops, dispute over payment of minimum wages etc. Other factors like provision of house sites and other economic development schemes aiming at ameliorating the socio-economic conditions of the Scheduled Castes, their educational advancement, etc., also cause discontentment among many caste Hindus which lead to clashes among the two sections. It has been the broad experience that the atrocities on the Scheduled Castes are generally committed by the caste Hindus, who have vested economic interests and this tendency is getting accentuated by the measures taken by the Government to confer economic benefits on the Scheduled Castes. The situation is further aggravated by the fact that the Scheduled Castes are now demanding economic and social equality with the higher and the middle castes.

11.20 The Scheduled Tribes mostly inhabit hilly and inaccessible forest areas. They do not suffer from the stigma of untouchability and the social disabilities arising out of it. The atrocities on them are alleged to have been mostly committed by the police and the local landlords. Land alienation, indebtedness, forest policy restricting the interests of the tribals in forests, changing excise policy against the tribals, non-payment of minimum wages, bonded labour, charging of excessive toll tax by the Hat lessees from the tribals and exploitation by the local officers of the Forest and Police Departments and non-tribals are some of the main reasons of atrocities committed on the Scheduled Tribes.

11.21 The number of atrocities committed on Scheduled Castes and Scheduled Tribes during the year 1979-80 and the reasons of such atrocities are classified below:

Sl. No.	Causes	No. of cases relating to			Percentage of total cases
		Scheduled Castes	Scheduled Tribes	Total	
1	2	3	4	5	6
1	Land dispute	56	1	57	17·70
2	Economic Problem	21	—	21	6·52
3	Forest Policy	—	2	2	0·62
4	Police atrocity	24	2	26	8·07
5	Personal enmity	35	—	35	10·87
6	Untouchability	33	—	33	10·25

1	2	3	4	5	6
7.	Other reasons :				
	(a) Kidnapping and rape on Scheduled caste women . .	17			
	(b) Charges of destruction of property and theft against Scheduled Castes. . .	15			
	(c) Alleged misbehaviour with Caste Hindu women leading to atrocities	4		60	20·81
	(d) Irregularities in service	4			
	(e) Refusal of service in grocery shops .	3			
	(f) Alleged illicit relationship with caste Hindu women . . .	8			
	(g) Alleged tresspassing in private premises of Caste Hindus .	3			
	(h) Objection to the playing of Loudspeakers .	1			
	(i) Misbehaviour with Scheduled Caste women .	2			
	(j) Political rivalry leading to atrocities . .	5			
	(k) Suspected Sorcery (witchcraft) leading to atrocities . . .	1			
	(l) Atrocity committed under the influence of liquor . . .	3			
	(m) Landlord against educating Scheduled Castes	1			
8	Not known . . .	79	2	81	25·16
9	Total	315	7	322	100·00
	Percentage . .	97·83	2·17	100·00	

(i) It may be observed from the above table that out of 322 cases of atrocities, 57 cases representing 17.70% of the total cases are on account of dispute over land, while 35 constituting 10.87% were due to personal enmity. In 33 cases, the practice of untouchability resulted in occurrence of atrocities and 26 cases of police atrocities constituted 8.07% of the total atrocity cases. Atrocities resulting out of economic problems and forest policy numbered 21 and 2 accounting for 6.52% and 0.62% of the total cases, while 67 cases (constituting 20.81%) were on account of miscellaneous reasons, while the causes of atrocities were not known in 81 cases.

(ii) The State Government had also been asked to indicate the reasons for atrocities on Scheduled Castes and Scheduled Tribes in their States. The following State Governments have given their analysis.

(iii) The Government of Punjab have informed this Commission that the basic causes of atrocities on Scheduled Castes are their poverty and social backwardness. Higher Caste people want to keep the Scheduled Castes under perpetual subjugation, but the Scheduled Castes being awakened fight for their rights. The confrontation thus leads to atrocities.

(iv) In Maharashtra, the resolution adopted by the State Legislature renaming the Marathawada University after the late Dr. Ambedkar, sparked of widespread agitation leading to atrocities on Scheduled Castes. Distribution of *gochar* (pasture) land to the Scheduled Castes by the Government has also been resented by Caste-Hindus who are trying to harass the Scheduled Castes in many ways. On account of spread of education and increasing awareness of their rights and privileges, the Scheduled Caste/Scheduled Tribe people have also come to a level to resent the Caste-Hindu domination. These circumstances lead to occurrence of atrocities on Scheduled Castes/Scheduled Tribes.

(v) Caste-prejudice against the Scheduled Castes, dispute over land, demand for minimum wages, and resentment of the Caste-Hindus over the benefits given to the Scheduled Castes/Scheduled Tribes by the Government under various welfare programmes are the main causes of atrocities on Scheduled Castes/Scheduled Tribes in Bihar. Sometimes, different sections of Caste-Hindus also involve Scheduled Castes/Scheduled Tribes in fighting against each other on account of personal enmity, thus making the Scheduled Caste/Scheduled Tribe victims of atrocities indirectly.

(vi) The increase in case of atrocities in Orissa is reported to be the outcome of free registration of crimes by Scheduled Caste/Scheduled Tribe members who were previously not freely reporting such cases out of fear of reprisal from the aggressors.

(vii) The main causes for occurrence of atrocities in Andhra Pradesh are attributed to land disputes, political rivalry, group politics, lust for sexual gratification, and resentment of Caste-Hindu landlords against free distribution of land to the landless Scheduled Castes.

(viii) In Karnataka, the causes of atrocities on Scheduled Castes are stated to be personal ill-will, land dispute factions in the village, and ill-feeling of the Caste-Hindus against the Scheduled Castes.

(ix) In Haryana, the Scheduled Castes are mostly agricultural labourers and the caste-Hindu employers commit atrocities against them taking advantage of their economic dependence.

11.22 *Relief provided for the Scheduled Castes and Scheduled Tribes victims of atrocities*

(i) In order to provide relief to the Scheduled Castes and Scheduled Tribes victims of atrocities a scheme has been sanctioned by

some of the States. The scheme envisages sanction of token relief and not compensation to make good the loss suffered by the victims. The cases of atrocities committed on Scheduled Castes and Scheduled Tribes, by the members of these communities on account of internal conflicts are not considered for sanction of the relief. The poineering steps in this regard was taken by the Governfent of Andhra Pradesh which sanctioned a scheme in 1975. The scheme was further revised in 1976 providing rehabilitation facilities like land, house sites, milch cattle, employment, besides sanctioning monetary relief. Similarly, schemes have been introduced in Bihar, Gujarat, Himachal Pradesh, Karnataka, Maharashtra, Orissa, Rajasthan, Tamil Nadu and Uttar Pradesh. The Tribal and Harijan Welfare Department, Government of Madhya Pradesh have indicated in their letter No. F. 22/79/2/25, dated 6-6-79 that the Finance Department had accorded sanction of such a scheme but the details of the scheme and the scale of relief provided to the Scheduled Castes/Scheduled Tribes victims have not been received from the State Government. The details of the scheme in respect of 8 out of the 9 States, listed above have been given in the First Report of the Commission. The details of the scheme in Rajasthan as received from our field office in Jaipur is given below :

	Rs.
(i) Murder	2,000
(ii) Permanent damage of house.	1,000 per family
(iii) Partial damage of house .	500 per family
(iv) Permanent incapacitation .	1,000
(v) Temporary incapacitation .	500
(vi) Arson and damage to movable property	1,000
(vii) Rape victims	2,000

(ii) The State Governments of Assam, Kerala, Sikkim, Meghalaya, West Bengal, Punjab, Nagaland, Tripura, Haryana and Jammu & Kashmir have reported that no such scheme for providing relief to the Scheduled Castes/ Scheduled Tribes victims of atrocities is in vogue in their States. The scheme has also not been sanctioned in any of the Union Territory Administrations.

11.23 The scale of financial assistance provided under the scheme varies from one State to the other and depending on the nature of the loss suffered by the Scheduled Caste/ Scheduled Tribe victims. It varies from Rs. 200 to Rs. 5000 and the amount of relief is also higher in case the victim is an earning member of the family. The types of crimes considered for the sanction of relief include murder or permanent incapacitation, temporary incapacitation, loss of house and other belongings therein and loss of movable properties. In the revised scheme of Andhra Pradesh the scope of the scheme is extended to include the cases of rape for sanctioning the monetary relief; and the scheme sanctioned by the Government of Bihar also clearly indicate the scale of relief provided to the Scheduled Castes/Scheduled Tribes victims of rape. In both these States, a victim of rape is sanctioned a relief of Rs. 1000, while the offence is not separately indicated in the scheme of relief sanctioned by other State Governments.

11.24 The scale of relief sanctioned by the Government of Gujarat varies from Rs. 625 to Rs. 5000 and in Uttar Pradesh it is Rs. 200 to Rs. 5000 depending on the nature of atrocities and the category of the victim, that is, earning member or non-earning member. On the other hand the relief amount varies from Rs. 250 to Rs. 2000 for other States. In case of death and permanent incapicitation the relief provided to the family in Gujarat and Uttar Pradesh being Rs. 5000 and only Rs. 2000 is sanctioned for each such case by other State Governments in their scheme.

11.25 The details of expenditure incurred on the scheme for providing monetary relief to the Scheduled Castes/Scheduled Tribes victims have been received only from 3 States. In Bihar, Rs. 6,15,000 was spent for Scheduled Castes and Rs. 1,68,000 for Scheduled Tribes victims of atrocities during 1978-79, and the expenditure incurred during 1979-80 on this scheme was reported to be Rs. 4,00,000 for Scheduled Castes and Rs. 1,00,000 for Scheduled Tribe victims.

Out of Rs. 3.00 lakhs sanctioned by the Government of Uttar Pradesh during 1977-78 for 27 districts, the expenditure incurred was Rs. 2,59,800 benefiting 273 Scheduled Castes/ Scheduled Tribes families. During 1978-79 the scheme was sanctioned for 50 districts and out of the total sanctioned amount of Rs. 9.00 lakhs, Rs. 4,84,000 was spent for 580 families. During 1979-80 an amount of Rs. 50.00 lakhs had been sanctioned for 56 districts and the expenditure figures are not yet available.

11.26 In Orissa, Rs. 3,000 was spent during 1978-79 for providing monetary relief for 3 cases of atrocities, i.e., one case each for death, arson and grievous hurt, and expenditure during 1979-80 increased to Rs. 10,750 for 4 cases of murder, 5 temporary incapacitation, and 1 case of loss of movable property.

11.27. A review of the scheme operating in different States thus indicates that it is not uniform and the amount of relief sanctioned for different types of offences varies from one State to the other.

11.28 The Commission have carefully considered the matter and are of the opinion that in matters of monetary relief to the victims of

atrocities belonging to Scheduled Castes and Scheduled Tribes, the quantum of relief should be the same in all the States. The Commission, therefore, recommend a uniform scale of relief as per details below :—

	Rs.	
(a) Death per each person killed in a family (whether of earning or non-earning member of family).	10,000	
(b) Permanent incapacitation per each member in a family.	10,000	
(c) Temporary incapacitation .	2,000	
(d) Grievous hurt, short of incapacitation.	1,000	
(e) Rape	5,000	
(f) Loss of house . . .	2,000	
(g) Loss of immovable property .	2,000	
(h) Loss of earning assets like a vehicle, a boat or cattle etc.	2,000	pending expeditious payment of the actual cost of replacement.
(i) For loss of movable property such as grains, clothes and other household effects.	2,000	
(j) Damage to irrigation well, drinking water well, tubewell, electric motors, electric fitting and fruit bearing trees in the ownership of the victim to be assessed separately.	The amount of compensation should be equal to the actual loss as assessed pending assessment, an immediate grant of Rs. 500 should be made.	

These would be subject to the further stipulations :—

(1) The house damaged by arson or otherwise shall be fully rebuilt at Government cost.

(2) Compensation payable for the loss of cattle etc., shall be at market value.

(3) In cases the aggrieved Scheduled Caste/Scheduled Tribe party is dispossessed of any land, the land shall be restored to the aggrieved Scheduled Caste/Scheduled Tribe party and adequate input and other grants made to enable the Scheduled Caste/Scheduled Tribe party concerned to recultivate the land.

(4) In the case of loss of a member of the family or of permanent incapacitation of a member of the family, provision of a job to at least one of the surviving members, e.g., wife or son, and payment of maintenance allowance to non-earning dependent members of the victim's family @Rs. 50 per month per member should be made.

(5) Allotment of suitable land alongwith input and other grants should also be made to the victim's family to enable it to earn its living.

(6) Free supply of milch cattle wherever necessary to supplement the earning capacity of the victim's family should also be arranged.

(7) Free education alongwith free boarding and lodging at least upto higher secondary standard to the children of the victim's family should be arranged.

(8) In the case of a victim of rape, in view of the stigma attached to it, apart from monetary compensation, she should be provided with free treatment and should be fully rehabilitated and made self-reliant by providing her with a suitable job, if necessary, after imparting free education to her.

11.29 *Follow-up of cases of atrocities*

As already indicated in the earlier part of the Chapter, the Commission had issued a circular letter to various State Governments seeking information on the disposal of atrocities/harassment cases against Scheduled Castes and Scheduled Tribes. For reasons indicated already, the Commission has not analysed the data relating to follow up cases because such analysis would not give a true picture of the disposal of cases. However, a review of convictions and acquittals ratio of cases of atrocities against Scheduled Castes and Scheduled Tribes in Gujarat from where complete data was received, reveals that the percentage of convictions to the total decided cases for Scheduled Castes comes to 10.80 percent and in case of Scheduled Tribes it is 10.60 percent. This is an exceedingly low percentage and it has been notified that the offenders of atrocities against Scheduled Castes and Scheduled Tribes are able to get acquittals even in cases of murders. 95.45% and 91.41% is the acquittal rate in cases of murders against Scheduled Castes and Scheduled Tribes respectively which is obviously very high. The Commission recommend that the Government of Gujarat and other State Governments, where the acquittal rate is unusually high may review the reasons for acquittal and take appropriate measures so that those who commit atrocities do not go unpunished.

Surveys on the atrocities on Scheduled Castes and Scheduled Tribes

11.30 During hte year 1979, the Bureau of Police Research and Development, Ministry of Home Affairs published a report on the problem of atrocities on Harijans in Bihar, a sample survey in the districts of Rohtas, Bhojpur and Begusarai. Conclusion of this Report are enclosed in Annexure XIII. In para 3(III) of the conclusion of the report states that "The survey revealed that not all crimes reported by Harijans against non-Harijans comprise atrocities against Harijans. It is felt that the registration of crimes should continue under the existing Standing Order but the District Superintendent

of Police should, after completion of investigation in such cases, decide whether a particular case falls in the category of atrocity or not. In this, he should be guided by the fact whether there is an element of cruelty, brutality and wickedness in the commission of a particular offence or whether it has the background of having been committed to teach a lesson to the Harijans. The statistics to be maintained at the district level of crimes against Harijans should take into account those cases and not all the cases recorded at the police station in pursuance of Standing Order No. 210".

11.31 The Commission are of the view that such a distinction and division between cases of crimes against Scheduled Castes and atrocities against Scheduled Castes would not be desirable as it would be very difficult to conclude whether the crime was committed on caste factor or other personal factors. The Commission are of the view that the present instructions of the Home Ministry to list all crimes against Scheduled Castes and Scheduled Tribes as cases of atrocities against Scheduled Castes should continue to be followed.

Instructions issued by the Government of India, Ministry of Home affairs on prevention of atrocities

11.32 In the last report of the Commission details of important instructions on the subject issued under various letters of the Ministry of Home Affairs were given. During the year, the Ministry of Home Affairs vide their d.o. letter No. III. 11011/4/80-NID(D), dated 10-3-80 addressed to the Governors/Lt. Governors, Chief Ministers of the States and Union Territories have suggested a number of measures that have to be taken for prevention of atrocities on Scheduled Castes. The list of measures is comprehensive including precautionary and preventive measures, punitive measures and measures for rehabilitation of the victims of atrocities. Measures of personnel policy have also been detailed. Copy of the illustrative list and measures to be taken for effectively dealing with the atrocities against Scheduled Castes is enclosed in Annexure XIV.

The Commission hope that the State Governments would take adequate and prompt measures for the prevention of atrocities on Scheduled Castes and Scheduled Tribes and revise their existing relief measures to fall in line with those suggested by the Government of India. The Commission on their part would review the position of atrocities on Scheduled Castes and Scheduled Tribes and the rehabilitation of victims of such atrocities in the light of those guidelines issued by the Ministry of Home Affairs.

11.33 *Conclusion*

(i) During the calendar year ending December 1979, the total number of atrocities committed on the Scheduled Castes in the entire country came down to 13861 from 1978 number of 15070. Thus, there was a net decrease in atrocity cases to the extent of 8.02 percent in 1979 over the figure of 1978. However, against the decreasing trend there have been net increase in the case of Punjab (106.02%), Arunachal Pradesh (35.71%), Karnataka (32.98%), Himachal Pradesh (25.76%). Haryana (21.21%), Madhya Pradesh (19.32%), Kerala (15.65%) and Bihar (12.61%). The net increase in Assam was 200% but the number of cases rose from 1 to 3.

(ii) No cases of atrocities against the Scheduled Castes were reported from 5 States, viz., Manipur, Meghalaya, Nagaland, Sikkim and Tripura and 4 Union Territories of Andaman & Nicobar Islands, Chandigarh, Lakshadweep and Mizoram. Information on cases of atrocities from Jammu & Kashmir are not available. In all these States and Union Territories, the population of Scheduled Castes is meagre and the problem of untouchability uncommon.

(iii) Main causes of atrocities against the Scheduled Castes and Scheduled Tribes are linked with their socio-economic conditions. The Scheduled Castes suffer an added disadvantage due to social disabilities on the practice of untouchability. The resistance against exploitation by Scheduled Castes and Scheduled Tribes in matters of land alienation, indebtedness, forest policy, excise policy etc., are other factors which are also responsible for atrocities to these communities.

(iv) Cases of connivance by the local administrations particularly the local police officials with the exploitors in committing atrocities on the Scheduled Castes and Scheduled Tribes continued to be noticed.

11.34 *Recommendations*

In the last report of the Commission detailed recommendations were made based on the analysis of atrocities. The Commission have noted with satisfaction that the Ministry of Home Affairs have issued detailed instructions and guidelines to the State authorities for prevention of atrocities and for providing relief whenever atrocities do occur inspite of preventive measures. However, the Commission consider it necessary to reiterate the following suggestions :

11.35 *General*

(i) The State Government should take expeditious measures on the recommendations made by the Commission in specific cases of atrocities which are forwarded to them as a result of press clippings or otherwise or as a result of representations received from the victims of atrocities.

(ii) The Commission notes with satisfaction that the Union Home Minister had addressed a D.O. letter to the Governors/Lt. Governors/ Chief Ministers of the States/Union Territories stating that the guidelines issued by him for prevention of atrocities against Scheduled Castes

be followed in cases of atrocities against Scheduled Tribes (D.O. letter No. 12025/1/80-TD (Pt. file), dated 8-12-80. However, the Commission recommend that the data relating to atrocities on Scheduled Tribes should be properly tabulated and analysed in the same manner as the one relating to Scheduled Castes which is being processed in the SCBCD Division of the Ministry of Home Affairs. The Commission also recommend that follow up action of cases of atrocities on Scheduled Castes and Scheduled Tribes is taken by the Ministry of Home Affairs and a report prepared on the lines of proforma of follow up action and disposal of cases under P.C.R. Act, 1955.

(iii) A meeting of the Heads of P.C.R./ Atrocity Cells in the States should be called by the Ministry of Home Affairs to standardise the method of collection and follow up action so that discrepancies in the supply of figures is avoided and the approach to atrocity cases is made uniform in the country.

11.36 *Law and Order machinery*

(i) The guidelines issued by the Ministry of Home Affairs have touched extensively on the strengthening of the machinery for prevention of atrocities and for providing relief in the event of atrocities taking place. However, the Commission reiterate that at least 50 percent of the posts of Village Chowkidars Constables, Head Constables and as far as possible Sub-Inspectors and Inspectors of Police should be filled up by the Scheduled Castes and Scheduled Tribes. In sensitive areas prone to atrocities on Scheduled Castes and Scheduled Tribes the representation of the Scheduled Castes & Scheduled Tribes in these posts should be even larger.

(ii) The Commission are concerned with a very high rate of acquittals of accused in atrocity cases against Scheduled Castes and Scheduled Tribes and recommend that the investigating and prosecuting agencies should be strengthened and their work evaluated by the State Governments.

11.37 *Legislative provisions*

With a view to ensuring that the Scheduled Castes and Scheduled Tribes receive adequate benefit of Social legislation also, the Commission suggest that the following offences may be made cognizable in respect of them :

(i) not giving possession of land legally allotted to the Scheduled Castes and Scheduled Tribes,

(ii) unlawful eviction from the land in possession of the Scheduled Castes and Scheduled Tribes,

(iii) unlawful eviction from houses in possession of the Scheduled Castes and Scheduled Tribes,

(iv) prevention from cultivation of land either allotted to the Scheduled Castes and Scheduled Tribes or in their possession by the vested interests, and

(v) prevention from harvesting of crops belonging to the Scheduled Castes and Scheduled Tribes, particularly where share-cropping is prevalent.

11.38 *Administrative Measures*

(i) In a land dispute in which a Scheduled Caste or a Scheduled Tribe person is killed, the Government machinery, including the police, must ensure that the land in possession of the deceased Scheduled Caste/Scheduled Tribe passes on to the heirs of the deceased and in no circumstance whatsoever the persons who have committed agression should be allowed to take over possession of the land.

(ii) Some of the incidents of atrocities on the Scheduled Castes and the Scheduled Tribes that have taken place indicate that the local landlord/ big tenants employ musclemen or specially hired goondas for committing atrocities on the Scheduled Castes and Scheduled Tribes. The Commission recommend that it should be the special duty of the police to collect prior intelligence about such musclemen or goondas in the locality and to take preventive action against them u/s 107/117 Cr. P.C. as well as the section 110 Cr.P.C. so that they can be bound down to maintained peace. Wherever necessary, preventive arrests should be made to maintain peace and to prevent atrocities against the Scheduled Castes/Scheduled Tribes. Collective fines may be imposed in areas where the Scheduled Castes and Scheduled Tribes people are subjected to continuous atrocities.

(iii) It has also been observed that some time even the police personnel commit atrocities on the Scheduled Castes and Scheduled Tribes in collusion with the landlords or otherwise. The Commission recommend that the State Government should award exemplary punishment to the guilty officials.

(iv) It is further recommended that there should be an automatic judicial enquiry by Sessions/Additional Sessions Judge into the incidents of death in police custody, death by grievous hurt arising from the alleged torture, death resulting from police firing and alleged rape of women in police custody. As judicial enquiries are time consuming, the Government should also take criminal and executive action against the police officials responsible for these crimes and all such offences should be made non-bailable.

(v) It has also come to the notice of the Commission that a pioneering administrative action undertaken by the Tripura Government resulted in detection, retrieval and rehabilitation of a member of Scheduled Tribes labourers belonging to Ranchi area, who were found to be working as bonded labourers suffering all

types of ill-treatment, harassment, under payment and atrocities under heartless brick-kiln contractors operating in Tripura. On receipt of an intimation from the Bihar Government regarding this incident, Tripura Government have shown sensitivity of the highest order by not only rescuing the labourers from the clutches of contractors but also repatriating them at the Government cost, including that of air lifting them from Agartala to Calcutta. These labourers were brought back to Ranchi under the escort of a high-ranking officer. The Govt. of Tripura have, besides arresting the unscrupulous contractors, paid the wages on behalf of the contractors, to those tribal workers who have been kept as slaves and subjected to inhuman atrocities. The details of this episode may be seen at Annexure XV.

It is recommended that an all-India team of high-ranking officers should be set up to investigate the inter-State links which operate, and lure innocent labourers out of their native State and environment, and subject them to atrocities under the yoke of bonded labour in forlorn areas. This all-India team should take exemplary administrative measures to bring to an end the net work of inter-State exploiters and to take up instant retrieval and quick rehabilitation of bonded labourers.

Relief

11.39 The Commission are in full agreement with the guidelines in this respect issued by the Ministry of Home Affairs and listed in Annexure XIV of this report. The Commission recommend that the States which have not so far formulated a scheme for providing relief to Scheduled Castes and Scheduled Tribes victims should form a scheme based on the same guidelines. It is also recommended that in the States where such a scheme for giving relief is in operation, the quantum of relief should be modified keeping in view the guidelines of the Ministry as well as the recommendations made by the Commission in para 11.28.

ANNEXURE I

Comparative statement indicating the State/Union Territory-wise break-up of total number of atrocity cases reported during 1978-1979

Sr. No.	Name of the State/Union Territory	No. of atrocities reported during			Percentage of cases to the total cases in India		Percentage of increase/ decrease during	
		1977	1978	1979	1978	1979	1978	1979
1.	Andhra Pradesh	102	110	92	0·73	0·66	(+) 7·84	(—) 16·36
2.	Assam	..	1	3	0·01	0·02	..	(+)200·00
3.	Bihar	681	1911	2152	12·68	15·53	(+)180·62	(+) 12·61
4.	Gujarat	331	540	475	3·58	3·43	(+) 63·14	(—) 12·04
5.	Haryana	26	66	80	0·44	0·58	(+)153·85	(+) 21·21
6.	Himachal Pradesh	42	66	83	0·44	0·61	(+) 57·14	(+) 25·76
7.	Jammu & Kashmir	..	..	N.A.	..	N.A.	..	..
8.	Karnataka	59	376	500	2·50	3·61	(+)537·29	(+) 32·98
9.	Kerala	233	767	887	5·09	6·40	(+)229·18	(+) 15·65
10.	Madhya Pradesh	3366	3240	3866	21·50	27·89	(—) 3·74	(+) 19·32
11.	Maharashtra	570	1053	503	6·99	3·63	(+) 84·74	(—) 52·23
12.	Orissa	69	135	43	0·90	0·31	(+) 95·65	(—) 68·15
13.	Punjab	84	83	171	0·55	1·23	(—) 1·19	(+)106·02
14.	Rajasthan	261	886	760	5·88	5·48	(+)239·46	(—) 14·22
15.	Tamil Nadu	54	141	115	0·94	0·83	(+)161·11	(—) 18·44
16.	Uttar Pradesh	4974	5660	4102	37·56	29·59	(+) 13·79	(—) 27·53
17.	West Bengal	7	6	2	0·04	0·01	(—) 14·29	(—) 66·67
18.	Delhi	3	14	3	0·09	0·02	(+)366·67	(—) 78·57
19.	Dadra & Nagar Haveli	8	1	..	0·01	..	(—) 87·50	(—)
20.	Pondicherry	9	14	19	0·09	0·14	(+) 55·56	(+) 35·71
21.	Arunachal Pradesh	..	..	2	..	0·01	..	..
22.	Goa, Daman & Diu	..	..	3	..	0·02	..	..
	TOTAL	10879	15070	13861	..	..	(+) 38·52	(—) 8·02

Source : Data from NID (Ministry of Home Affairs).

ANNEXURE II

Comparative trend of occurrence of atrocities in selected States/Union Territories reporting 100 *and more cases during* 1978 *and* 1979

Sr. No.	Name of the States/Union Territories	No. of atrocities reported during		Percentage of cases to the total cases of All India		Percentage of increase/ decrease	
		1978	1979	1978	1979	1978	1979
1.	Andhra Pradesh	110	92	0·73	0·66	(+) 7·84	(—) 16·36
2.	Bihar	1911	2152	12·68	15·53	(+)180·62	(+) 12·61
3.	Gujarat	540	475	3·58	3·43	(+) 63·14	(—) 12·04
4.	Karnataka	376	500	2·50	3·61	(+)537·29	(+) 32·98
5.	Kerala	767	887	5·09	6·40	(+)229·18	(+) 15·65
6.	Madhya Pradesh	3240	3866	21·50	27·89	(—) 3·74	(+) 19·32
7.	Maharashtra	1053	503	6·99	3·63	(+) 84·74	(+) 52·23
8.	Orissa	135	43	0·90	0·31	(+) 95·65	(—) 68·15
9.	Punjab	83	171	0·55	1·23	(—) 1·19	(+)106·02
10.	Rajasthan	886	760	5·88	5·48	(+)239·46	(—) 14·22
11.	Tamil Nadu	141	115	0·94	0·83	(+)161·11	(—) 18·44
12.	Uttar Pradesh	5660	4102	37·56	29·59	(+) 13·79	(—) 27·53
	ALL INDIA	15070	13861	100·00	100·00	(+) 38·52	(—) 8·02

Source : Data from NID (Ministry of Home Affairs).

ANNEXURE III

State/Union Territory-wise classification of the percentage of atrocities on Scheduled Castes during 1978 and 1979 in relation to percentage of Scheduled Caste population

Sl. No.	Name of the States/ Union Territories	Percentage of Sch. Caste population to the total Sch. Caste population in India	Percentage of incidence of atrocities											
			Murder		Violence		Rape		Arson		Other Offences		Total cases	
			1978	1979	1978	1979	1978	1979	1978	1979	1978	1979	1978	1979
1.	Andhra Pradesh	7·22	1·09	3·36	0·44	0·28	2·22	3·30	0·50	0·49	0·71	0·53	0·73	0·66
2.	Assam	1·01	..	..	..	..	0·18	..	..	..	..	0·03	0·01	0·02
3.	Bihar	9·09	13·79	12·40	9·23	13·00	14·05	18·63	21·61	33·33	12·10	14·16	12·68	15·53
4.	Gujarat	2·03	3·06	3·36	3·03	3·44	0·92	0·94	0·83	1·78	4·10	3·68	3·58	3·43
5.	Haryana	2·03	0·88	..	0·63	1·83	2·59	4·72	0·42	0·30	0·29	0·29	0·44	0·58
6.	Himachal Pradesh	0·09	..	0·26	0·19	0·28	0·37	1·42	0·08	0·10	0·53	0·67	0·44	0·61
7.	Karnataka	4·08	3·72	3·88	0·63	1·41	1·85	1·18	2·33	1·48	2·76	4·19	2·50	3·61
8.	Kerala	2·21	2·19	1·29	1·26	2·67	3·14	2·36	1·08	2·47	6·26	7·62	5·09	6·40
9.	Madhya Pradesh	6·08	8·97	13·95	25·98	27·69	17·38	22·64	16·71	17·61	22·09	29·62	21·50	27·89
10.	Maharashtra	3·78	5·69	3·10	8·15	4·01	6·47	4·48	13·88	3·46	6·17	3·58	6·99	3·63
11.	Orissa	4·01	1·09	0·78	0·88	0·07	0·92	0·28	0·67	0·69	0·91	0·29	0·90	0·31
12.	Punjab	4·02	2·19	4·65	1·26	2·32	0·92	3·30	0·83	0·30	0·42	0·97	0·55	1·23
13.	Rajasthan	5·01	8·32	2·84	8·66	8·71	12·57	8·02	4·24	5·74	5·24	5·02	5·88	5·48
14.	Tamil Nadu	9·01	1·09	0·52	0·63	0·07	1·29	..	0·42	..	1·01	1·06	0·94	0·83
15.	Uttar Pradesh	23·02	47·92	49·35	38·75	34·22	34·75	28·77	36·99	32·25	37·17	28·03	37·56	29·59
16.	West Bengal	11·01	..	0·26	0·13	..	..	..	0·08	..	0·03	0·01	0·04	0·01
17.	Delhi	0·08	..	..	0·13	..	0·37	..	..	..	0·09	0·03	0·09	0·02
18.	Pondicherry	0·01	..	..	..	..	..	..	0·08	..	0·12	0·18	0·09	0·14
19.	Dadra & Nagar Haveli	Neg.	..	..	..	..	..	..	..	..	..	..	0·01	..
20.	Arunachal Pradesh	Neg.	..	..	..	..	..	..	..	..	..	..	..	..
21.	Goa, Daman & Diu	0·02	..	..	..	..	..	..	..	..	..	..	..	..

NEG. : Negligible.

ANNEXURE IV

Statement indicating the incidence of Murder cases during 1978 *and* 1979

Sl. No.	Name of the State/Union Territories	No. and percentage of Murder cases during				Percentage of increase/decrease during 1979
		1978		1979		
		No.	Percentage to total cases	No.	Percentage to total cases	
1.	Andhra Pradesh . .	5	1·09	13	3·36	+160·00
2.	Bihar . . .	63	13·79	48	12·40	—23·81
3.	Gujarat . . .	14	3·06	13	3·36	—7·14
4.	Haryana . . .	4	0·88	..	..	..
5.	Himachal Pradesh .	..	..	1	0·26	..
6.	Karnataka	17	3·72	15	3·88	—11·76
7.	Kerala . . .	10	2·19	5	1·29	—50·00
8.	Madhya Pradesh .	41	8·97	54	13·95	+31·71
9.	Maharashtra . . .	26	5·69	12	3·10	—53·85
10.	Orissa . . .	5	1·09	3	0·78	—40·00
11.	Punjab . . .	10	2·19	18	4·65	+80·00
12.	Rajasthan . . .	38	8·32	11	2·84	—71·05
13.	Tamil Nadu . . .	5	1·09	2	0·52	—60·00
14.	Uttar Pradesh . .	219	47·92	191	49·35	—12·79
15.	West Bengal . . .	..	..	1	0·26	..
	TOTAL . . .	457	100·00	387	100·00	—15·32

SOURCE : NID of the Ministry of Home Affairs.

43—256 M. of H.A./ND/81

ANNEXURE V

Statement indicating the incidence of rape cases during 1978 *and* 1979

Sl. No.	Name of the States/Union Territories	No. and percentage of rape cases during				Percentage increase/ decrease during 1979
		1978		1979		
		No.	Percentage to total cases	No.	Percentage to total cases	
1.	Andhra Pradesh	12	2·22	14	3·30	+16·67
2.	Assam	1	0·18	..	..	..
3.	Bihar	76	14·05	79	18·63	+3·95
4.	Gujarat	5	0·92	4	0·94	—20·00
5.	Haryana	14	2·59	20	4·72	+42·86
6.	Himachal Pradesh	2	0·37	6	1·42	+200·00
7.	Karnataka	10	1·85	5	1·18	—50·00
8.	Kerala	17	3·14	10	2·36	—41·18
9.	Madhya Pradesh	94	17·38	96	22·64	+2·13
10.	Maharashtra	35	6·47	19	4·48	—45·71
11.	Orissa	5	0·92	1	0·24	—80·00
12.	Punjab	5	0·92	14	3·30	+180·00
13.	Rajasthan	68	12·57	34	8·02	—50·00
14.	Tamil Nadu	7	1·29	..	..	..
15.	Uttar Pradesh	188	34·75	122	28·77	—35·11
16.	Delhi	2	0·37	..	..	..
	TOTAL	541	100·00	424	100·00	—21·63

SOURCE : Ministry of Home Affairs.

ANNEXURE VI

Statement indicating the incidence of cases of grievous hurt during 1978 *and* 1979

Sl. No.	Name of the States/Union Territories	No. and percentage of grievous hurt cases during				Percentage of increase/ decrease during 1979
		1978		1979		
		No.	Percentage to total cases	No.	Percentage to total cases	
1.	Andhra Pradesh	7	0·44	4	0·28	—42·86
2.	Bihar	146	9·23	185	13·00	+26·71
3.	Gujarat	48	3·03	49	3·44	+2·08
4.	Haryana	10	0·63	26	1·83	+160·00
5.	Himachal Pradesh	3	0·19	4	0·28	+33·33
6.	Karnataka	10	0·63	20	1·41	+100·00
7.	Kerala	20	1·26	38	2·67	+90·00
8.	Madhya Pradesh	411	25·98	394	27·69	—4·14
9.	Maharashtra	129	8·15	57	4·01	—55·81
10	Orissa	14	0·88	1	0·07	—92·86
11.	Punjab	20	1·26	33	2·32	+65·00
12.	Rajasthan	137	8·66	124	8·71	—9·49
13.	Tamil Nadu	10	0·63	1	0·07	—90·00
14.	Uttar Pradesh	613	38·75	467	34·22	—20·55
15.	West Bengal	2	0·13	..	..	..
16.	Delhi	2	0·13	..	..	..
	TOTAL	1,582	100·00	1,423	100·00	—10·05

SOURCE : NID of the Ministry of Home Affairs.

ANNEXURE VII

Statement indicating the incidence of arson cases during 1978 *and* 1979

Sl. No.	Name of the States/ Union Territories	No. and percentage of Arson cases during				Percentage of increase/ decrease during 1979
		1978		1979		
		No.	Percentage to total cases	No.	Percentage to total cases	
1.	Andhra Pradesh	6	0·50	5	0·49	—16·67
2.	Bihar	260	21·61	337	33·33	+29·62
3.	Gujara	10	0·83	18	1·78	+80·00
4.	Haryana	5	0·42	3	0·30	—40·00
5.	Himachal Pradesh	1	0·08	1	0·10	—
6.	Karnataka	28	2·33	15	1·48	—46·43
7.	Kerala	13	1·08	25	2·47	+92·31
8.	Madhya Pradesh	201	16·71	178	17·61	—11·44
9.	Maharashtra	167	13·88	35	3·46	—79·04
10.	Orissa	8	0·67	7	0·69	—12·50
11.	Punjab	1	0·83	3	0·30	+200·00
12.	Rajasthan	51	4·24	58	5·74	+13·73
13.	Tamil Nadu	5	0·42	—	—	—
14.	Uttar Pradesh	445	36·99	326	32·25	—26·74
15.	West Bengal	1	0·08	—	—	—
16.	Pondicherry	1	0·08	—	—	—
	TOTAL	1203	100·00	1011	100·00	—15·96

SOURCE.—NID of the Ministry of Home Affairs.

ANNEXURE VIII

Statement indicating the incidence of crimes classified under 'Other offences' during 1978 and 1979

Sl. No.	Name of the States/ Union Territories	No. and percentage of other cases during				Percentage of increase decrease during 1979
		1978		1979		
		No.	Percentage to total cases	No.	Percentage to total cases	
1.	Andhra Pradesh	80	0·71	56	0·53	—30·00
2.	Assam	—	—	3	0·03	—
3.	Bihar	1366	12·10	1503	14·16	+ 10·03
4.	Gujrarat	463	4·10	391	3·68	—15·55
5.	Haryana	33	0·29	31	0·29	—6·06
6.	Himachal Pradesh	60	0·53	71	0·67	+18·33
7.	Karnataka	311	2·76	445	4·19	+43·09
8.	Kerala	707	6·26	809	7·62	+14·43
9.	Madhya Pradesh	2493	22·09	3144	29·62	+26·11
10.	Maharashtra	696	6·17	380	3·58	—45·40
11.	Orissa	103	0·91	31	0·29	—69·90
12.	Punjab	47	0·42	103	0·97	+119·15
13.	Rajasthan	592	5·24	533	5·02	—9·97
14.	Tamil Nadu	114	1·01	112	1·06	—1·75
15.	Uttar Pradesh	4195	37·17	2976	28·03	—29·06
16.	West Bengal	3	0·03	1	0·01	— 66·67
17.	Delhi	10	0·09	3	0·03	—70·00
18.	Pondicherry	13	0·12	19	0·18	+46·15
19.	Dadra & Nagar Haveli	1	0·01	—	—	—
20.	Arunachal Pradesh	—	—	2	0·02	—
21.	Goa, Daman & Diu	—	—	3	0·03	—
	TOTAL FOR ALL INDIA	11287	100·00	10616	100·00	—5·94

SOURCE : NID of the Ministry of Home Affairs.

ANNEXURE IX

Crime-wise details of the total number of atrocities committed on the Scheduled Castes during 1978 and 1979

Sr. No.	Name of the States/Union tories	Total No. of atrocity cases reported during											
		1978						1979					
		Murder	Grievous hurt	Rape	Arson	Other cases	Total	Murder	Grievous hurt	Rape	Arson	Other offences	Total
1.	Andhra Pradesh	5	7	12	6	80	110	13	4	14	5	56	92
2.	Assam	—	—	1	—	—	1	—	—	—	—	3	3
3.	Bihar	63	146	76	260	1366	1911	48	185	79	337	1503	2152
4.	Gujarat	14	48	5	10	463	540	13	49	4	18	391	475
5.	Haryana	4	10	14	5	33	66	—	26	20	3	31	80
6.	Himachal Pradesh	—	3	2	1	60	66	1	4	6	1	71	83
7.	Jammu & Kashmir	—	—	—	—	—	—	NA	NA	NA	NA	NA	NA
8.	Karnataka	17	10	10	28	311	376	15	20	5	15	445	500
9.	Kerala	10	20	17	13	707	767	5	38	10	25	,809	887
10.	Madhya Pradesh	41	411	94	201	2493	3240	54	394	96	178	3144	3866
11.	Maharashtra	26	129	35	167	696	1053	12	57	19	35	380	503
12.	Orissa	5	14	5	8	103	135	3	1	1	7	31	43
13.	Punjab	10	20	5	1	47	83	18	33	14	3	103	171
14.	Rajasthan	38	137	68	51	592	886	11	124	34	58	533	760
15.	Tamil Nadu	5	10	7	5	114	141	2	1	—	—	112	115
16.	Uttar Pradesh	219	613	188	445	4195	5660	191	487	122	326	2976	4102
17.	West Bengal	—	2	—	1	3	6	1	—	—	—	1	2
18.	Delhi	—	2	2	—	10	14	—	—	—	—	3	3
19.	Pondicherry	—	—	—	1	13	14	—	—	—	—	19	19
20.	Dadra & Nagar Haveli	—	—	—	—	1	1	—	—	—	—	—	—
21.	Arunachal Pradesh	—	—	—	—	—	—	—	—	—	—	2	2
22.	Goa, Daman & Diu	—	—	—	—	—	—	—	—	—	—	3	3
	TOTAL	457	1582	541	1203	11287	15070	387	1423	424	1011	10616	13861

SOURCE : Figures furnished by the NID of the Ministry of Home Affairs.

ANNEXURE X

Copy of D.O. No. 12025/1/80-TD (Pt. File) dated 8-12-80 addressed to Governors/Lt. Governors and Chief Ministers of States and Union Territories on the incidence of atrocities on Scheduled Tribes

I had earlier written to you about atrocities perpetrated on Scheduled Castes in my letter No. III-11011/4/80-NID(D) dated 10th March, 1980. In this letter, I wish to convey to you a similar deep concern of the Government of India about atrocities and crimes perpetrated on the Scheduled Tribes and our anxiety to put an end to them.

2. For the Scheduled tribes, broadly, the same points made for Scheduled Castes in my earlier letter need to be reiterated. Further, I invite your attention to this Ministry's communication of even number dated 26 July, 1980. I would request you to arrange for strict compliance with the instructions and other legal provisions for protection of Scheduled tribes in your State/Union Territory.

With kind regards.

Yours sincerely,

Sd/-

ZAIL SINGH

ANNEXURE XI

Statement giving information about cases involving offences against Scheduled Tribes reported during 1978, 1979 and 1980

Name of States and Union Territories	1978	1979	1980 (Upto May)	Percentage increase/decrease in 1979
Andhra Pradesh	14	17	3	+21.43
Bihar	182	200	27	+ 9·89
Gujarat	254	75	29	—70·47
Haryana	—	—	—	—
Himachal Pradesh	—	—	—	—
Karnataka	37	64	1	+72·97
Kerala	44	27	11	—38·64
Madhya Pradesh	1221	1373	290	+12·45
Maharashtra	325	115	44	—64·62
Manipur	17	—	—	—
Orissa	36	16	6	—55.56
Punjab	—	—	—	—
Rajasthan	292	205	75	—29·79
Tamil Nadu	—	—	—	—
Uttar Pradesh	1	—	—	—100·00
Andaman & Nicobar Islands	4	1	—	— 75·00
Dadra & Nagar Haveli	17	2	—	— 88·24
Arunachal Pradesh	6	11	1	+83·33
Goa, Daman & Diu	1	1	—	—
Pondicherry	1	—	—	— 100·00
TOTAL	2452	2107	487	—14·07

(Information is Nil in respect of other States/Union Territories).

ANNEXURE XII

Break-up of different categories of cases of alleged atrocities on members of Scheduled Tribes in 1978, 1979 and 1980

Category	1978	1979	1980 (Upto May)	Percentage of increase/decrease in 1979
Murder	125	57	14	54·40
Violence resulting in grievous hurt	307	193	39	—37·13
Rape	131	145	34	+10·69
Arson or serious mischief in respect of property.	173	93	34	—46·24
Other Offences	1716	1619	366	— 5·65
TOTAL	2452	2107	487	—14·07

44—256 HA/ND/81

ANNEXURE XIII

Extracts of the report on the Problem of Atrocities on Harijans in Bihar conducted by the Bureau of Police Research and Development.

CONCLUSIONS

The survey has revealed that all the three districts, namely, Rohtas, Bhojpur and Begusarai reported cases of atrocities against the Harijan in 1978. Even though number of such cases was less than 3% of the total crime, the volume of crime of atrocities against Harijans for lack of Harijan population and the element of violence in these should be a correct index of the magnitude of the problem in all the three districts.

2. Among the causes, land disputes largely contribute to these crimes. The sources of conflict and tension are inadequate land reforms, ineffective enforcement of the Minimum Wages Act, continuance of bonded labour, rural indebtedness and social disabilities of the Harijans. While Harijans are more conscious and aware of their social and economic rights, denial of these rights undermines their confidence in the administration and provokes them to about an aggressive and assertive posture against all those whom they hold responsible for their growing sense of deprivation. There is evidence of the lot of the Harijans being politically exploited by extremist elements in a very organised and systematic manner. These areas offer ideal breeding ground for Naxalities. In Begusarai district, 2108 acres of land were allotted to Harijans out of 9000 acres of land declared surplus following enforcement of ceiling. 26129 possession slips were issued to landless persons including 9490 Harijans. But, till May 1979 only 950 persons were able to secure physical possession of the land allotted to them. The reason for this tardiness was stated to be the fact that revenue records were not uptodate as land survey has not been undertaken for many years in most of the districts. The State of tension between the Harijans and the upper castes is widespread, deeply rooted and is likely to get increasingly accentuated till effective measures are taken to secure social and economic equalibrium through concerted socio-economic, political and administrative measures. More policing, howsoever effective, will not be able to hold the growing ferment in the rural areas. (Chapter II, Paras 2, 15 to 21).

3. To strengthen the administrative arrangements, the following steps are recommended keeping in view the financial resources of the State :

(i) Instead of creating 9 more Harijan Police Stations in some selected districts of Bihar, all police stations prone to crime against Harijan should be strengthened by increasing their strength. Large police stations should be bifurcated. The Harijan Police Station at Patna with State-wise jurisdiction is not likely to be of much use, but it may be retained for the few odd cases that are registered late. (Chapter II, paras 22 to 24; Chapter III, Para 2, Chapter IV, para 4).

(ii) In order to improve the mobility of the total police and to reduce the response time, it is suggested that such police stations should be provided with a light motor vehicle and quick means of communication. (Chapter IV, para 5).

(iii) Crimes reported by Harijans against non-Harijans are at present recorded by the local police in accordance with the Standing Order No. 210 of the Inspector-General of Police. The survey revealed that not all crimes reported by Harijans against non-Harijans comprise atrocities against Harijans. It is felt that the registration of crimes should continue under the existing Standing Order but the District Superintendent of Police should after completion of investigation in such cases, decide whether a particular case falls in the category of atrocity or not. In this, he should be guided by the fact whether there is an element of cruelty, brutality and wickedness in the Commission of a particular offence or whether it has the background of having deen committed to teach a lesson to the Harijans. The statistics to be maintained at the district level of crimes against Harijans should take into account these cases and not all the cases recorded at the Police Station in pursuance of Standing Order No. 210. D. I. G. Harijan Cell, Patna should coordinate this work. The registration of false initiated by Harijans *suo moto*.

ANNEXURE XIV

Copy of HM's D.O. letter No. III-11011/4/80-*NID* (*D*) *dated* 10-3-1980 *addressed to Governors/Lt. Governors and Chief Ministers of States and Union Territories on prevention of atrocities.*

I am writing this letter specially to convey to you the deep concern of the Government of India about the atrocities or crimes perpetrated on the Scheduled Castes and our anxiety to put an end to this phenomenon of national shame.

2. On the basis of the statistics furnished by the State Government, the crimes under the I.P.C., where the victims belong to the Scheduled Castes and the offenders are non-Scheduled Castes, showed a downward trend from 1974 to 1976 from a figure of 8860 in 1974 to 7781 in 1975 and 5960 in 1976. But subsequently the figure shot up to 10879 in 1977 and 15059 in 1978. There has been a marginal decline in 1979, when the total figure was 13184, but this does not include the figures for a few months in respect of some States which have not yet sent reports. Further, in some States there is increase in 1979 over the figures of 1978.

3. Certain policies and measures need to be adopted and effectively implemented in order to deal with and eliminate the menance of these atrocities. This approach will require a careful analysis of the causes of these crimes, identification of major trouble spots, prompt solving of fastering disputes, regular monitoring and such other preventive measures, quick investigation and firm punitive measures; and total and expeditious rehabilitation of the victims.

4. It is not difficult to find out the causes as these atrocities are really not sporadic incidents, but have their roots in obvious socio-economic factors. Scheduled Castes are in a particularly weak and vulnerable situation. Typically they are agricultural labourers. Others depend on share-cropping, small and marginal farming, fishing, and other low-income occupations like weaving and leather work. They own very small assets. Almost all of them are below the poverty line in their economic status. A national survey has revealed that 66 percent of the bonded labourers in the country belong to the Scheduled Castes. Further, they are subjected to various social and civil disabilities arising from the evil custom of untouchability. There is a clear and close link between their economic plight on the one hand, and the crimes and atrocities and the social and civil disabilities to which they are subjected to, on the other.

5. For example, when Scheduled Castes seek the payment of the statutory minimum wages for agricultural labour or when they try to resist the practice of bonded labour or forced labour or the practice of untouchability against them, vested interests try to cow them down and terrorise them. This is the genesis of most of the crimes or atrocities. Another obnoxious practice in some rural areas is that Scheduled Castes women are subjected to indignities by the powerful in the village. When the Scheduled Castes try to preserve their self-respect and their women's honour, this too becomes an irritant for the powerful and this is another source of atrocities. Another fertile source of atrocities pertains to the disputes regarding government-owned waste lands or ceiling surplus lands allotted by Government to the Scheduled Castes. When they try to take possession of or cultivate or retain possession over such lands, the powerful vested interests try to obstruct them. Thus atrocities are committed when the Scheduled Castes seek to secure their legitimate rights in various matters.

6. One other peculiar atrocity against members of Scheduled Castes which has not received sufficient attention is that of harassment by booking false cases against them in order to teach them a lesson for approaching authorities with their complaints or for seeking their legitimate rights. In view of this subtle and sophisticated practice indugled in by some of the rural vested interests, the State police machinery should be suitably advised to be careful in booking such cases against members of Scheduled Castes.

7. In view of all this, it is necessary to activate the State machinery to take the initiative and mete out a fair deal to the Scheduled Castes in all these matters and find permanent solutions to all disputes like the above ones. A number of measures, of precautionary and preventive nature, that have to be taken in this connection are indicated in the Annexure to this letter. There can be many other such steps that the State and district authorities can devise if they approach the problem in its fundamentals and think of the actual situation in each area with the objective of effectively preventing atrocities on Scheduled Castes.

8. If, inspite of all such preventive and precautionary measures, taken, by violent incidents to occurs firm punitive measures have to be taken. A number of measures, of an illustrative nature that have to be taken at this stage, are also given in the Annexure. The State Government and District authorities may think of other possible measures. The objective to be clearly kept in view, should be that every crime committed against Scheduled Castes receive deterrent punishment with noticeable rapidity.

9. Another important aspect is to formulate a scheme for comprehensive rehabilitation of the victims. The various ingredients it should have if it is to be of real help to the victims may be seen in the Annexure. The State Government may add any other item in the scheme in addition to what is indicated in the Annexure, according to the local situation and needs. The benefit of the scheme should be available retrospectively to Scheduled Castes victims of atrocities and the surviving families wherever they have not been fully rehabilitated.

10. I would also request you to see whether the Scheduled Castes are adequately represented in the police force at all levels, especially at the cutting-edge level, which particularly includes the SHOs. Writers/Moharrars/Munshis, Head Constable and Constables. Where representation is not adequate, it is necessary to have an immediate special recruitment to bring it up to the required level. Similarly, special recruitment is necessary to bring up the representation of Scheduled Castes to the required level in other services, whose activities have a bearing on matters which can lead to atrocities. Some examples are posts of village officers, survey and settlement department, Revenue Department Labour Department.

11. In order to keep the administration, police and prosecuting machineries in perfect trim on a continuing basis so that they discharge the above tasks efficiently, I would suggest monthly review by Home Secretary, quarterly review by Chief Secretary and half yearly reviews by the Chief Ministers. While these reviews may cover the various aspects of atrocities against the members of Scheduled Castes and the

various preventive, precautionary, punitive and rehabilitative measures, it may particularly cover in detail progress of action in very serious cases individually.

12. While the above indicative measures are intended to directly deal with atrocities or crimes committed against the members of Scheduled Castes, I would also underline the fact that the economic development of the Scheduled Castes particularly through mechanism like the Special Component Plan for the Scheduled Castes and the Scheduled Castes Development Corporation is essential for a permanent solution of the problems. These are already known to the State Government I would commend them to your personal care. You will also hear from us from time to time in detail about these long-term economic development programmes.

13. I shall be happy if you could kindly keep us informed of the action taken and the results of these measures periodically, and widely publicise them through all media for pubic information.

with regards,

Yours sincerely

Sd/-

(ZAIL SINGH)

Illustrative list of measures to be taken for effectively dealing with atrocities against Scheduled Castes.

Precautionary and Preventive measures:

The Administration at the State and District levels must fully apprise itself of disputes concerning Scheduled Castes in different parts of the State pertaining to land, minimum wages, bonded labour, indignity against Scheduled Caste women etc.

(i) All these disputes should be resolved quickly in a manner which is fair to the Scheduled Castes who have been long exploited and denied their due.

(ii) Keeping in view the real situation in different parts of the State regarding wages, it must be effectively ensured that the agricultural labourers in practice should get not less than the statutory minimum wages and have alternative and additional employment opportunities throughout the year to improve their bargaining power for fair wages. Adequate machinery should be set up for enforcing the implementation of the Minimum Wages Act in actuality as experienced by the agricultural labourers who are largely Scheduled Castes, and not merely in terms of official statistics.

(iii) All bonded labourers who are essentially agricultural labourers in extreme distress and who are mostly of the Scheduled Castes should be released quickly and simultaneously rehabilitated.

(iv) Scheduled Castes should be put in effective possession of lands belonging to them or allotted to them and enable to carry on cultivation whenever there are disputes and obstructions. A related task to be undertaken immediately and completed well before the ensuring cultivation season is to launch a village to village drive to find out whether Scheduled Castes are in actual possession of land allotted to them or belonging to them, and wherever they are not, to put them in effective possession of these lands so that they can carry out their cultivation in the ensuing season and subsequently without any hindrance. While this drive is on, it will also be possible for the teams concerned to identify villages and lands in respect of which there is a possibility of interference by others and in such cases, full and effective police protection should be given to the Scheduled Castes from the beginning of the cultivation season till as long as necessary.

1. For accomplishing the above tasks effectively, Revenue-cum-Police Cells/Teams may be set up in Districts to exclusively attend to these tasks. To these Cells/Teams may be added officers of any other Department necessary, like the Labour Department.

2. The CID of the State Police Department should be charged with the special responsibility on the highest priority of identifying the areas of potential atrocities, where tensions are building up, well in time and communicate this information to the Administration both at the district level and at the State level regularly and promptly.

3. Based on such information as well as information from any other source, the Administration and the police force should resolutely and promptly move into scotch the evil before it explodes as an atrocity.

4. Instead of leaving the resolution of such disputes and tensions to lower functionaries, high level officers like Collectors/DCs/DMs and their subordinate officers at the Sub-Divisional level and similarly the SPs and Sub-Divisional Police Officers should themselves go to the spot for resolving these disputes in a fair manner. This will go a long way in deterring the potential criminals and giving confidence to the potential victims.

5. In many areas, the actual crimes are committed under the instigation of the powerful in the villages, by musclemen hired or employed by them or gang leaders engaged by them. Preventive action will be strengthened if persons of this type are located and dealt with severally under the various preventive sections available in the Cr. P. C. This work can straightway begin with those who may already be within the knowledge of the authorities.

6. It is necessary to review the arms licences granted in the State and cancel such licences in areas where atrocities have taken place or potential for atrocities exists. Simultaneously, areas notorious for illegal manufacture of arms should be combed and this source of supply for committing atrocities completely eliminated.

7. Areas where atrocities have taken place areas where there is potential for atrocities and areas notorious for illegal arms should be taken as top priority areas for immediate implementation of Land Ceiling Act and other land reforms measures; i.e. identification, release and rehabilitation of bonded labourer developmental schemes for strengthening the socio-economic condition of the Scheduled Castes and public works schemes to afford them alternative and additional employment opportunities. These measures will help strengthen the victims and potential victims of atrocities and weaker the capability of perpetrators and potential perpetrators of atrocities for engaging musclemen and mobilising arms.

8. A few units of Special Striking Force, highly mobile and well-equipped may be located in strategic areas, composed and officered in a manner which will give confidence to the Scheduled Castes and other weaker sections and deter perpetrators and potential perpetrators of atrocities.

9. Special Cells may be constituted at the State level under the personal supervision of the Chief Minister, or, in the case of States under the President's Rule of the Adviser, to look into the grievances of the Scheduled Castes, the time of the day and the days of the weak when Scheduled Castes can meet the Chief Minister/Adviser in such cases may be widely publicised through mass media. Monitoring of quick action on them may be arranged. Similarly, arrangements may be made at the District level and widely publicised through mass media in the officers of the Superintendent of Police and the District Collector to receive and attend to members of Scheduled Castes with complaints, register them and regularly monitor the progress of quick action on them.

10. When an atrocity has taken place in a village, there is a possibility of chain reactions in neighbouring villages and areas. Therefore, preventive vigilance and preparedness covering the various points enumerated above the including intensive patrolling should be stepped up in such neighbouring villages and areas.

Punitive Measures

1. When, in spite of all preventive and precautionary measures, atrocities do occur against Scheduled Castes, police force should be moved into the area quickly to quell them, arrest the offenders not only those who actually commit the crime but also those who encourage and instigate them. It will not be correct if the small fry alone are arrested and the powerful, really behind the crimes, are allowed to go scot-free.

2. In areas where serious atrocities against Scheduled Castes take place, special police picquets should be stationed, not only to take prompt action against offenders but also to prevent recurrence of such offences. These picquets should be manned and officered in a manner that will give confidence to the victims and put fear of the law into the offenders.

3. The police should directly and effectively intervene in instances of criminal trespass into lands belonging to Scheduled Castes by others, criminal trespass being a cognizable offence under Section 447 of the I.P.C.

4. The effectiveness of punishment depends not only on its quantum but also on the speed with which it is imposed. Therefore, the police machinery should be required to complete the investigation on top priority and charge these cases within the shortest possible time, in any case not exceeding 14 days.

5. The police machinery should be tightened up to ensure that the registration of complaints is prompt and the investigation is free from lacunae and defects, which might affect successful prosecution.

6. In serious cases of offences against member of Scheduled Castes, the investigating officer should be gazetted officers, preferably Deputy Superintendent of Police or above, and carefully selected on the basis of their sense of social justice and ability to perceive the implications of the case and investigate it along right lines within the quickest possible time. These serious cases should be treated as Special Report cases.

7. Prosecuting machinery should be tightened upto the effectively resist the grant of bail to the accused in such cases and to go in for appeal if bail is granted inspite of their efforts.

8. The prosecuting machinery should further be required to pursue the cases in the court for securing out of turn quick trail conviction and deterrent punishment.

9. Public Prosecutors to deal exclusively with cases of crimes against Scheduled Castes under the IPC and the PCR Act should be appointed. There are many young members of Scheduled Castes with degrees in Law who are working as Clerks, Assistants, etc. in different Departments for want of a property-owing social base which is often necessary to support legal practice. Such young men may be identified and given all support for setting up practice and continuing it, appointing them as Assistant Public Prosecutors under the above Public Prosecutors, if necessary after a period of under-study. They should be enabled to make this switchover by ensuring that there is no loss of income compared to their present pay in jobs not related to their legal qualification.

10. One specific measure that can help in securing quick trial and ensuring punishment of offenders with deterrent rapidity is to set up special courts to try crimes under the IPC and the PCR Act. There may be an erroneous impression in some minds that the justification for special courts depends on a number of cases. This is not correct. The real justification for special courts is the need to secure punishment for crimes under the IPC or under the PCR Act with deterrent rapidity and to impress offenders as well as potential offenders of the firm determination of the State Government to put an end to atrocities once for all, irrespective of the number of cases on file. In fact, if this process of speedy trial through special courts starts, it is very likely that many cases where complaints are not made by the Scheduled Caste victims of crimes on account of their lack of confidence in the legal and administrative machinery, may come to light, providing even numerical justificotion for special courts at a later stage.

11. In all cases of serious crimes like murder, rape, arson and other serious mischief, grievous hurt, kidnapping, wrongful restraint, wrongful confinement etc. committed against members of Scheduled Castes, the local D. M. and S. P. should invariably visit the spot immediately and at any rate within 24 hours of the occurrence, supervise steps for the apprehension of the culprits and measures of relief and rehabilitation for the victims, and take such other steps as may be necessary to instil a sense of security and confidence among the members of Scheduled Castes in the area and the fear of law in perpetrators and potential perpetrators of atrocities.

12. District Officers should be required not only to take prompt action about all crimes committed by non-Scheduled Castes on Scheduled Castes, but promptly inform the State Government to unable the latter to take all necessary action and to simultaneously keep the Central Government informed.

Measures of Rehabilitation

It is necessary to have a standing scheme of comprehensive rehabilitation of Scheduled Caste victims of atrocities so that it may automatically come into operation as soon as an atrocity takes place. In order that it may be of real help to the victims, it should contain the following ingredients :—

(i) Immediate relief.

(ii) Restoration of the full income-earning capacity of the family of the deceased or incapicitated victims of atrocities through provisions of employment and/or self-employment.

(iii) Provision for work including work under Food-for-Work Programme or other assistance to meet the consuption requirement of the victim-families, until income-earning capacity is fully restored.

(iv) Education and maintenance of children where there is no bread-winner left and there is no scope for restoring income-earning capacity through provision of employment and/or self-employment.

(v) Special arrangements for rape victims, keeping in view the psychological trauma suffered by them.

(vi) Pucca house building for victims of arson.

(vii) Adequate financial compensation in view of the outrage suffered by them.

(viii) Delegation of full powers to the District Collector/Deputy Commissioner/District Magistrate to grant all assistance according to the Scheme. The Scheme may be formulated and brought into force urgently.

Measures of Personnel Policy

1. It should be the personal responsibility of the Collector/Deputy Commissioner/District Magistrate and S. P. to ensure that prompt and effective action is taken not only by themselves but by all officers of their District along the lines indicated above. They should be responsible for fully achieving the objectives of effectively preventing atrocities, apprehending criminals and visiting them with condign punishment with deterrent rapidity and quick and complete rehabilitation of victims/families.

2. However, they may also have certain difficulties which hamper their work. They should be encouraged to express their difficulties of any type and the Chief Minister/Adviser and the Chief Secretary may promptly remove those diffculties.

3. In the ACR of these officers, especially District Collector/District Magistrate/Deputy Commissioner and Superintendent of Police, a separate column

should be opened of "Effectiveness in the development and protection of Scheduled Castes". Under this head, these should be specific hands on :

(a) Attitude towards Scheduled Castes.

(b) Sensitivity to social justice.

(c) Ability to take quick and effective action to prevent and quell atrocities and ensure justice to Scheduled Castes.

(d) Effectiveness in bringing about the development of Scheduled Castes.

4. Any failure to undertake prompt and efficient action or exercise adequate supervision, whether at the preventive stage or punitive stage or rehabilitation stage should be regarded as a grave dereliction of duty on the part of the officer concerned and entered in the ACR, apart from taking appropriate disciplinary action.

5. The incentive-cum-disincentive system should operate in such a manner that officers should perceive the career of those who do their duty to the Scheduled Castes in an examplary manner advancing rapidly and the careers of those who fall in this receiving a significant set-back.

6. The State Government may post carefully selected District Collectors/DCs/DMs, Superintendents of Police and officers of major Developmental Officers in Districts/areas, where atrocities are taking place or there is potential for atrocity.

7. It is well known that according to the hierarchical pattern of residence, in existence in most parts of the country rural as well as urban, Scheduled Castes generally are relegated to the outskirts or the most distant parts of the village, devoid of facilities and conveniences available in the rest of the village. They are considered to be the least prestigeous part of the village, or even the town. It is necessary to rectify this as part of the drive against atrocities. As one step to bring prestige to the Scheduled Caste part of the village, and thereby to the Scheduled Castes, all Collectors and SPs and their sub-divisional subordinates should be required to spend a substantial part of the time on their tours to villages in the Scheduled Caste localities of the villages, and transact from these localities their work pertaining to the general advancement and general problems of the village. Similar instructions may be given to the officers of the major development departments and officers of local bodies. This will have a far-reaching psychological impact. This of course does not mean that where their work pertains to specific groups like potters or carpenters, etc. They should do that ago from the Scheduled Castes localities. Such work should appropriately be done from the localities of the concerned occupational groups. But on no account should the district administration lend the weight of its prestige to that part of the village where the powerful of the village reside by transacting work pertaining to the general public, or specific occupational groups, sitting in the locality of the powerful.

ANNEXURE XIV

Copy of D.O. letter No. III-11011/7/80-*PCR (DESK) dated 6th September,* 1980 *from Shri Zail Singh, Union Home Minister, addressed to all Chief Ministers of States and Union Territories*

I had written a D.O. letter No. III-11011/4/80-NID (D) dated 10th March, 1980, specially to convey to you the deep concern of the Government of India about the atrocities or crimes perpetrated on the Scheduled Castes and our anxiety to put an end to this phonomenon of national shame.

2. A number of suggestions to prevent atrocities on Scheduled Castes and Scheduled Tribes have since been received from Members of Parliament and from others. One of the suggestions to prevent atrocities on SC & ST is that at least one of the following posts in each of sensitive districts should be held by officers belonging to these communities and tribes. The posts identified for this purpose are District Magistrate, Senior Superintendent of Police, S. P., Sub-Divisional Magistrate and Sub-Divisional Police Officer.

3. Similarly, it has been suggested that officers belonging to the Scheduled Castes and Scheduled Tribes should also be posted as Station House Officers as far as possible in such sensitive localities. In this connection, I would like to invite your attention to para 10 of my aforesaid letter and part 6 of part (D) dealing with measures of Personnel Policy incorporated in the guidelines enclosed with the said letter which are relevant to this subject.

4. I would like to commend the above-mentioned two suggestions for your consideration and implementation.

5. I shall be happy if you could kindly keep us informed of the action taken in this regard, as well as the effective implemention of the guidelines sent to you on the 10th March, 1980.

With kind regards

Yours sincerely

Sd/-

(ZAIL SINGH)

ANNEXURE XV

Summary of the selected inquiry reports on the incidents in various States between April 1979 to March 1980.

1. *Scheduled Castes huts set on fire at Kavalkoodam-Tamilnadu.*

There was a news item in the 'Patriot' dt. 14-7-79 captioned "Harijans' huts set on fire". The Commission called for an urgent report from the Deputy Director at Madras. The report States that for the last two years or so, there had been misunderstanding between the Padayachi landlords and Scheduled Castes labourers of Kavalkoodam in the matter of providing labour for agricultural operations resulting in minor incidents now and then of burning haystacks, houses etc.

2. *Arson and clash on 12-7-79.*

On the morning of 12-7-79, Shri Rangaswami (Scheduled Castes) Panchayat Board member went to the house of Sivasamy and requested him to remove the fence. He refused and asked Rangaswamy to do whatever he liked. Rangaswami, Siva Perumal and Chinnayyan went and removed the hedge (fence) formed by "Kattamanakku" plants. At that time Sivasamy came there and asked them why they were cutting the plants. Rangaswamy replied that as the fence was on the road, obstructing the traffic and as it was not in his lands, with a view to clear the road, they were cutting them. Enraged by this reply, he rushed to the village saying that he would deal with them properly. He collected about 100 Caste Hindus and rushed to the Scheduled Castes colony with sticks and deadly weapons. The village Headman Shanmugavadivel came to the Scheduled Caste colony and asked the Schedulde Castes to be calm and that he would report the fact to the Panchayat Board President and take necessary action. He also appealed to the Caste Hindus to keep peace. Then the Scheduled Castes and Caste Hindus dispersed. The Caste Hindus again gathered people from Devanancherry and Manalmedu and came to the Scheduled Castes colony to attack the Scheduled Castes. At that time, a small boy went to the canal for bathing. The boy was taken away by Varadan, a Caste Hindu. The Scheduled Castes came to the road side. They saw about 200 people coming towards the colony. There were only about 20 Scheduled Castes male members besides women in the colony. The Scheduled Castes moved back fearing that they would be attacked by Caste Hindus. The Caste Hindus started pelting stones against the Scheduled Castes. One Veeramuthu (Scheduled Castes) was hurt by Aruval (a short weapon) by Ganesan S/o Veerappa of Kavalkoodam. One Mahalingam beat Sait (Scheduled Castes) on the head. Verramuthu S/o Ayyaru (Schedule Castes) was attacked on his head and leg. Panneer S/o Kuthuru (Scheduled Castes) was also attacked on his head by stone. One Suganandam S/o Seenmalai of Devanancherry set fire to a house and went away. Then Varadan, Ganesan and Rajendran of Kavalkoodam removed fire from the burning house and set fire to other houses. At that time, there was strong wind towards the east. 31 houses were burnt.

The firm service, the Revenue and other officials visited the place. The Scheduled Castes were given shelter in the Panchayat school and given food. The 4 persons injured were taken to the hospital by the fire service. Veeramuthu and Sethi were admitted as inpatients and discharged after a week. The other two Scheduled Castes were treated as out-patients.

The Collector inspected the place and made the following arrangements :—

1. To rehibilitate them in the site used for cattle fare in survey Nos. 275, 274/2 and 301/4B of Neerathanallur village by allotting 3 cents for each family.
2. Supply of rice at the rate of 20 Kilos per family given in advance under the food for work programme under which they would construct their own huts.
3. Construction of huts by materials supplied by philanthrophic and charitable institutions.
4. To provide labour for one month to the Scheduled Castes under food for work programme.

The authorities have taken very speedy action in rehabilitating the poor Scheduled Castes by allotting them good alternative sites. Now the Scheduled Castes appear to be happy with the rehabilitation measures.

The Commission for Scheduled Castes/Scheduled Tribes made the following recommendations to the Govt. of Tamil Nadu for their consideration :

(i) The State Govt. may kindly render suitable assistance to the victims to enable them to rebuild their houses and to rehabilitate themselves in the village.

(ii) The State Govt. may kindly ensure that the Scheduled Castes who have suffered losses in the attack are adequately compensated. They may also be given immediate interim relief to help them out of their present destitute condition.

(iii) Apart from the criminal case instituted by the local officers against the Padayachis, the desirability of taking suitable preventive action u/s 107/117 Cr. P. C. may also please be considered so as to bind them down to maintain peace and security in the village in future.

(iv) As there has been tension in the locality, the police pickets should continue until such time as complete normalcy is restored and the Scheduled Castes feel completely safe and secure in the locality.

3. *Scheduled Castes beaten to death at Kopparu village in Guntur District-Andhra Pradesh*

This is an incident first reported in the Deccan Herald, dated 5-9-79, of a Scheduled Castes who was allegedly, beaten to death with sticks and chappals by five Caste Hindus at Kopparru village of Guntur District, Andhra Pradesh. The Commission had referred the matter to the State Govt. of Andhra Pradesh and had called for a detailed report.

The report of the State Govt. reveals the following facts :—

Padma, the daughter of one of the accused, namely, Namineni Seetharamaiah, seems to have taken serious exception to the way in which she was spoken to by Madduri Bose, the son of the deceased. The girl was accosted when she was alone and spoken to in

45—256 HA/ND/81

vulgar language. This led to the girl's father's and few other Kammas going to the house of the deceased Scheduled Caste Madduri Ramaswamy, demanding the production of the errant boy, and assaulting the deceased when this demand was not met the deceased was poked in the stomach with a chetny pounder and poked in the stomach and chest with a stick. Thereafter, he was kicked in the stomach and beaten with chappals.

He became uncousious and was removed by other villagers to Pednandipadu, where a private doctor refused to treat him and where the Govt. doctor was not available. While being removed to Prathipadu, the deceased died.

The inquest showed only an insignificant external injury, namely, an abrasion on the second toe of the right leg. An autopay was also conducted by the Professor, Forensic Medicines, Medical Colleges, Guntur, which disclosed seven internal injuries in addition. The concluding opinion, however, is that the deceased appears to have died to massive intra-cerebral; haemorrhage caused by blood vessels in the brain bursting due to hypertension.

A case of murder and rioting u/s 302 and 147 IPC has been registered against the accused and is being committed to sessions. Rs. 2,000 has been sanctioned by the District Magistrate, Guntur, to the deceased's family as relief.

The commission for Scheduled Castes/Scheduled Tribes made the following comments/suggestions :

(a) That the State Govt. take immediate action to get the practising licence of the private doctor, who refused to treat the deceased, cancelled.

(b) If the deceased had seven internal injuries, it seems strange that he should die of intracerebral haemorrhage said to be caused by hypertension. The police report clearly shows that the deceased was kicked in the stomach and also poked with a chetny pounder and a stick. It is possible that the accused, if driven to the wall, will plead that the deceased's death-dealing hypertension was not the result of the assault on him but of some unrealted mental or other strain caused by some other set of facts and circumstances. The point is whether in the medical opinion there is any immediate connection between the seven internal injuries sustained by the deceased and the intracerebral haemorrhage which caused his death. Commission has requested the State Govt. to look into this aspect and the reply is awaited.

4. *Alleged burning of Houses of Scheduled Castes in village Atroli P. S. Jagdishpur, Distt. Sultanpur, Uttar Pradesh.*

The Commission had, through a teleprinter message dated 29th May, 1979 requested the Chief Secretary to the Govt. of Uttar Pradesh to furnish a detailed report on the alleged arson in village Atrauli, P. S. Jagdishpur, Distt. Sultanpur on 20th May, 1979, Deputy Director for Scheduled Castes and Scheduled Tribes, Lucknow was also asked to conduct an on-the-spot enquiry into the incident.

The salient points of the report as received from the Deputy Director, Lucknow are as follows :—

The Kuris of the Atranli village refused to do begar for the Thakure and there was social tension between the two communities. On the day of the incident Shri Dan Bahadur Singh belonging to Thakur Caste ordered Mani Ram Kori to shift straw from the field, but he refused to do so. He was therefore, beaten with lathis. When the other Koris came to rescue they were threatened. Later 13 persons of high castes set fire to the 33 houses of landless Scheduled Castes. When S/Shri Moti Lal Kori & Shital Prasad rushed to put off the fire, they were thrown into the fire the assailants were armed with three guns and three pistols. Two persons (Koris) were injured by beating and the other two persons who were thrown into the fire had received severe burns.

It appears from the report of the State Govt. that the persons who had suffered due to fire had been provided with immediate financial aid of Rs. 18,500/- alongwith clothes and materials for reconstruction of their houses. The Collector had also been instructed to provide Rs. 1000/- for each family in the shape of materials required by them for reconstruction of their burnt houses. This is in addition to the relief of Rs. 18,500/- sanctioned earlier.

It, however, appears from the report of our Deputy Director that the affected families who had been granted compensation etc. did not at first accept the cash grants. However, they were being persuaded by the district authorities to accept the cash compensation even if they did not wanted to accept the help in kind donated by some institutions and individuals of Sultanpur. The reason for non acceptance of the amount of Rs. 1000/- each by the Harijan Avas Nigam to the 27 Scheduled Caste families has been that the Scheduled Castes desire that fine should be imposed on the community as a whose, & funds raised instead of the Govt. providing the amount. They also say that the Kahar families should also be helped. Except this aid, all other aids have been accepted by the affected families.

The Commission had made the following two recommendations to the State Govt. :

(i) Adequate Police Protection should continue to be given to the Scheduled Castes in the area until complete normalcy is restored. It has been reported by the State Govt. that PAC had been posted in the area to maintain peace and Law and order, and that the situation was now under control and was being kept underwatch.

(ii) Action u/s 107/117 Cr. P.C. should be taken against the high Caste people (Thakura) concerned so as to bind them down to maintain peace in future.

Another point related to a counter case filed by the local Thakurs alleging that the Scheduled Castes concerned had forcibly collected mangoes from the garden of one Shri Uma Shankar Singh and beaten him, Shri Dan Bahadur Singh and a few other high caste Hindus and that this had led to trouble. In this particular case the Thakurs had Managed to procure a medical certificate from the Public Health Centre at Jame to support their FIR, but an examination of the Register of patients maintained at the Public Health Centre had shown that the Register had been tempered with, and it appeared that the Medical Officer Dr. Mohd. Taufiq and his compounder made false entries about the injuries to the Thakurs in the register. The local police had registered a criminal case against the Medical Officer and his compounder and the Director of Health Services had been requested to suspend the doctor and the compounder.

5. *Scheduled Tribe Girl Raped — Bihar*

"Adivasi Girl raped" —This is a caption of a news item from "The Indian Nation" dated 26-1-79. The commission called for a detailed report from the Deputy Director, Patna. The investigation report thereon by the S.D.O. and S.D.P.O. were also received from our Deputy Director, Patna. Main points of the report are as follows :—

On 11-1-79 the victim Smt. Dasmi Devi W/o Shri Biswa Munda, resident of Bhang Kurmutta in Kolliya Gram Panchayat of P. S. Chatra of District Hazaribagh, was while returning home in the evening from Rajpur, three boys namely Ritlal Mahto, Ramlal and Biraj Mahto residents of village Kolhaiya caught hold of Smt. Dasmi Devi and raped her turn by turn.

A case No. 4 u/s 376 IPC was instituted on 17-1-79. On 12-1-79 the victim informed about it to the villagers and the Mukhia and the Sarpanch after ascertaining the facts asked Tekhan Dusadh—Chowkidar to take the victim to the Police Station. On 13-1-79 while the victim, her relatives and Chowkidar were travelling in a bus for the police station they were intercepted by Fatul Singh Mukhia of Laralutudag Gram Panchayat prevented them from going to the police station, stating that he would settle the matter. It has been further mentioned that Chowkidar Tokhan Dusadh reached Chatra on 13-1-79 but failed to discharge his duty in informing the police station.

On 15-1-79 Fatul Singh Mukhiya convened a meeting of few local adivasis and charged Rs. 1800 from the accused with whom he was in collusion. Out of that amount Rs. 200 were spent on wine, Rs. 400 were allegedly distributed among the Scheduled Tribes person present in the meeting to prevent them from pursuing the matter either with their own men or with the administration, another Rs. 400 were paid to the brother of the victim and remaining Rs. 800 were pocketed by Fatul singh Mukhia, Laralutudag Gram Panchayat. It was only at the intervention of Mukhiya of Kalhaiya Gram Panchayat that the case was registered on 17-1-79.

The S.D.P.O. and the officer in-charge, Chatra, P.S. visited the spot on 17-1-79. The girl took the police officers to the place of occurrence and gave evidence how she was trapped and raped by the accused persons. The police officers were fully convinced about the truth of the case and deputed two constables to take the victim for medical examination on the next day i.e. 18-1-79. It has been stated that she did not go for a medical examination as her relatives were persuaded by the local people not to pursue the case.

On 21-1-79 the S.D.O. also visited the house of the victim but by that time the victim and here relatives had left the house for Ranchi. Different reasons for their leaving the village have been given in the report.

Fatul Singh Mukhiya was arrested and released on bail and a case u/s 201 I.P.C. has been instituted.

The Superintendent of Police, Hazaribagh has intimated the Commission for Scheduled Castes and Scheduled Tribes regarding the following actions under taken in view of the above case.

(i) Tokhan Dusadh, the Chowkidar, who failed to perform his duty in not taking the victim to hospital has been suspended from service and is asked to explain why he should not be dismissed for failure to perform his duty.

(ii) After completion of investigation charge sheet has been submitted against the accused (1) Rit Lal Manto (2) Ramlal Manto (3) Biraj Manto and (4) Fatul Singh u/s 376/201 IPC and they two were arrested promptly.

(iii) Charge sheet has also been submitted against those who tried to remove the evidence in this case (u/s 201 IPC).

(iv) The victim lady could not be examined by a Medical Officer as she could not be available inspite of strenuous efforts by local police.

The S.P. has further stated that the victim appears to have been won over by the accused persons. He feels that if she turns hostile the case would fail and the accused would be left by the court.

The Commission has written to the State Govt. to issue necessary instructions to the concerned authorities to take all possible steps to see that the guilty do not go unpunished.

6. 130 *Houses of Scheduled Castes burnt in village Panruthi. South Arcot District — Tamil Nadu*

There was a news item in "The Hindu" dated 1-6-79 captioned "Tension Continues in Panruthi. : Ban Order Issued." The Commission called for an urgent report from the Deputy Director for Scheduled Castes and Scheduled Tribes at Madras, and also from the State Govt. of Tamil Nadu.

It has been reported that one Sundaramurthi belonging to Vanniyar community (caste Hindu community) and mason by profession was having illicit relationship with one Amaravathi, wife of one Kalyan, a Scheduled Caste who was partially paralysed. Sundarmurthy used to visit Amravathi in the Scheduled Castes Colony from time to time but it appears that nobody ever objected to this. On 29th May, 1979, when Sundarmurthi was passing through Tiruvalluvar Nagar Colony at about noon time, Kalyan, who was sitting on a bench in front of a tea stall in Panruti, shouted something which was not clear. Sundarmurthi thought that Kalyan had used some abusive words against him. He turned back and demanded from Kalyan as to what he had said. Kalyan told him that he was only shouting for help from a person sitting nearby to help him sit in the shade. Sundarmurthi did not accept this reply and gave some beating to Kalyan. However, at the intervention of some of the Scheduled Caste girls in the colony, who were working under Sundarmurthi, Kalyan and Sundarmurthi were separated and Sundarmurthi went away.

When this incident came to the notice of two relatives of Kalyan namely, Abhimanyu and Mani, they felt anguished and pained and visited Sundarmurthi in the afternoon of the same day (29th May) and demanded an explanation from him as to why he had beaten up Kalyan. It is alleged that Sundarmurthi abused them saying "You Parayans, How have you become bold?" There was a clash between Sundarmurthi and the two relatives of Kalyan in which Sundarmurthi got a beating. Later on Sundarmurthi reported the incident to the police station who registered a case, which is under investigation. Sundarmurthi was sent to the hospital where he was treated as an out door patient.

On the same day in the evening, i.e. 29th May, 1979, the two relatives of Kalyan, viz., Mani and Abhimanyu, who had beaten up Sundarmurthi were arrested by the Police and taken to the Police Station.

While the version of our Deputy Director and that of the State Government more or less agree up to this stage, the version relating to subsequent events as given by our Deputy Director differs from that of the State Govt.

According to our Deputy Director, after the attack on Sundarmurthi on 29th May, the caste Hindus held a secret meeting and hatched a conspiracy to attack and beat up the Scheduled Castes of the colony and set fire to their huts. On the morning of 30th May, 1979, at about 9.30 or so, a crowd of about 300 to 500 persons of caste Hindus appeared on the main road armed with sticks, stones and other weapons and moved towards, the railway crossing with a view to attacking the Scheduled Castes of Tiruvalluvar Nagar colony. As soon as the Scheduled Castes got information about this, they

also gathered together with sticks and stones to face the caste Hindus mob. The police got the information immediately and rushed to the spot. However, the police could not prevent clashes between the two groups. When they found that their persuasive efforts had failed, they used tear-gas shells which helped them in dispersing the crowd and the Scheduled Castes ran towards their colony. It however, appears that the caste Hindu mob did not completely disperse and a part of this caste. Hindu mob chased the Scheduled Castes into their houses and then set fire to the Scheduled Castes houses. The local fire brigades which received timely information came to the spot but it is alleged that the fire brigades were effectively stopped, by the angry caste Hindu mob on the way for about an hour or so and when the fire brigades reached the colony to extinguish the fire, considerable damage had already been done to the Scheduled Castes huts. The fire brigades did go into action but it was late, and it took time for them to control the fury of the fire. As a result of this arson, 129 houses of the Scheduled Castes were gutted in fire and their household belongings were also destroyed.

The Govt. version, on the other hand, is that after the arrest of the two relatives of Kalyan, viz, Mani and Abhimanyu, a false rumour was spread in the town that these two Scheduled Castes had been assaulted by caste Hindus on route to the police station while in police custody. On hearing this, on the 30th May in the morning, the Scheduled Castes took the initiative and gathering together in a mob of about 500 persons, armed with sticks etc. came out of the colony and proceeded towards the area where Sundarmurthi and other caste Hindus were living. On hearing this, Sundarmurthi and his supporters, numbering about 300 also collected on the spot to face the Scheduled Castes. The Police rushed to the spot and both the Scheduled Castes and the Caste Hindus were chased away in different directions and the clash was averted. However, a short time later at about 10.30 a.m. both the parties stated polting stones against each other. As the unruly mob did not heed to the evening, tear-gas shells were burst to scatter the crowd. In the meantime, some persons taking advantage of the fact that the Scheduled Castes had left their colony went to the colony and set fire to the huts resulting in the burning of 129 thatched huts. Later, the fire brigades arrived at the spot and put out the fire.

So according to one version, as brought out by our Deputy Director, the initiative of gathering together in a mob and of attacking the Scheduled Castes colony was first taken by the Caste Hindus while according to the Govt. version, this initiative was first taken by the Scheduled Castes and the Caste Hindus gathered together to meet this challenge and protect themselves.

Thereafter the District Magistrate and the Superintendent of Police rushed to Panruti and took control of the situation. It appears that at the time of the clash, considering the size of the mob, the police force deployed for controlling the mob was not adequate. The District Magistrate and the Superintendent of Police, therefore further strengthened the Police force in the locality and instituted a case in Panruti Police station u/s 147, 148, 436 IPC read with 7(1) of Criminal Law Amendment Act. Prohibitory orders under section 144 Cr. P.C. were promulgated in the area for a period of 15 days effective from 30-5-79. A Peace Committee consisting of Scheduled Castes and Caste Hindus was also formed and the Committee unanimously agreed to keep peace and cooperate with the authorities.

It appears that later on 31st May, as also on 1st June, there were two minor incidents of the burning of 3 more huts, one on 31st May and two on 1st June.

While the Deputy Director has not reported that there was any further aggressive action on the part of the Scheduled Castes, who had all been put under shelter in a pandal built by the Government and were being given food and relief by the Government, it appeares from the Govt. report that even on the 31st May, after the burning of one of the houses the Scheduled Castes attempted to cross the railway line and enter into caste Hindu quarters to attack the Caste Hindus and they had to be dispersed by the bursting of tear-gas shells by the Police. Similarly, according to the Govt. version, on the 1st June, after two more houses in the Scheduled Castes colony had been burnt, four boys were apprehended by the people of the colony but they were saved from the fury of the Scheduled Castes mob by the timely intervention of the District Revenue Officer. On the other hand, the Deputy Director has reported that he also happened to be on the spot on the 1st June. While the fire brigades took steps to extinguish the fire of the two huts which had been burnt, 3 or 4 caste Hindu boys were reportedly noticed running away from the scene of occurrence and they were apprehended by the Police, given some beating by the Police, and taken to the Police Station but were later on let off by the Police.

It appears that there was no further incident after the 1st June.

According to the Deputy Director's report, who had visited the spot on the 1st June, the following relief measures have been taken by the State Govt. :—

(1) A large pandal had been erected by the Govt. on the 30th May for sheltering the Scheduled Castes affected in the arson.

(2) Meals were being served to the Scheduled Castes by the Government.

(3) Each of the 178 families involved were given Rs. 100 as cash grant.

(4) 178 sets of dresses comprising one dhoti, one towel, one saree and one skirt and blouse were also given to each family.

According to the State Govt., they have since sanctioned a sum of Rs. 66,000 for disbursement (Rs. 500 each to the 132 affected families whose huts had been burnt so as to enable them to reconstruct their huts).

While the Deputy Director has reported that the Collector informed him that about 30 persons had been taken into custody, the State Govt. have indicated that nobody has been arrested for the arson committed on 30-5-79, 31-5-79 and 1-6-79. They have, however indicated that the Police have initiated security proceedings under section 107 G.P.C. against some residents of the Tiruvalluvar Colony and some other residents of the town. They have further reported that the situation is now under control.

Further details regarding action taken by the State Govt. in the case are awaited.

7. *Atmosphere of fear after Scheduled Castes killings Action on press cutting dt. 30-11-79 Gujarat.*

A news item captioned "Atmosphere of fear after Harijan Killings" was published in the 'Indian Express' dt. 30-11-79. In response to this the Commission called for a detailed report from the Director for Scheduled Castes and Scheduled Tribes, Ahmedabad. An on-the-spot enquiry report conducted by the Office of the Director for Scheduled Caste/Scheduled Tribe, Ahmedabad on the murdur of two Scheduled Castes in Mandala village, Dabhoi Taluka in Baroda district of Gujarat State reveals the following facts :—

The village Mandals a multi-caste village is strongly a faction ridden one due to staunch power politics for the post of village sarpanch. The Patel Community which is the major segment of the village have been divided into two groups—one group supporting the Patel Sarpanch and the other favouring the Rajput upa-Sarpanch for where rivals for occupying the post of the village Sarpanch. The village upa-Sarpanch used one Scheduled Caste Talati for lodging a case against the Sarpanch due to which he was kept

under suspension. After reinstatement, the Sarpanch of the village in the anxiety of taking a revenge hooked a very prominent harijan of the village—Shri Chhitabhai Hirabhai Vankar (deceased) who was also a member of the village Panchayat. The patel Sarpanch used him as a tool, made him (the deceased Scheduled Caste leader) to lodge complaints against the Rajput upa-Sarpanch and ultimately involved the upa-Sarpanch and two of his staunch supporters in a chapter case. This resulted in bitter enemity between the two groups and tension started mounting up between the hostile groups. Due to this, both the hostile group leaders lost no opportunity to wreck vengeance and tried to prove who is stronger in the village. In the course of this battle, the cattle belonging to the families of the deceased Scheduled Caste leader who was in the group of the village Sarpanch, were impounded in the village cattle pond and he had to pay huge fines many a time. The Sarpanch also retaliated to this and impounded the horse of the one of main (accused) supporter of the upa-Sarpanch.

When the condition was such and tension was already brewing fast, the sons/relatives of the deceased Scheduled Caste leaders were involved in a vegetable theft case by the sim Rakhas which actually made the Scheduled Caste of the village to organise Dharna before the Collectorate of Baroda and registered cases and counter cases by the hostile groups, which also made some local politicians/social workers (Scheduled Castes) to take part in the Dharna. This actually enraged the majority of the caste Hindus who became antagonistic to harijans.

At this very juncture the under mentioned unfortunate things took place.

(i) Withdrawal of the Chapter cases by the Executive Magistrate Dabhoi, without obtaining the prior orders of the District Magistrate.

(ii) Organisation of Dharna before the collectorate at Baroda and interference of the local Scheduled Castes political leaders/social workers.

(iii) Giving in writing by the deceased Scheduled Castes leader stating that the police bandobast/protection given to him was no longer required.

Due to the above reasons the hostile group of the upa-Sarpanch were made free to go ahead with their murderous plan and the police bandobast was withdrawn. But the Scheduled Castes (deceased) who were in the camp of the village sarpanch were not at all aware of the murderous plan that has been hatched by the upa-Sarpanch group and remained care free.

On 27-11-79 a gruesome atrocity took place when two Scheduled Castes—Father and son were brutally murdered by the sim Rakhas who were appointed by the Patel and Rajput landlords of the village to watch/protect their crops. The Scheduled Castes were hooked by the Sarpanch for taking revenge against the upa-Sarpanch and ultimately they were butchered which may be said as a cold-blooded murder and a double atrocity on Scheduled Castes. Here it may be stated that this atrocity took place with the full support of some of the caste Hindus which remained as a mystery and could not be unravelled by the local civil police and ultimately the case had been handed over to the State C.I.D.

The police on their part did their duty best and nabbed the accused listed in FIR quickly, though the aggrieved Scheduled Castes party was not happy for not arresting the upa-Sarpanch and his staunch patel supporter who, according to them were behind this gruesome episode.

The State Govt. on their part had given monetary relief to the bereated family members of the two victims as per the rules in vogue.

According to a press clipping in the Times of India dated 30-9-80 all the accused persons in this case have been acquitted. The additional session judge has, according to the press report, observed that "it was shocking that even though two genuine murders had been committed, the court had to release the accused as the prosecution had miserably failed to provide substantial evidence. The State Govt. have been requested to comment on the press report.

The following points have been mentioned in the report for the consideration of the State Govt.

(a) Shri Kanubhai Chhitabhai Vankar who was seriously injured and undergone an emergency operation in S.S.G. hospital Baroda, requires a monetary relief from the State Govt., for it was observed during the enquiry that he is not fit for heavy physical work.

(b) As all the four sons and 2 daughters of the deceased Shri Ranchhodbhai Chitabhai Vankar were not married, the State Govt. may consider giving a suitable job immediately, to the eldest son of the deceased who has been studied upto the 10th Class.

(c) The State Govt. have not been generous enough in giving financial relief, when the two deceased persons had left behind them big families, consisting of large dependents, which require reconsideration by the State Government.

8. *Harijan beaten to death in Laxmipur Police Station in Jamui sub-division Dist., Monghyr, Bihar News item in the Times of India dt. 20-11-79.*

It was reported in "The Times of India" dated 20-11-79 that a Scheduled Castes has been beaten to death in Laxmipur P. S. in the Jamui Sub-Division of Monghyr Distt. (Bihar). The Commission referred the case to the Chief Secretary Govt. of Bihar. The well-reasoned, detailed report of the District Magistrate Monghyr, sent by the Home Department of the State Govt. of Bihar clearly establishes the following facts:

Shri Prabhu Ravidas a Chamar of village Gobardaha, was killed by Jayanandan and others belonging to Rajput community and by the police and Home Guards. The cause of incident is old Land Dispute. The learned Distt. Magistrate has found that the story invented by the police that Prabhu Ravidas climbed a hillock and attacked the police, then fell down and was seriously injured, and when taken to hospital, died, is entirely false. He has given very strong reasons for stating that the statement given by the police are false.

(a) The statement of the sub-Inspector of Police that he heart the wife of Prabhu Ravidas shouting 'run from the Southern side of the house' and saw 10-11 persons sitting on the banks of canal is incorrect, as there was no visibility due to thick foliage of *rahar* in the Gobardhaha.

(b) The statement of the police that they had gone to serve a warrant on Kishan Ravidas in Gobardhaha is also false. No such warrant could be produced before the SDO/DM.

(c) The most strange is the thing that the police and the armed Home Guards have been said to have gone together to Gobardaha for patrolling. If that is so why the statements of the police and Home Guards are so different from each other.

(d) To say that police followed Ravidas for 3 miles upto hillock is false as he could not have run for such a distance, being 60 or 80 years of age.

The strange thing is, that even though orders were issued for 'Special Report' the police did not take any action on it. The poor Scheduled Caste in spite of Justice on his side was harassed and not given any protection and ultimately had to lose his life. His pleader Parmeswari Singh was also murdered :—

Thus the Distt. Magistrate has concluded that :

(a) A conspiracy was hatched to kill Prabhu Rabidas. He was attached, beaten & dragged and then taken to Luxmipur P.S. But his condition had become so serious that he collapsed in the hospital.

(b) The Police did not take any concrete steps from 17-11-79 to 23-11-79 to take up honest investigation. On the other hand they were trying to find ways and means to end the case registered by Nageswar Rabidas S/o Prabhu Rabidas and declared. Nageswar & his brothers as Criminals.

(c) Since the case registered by the police SI is baseless, the case registered by Nageswarar, should be given credence and Jayanandan, and others, Police SI Shri Jha and Home Guards should be made responsible for this murders.

At present the following Relief Measures have been given to the family of the deceased :—

(a) Wife of Late Prabhu Ravidas has been sanctioned Rs. 2,000/- towards Monetary Relief.

(b) ASI police involved in the case has been suspended and arms have been withdrawn from Home Guard personnel involved in the case.

(c) The case has been sent to Inspector of Police, Kharagpur for up to date enquiry.

(d) SDM Jamui has been directed to take steps for maintaining Law & Order in the village and provide safety and security to the family of late Prabhu Ravidas.

9. *Four Scheduled Castes Shot Dead by Landlords at Village Samhanta in Rohtas District — Bihar*

A news item in the 'New Age' captioned "Four Harijans Shot Dead by Land-Lords" was published on July 1, 1979. The Commission called for a detailed report from the Chief Secretary to the Govt. of Bihar. The report received from the State Govt. of Bihar reveals the following facts :—

The village Samhanta in Mohania Police Station is located at a distance of 8 miles. The people living in this village primarily belong to two castes namely—Rajputs who are in predominance and Pasi who are also in good number. The cause of the present incident is regarding 32 Kutta of land adjoining the Scheduled Caste houses which is known as 'Deh'. This piece of land has been the cause of the dispute between the Rajputs and the Pasis for the last 10 years and tension continues to prevail since then. In this connection the Commissioner ordered the Circle Officer to investigate into the matter and initiate necessary action.

The present incident occurred on 22nd/23rd June 1979. Mohania police registered a case u/s 399/402 IPC which has a connection with Mohania police Station Crime No. 16 dated 23-6-79. Sub-Inspector Ramdeo Singh of Mohania Thana has recorded that while proceeding from the police Station for simultaneous drive he reached village Dadar. While proceedings towards Dadar village 1-4 BMP and 1-4 Home Guards and thus a total number of 10 persons moved. When they reached Dadar village they came to know of a crowd of dacoits in Samhanta village, who are known for committing murder and dacoity. Police Station Jamadar Manohar Singh had accompanied the BMP and the Home Guards. On the western side of Samhanta village near the houses of Pasi an encounter with the dacoits took place and the two dacoits were killed with police firing. When the dacoits fired the police party from the roof then the police raided that houses and fired and thereby four Pasis were killed namely—Suresh Pasi, Tulsi Pasi, Swarath Pasi, Master Uraf Kalika Ram.

During the investigation the above version of the police was not proved. Police records and the statement of the witnesses indicated that the case filed by sub-inspector Ramdeo Singh was false. It was also found at the time of investigation that there was no record of deceased in the police station. It became clear from the enquiry of the Senior Officers that the police officials were in collusion with the local landlords and killed Tulsi Pasi and Master alias Kalika Ram in the night in firing and Suresh Pasi and Swarath Pasi who were hiding out of fear of police were killed in the house. On the basis of statement from women of that village the Superintendent of Police registered a case No. 17 dated 25-6-79 U/s 147/148/149/302/323/427 I.P.C. against Bhagwan Singh, eight main accused, sub-Inspector Ramdeo Singh, Jamadar Manohar Singh and other constables. So far 18 accused have been arrested. The concerned police officials and constables have been suspended by the Superintendent of Police. Jamadar Manohar Singh has also been arrested and Sub-Inspector Ramdeo Singh is absconding whose property has been attached. This matter is under police investigation but the senior police officers have accepted this case as true.

In nutshell, the position is this that the local police families have each been given Rs. 2,000 while the family of Suresh Pasi has been given Rs. 1,000 as relief. Besides, Rs. 12,000 out of the Chief Minister's tiating necessary action. The concerned police officials amongst the families of the deceased.

In nutshell, the position is this that the local police officers wanted to give this incident a colour of the encounter with the dacoits. But the district officers and the Superintendent of Police's investigations have revealed that the concerned police officials in collusion with the local landlords had murdered the Harijans. The State Govt. have issued orders for initiating necessary action. The concerned police officials have been made accused.

The Commission has made the following comments :

(1) The case should be taken over by the CID so that it is handled independently and vigorously.

(2) It appears that out of 4 persons only the families of two persons, viz., Tulsi Pasi and Swarath Pasi, were given a compensation of Rs. 2,000 each while the family of Suresh Pasi was a compensation of only Rs. 1,000. No compensation was given to the family of the Fourth person, viz., Master Kalika Ram the compensation paid also seems to be inadequate. The Commission therefore recommended to the State Govt. that the families of each of the four persons killed should be awarded a compensation of at least Rs. 5,000 each. In addition the State Govt. should grant employment to at least one adult member in each family since these families have lost their bread-winners.

10. This is a case which relates to the death of a Scheduled Caste girl of Bahonepet village of Pondicherry under very strange circumstances. Director of Scheduled Castes and Scheduled Tribes, Madras enquired into the case personally and submitted his report to the Commission for Scheduled Castes and Scheduled Tribes. A report from the State Government has also been received. Briefly the incident occurred as under :—

On 17-1-80 at about 10.30 p.m. two Scheduled Caste girls, a widow aged 28, called Laxmi (her

husband had died 3 years ago due to snake-bite) and another girl of 18 years called Sarada, separated from her husband and living with her parents, were waiting for a bus after seeing a picture in Muttodai to reach their village, that is Bohonepat.

They stopped a motorcyclist, who happened to be the Commissioner of Bahonepat Commune Panchayat, and he agreed to give them a lift.

While the 3 persons mentioned above were going on the motor cycle Shri Morris Anthony, the Commissioner of Behour Commune Panchayat did not turn the motor cycle at the first turning and continued to go towards Pondicherry, in spite of request by girls to turn. Suspecting the evil intentions of the motor cyclist, Laxmi jumped out while the motor cycle was in motion, then the other girl also jumped. But the motor cyclist drove on.

Laxmi after the fall received serious injuries and subsequently died after she had been taken to hospital in an auto-rikshaw on the way itself.

In this connection a case was registered by SI of Police Bahone under Section 366 r/o-511, 304 IPC and 85, 87 I(c) and 89A r/w 112 M.V. Act and Shri Morris Anthony was arrested by the Police and later on released on bail.

Director, Madras discussed the case with C.S. and I.G. Pondicherry, and the I.G. opined that foul play could not be ruled out.

The Director has also forwarded a report on the incident by the State Government. The case is sub-judiced. The Commission has written to the State Government in this connection and has suggested that the investigation in the case be entrusted to the IGP itself in view of the status of the accused. The State Government has also been asked to give compensation to the parents of the deceased as the death had deprived them of their main source of income. The State authorities have not yet intimated further development in the case.

11. *Rape case involving a Scheduled Caste woman in Bijnore and subsequent surrender of one of the accused (a police constable) in the court of Judicial Magistrate—Uttar Pradesh.*

It was alleged in a press report dated 21-9-79 appeared in the 'Free Press Journal' that a Scheduled Caste Woman of Bijnor was allegedly raped by a Police constable and his associates. The Commission called for a detailed report from the State Government.

The District Magistrate Bijnor has informed that: On 8-9-79 at 7-30 a.m. Smt. Sushma Rani lodged a complaint with the Police Station Kotwali, Bijnor, that on the night of 7-9-79 she was raped by three persons who were putting on Khakhi dress and by one Riksha puller. She stated that she was also molested by two more persons on the morning of 8-9-79.

On the basis of the complaint a case u/s 294 I.P.C. was registered against the two persons, who molested the woman and investigation in respect of rape u/s 376 was started at once. She stated that on 7-9-79 she saw the evening show (6 p.m. to 9 p.m.) at the Neel Kamal Theatre, Bijnore and there after she went to the Shakti theatre from where she hired a rickshaw, and reached the station. At Railway Station 3 persons in Khaki uniform took her in a rickshaw to a lonely place and they alongwith rickshaw puller raped her in a garden near the Vardhman Degree College. After some time two more persons came, and in spite of her weeping and crying, they also raped her. The accuseds left her in the garden and went away. The next day at about 6.30 a.m. when she was coming towards the city, two other persons molested her. On the basis of her information, on the spot inspection was made, and one of her chappals was found there. Her petticoat was taken into custody and thereafter she was medically examined. As desired by her, she was put under the custody of her uncle.

Later, it was reckoned from her gestures that she was of unsound mind. In this connection on 9-9-79 the case was referred to Mental Hospital, Bareilly. During her medicil examination for rape, the Chief Medical Officer, Bijnor has confirmed.

It was learnt through investigation, that on 7-9-79 night, the Manager of the Shakti Theatre had removed her from the Cinema Hall, as she entered the hall without holding a ticket. While she was going on the rickshaw towards the Railway Station, she was followed by one Constable of the Excise Deptt. in uniform and one police constable in another rickshaw. Thereafter two police constables asked the whereabouts of the lady from the Cinema Manager and they also followed the woman. After seeking the records of the checkpost of the excise department, it was learnt that one constable was absent from 11.30 p.m. On 7-9-79 to 1.40 a.m. on 8-9-79 and the other constable had not indicated the time he left for night patrolling in the duty register. One of them admitted the rape charge and named about 7 persons who were involved, in the rape case. Both of them were suspended. Only one of them was taken into custody, and the other one had proceeded on leave. Two persons were taken into custody on 10-11/9/79 night and the rest could not be traced.

A report for taking action against the excise constable was lodged on 12-9-79 and on 15-9-79 a report was submitted to the court for action against the excise constable and the constable who was not taken into custody. The rickshawala could only be arrested on 16-9-79. Out of the 7 accused all were arrested except the excise constable.

It is learnt that the Excise Constable belongs to Meerut District. A Sub-Inspector Police has been detailed for Meerut to arrest him. The case has been registered promptly, arrests (except one) have been made. Medical examination has also been held. After a little more investigation in the case, the matter will be put up for further action in the court.

12. *One dead in attack on Scheduled Castes in Hilaway village, Santhal Parganas — News item in Patriot dated* 22-10-79 *— Bihar.*

There was a news item in the 'Patriot' dated 23-10-79 captioned "One dead in attack on Harijan". The Commission called for an urgent report from the Director for Schedule Caste/Schedule Tribe, Patna. The report of an on-the-spot inquiry by our Zonal Director, Patna reveals the following facts :—

This is a case of gruesome revenge taken by the influential groups (Mandal Community) against the Scheduled Caste in Hilaway village, Santhal Parganas, Bihar, immediately after the Bihar Govt. authorities (S.D.O. & Amin/Anchal Adhikari) restored the homestead land (which was hithertofore under illegal possession of Shri Rajnath Mandal) to Scheduled Caste Shri Sekhari Ravi Das. The S.D.O. could have taken precaution by planting adequate police picketing on 16-10-79, soon after retrieval of land from Mandal and delivering the same land to the Scheduled Caste Shri Sekhari Ravi Das.

The enquiry report further reveals, that Mondals colony and Scheduled Castes colony were adjacent to each other and the disputed homestead land was on the fringe of Scheduled Caste colony bordering the Mandals colony. Proximity of Scheduled Caste's houses, obvious intolerance of economic and

educational consolidation of the Scheduled Castes particularly Shri Sekhari Ravidas' family which owns 13½ bighas of land, and the family in which one brother was in Govt. service, other two brothers receiving college education grant father an employee in a jute mill of Calcutta—have continued to irk the Mandals. On an earlier occasion two years before the present incident, Mandals had thrown a member of Das family into a well. The enemity born out of away exploded when the Dass's family won a court case and the Govt. restored the homestead land back to Shri Das, retrieving the land from Shri Mandal.

On 17-10-79, in village Hilaway under Pathargama PS of Godda Sub-Division, 8 members of Scheduled Castes boys were caught, manhandled, carried away and confined in the house of Baijnath Mandal by a mob of about 30-40 musclemen of backward Mandals. The Scheduled Castes were mercilessly beaten with lathis and other lethal weapons as a result of which one Govind Ravidas, a student of Ist year Scheduled Caste succumbed to his injuries at the spot and others confined in the room were rescued by the timely arrival of the police force. They were sent to Godda hospital for treatment.

The mean culprit, Shri Baijnath Mandal and 3 others were immediately arrested at the spot while one more arrest was made subsequently. Two cases were registered in the Pathargama PS against each other vide Pathargama PS case No. 8(10). 79 u/s 147/148/149/323/324/324/364/34 IPC on the statement of the village Chowkidar against the Scheduled Castes and case No. 9(10) 79 u/s 148/149/302/380/34 IPC and 25A Arms Act on the statement of one Shri Phekan Ravidas against the Mandals on 17-10-79. Orders for attachment of properties were issued against 24 other accused persons belonging to the Mandal community who were abscending and evading arrest. 20 of them were later arrested on 25-10-79 making the total arrest to 25. It was found that all the arrested persons were in jail custody as the bail petitioners moved on their behalf had been rejected by the Court.

A sum of Rs. 5,500/- was sanctioned for payment to the family of Govind Ravidas, the victim of atrocity and 7 injured Scheduled Castes.

The following suggestions were made by our Zonal Director, Patna :

(1) All the pending disputes between the two communities of the village in the Circle Officer's Court and that of the SDO's Court, be reviewed and action taken for their immediate disposal.

(2) Efforts should be made by the district authorities to gain confidence of the Scheduled Castes by visit of Senior Officers to the village in order to bring about better social homogeneity among the two groups of people in the day to day life.

(3) A survey should be made to find out as to whether there was violation of PCR Act not only in this village but in other villages where more than one communities including the Scheduled Castes live side by side.

"The report of the Director. Patna. alongwith the recommendations was sent to the State Government of Bihar with the request that the views of the State Government on the observations/suggestions made therein together with information about the action taken/proposed to be taken thereon may be sent to this Commission. The Commission had also requested the State Government that a detailed upto-date report on the incident may be sent to the Commission but the reply from the State Government is awaited".

13. *Scheduled Castes boy beaten to death in Samiyarpalayam Village. in Coimbatore District on 15-4-79—Tamil Nadu*

This is an incident first reported in the Sunday Statesman dated 29-4-79 of a Scheduled Castes boy who was 'beaten to Death' by his Caste Hindu employer, at Samiyarpalayam village, near Erode, in Coimbatore District of Tamil Nadu. The Commission had referred the matter to the State Govt. of Tamil Nadu, and had called for a detailed report.

According to the State Govt. report : The Scheduled Castes boy, Karuppan, a farm servant, was brutally assaulted by his employer on 15-4-79 for the crime of not turning up for work, the previous night and taking a cup of coffee in the master's house without permission on the morning of 15-4-1979. He died the same day in the nursing home as a result of the serious injuries. At this time, the father of the deceased was away from home.

On 16th the employer threatend the boy's relatives of dire consequences if they did not burry the body of the deceased boy. Hence on 16-4-79 the body was burried. The father of the boy, on his return to his house, learnt the death of his son, and lodged a written complaint with the police.

The police Inspector of Perundurai took up the investigation and the body was exhumed on 25-4-79 and an request held on the same day by the Tehsildar. The cause of the death could not be ascertained by the Medical Officer who conducted autopsy, presumably because of the loss of time that intervened between the death and antopay. Bones of the boy were sent to the Forensic science laboratory, Madras for fixing the age and sex of the deceased. Report from the Chemical Examiner is still awaited.

The accused was arrested and subsequently was released on bail.

The Government of Tamil Nadu have further informed that:

(1) Financial assistance of a sum of Rs. 5000/- has been given to the family of the deceased Karuppan from the Chief Minister's Public Relief Fund.

(2) The Criminal case registered in connection with the death of Karuppan (Cr. No. 114/79, Uthukali P.S.) has ended in acquittal of the accused on 26-4-80 in the sessions Court, Erode. There were 8 accused in this case who were charge sheeted u/s 302, 505(ii) and 201 IPC on 8-11-79.

(3) The Public Prosecutor, Erode has opined that the case is not fit for appeal.

The Commission has called for a copy of full judgement of the sessions Court to examine as to on what counts the case failed and why all the accused were let off. Reply is awaited, from the State Govt. of Tamil Nadu.

14. *A 12 year old Scheduled Caste girl was Criminally assaulted and then murdered at village Khatka Roorkee—Uttar Pradesh.*

This is a case relating a 12 years old Scheduled Caste girl who was criminally assaulted, raped and murdered at village Khatka near Roorkee. The Commission referred the case based on news paper report captioned '12-year old girl raped, murdered' to the State Govt. of Uttar Pradesh.

The State Govt. of Uttar Pradesh States that on the basis of F.I.R. registered by Bir Singh—father of the deceased. three accused in the case have been arrested and charge sheeted u/s 376/302 of the I.P.C., and the case is now under trial by court.

The Commission has called for the further progress in the case, from the Government of Uttar Pradesh. Reply is awaited.

15. *Youth held for raping a Minor Scheduled Caste Girl—Gujarat*

There was a news item in 'The Times of India' dated 21-2-80, captioned "Youth held for raping a Minor Harijan Girl". The Commission called for an urgent report from the Director for Scheduled Castes & Scheduled Tribes, Ahmedabad.

The matter was taken up with the District Supdt. of Police, Junagadh by the Director, Ahmedabad. The report received from the D.S.P. Junagadh reveals the following facts:—

On 19-2-80, Kum. Ramila, her mother Smt. Deouben and two other girls Kum. Manjula, Kum. Beni went out in farm on the outskirts of village Sukhpur for collecting ground nuts. While the above named three girls and Smt. Deouben were collecting the ground nuts from different farms, the accused Shri Patel Mansukh Mohan came to the place where these girls were collecting the ground nuts, and dragged Manjula by holding her hair. The girl escaped from his clutch and the accused caught hold of Kum. Ramila, and forcibly dragged her to the near farm. On hearing the scream of the girl, the mother of the victim came running to the place of incident. The accused on seeing the mother of Ramila threatened her that if she disclosed the matter, he would murder her as well as her husband and ran away. Due to this threat the family of the girl did not go out that day, but the following day they contacted the Junagadh taluka Police Station, where a case No. Junagadh taluka P.O. Gujarat State No. 21-80 I.P.C. u/s 342, 354, 376, 506 & 323 was registered. This being the case of an atrocity the District Police Superintendent personally visited the place of incident. The accused Shri Patel Mohan Mansukh was taken on remand from 20-2-80 at 20.50 hrs. The parties involved in this incident were sent for their medical examination, and their Medical report states that "Nothing can be said as regards rape has occurred or not, as even without an injury rape can take place."

The accused Patel Mansukh Mohan was arrested and released on bail on 25-2-80. The matter is sub-judice.

16. *Atrocities suffered by Scheduled Tribe labourers from Ranchi in the brick fields of Tripura and steps taken by the Tripura State Government.*

On receipt of a communication from Bihar Government and after perusal of a news report on the matter cited above, the Commission obtained through its Patna field office a report (the relevant portions of which are reproduced below) giving the details of the episode and of the quick administrative steps taken by the Tripura Government to detect release and repatriate the Scheduled Tribe bonded labourers (of Ranchi origin) who had earlier been subjected to a number of inhuman atrocities in the Tripura brick fields under heartless contractors. Details of atrocities to which these bonded labourers had been subjected, are seen in the Sonamura S.D.O's inquiry report copy of which also is reproduced below. The Commission's Patna field office is in touch with the Bihar and Tripura Governments to obtain information regarding the further action taken for rehabilitating the released bonded labourers. Further communications from the Bihar and Tripura Governments are awaited.

Copy of the Report dated 20-7-80 sent by Shri S. R. Sankaran, Chief Secretary, Tripura on the conditions of Tribal Labourers from Ranchi in the Brick Fields of Tripura and Steps taken by Tripura State Govt.

A letter dated 18-3-80 was received by the Additional Chief Secretary, Government of Tripura from Shri K. B. Saxena, Tribal Welfare Commissioner, Ranchi on 24th March, 1980 stating that some unscrupulous contractors had brought tribal labourers from Ranchi in a fraudulent manner in the brick fields in Tripura and they were being subjected to inhuman treatment. The letter referred to a specific brick field in Sonamura Sub-Division of Tripura State. A request was made that the labourers could be rescued and helped to reach Ranchi.

2. Immediately on receipt of the letter the matter was discussed on 25th March, 1980 by the Additional Chief Secretary with Chief Minister, when Inspector General of Police was also present. Subsequently, preliminary discussion about the identity of brick fields was held with Secretary, Labour and Sub-divisional Officer, Sonamura. Chief Minister, Tripura instructed that a raid may be conducted to ascertain the true position. It was decided that a team consisting of SDO, SDPO, Chief Labour Officer and Dist. Tribal Welfare Officer along with other supporting persons should inspect the brick field by surprise to unearth the facts.

3. On the morning of 27th March, 1980 the brick field of Shri Niranjan Saha and another brick field known as APC brick field in Melaghar were inspected from the early morning by the team as mentioned above. The inspection and investigation continued almost the whole day. The work was supervised by the District Magistrate (West), Secretary, Labour and Addl. Chief Secretary, who reached the spot by the afternoon on the same day from Agartala.

4. It was observed that the facts mentioned in the letter from Shri Saxena were basically correct. The labourers were actually brought by the Sardars by deceit and in the brick field they were made to work without proper wages and without any regard to their physical comfort. There were also cases of molestation and other indignities on the women labourers.

5. As all the Ranchi labourers were kept against their will and it was unsafe to leave them in the brick field any longer and as the labourers themselves were intended to go away immediately. 48 labourers from the brick field of Shri Niranjan Saha and 46 labourers from M/s APC Brick field were taken charge of by the Govt. immediately and were brought under security to the Panchayat Raj Training Institute, Agartala, where their lodging and boarding were arranged by the Govt. of the Sardars, who were guilty of various offences, Madan Chauhan and Jagdish Singh were arrested on the spot along with the Manager of the brick field. The proprietor Shri Niranjan Saha, however, was not available and later he obtained interim bail from the Court of the District & Session Judge. Two other Sardars—Sukumar Chouhan and Biswanath Singh absconded.

6. The facts were immediately reported to the Chief Minister, Tripura. He was happy that the evil practices were unearthed and in fact, he was grateful to Bihar Govt. for giving the information enabling us to unearth a racket of this nature.

7. Police investigation into the various offences under IPC and investigation by Labour Department into the offences under Labour Legislation were undertaken immediately. Statement under Section 164 Cr. P.C. were also recorded before the Chief Judicial Magistrate, Agartala. After estimating the correct dues to the labourers the equivalent amount was immediately paid by the Govt. of Tripura Welfare Department to the Workers pending its realisation from the owners of the brick fields. As the owners were evading the payment, Public Works Department with whom they have contractual dealings has been advised to recover the amount from the bills due.

8. The workers were sent with official escort in two teams by air upto Calcutta and thereafter by train to Ranchi in order to reach by 4th April and 5th April, 1980. At Ranchi they were received by the Tribal Welfare Commissioner and his officers and the officers of Tripura accompanying the team went to the villages of the workers to see that they reach safely,

II

9. During the inspection of the brick field at Melaghar it came to notice that there were similar cases in certain brick fields in South District also. Accordingly, similar inspections were organised on the Ist April, 1980 in regard to four brick fields in South Tripura District. The inspection teams consisted of District Magistrate (South), SDO, Udaipur, Addl. SDO. Udaipur, SDOP, Udaipur, Officers of Labour Department and officers of Tribal Welfare Department.

10. Of the four brick fields, the Saha Brick Field at Khilpara was owned by Shri Niranjan Saha, referred to earlier. In the brick field it was noticed that all the Ranchi labourers had been sent away on the 28th March, 1980. It is obvious that in view of the earlier raid at Melagher the Proprietor chose to send him away even in the midst of the brick season to avoid any further troubles. Three other brick fields—United Brick (UB), Amal Nandy Brick Field and APD & Co. which are situated at Maharani, near Udaipur, were also inspected by the team. It was noticed that in these cases also the Ranchi labourers were brought by various Sardars by deception and giving false impression that they were being taken to some nearby places. After reaching Tripura brick fields they were never given any freedom and were not even allowed to mix or meet local labourers. Except in Amal Nandy's brick field, the conditions of workers were deplorable. There were also specific cases of assault on the women labourers, who wanted to escape from the brick field.

11. The Sardars, who were guilty of various offences, Sukraj, Arun, Idrish Miah, Bandhu Lohar, Ramchandra Chauhan and Hamid Miah were arrested on 1st April, 1980. The labourers in these three brick fields totalling 113 were taken to Agartala for safe custody and after completing the investigation by Police as well as Labour Department, they were sent to reach Ranchi on 10th April and 11th April, 1980 through air upto Calcutta and thereafter by train.

12. A tribal girl named Itwari Oraon belonging to Murchu village in Ranchi District was also found in a place near Champarknagar on the 3rd April. 1980 and after some enquiries it was found that she was being ill-treated in a brick field at Jiranja. She was also kept along with other tribal women labourers and sent to Ranchi alongwith other 113 labourers.

III

13. On the basis of the experience gained and facts revealed during these inspections it was decided to undertake a complete inspection of all the brick-fields before the brick season is over. Accordingly detailed instructions were issued to the District Magistrates and teams were set out to inspect all the brick fields. These inspections have been completed and the results are being tabulated. While detailed report will be drawn up separately, it may be mentioned that in a number of cases under-payment of wages were detected and through the efforts of Govt. correct wages were got paid to the workers. A few cases of IPC offences were also detected and they are being pursued by the police.

14. The State Govt. also consider that this is a problem which has all-India dimensions, as according to the general enquiries made from the workers, a large number of contractors. sub-contractors and middlemen are engaged in this trade of labourers. It would be useful, if efforts are made at all-India level to set up a team consisting of suitable persons to investigate the links in this operation and bring it to an end. While the migration of labourers in search of labour may not be an unusual phenomenon the exploitation of labourers and virtually converting them into slaves by unscrupulous middle-men, who indulge in various offences, particularly against women, should be a matter of grave concern.

Copy of the Inquiry Report dated 27-3-1980 of S.D.O., Sonamura, West Tripura addressed to the Officer-in-Charge, Sonamura Police Station.

On conducting a preliminary and open enquiry on 27-3-80 into reports received alleging that Scheduled Tribe Labourers from Bihar were being confined against their will in a brick field owned by Shri Niranjan Saha at Melagarh and that they were being systematically mistreated, the following facts emerged which would indicate that all members of the management including the owner, Shri Niranjan Saha, would be liable to criminal prosecution. During the course of enquiry Shri Dev Mohan Oraon, Shri Sabhar Ansari, Smti. Mariam Munda, Shri Prangra Munda, Shri Sircar Munda, Shri Budhram Oraon, Smti. Balwed Oraon and about 40 others were present as witnesses.

1. All the adivasi labourers stated that they have been induced by deceipt to go with Madan Chouhan, Sukumar Chouhan and Jagdish Singh and leave their Villages of Ranchi District, Bihar during the months of August and September, 1979.

2. All stated that from the time of boarding the buses from their villages, to the time when they were released today, that they had been kept confined wrongfully by Jagdish Singh, Sukumar Chouhan and Madan Chouhan.

3. All the labourers stated that if they ever wanted to go out they would be intimidated criminally and assaulted by Sukumar Chouhan, Braja Acherjee, Madan Chouhan and Jagdish Singh.

4. They further stated that they were taken once a week under escort to Melagarh Bazar where they were permitted to purchase substandard rice at the rate of Rs. 2.50 per kg. from the shop of Sambhu Saha of Melagarh. This would appear to involve criminal conspiracy in addition to cheating and criminal intimidation. The escort parties used to consist of Sukumar Chouhan, Madan Chouhan and Jagdish Singh.

5. While on the premises of the Brick Field they stated that they were kept confined wrongfully by Braja Acherjee, Jagdish Singh, Sukumar Chouhan and Madan Chouhan.

6. Shri Hafiz Mia stated that he had been beaten severely and repeatedly by Sukumar Chouhan and Madan Chouhan. Being in wrongful confinement he was unable to avail of any medical facilities.

7. Shri Pagua Munda Purti and his brother also stated that they had been beaten by Jagdish Singh.

8. Smt. Dhani Oraon (W/o Shri Karkun Oraon) stated that she had been sexually assulted by Madan and Sukumar Chouhan. Her husband confirmed that this had occurred.

9. Smt. Marsha Munda and Smt. Rani Munda stated that they had been forced into sexual relations with Jagdish Singh on being intimidated criminally.

10. All the women asked, stated that at various times and placed they had been sexually assaulted and molested repeatedly by Jagdish Singh, Sukumar Chouhan and Madan Chouhan.

11. Shri Paltan Bhagat stated that his infant son died one and a half months age as a direct result of his not being allowed by Sukumar Chouhan, Jagdish Singh, Braja Acherjee and Madan Chouhan to have his son treated. Nor would these accused arranged for any treatment. This was confirmed by all present and appears to constitute the offence of culpable homicide.

12. Shri Sukumar Lohar and Smt. Bomari Lohar, along with all others, stated that their wages were paid

by Shri Niranjan Saha in the presence of Sukumar Chouhan, Madan Chouhan, Jagdish Singh and Braja Acherjee. Everyone confirmed that wages lawfully due were never paid and that arbitrary and illegal deductions were made. This would appear to involve cheating, fraud and criminal conspiracy.

13. Shri Sukumar Lohar stated that he was kidnapped alongwith his family forcibly at 11 P.M. by Shri Niranjan Saha from Udaipur Sub-Division and brought to brick field and confined wrongfully.

14. Smt. Angi Munda, who appears to be a minor girl with no relatives or guardian in the group was similarly induced deceitfully by Madan Chouhan to join the group in Ranchi. This appears to be a case of kidnapping.

Those present at the enquiry stated that they would be able to furnish more details and more particulars regarding the conditions in which they lived and the circumstances in which they were compelled to submit to the accused, if given more time. They also stated that many more criminal offences had been committed which they would be prepared to relate if given more time.

I should, therefore, be grateful if you would take action on this report according to law.

CHAPTER XII

ADMINISTRATIVE MACHINERY CONCERNING THE SAFE GUARDS FOR AND DEVELOPMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES

A basic factor that can make a difference in the success or failure of a plan for the welfare of Scheduled Castes and Scheduled Tribes is the administrative machinery which is pressed into action for execution of such plan keeping in view the basic objective and strategies laid down by the Government for the welfare of these peoples. As a matter of fact, earlier the programmes for the development of Scheduled Castes and Scheduled Tribes were equated with the implementation of limited schemes of supplemental nature funded under the Backward Classes Sector. The outlays of these programmes were so limited that their scope was very narrow resulting in a very little impact on the main problems of people belonging to these communities. Thus, the departments concerned with these schemes had been generally weak having a very low status in the departmental hierarchy both at the Secretariat and field levels. In many States the district level officers in charge of Scheduled Castes and Scheduled Tribes welfare are regarded as officers to be sympathised with and are treated as shunted. It is in this context that the Scheduled Castes and Scheduled Tribes Welfare Departments have almost no voice in the departmental hierarchy. The above situation hitherto obtaining has materially changed with the introduction of the development schemes like Integrated Tribal Development Projects; Modified Area Development Agency for pockets for the development concentration not covered by Integrated Tribal Development Projects, Micro Projects for the development of primitive tribes and the Special Component Plan for Scheduled Castes. For the first time since Independence, massive physical and financial inputs have been made available for these programmes. While these investments have been rising, corresponding adequate matching administrative frame work has not been brought into existence in many States with the result money earmarked for these developmental programmes has not been utilised fully. Moreover various protective measures taken by the Governments at the Centre and in the States for safeguarding the interests of Scheduled Castes and Scheduled Tribes have assumed significance. The logic in the new developmental programmes as also various protective measures taken by the Central and State Governments is not only the responsibility of the Department dealing with the welfare of Scheduled Castes and Scheduled Tribes but also the responsibility of the Government as a whole both at the centre and in the State. Each organisation is in these Governments must assume responsibility as coordinators in the implementation of the above programmes. In this context, it has become necessary to lay down personnel policy geared towards the objective of the development of these weaker sections of the society. Therefore, in the fitness of things, the institutional, structural and functional contour of various programme, have to be in conformity not only with the accellerating pace of development but also with the developmental strategy and policies evolved by the Government from time to time. In fact, dynamics of development demands structures for effective co-ordination of activities at all levels. A basic criterion is that development being a dynamic process, function cannot remain static and hence periodic adjustments would be necessary to suit the changing requirements. This commission have made an indepth study of the administrative machinery concerning the safeguards for and development of Scheduled Castes and Scheduled Tribes, both at the Central and State levels and have made their observations on the working of the same with particular reference to the steps that are required to be taken for streamlining the same to the changing situation prevailing in the country in the field of welfare of Scheduled Castes and Scheduled Tribes.

Administrative machinery at Central level

12.2 The Union Government's responsibility in relation to the development of Scheduled Castes and Scheduled Tribes extend not only to the provision of funds but also to evolve policies for proper implementation of various programmes. The centre having a special constitutional responsibility towards these Weaker Sections of the Society; the role of the Central Ministries and Departments assumes significance. The Planning Commission have, therefore, asked the Central Ministries and Departments to have a clear idea about the problems of Scheduled Castes and Scheduled Tribes, prepare special programmes relating to their concerned sectors and adopt the ongoing programmes wherever necessary in consultation with the State Governments. It has been observed that while the State Governments have fallen in the line with the concepts of Tribal sub-Plan and Special Component Plan for Scheduled Castes and have quantified funds out of their States Budgets, the Central Ministries and Departments have yet to play their roles. The Commission feel that in the development Ministries like Agriculture, Rural Developments, Co-operation etc., there should be a full fledged special cell headed by a Joint Secretary to facilitate formulation of suitable programmes and flow of funds for execution of the same for the welfare of Scheduled Castes

and Scheduled Tribes in various States. The officers dealing with tribal development work should have the background of working in the tribal areas and they should have an opportunity of visiting the projects and understanding the problems of implementation at the first hand.

12.3 As the nodal Ministry, the Ministry of Home Affairs have got 2 Divisions namely SC & BC Division and the Tribal Development Division. The work relating to the Scheduled Castes and Backward Classes development is attended to by the SC & BC Division while the TD Division looks after the matters relating to tribal development. The matters relating to reservations for Scheduled Castes and Scheduled Tribes in services and posts in the Government of India and the Central Public Undertakings/Corporations etc., are taken care of by the Department of Personnel and Administrative Reforms, while the Special Cell in the Ministry of Home Affairs is charged with the work relating to monitoring of cases of atrocities and civil discriminations on the Scheduled Castes.

12.4 The Ministry of Home Affairs as nodal Ministry in respect of the welfare of Scheduled Castes and Scheduled Tribes should effectively co-ordinate with the other development Ministries for formulation of suitable programmes as also earmarking of funds for execution of such programmes in the field. The ministry should also ensure that the special Central Assistance is released in time so as to enable the concerned State Governments to implement various schemes without experiencing any financial difficulty.

12.5 There should be a Co-ordinating Body at the national and the State levels under the Chairmanship of the Prime Minister and the Chief Ministers, respectively for reviewing the progress of implementation of programmes for the welfare of the Scheduled Castes and Scheduled Tribes and for the safeguards provided for them in the Constitution. Amongst others the Commission for Scheduled Castes and Scheduled Tribes should also be associated with these co-ordinating Bodies alongwith the Ministries concerned at the Central and the State levels. The Planning Commission should also be associated with these bodies at the Centre and Corresponding planning bodies at the State level.

12.6 Article 336 of the Constitution provides for the appointment of a Special Officer designated as "The Commissioner for Scheduled Castes and Scheduled Tribes" who is charged with the duty to investigate all matters relating to the safeguards provided for the Scheduled Castes and Scheduled Tribes under the Constitution. In addition to the functioning and authority of the Commissioner and considering the magnitude of the problem of Scheduled Castes and Scheduled Tribes, the Government of India have constituted in July 1978 this Commission consisting of persons of eminance and status in public life. The main functions of the Commission relates to (i) investigation into all matters pertaining to safeguards provided for Scheduled Castes and Scheduled Tribes, (ii) Study of the implementation of the Protection of Civil Rights Act, 1955, (iii) Ascertaining of the Socio-economic circumstances accounting for the Commission of offences against Scheduled Castes and Scheduled Tribes and (iv) investigation into the cases of complaints on these communities. The Commission have, however, not been associated with the Government of India and the Planning Commission in the matter of plan and policy formulation concerning Scheduled Castes and Scheduled Tribes. This Commission being concerned with the various matters relating to the welfare of Scheduled Castes and Scheduled Tribes, it is essential that they are involved in the planning process at the national level as well as State level. They should also be consulted in all major policy matters affecting the Scheduled Castes and Scheduled Tribes. They should also be entrusted with the task of monitoring and evaluation of the programmes meant for the welfare of Scheduled Castes and Scheduled Tribes, through the field organisation under their control.

Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes

12.7 There is a Committee of Parliament on the Welfare of Scheduled Castes and Scheduled Tribes to look to the interest of Scheduled Castes and Scheduled Tribes. This Committee was first constituted on the 18th December, 1968. The present Committee (1980-81) has been constituted by a motion adopted by Lok Sabha on the 24th July, 1980 and concurred by Rajya Sabha on the 4th August, 1980. The term of office of this Committee is upto 30th April 1981.

This Committee consists of 30 members, 20 from Lok Sabha and 10 from Rajya Sabha, elected by the respective Houses of Parliament from amongst their members in accordance with the system of proportional representation by means of the single transferable vote. The term of office of members of the Committee shall not exceed one year. The functions of the Committee include, inter alia (i) consideration of the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under Article 338 of the Constitution, (ii) examination of the measures taken by the Union Government for securing due representation of Scheduled Castes and Scheduled Tribes in services and posts, (iii) study on the working of the welfare programmes for Scheduled Castes and Scheduled Tribes, and (iv) examination of such other matters as may seem fit to the Committee or are specifically referred to it by the House or the Speaker. From time to time the Committee selects such subjects pertaining to the welfare of Scheduled Castes and Scheduled Tribes as deem fit to the Committee.

12.8 The Committee have played a unique role in assessing the progress of the schemes being implemented for the welfare of Scheduled Castes and Scheduled Tribes as also various safeguards provided for them in the Constitution and have recommended to the Governments at the Centre and in the States to implement various programmes/safeguards along right lines.

12.9 The Planning Commission have set up a National Committee on the Development of Backward areas to review the working of various Programmes taken up since the Fourth Five Year Plan period and to formulate suitable strategies for the development of backward areas in the context of new priorities and objectives set out in the Draft Plan 1978—83 (also given in the Six Plan 1980—85 document). It is hoped that this Committee will go a long way in formulating appropriate strategies for effectively backing the problems of the people living in the backward areas which mostly comprise the tribal areas.

12.10 The Government of India express deep concern about the atrocities committed against members of Scheduled Castes and Scheduled Tribes who are particularly in a weak and vulnerable situation and are determined to put an end to them. The Union Home Minister in a communication to the States has conveyed comprehensive guidelines on precautionary and preventive, punitive and rehabilitative measures to be taken for effectively dealing with the crimes against Scheduled Castes. These also include several measures of personnel policy to be adopted by the State Governments necessary for achieving this end. Among the measures the Government of India have urged upon the State Governments to set up special courts for the expeditious disposal of cases of atrocities and the cases under the Protection of Civil Rights Act in which members of Scheduled Castes are victims and for punishment of offenders. This aspect has been dealt with in detail in the Chapters on Atrocities on Scheduled Castes and Scheduled Tribes and Removal of Untouchability.

12.11 The Home Ministry convened a conference of Governors and Chief Ministers in April, 1980. This Conference was preceded by a conference of Chief Secretaries, Secretaries of the Home Departments and Inspectors General of Police. At the said conference, apart from discussing general law and other situation, promotion of communal harmony etc., special programmes to be undertaken for improving the socio-economic conditions of Scheduled Castes and Scheduled Tribes and atrocities on Scheduled Castes and Scheduled Tribes were discussed. There was concensus that concerted efforts should be made to improve the lot of Scheduled Castes and Scheduled Tribes. The Home Ministry may follow up the matter with the concerned State Governments/Union Territory Administrations to ensure that the decisions arrived at in the conference are implemented in letter and spirit by the concerned State Governments and Union Territory Administrations.

12.12 With a view to increasing the operational efficiency of police force in the country and transforming them into an instrument of public service, a National Police Commission was appointed in November, 1977 with very wide-ranging terms of reference. In the mean time the National Police Commission have submitted three reports and copies of the first report have been circulated to the State Governments. The conference of Chief Ministers in Police Reforms held at New Delhi on 6th June, 1979 considered the various recommendations made by the National Police Commission in the first report. The recommendations made by this conference have also been communicated to all State Governments for implementation. It may not be out of place to mention here that the National Police Commission forwarded copies of their questionnaires to this Commission on 6-2-79 and requested them to convey their observations and suggestions with particular reference to the special responsibilities of the police towards the weaker sections of the society, viz., Scheduled Castes and Scheduled Tribes. The Commission on their part communicated on 13-2-79 their suggestions/recommendations to the Police Commission with copies to the Prime Minister and the Union Home Minister emphasising the need of improving organisational set up of the police, reorganisation of police stations, and filling up of at least 50% of the posts of Constables, Head Constables and so far as possible Sub-Inspectors and Inspectors of Police by the Scheduled Caste and Scheduled Tribe candidates. It had also been recommended that in sensitive & atrocity prone areas the representation of the Scheduled Castes and Scheduled Tribe in these posts should be even larger.

This Commission are also of the opinion that with a view to improving relations between the police and the public and making the attitude of police service-oriented, it is necessary to lay down a comprehensive training programme during their probationary period.

12.13 (a) The Commission fully reiterate their recommendations embodied in Chapter IX of their report for 1978-79 regarding the reorganisation and reorientation of police force of various levels and hope that these recommendations will be implemented in letter and spirit by the Central and State Governments in the best interest of the society, and the Scheduled Castes & Scheduled Tribes.

(b) The Commission also reiterate the recommendations made by them in Chapter IX of their First Annual Report regarding the setting up of a Public Security Committee of the State Legislature which should include Scheduled Caste/Scheduled Tribe Members for independent monitoring of the action taken by

the police in situations giving rise to complaints or criticism against the police.

(c) The Commission also reiterate their earlier recommendation made in Chapter IX of their report for 1978-79 for the setting up of a machinery for redressal of grievances by having Special Grievances Cells under the charge of the S.D.Os and the District Magistrates at the sub-divisional and district levels respectively and under the Chairmanship of the Chief Secretary at the State level. At the apex level, these Grievances Cells should function under the control of a statutory Grievances Commissioner, independent of the State Governments, so as to make them effective and insulate them against political pressure.

Administrative machinery in the States/Union Territories for the Welfare of Scheduled Castes & Scheduled Tribes.

12.14(i) Almost all the State Governments/ Union Territory Administrations have by now created separate Departments for the Welfare of Scheduled Castes and Scheduled Tribes. But the Secretaries incharge of these Departments as well as other Secretariat Officers of these Departments in respect of some of the States continue to hold additional charge of some other Departments. For instance, the Secretary, Scheduled Castes and Tribes Welfare Department, West Bengal was also holding charge of the Transport Department, during 1979-80 while the Under Secretary, Welfare, Himachal Pradesh, was holding charge of Transport, Languages, Archives in addition to the Welfare of Scheduled Castes and Scheduled Tribes. Due to non-availability of details in respect of other States, it is not possible to make detailed comments. We, therefore, recommend that the Secretaries and the other Secretariat Officers of the Department dealing with the welfare of Scheduled Castes and Scheduled Tribes should be given whole time charge so that they can give whole hearted attention to the matters relating to the Tribal sub-plan, Special Component Plan for Scheduled Castes and other Welfare schemes.

12.14(ii) Tribal Development Commissioners are functioning in the States of Bihar, Himachal Pradesh, Gujarat, Karnataka, Kerala, Maharashtra, Orissa, Manipur, Rajasthan, Tamil Nadu, and Uttar Pradesh. These Commissioners are also functioning as Ex-officio Secretaries to Government incharge of Scheduled Castes and Scheduled Tribes Welfare Department etc. This Commission recommend that the rank of the Tribal Development Commissioner in the State should be equal to that of the Divisional Commissioner, so that he/ she does not face any administrative difficulty in dealing with his/her counterpart in the various Revenue Divisions in the State in so far as the work relating to the implementation of Integrated Tribal Development Projects is concerned. The State Governments may intimate to this Commission about the action taken by them on this recommendation.

12.15 While some States are having separate Directorates for the Welfare of Scheduled Castes and Scheduled Tribes, other States are not having such separate Directorates. We have also observed that though the State Government of Orissa have recently created a separate post of Director, Harijan Welfare in addition to the Director, Tribal Welfare in the Harijan & Tribal Welfare Department, no supporting staff has been provided to him. We, therefore, recommend that there should be separate Directors in charge of Welfare of Scheduled Castes and Scheduled Tribes respectively, and they should also be given separate supporting staff so that they could attend to their multifarious duties uninterruptedly.

Sub-Plan Areas

12.16 The character of administrative structure created in the Tribal Sub-Plan areas which has been more or less co-terminus with the Scheduled Areas in eight States varies from State to State. The information available with us reveals that the organisation evolved in the States of Andhra Pradesh, Bihar, Gujarat, Madhya Pradesh, Maharashtra, Orissa and Rajasthan has not been aimed at maintaining uniformity. Orissa and Andhra Pradesh have opted for agency model under the Registration of the Societies Act at ITDPs level. This has been done to allow greater flexibility in the formulation of schemes and for better implementation of the programmes. The other State Governments has preferred to work through Governmental Organisations. The Government's organisation would appear to have the advantage of stronger linkage with the administrative departments while the agency model has been built into flexibility and autonomy. Since two different systems are in operation in different States, the Commission, therefore, recommend that the Government of India should conduct an indepth study of the two systems in the different States where they prevail so as to determine which of the two systems could deliver the goods in a better way.

12.17 The existing administrative set up obtaining in various States to handle the Sub-Plan area programmes is detailed below :—

1. *Andhra Pradesh :*

For achieving organisational integration, Integrated Tribal Development Agencies (ITDAs) were established in each district with a Project Officer as head and the concerned Collector as the Chairman of the governing body consisting of all Members of the Legislative Assembly, and Parliament of the Integrated Tribal Development Agency area and district heads of development departments as members. The Project Officer is assisted by a Deputy Director (Agriculture), Project Veterinary Officer and engineering staff. All Tribal Development Blocks along with staff and all institutions financed by

Tribal Welfare Department were brought under the Administrative control of the Project Officer.

12.18 Arrangements have also been made to implement programmes of general sector development in consultation with Project Officers and Collector who keep constant watch not only over the progress of development efforts but also on the progress of supplementation by the general sector with central assistance and raising of institutional finance besides coordination of centrally sponsored programmes etc.

12.19 At the State level there is a Caibnet Sub-Committee headed by the Chief Minister and the Ministers for Finance and Tribal Welfare to lay the policy frame. The Coordination Committee for sub-plan programmes is functioning to coordinate the activity of general sector departments and the Secretary to Government, Social Welfare Department as Chairman reviews the progress of general sector programmes and wherever necessary, provides the supplemental assistance through Integrated Tribal Development Agencies.

12.20 At the District level also, the governing body of the Integrated Tribal Development Agency coordinates the activities of General Sector departments with that of Integrated Tribal Development Agency. The district-wise break up of programmes and funds of general sector departments is also communicated to Project Officers to ensure their integration with the other Integrated Tribal Development Agency Programmes.

2. *Assam*

12.21 At State level, the Department for Welfare of Plains Tribes and Backward Classes which is headed by a Secretary is responsible for the formulation of State level policies and programmes for the development of the Backward Classes of the Plains districts of Assam. This Department has been placed in charge of a Minister of Cabinet rank.

12.22 A separate Directorate namely the 'Directorate of Welfare of Plains Tribes and Backward Classes' which looks after the affairs of the Backward Classes, also pays special attention to ensure timely and effective implementation of various welfare schemes for these communities.

12.23 The Advisory Council for the Welfare of the Plain Tribes with the Minister, Welfare of the Backward Classes as Chairman and the Plains Tribal M.L.As., and M.Ps as member deliberates on the Sub-Plan formulation and broadly approves the different sectoral plan programmes at the State level. The Sub-Divisional Tribal Development Boards which were constituted with the local plains tribal representatives and the various Departmental Officers (Sub-Divisional level) are associated in the process of formulation of detailed programmes and implementation of these programmes within the sub-plan areas in their respective Sub-Divisions have since been replaced by the Project Implementation Committees which have been set up for each of the Integrated Tribal Development Project with the Deputy Commissioner/Sub-Divisional Officer of the respective Sub-Division as Chairman, Departmental Officers at Sub-Divisional level, three local tribal representatives, the local tribal M.L.As and M.Ps. as members and the Project Officer as the Member Secretary.

12.24 At present the Department of Welfare of Plains Tribes and Backward Classes has been playing the role of only coordinating the process of formulation of sectoral sub-Plan programmes and overseeing implementation thereof by the different development Departments without having any administrative control in the execution of the programmes. The Project Implementation Committees however, are responsible for effective implementation of the plan programmes within the respective Integrated Tribal Development Projects and are under the overall control and guidance of the Department of Welfare of Plains Tribes and Backward Classes.

12.25 The Project Officers of the Integrated Tribal Development Projects who are borne on A.C.S.(I) Cadre are under the administrative Control of the Department of Welfare of Plains Tribes and Backward Classes. Though they have been appointed to ensure co-ordination and effective implementation of different sectoral Plan Programmes of the respective, I.T.D.Ps, they have not been able to do so effectively as they do not have any control over the Departmental Officers at the field level. This aspect is being considered by the State Government along with the question of the appointment of Senior Officers of the rank of Joint/Additional Head of Department in the major development Departments who will exclusively look after the various sectoral Sub-Plan Programmes.

3. *Bihar*

12.26 The administrative structure has undergone considerable changes in the tribal areas. The Chotanagpur and Santhal Parganas Autonomous Development Authority was constituted in 1971 by an Act for the speedy development of the tribal region of the State. By an amendment, the Chotanagpur and Santhal Parganas Development Authority, which become the focal institution in the Sub-Plan area, was trifurcated into three authorities, namely the South Chotanagpur, the North Chotanagpur and the Santhal Parganas Development Authorities. Each Authority is expected to prepare perspective and short-term (five year and annual) plans for the all round development of the respective region. The new Authorities have yet to take up the role in full measures. For implementation of the Sub-Plan, a unified chain of administrative command has been conceived from the State down to the Project level.

12.27 At the State level the Planning Department handles administration of the Sub-Plan. The Development Commissioner, as the coordinator of all the development activities of

the State, superintends and coordinates the activities of the Sub-Plan as well.

12.28 At the regional level, the State Government have appointed a Regional Development Commissioner with headquarters at Ranchi. He has been placed in overall charge of all the development programmes of the region with powers of supervision, control and coordination of all the development works in the same manner as the Development Commissioner does for the State as a whole. In essence he is the Chief representative of the State Government in the area with powers of principal Secretary to Government in all the development Departments. In order to provide necessary assistance to the Regional Development Commissioner, Additional heads of departments particularly in Agriculture, Minor Irrigation, Animal Husbandry, Industries have posted at Ranchi.

12.29 For providing the required support to the Regional Development Commissioner in formulation, sanction, monitoring and evaluation of the Sub-Plan, a Branch Secretariat has been established at Ranchi, work of 29 sectors of development, such as Agriculture, Animal Husbandry, Minor Irrigation, Cooperation, Forestry, Soil, Conservation, Village and Small Industries, Rural Development, Health Education etc., pertaining to the Sub-Plan has been decentralised and entrusted to the Branch Secretariat. Posts of officers and staff have been transferred from different departments from Patna Secretariat to the Branch Secretariat.

12.30 Many departments of the Secretariat at Patna have not yet decentralised the work of formulation of the plan and schemes at the regional level. Plans and schemes continue to be formulated in the Patna Secretariat. The purpose of a separate tribal Sub-Plan, a local Secretariat with adequate delegation of powers and an implementation hierarchy has not yet been achieved. The State Government should take expeditious steps to decentralise the work of formulation of plans and schemes at regional level.

12.31 At the project level, the project authority comprises a Project Officer of the rank of Additional District Magistrate and a Project Implementation Committee consisting of the Deputy Commissioner of the District as Chairman and the concerned district technical heads as members. The Project Officer has been made fully responsible for the implementation of the Integrated Tribal Development Project (I.T.D.P.) in his MESO area under the guidance and general control of the Deputy Commissioner of the district. He is assisted by the Sub-divisional Officer of the concerned subdivision who acts as Additional Project Officer of the I.T.D.P. The Project Officer is expected to exercise administrative, operational and disciplinary control over all the development functionaries at the Sub-divisional level. He is the Secretary of the Project Implementation Committee at the district level of which the Deputy Commissioner is the Chairman. He has powers to accord administrative approval of development schemes costing upto Rs. 50,000 subject to budget provision and technical sanction by the appropriate authority. The Project Officer has to make use of the existing infrastructure at the Sub-Divisional and block levels for formulation of Project Plans and implementation of schemes, but this arrangement has not become fully effective and as a result plan formulation and implementation of scheme often run into difficulties.

4. *Gujarat*

12.32 The Tribal area of the State has been demarcated into 9 Project areas of which separate administrative structure has been sanctioned. Each project team is headed by the Project Administrator of the rank of Additional District Development Officer or Additional Collector except that of Dants and Amirgadh in Banaskantha district which is headed by a Project Administrator of the rank of Deputy Collector or Deputy District Development Officer. They have been given the support of subject matter specialists in agriculture, cooperation and forest and other necessary administrative staff. The Project Administrators have been kept out of the Panchayat Raj fold and, therefore, they are not subject to the administrative control and influence of Panchayati Raj Institutions. Some sort of administrative control is, however, being exercised by the Project Administrator over the Project Officer-cum-Taluka Development Officer or Taluka Development Officer and other Government and Panchayat staff so working within the Integrated Tribal Development Project Area. They have been declared as Heads of Department and have also been empowered to incorporate their remarks in the Confidential reports on all staff including Class I and II Officers working directly under the department of Government Administration as well as under Panchayats in the Project Area. They are also authorised to sanction with the concurrence of the Committee of direction consisting of the Collector, District Development Officer and Project Administrator any scheme costing upto Rs. 5 lakhs from the Nucleus Budget and any scheme costing upto Rs. 20,000 at their discretion. The advantage of having a Project Administrator exclusively devoting his single minded attention to the formulating, co-ordination. supervision and overseeing the implementation of the Integrated Tribal Development Projects need not be emphasised.

12.33 At the State level, there is a Development Commissioner for Tribal Development who is also Secretary to the State Government. He combines in himself both the line and staff functions with regard to the formulation and implementation of the sub-plan. As Secretary to Government, he has full responsibility for formulation, review, evaluation and monitoring

of the plan from time to time. He also ensures, necessary administrative and budgetary sanctions for various development schemes. He also ensures to secure inter departmental co-ordination at the Secretariat level for the effective formulation and implementation of the plan, besides serving as Member Secretary to a High Power Committee for Tribal Areas.

12.34 The selection of Project Administrator is done by a Committee headed by the Chief Secretary. Very senior level Officers who have good performance and experience in tribal development are selected. The Project Administrator is in overall command of the activities of various Departments/Offices including Corporations, Panchayati Raj Institutions and aided Voluntary Agencies in Project Area. The Project Administrators had been declared as Heads of the Department so as to enable them to exercise financial and administrative powers effectively. Just as the Secretary-cum-Tribal Development Commissioner at the State level, so is the Project Administrator in overall charge of the implementation of Plan Scheme in the Project Area and is directly responsible and answerable to the Secretary-cum-Tribal Development Commissioner.

12.35 While the Project Administrator and their supporting staff are selected by a High level Committee headed by the Chief Secretary, as far the other staff the Goverment has decided that only efficient officers with good record of performance should be posted in the tribal areas. The following instructions have been issued to all Secretaries to Government Departments and Heads of Departments under a demi-official letter from the Chief Secretary to Government :

(1) Posts in tribal areas are not kept vacant while posts in non-tribal areas are filled up;

(2) Officers and staff should not be transferred to tribal areas by way of punishment; and

(3) Officers and staff with appropriate orientation, aptitude, and sympthy for tribal communities should be transferred and posted in the tribal area.

12.36 The project Administrators have also been authorised to keep a special eye on the vacancies and transfers in the tribal areas within their charge and bring any deficiencies or default of the above instructions to the notice of Government and Heads of Departments concerned for remedial action.

12.37 Generally the non-gazetted staff recruited in the tribal area or those belonging to district cadres are not transferred for a long period.

The recruitment to the posts in the district cadres under Government is being done under the Centralized Recruitment Scheme by a Committee of District Officers headed by the cadres Collector. Generally the local candidates are recruited for the posts in the district cadres by the District Selection Committee who select candidates for posts in district cadres under the district Panchayat.

12.38 A High Power Committee with the Chief Minister as Chairman and Minister and Secretaries of the Department concerned as members has also been constituted to oversee, review and guide the programmes. Apart from M.Ps., M.L.As., the representatives of social organisations dedicated to the welfare of tribals are appointed as members. Similarly it has also been decided that the Project Implementation Committee should have non-official members representing social organisations and voluntary agencies. The Project Plan is discussed at the various forums like the Project Implementation Committee, District Coordination Committee and Committee of Direction. Even the project plans are being discussed in the taluka Panchayat of the project area. This method ensures the popular involvement in the formulation of the programmes.

5. *Himachal Pradesh*

12.39 The State Government feels that in order to have effective development programmes in the tribal area, it is essential that there should not be diffusion of responsibility and remote control and coordination, rather there should be flow of authority from the top to the bottom through a well-defined single channel and vice versa.

12.40 Kinnaur and Lahaul-Spiti districts and Pangi tehsil and Bharmpur sub-tehsil (now upgraded as tehsil) comprise the tribal areas in the State. These areas have also been declared as Scheduled Areas under paragraph 6 of the Vth Schedule to the Constitution vide the Scheduled Areas (H.P.) Order, dated 21st November, 1975. A Tribes Advisory Council has also been constituted for these areas which started functioning with effect from 24th June, 1978.

12.41 (i) Kinnaur District : The district comprises three sub-divisions, viz., Kalpa, Pooh and Nichar and five tehsils and one sub-tehsil. The Sub-Divisional Magistrates in the district, besides discharging their normal duties of maintaining law and order and working as Assistant Collectors Grade I, also act as Block Development Officers. The Sub-Divisional Magistrates are under the overall control of the Deputy Commissioner-cum-Collector.

Lahaul-Spiti District : The district was reorgnised on 14th January, 1975, when areas comprising four Patwar/Panchayat Circles, namely, Tindi, Udaipur, Triloknath and Miyar Nala from the Pangi-Sub-Division/tehsil of the Chamba district were transferred to Lahaul Sub-Division/Tehsil. Further, a new sub-tehsil with headquarters at Udaipur has been created with effect from 24th January, 1980. The district comprises two sub-divisions, (i) Lahaul covering the Lahaul tehsil and Udaipur sub-tehsil; and (ii) Spiti covering the Spiti tehsil.

The Single-Line Administration has been operating in the district. The Deputy Commissioner is the Head of the department for every district officer posted in the district.

Chamba District : The Pangi tehsil and Bharampur tehsil (upgraded from sub-tehsil level to tehsil level with effect from 24th January, 1980) are the tribal areas in the district coterminus with sub-division and C. D. Block boundaries. In these areas the normal functionaries like Block Development Officers are working within the overall general pattern of administration applicable to the other districts of the Pradesh. Project Advisory Committees have been constituted for each of the five Integrated Tribal Development Projects in which the members of the Legislative Assembly, Members of Parliament of the area and District Heads of the Departments are the members. Besides, the progressive farmers, entrepreneurs, representatives of Local Bodies and important institutions are its members. The Deputy Commissioner is the Chairman of the Committee.

12.41 (ii) Single-Line administration should be introduced also in Kinnaur district and in Pangi and Bhramapur Tehsils of Chamba district of Himachal Pradesh.

Dencentralization of financial power

12.42 Under rules 19.2 of the Himachal Pradesh Financial Rules, Volume I, 1971, special powers to various officers connected with the implementation of I.T.D.P. Programmes/ Schemes have been delegated concurrent with that of Heads of Departments/Controlling Officers/Disbursing Officers detailed as under:—

(upto Rs. in lakhs)

Sl. No.	Nature of Power	Power delegated to			
		SDO(C)	Project Officer	Deputy Commissioner	Commission for Tribal Dev.
1	2	3	4	5	6
1.	To sanction individual schemes including Administrative Approval for the repair and maintenance of works	0·10	0·50	2·0	Full powers
2.	To sanction expenditure on purchase of material through prescribed sources for the execution of Scheme	0·10	0·20	Full Powers	Do.
3.	To sanction grant-in-aid to various local institutions (each case)	0·05	0·10	0·25	Do.
4.	Administrative approval to original works (each case)	0·10	0·50	5·00	Do.
5.	To sanction expenditure on repairs to various tools/equipment and machinery (each case)	0·02	0·05	Full Powers	Do.

Personnel Policies

12.43 *Transfer Policy :* The Government has declared the tribal areas as remote areas for the purposes of transfer policy. The tenure of a Government Officer/Official has been restricted to three years unless he chooses to stay back. After the completion of the tenure, the officer/official should be tried to be adjusted in any of the five stations of his choice.

12.44 Outsider (not belonging to the remote areas) officers/officials will normally be not posted in these areas after they attain the age of fifty years.

12.45 On first appointment, efforts should be made to post officers/officials in the remote areas. Also such officers/officials be also posted in remote areas who have not previously served there.

12.46 After serving a term in the tribal areas, the officers/officials are entitled to out of turn allotment of Government residential accommodation at the place to which they may be transferred.

12.47 The employees posted in tribal areas are also granted the following additional benefits :—

(1) the employees posted in Lahaul-Spiti, Kinnaur and Pangi Tehsil of Chamba district are granted advance of pay and allowances for certain months under Rule 10.26 of H.P.F.R.S. Vol. I;

(2) Compensatory allowance at enhanced rates as per details below :—

Sl. N	Area with Group	Rate of C.A.
	Group-I	
1.	Pangi sub-division of Chamba district.	150 percent of pay subject to maximum of Rs. 500 p.m.
2.	Kugti Panchayat area of Bharmpur tehsil of Chamba district.	
3.	Tindi Panchayat area of Lahaul sub-Division of Lahaul Spiti-district.	

Sl. No.	Area with Group	Rate of C. A.
	Group-II	
1.	Lahaul-spiti district including Tindi Panchayat area.	125 per cent of pay subject to a maximum of Rs. 300 p.m.
2.	Pooh Sub-Division, villages of Chhitkul and Rakchham of Sangla Tehsil and entire Pandrabis portion of Nicher Sub-Division of Kinnaur district.	
	Group-III	
1.	Areas of Kinnaur district not covered by Group-II.	120 per cent of pay subject to maximum of Rs. 250 p.m.

(3) The tribal areas have been categorised as expensive and remote localities and the rate of Daily Allowance for the purpose of grant of T.A. has been allowed at the rate of 150 per cent increase over the basic rates of D.A. upto maximum of Rs. 75/- per diem.

(4) Leave travel concession in the form of additional joining time to and from the specified stations while proceeding on transfer or leave or leave-cum-transfer are detailed as under :

12.48 The Government have allowed the concession of additional joining time to Government servants posted in Pangi tehsil of Chamba district. Kinnaur district and Lahaul-Spiti district on transfer, leave and leave-cum-transfer journeys at the rate of one additional journey day for every 15 kms of journey on foot depending upon stage, from and to the specified stations. The above concession is admissible only once a year.

12.49 The standard of administration has been upgraded in Spiti Sub-Division of Lahaul-Spiti district and Pangi Sub-Division of Chamba district from the level of SDO(C) to that of Additional Deputy Commissioner. Further, rationalisation of the administration in the Tribal Areas has been under the consideration of the Government, as suggested by the Maheshwar prasad Committee on administrative arrangements and personnel policies in the tribal areas. The number of ITDP Offices has been raised from three to five, one for each ITDP.

6. *Karnataka*

12.50 At the Secretariat level, the Commissioner and Secretary to Government, Social Welfare and Labour Department is incharge of the tribal Sub-Plan schemes. At the State level, the Director of Social Welfare is incharge of the programmes as monitor of the schemes implemented by the different development Departments with the assistance of one Joint Director of Socal Welfare (Sub-Plan) and one Research Officer (Class-I). The actual implementation of schemes is done by the Development Department only.

12.51 In the field, to act as Liaison Officer among the Directorates, the Deputy Commissioners of the Districts and the Districts Heads of the Development Departments, one Regional Office with the Deputy Director of Social Welfare (Projects) is stationed at Mysore.

12.52 At the District level, the Deputy Commissioner of the District concerned is the ex-officio Chairman of the Project level authorities which have been constituted for each of the Integrated Tribal Development Projects in the Tribal Sub-Plan area. The concerned Project Coordinators are the Member Secretaries of these Authorities and also these Projects Coordinators will act as Coordinators among the developmental Heads of Departments at the Project Level, for implementation of the Tribal Sub-Plan Scheme.

12.53 All the implementing Officers of the Development Departments at the Project level are the members of these authorities which review the progress of the schemes periodically and suggest any modification if necessary looking into the needs of the tribals in the Project area.

12.54 Besides the above, at the State level, the government have constituted a State Level Committee headed by the Chief Secretary to Government of Karnataka, to review the progress achieved by various Development Departments in the tribal Sub-Plan areas.

12.55 A proposal is pending before the Government for re-organisation of the tribal Sub-Plan Administrative set up on the lines of Andhra Pradesh.

12.56 At present all the schemes suggested by the Heads of Development Departments for implementation in tribal Sub-Plan area are decided by the sanctioning Committee constituted under the Chairmanship of the Commissioner and Secretary to Government, Social Welfare and Labour Department and with Deputy Secretaries of Planning Department, Finance Department, Social Welfare Department and of the concerned Administrative Secretaries as members. No powers have been delegated to the Project Level Authorities or to the Director of Social Welfare or to the Heads of Development Departments with regard to the schemes pertaining to tribal Sub-Plan area. However, the Department of Social Welfare has worked out a comprehensive proposal to delegate certain administrative and financial powers to all the officers involved in the tribal development and the same is under active consideration of the Government. While proposing the powers to the Officers at all levels, care has been taken to see that the Planning of a scheme should be done from below, so that the needs of the tribals are taken care of and the schemes should suit the local conditions and

local tribals people should be benefitted in the I.T.D.Ps. It is also proposed to delegate full powers to the Chairman of the Project Level Authorities with the approval of the Project Level Authorities concerned.

12.57 In accordance with the guidance given by the Government of India, care has been taken to post suitable persons to work both in the field and in Head Office who have aptitude for tribal development. It is also general policy of the Government not to transfer the officers connected with the tribal development too frequently, which effects the implementation of the Tribal Sub-Plan schemes.

12.58 Other matters relating to the grant of incentives to the Project Staff are reportedly under consideration.

7. *Kerala*

12.59 To assist the Director of Triabl Welfare at the Headquarters in formulation of schemes, their implementation, administration and matters relating to running of various departmental Institutions, there was only a Special Officer, Integrated Area Development Programme. Now an Administrative Officer has also taken charge. Even then the machinery at the top to plan and implement the tribal development programmes effectively is inadequate. There is no Officer to coordinate and watch the implementation of sectoral programmes.

12.60 Even though a separate Department for Tribal Welfare was formed in July, 1975, for purposes of administration, posting of personnel etc., the Harijan Welfare and Tribal Welfare Departments were treated as one unit and posting of staff continued to be attended to by the Director of Harijan Welfare till recently. The State Government have since completely separated the Tribal Welfare Department from the Harijan Welfare Department.

12.61 The field organisation is being strengthened. In addition to the existing 5 posts of Tribal Development Officers, two more posts have been sanctioned by Government thereby reducing the area of jurisdiction of the existing Officers. Some additional staff have aso been given to man the Tribal Development Offices. 26 New posts of Tribal Extension Officers have been sanctioned who would work as field level functionaries.

12.62 Though there are 5 Integrated Tribal Development Projects, only one Integrated Tribal Development Project at Attappady is working with a Project Officer and full contingent of staff. A project Advisory Committee for the Integrated Tribal Development Project, Attappady, is functioning with District Collector, Palghat, as Chairman, Similiar Project Advisory Committee will be constituted in the other 4 Integrated Tribal Development Projects.

12.63 A special cadre of officers viz., Tribal Extension Officers have been appointed under the Tribal Welfare Department alongwith two more Tribal Development Officers in the field level.

8. *Madhya Pradesh*

12.64 At the State Level, there is a Cabinet Sub-Committee to give policy directions for formulation and implementation of the Tribal Sub-Plan. All the C.D. Blocks functioning in the Sub-Plan area have been transferred from the Community Development Department to the control of the Tribal Welfare Department being headed by a Tribal Development Commissioner. Implementation and administration of tribal development programme have also been reviewed. The Tribal Welfare Department is now gradually becoming the nodal organisation with the responsibility of coordination and guidance and all functional departments have accepted the responsibility for planning and implementation in their respective sectors.

12.65 The Integrated Tribal Development Projects are now gradually emerging as basic units for planning and administration of tribal development programmes. The Annual Plans are prepared at the project level and approved by the Project Advisory Board comprising district level officers and people's representatives. The plan proposals of the project are discussed at the State Level at joint meetings of the Project Officers and Developmental Heads. An agreed programme profile is drawn up for each project in each sector on the basis of mutual consultation. These draft plans are again finally placed before the Project Advisory Board. The Board's clearance has been obligatory before a programme can be included in the Sub-Plan budget, unless a decision to the contrary is taken in consultation with the Tribal Development Commissioner.

12.66 The decision making in relation to the bulk of the plan programme, thus, has been effectively delegated to the Project authorities. This has improved the quality of the plan formulation in the tribal areas. With the unification of the budget at the State level, effective delegations of administration and financial powers are proposed to be delegated to the Project authority so that after the plan is approved, budget provision made, no further reference at the State level may be necessary. The Divisional Commissioners have also been involved with higher delegation of powers to the Divisional level Authority under the Chairmanship of the Commissioner.

12.67 The tribal development block is the smallest administrative unit in the ITDP. The next step in the planning process is to disaggregate the project plan blockwise. Panchayat Samitis have been recently constituted in Madhya Pradesh at the Block level. These Samities will be associated in the planning and the implementation of the programme within the overall frame of ITDP. The size of the Blocks in the tribal areas in uneven. The erstwhile C.D. Blocks are very large in size,

An exercise of redelianation of block boundaries has already begun with a view to evolving a uniform norm for all blocks in the ITDP areas.

12.68 There is urgent need for rationalising administrative jurisdiction of different departments with reference to the Integrated Tribal Deveopment Project. It has been decided that if bulk of the jurisdiction of an officer lies in a tribal areas, his headquarters will be fixed within that area unless otherwise specifically permitted by the Government. This will help in improving the quality of administration in this region.

12.69 The Integrated Tribal Development Projects have been classified in three categories viz. meso, micro and mini projects. The Project Administrators in meso-projects are senior officers of the rank of Additional Collectors or Joint Heads of Department. In micro-projects Sub-Divisional Officer or Officers of the level of the Deputy Directors of Departments are to be the Head of the Project. The mini-projects have been placed in the current charge of District Organisors of the Tribal Welfare Department. It is proposed that all projects with more than 1 lakh population will have a senior project officer as Project Administrator. The Project Officers in the project with more than 50,000 population but less than 1 lakh will be of the rank of a Deputy Collector or District Organisor or equivalent. The smaller projects with less than 50,000 population will have project Administrators of the rank of Block Development Officers. It may also be necessary now to adjust the boundaries of some of the Projects and Blocks which is being taken up as the new sub-plan areas have been finalised.

12.70 The Project Administration was given a bare skeleton staff support during the Vth Plan. The work of the Project Administrators is now gaining momentum as they are assuming coordination role with greater effectiveness. Their major responsibility is emerging in the field of reporting, monitoring and guidance. The level of investment in an average ITDP currently is between 2.00 crore to 2.5 crores. This investment flows from different channels and is integrated to the Project level. To simplify the matters at the operational level, it is necessary that Project Administrator has now a strong accounts cell and a statistical unit. The reporting system is being streamlined from the Project to the State level.

12.71 Collective responsibility is gradually emerging at the project level. Nevertheless, it will be necessary to have clear chain of command as well from the State level to the project level. A regulation is under consideration of the State Government, as recommended by the Working Groups in which is envisaged that the Project Administrators, Collectors and Commissioners may be given special powers and responsibility in relation to protection and development of tribal communities. It is also envisaged that the personnel working in these areas will be subject to stricter discipline and stringent code of conduct in view of the fact that the administrative system is extremely powerful in these areas compared to the simple socio-economic situation of the tribal communities.

9. *Maharashtra*

12.72 At the State level there is a Cabinet Sub-Committee for tribal Sub-Plan headed by the Chief Minister which decids and considers the proposals about the tribal Sub-Plan. To implement the Tribal Sub-Plan programmes, there is a Tribal Commissioner of the status of the Secretary to Government in charge of the Tribal Wing in Social Welfare Department. The main function of the Tribal Commissioner is state level coordination, serving the Cabinet Sub-Committee, liaison with the Government of India, monitoring the implementation of the Tribal Development Projects etc. He has the supporting staff of the secretariat pattern at the Mantralaya.

12.73 At the divisional level, the Divisional Commissioners in the four Revenue Divisions are fully responsible for implementation of tribal Sub-Plan in their respective charge. The Divisional Commissioners are assisted by the Additional Tribal Commissioners specially appointed for Tribal Sub-Plan work with the headquarters at Nasik and Nagpur respectively.

12.74 At the district level, the Collectors of the districts have been designated as Deputy Tribal Commissioners and the Chief Executive Officers of the Zilla Parishads have been designated as Additional Deputy Tribal Commissioners. The Deputy Tribal Commissioners are assisted in the District by Project Officers, who are full time Class-I Officers of the rank of Deputy Collectors. There are at present 16 Project Officers, who are responsible for coordinating the functions of the various departments in the time bound and project oriented programmes. They are entrusted with the work of preparing the project reports, planning and monitoring at the project level. Below the level of Project Officers, there are Tribal Welfare Officers who are Class II Officers. They work under the direct control of the Deputy Commissioners and supervise the schemes executed by the Director of Tribal Welfare.

12.75 There is a separate Directorate of Tribal Welfare to deal with problems pertaining to tribals. The Directorate looks after the work relating to the Welfare of Scheduled Tribes. The Directorate is headed by a Director and is assisted by a small staff at the Headquarters.

12.76 In order to have public participation in the implementation of the Tribal Sub-Plan there is a special Executive Committee for tribal Sub-Plan of District Planning and Development Council in each of the 13 Tribal Districts. This Committee consists of the 'Palak Mantri' of

the District as the Chairman, one of the tribal elective representatives as Vice Chairman and all the elected representatives of tribals in the Parliament and State Legislature, President of the Zilla Parishad and Chairman of the Panchayat Samities, where such Panchayat Samities fall in the Tribal Sub-Plan areas, as members. This Committee also has the Tribal Commissioner as Vice-Chairman and Deputy Tribal Commissioner (Collector) as the Member Secretary while formulating and assessing the progress of annual Tribal Sub-Plan. The Heads of Departments are associated with this Committee.

12.77 In order to implement the Tribal Sub-Plan, the State Government has established 16 Integrated Tribal Development Projects, as units of planning and implementation. At the project level, there is a Project Officer whose duty is to coordinate, monitor and evalute the progress implemented by the various departments. Although the Project Officer has been entrusted with the responsibility of coordination, monitoring and evaluation of programmes, it was observed that there was lack of functional integration at the project level. In order to achieve proper coordination and implementation of schemes, already approved by the District Planning and Development Councils, the State Government has recently set up a Project level implementation committee for each of the 16 Integrated Tribal Development Projects in Maharashtra. The Additional Tribal Commissioners, Nasik and Nagpur are the Chairman of these Committees in their respective regions. All the implementing officers of Project level representing the district level schemes of the Project and taluka are the members of these Committees.

10. *Orissa*

12.78 At the State level, the Harijan and Tribal Welfare Department is headed by a Commissioner-cum-Secretary. This department is the Administrative Department for Plan formulation, implementation, monitoring and evaluation of ITDA programmes. The Secretary is assisted by one Addl. Secretary, one Director-cum-Joint Secretary, four Deputy Secretaries, one Financial Advisor-cum-Deputy Secretary and other supporting staff.

12.79 The Integrated Tribal Development Agency is now the basic unit of planning and implementation in the Tribal Sub-Plan areas.

12.80 As stated elsewhere in this Chapter, 21 ITDPs grounded earlier were converted into ITDAs with effect from March, 1979. Out of 21 ITDAs, in 4 smaller ITDAs the concerned Sub-Divisional Officers are functioning as the ex-officio Project Administrators. In 15 ITDAs, independent officers O.A.S.(I)/I.A.S. Agrl. (Cl. I)-1, Cooperation Cl. I(1) Cadres have been appointed as Project Administrators. In one ITDA the Project Director, DPAP is functioning as ex-officio Project Administrator of the ITDA and the remaining one ITDA is kept in additional charge of the Project Administrator of the adjoining ITDA. In addition to the Project Administrator, in each ITDA, there is one Special Officer belonging to Class-II State Services, mostly drawn from State Civil Services (Revenue) Cadre. 23 Assistant Engineers and 23 Sub-Asstt. Engineers posts have been created for ITDAS.

12.81 59 Veterinary Extension Officers have been posted in 118 Blocks of tribal Sub-Plan areas @ one Extension Officer incharge of two Blocks. No separate staff have been posted in the ITDAs for implementation of different programmes. Different sectoral programmes are implemented through the normal sectoral authorities of the State Government working in the ITDA areas.

12.82 An ITDA comprises a number of tribal/community development blocks. The Block Development Officer is the Officer entrusted with execution and coordination of functions. The Block Development Officer with his team of extension officers and Village-level workers at the grass-root levels carries on the execution of different development programmes.

12.83 For effective and expeditious implementation of the various programmes in the ITDAs, to ensure proper and timely utilisation of funds and to maintain effective coordination between sectoral authorities in the field, a project-level Committee has been set-up for each ITDA. The Collector of the district is the Chairman of the Committee. The Project Administrator of the ITDA is the Member-Secretary and the local M.L.As., M.Ps., Chairman of the concerned Panchayat Samities, District-level Officers incharge of different development programmes are the members of this committee.

12.84 At the State level, a committee known as Sub-Plan STATCOM under the Chairmanship of the Chief Minister has been constituted as a Policy making, overseeing and sanctioning body. To sort out inter-departmental problems, a Standing Committee under the Chairmanship of the Additional Development Commissioner has been constituted. Another State level Committee under the Chairmanship of the Agricultural Production Commissioner has been established to oversee programmes relating to shifting cultivation. At the Division-level, the the Revenue Divisional Commissioner is closely associated with the implementation of ITDP Programmes.

11. *Rajasthan*

12.85 In order to create a unified administrative structure for implementing development programmes, a separate post of Tribal Area Development Commissioner was created in October, 1975 to formulate tribal development programmes and plans to implement all development programmes and to ensure that a coordinate and integrated approach is adopted by the different departments and agencies work-

ing in these areas. The Tribal Area Development Commissioner is the controlling authority in respect of all plan funds allotted by the State Government for state Plan schemes and schemes of Special Central Assistance with the respective Heads of the Departments acting as intermediary controlling officers. He is the Chief Coordinating Authority for formulation, implementation and monitoring of all plan schemes in all the tribal areas of the State and also functions as ex-officio Head of the Department for Agriculture, Forests, Corporation and Education. He, however, has no field agency and his control over the field agencies implementing the tribal development programmes is indirect and inadequate.

12.86 At the State level the Tribes Advisory Council reviews the programmes and provides policy guidelines. At the District level, the tribal development programmes are being looked after by the Project Director posted under SFDA/DPAP programmes.

12. *Tamil Nadu*

12.87 The administrative structure for implementation of the Tribal Sub-Plan in Tamil Nadu is basically the general administrative structure that exists already, consisting of the various departments of Government at the State, District and Field levels. The Tamil Nadu Development Authority with the Chief Minister as Chairman, is a policy framing and guiding authority with a review function as well. At the district level, the District Collectors are the Project Authorities. At the ITDP level, the concerned Block Development Officers or Divisional/District Development Officers or the Personal Assistant to the Collectors are the Project Coordinators. For South Arcot Kalrayans, there is a Special Officer with Headquarters at Vellimalai inside the ITDP areas.

12.88 The Departmental Officers are incharge of the actual implementation of the schemes at the field level. Under the Tribal Development Authority, there are Sub-Committee functioning in each district under the Chairmanship of the concerned District Collectors. At the State level, however, the Commissioner and Secretary to Government, Social Welfare Department, is in overall charge of issue of sanctions. He is assisted by the Tribal Research Cell in formulation of plans, as also in assessing the impact of implementation of various developmental schemes. The Research Cell also assists the Project Authorities in the preparation of Sub-Plan and other documents at the State level, besides taking up special studies to understand specific problems of tribal development. The Block Development Officers who are at the field level are directly under the control of the Collectors.

13. *Tripura*

12.89 The Sub-Plan areas in each district have ben formed into a compact Integrated Tribal Development Project. The Additional District Magistrate in each of the District has been appointed as Project Administrator. The respective Project Authorities have been constituted with the District Magistrate as the Chairman, the Addl. District Magistrae-cum-Project Administrator as the Vice-Chairman and Convenor, and the District level officers of important development departments as members. For the Engineering and Agricultural support, it has been ordained that the district level officer of these departments will render necessary assistance to the district administration in so far as the Sub-Plan is concerned. Special Officer (Tribal Development Programme) from amongst experienced field officers has also been attached to each of the Project Administrators.

14. *West Bengal*

12.90 In this State there are 33 mouze-based ITDPs. The norms for the formulation of ITDPs have been waived in respect of West Bengal, as the population of Scheduled Tribes is not concentrated in identified pockets as is found on the States like Orissa, M.P., Bihar, Rajasthan etc. On the other hand, it is generally dispersed and interspersed with the general population.

The programme under the ITDPs are implemented by the existing Departments at the District and Block levels. The State Government have taken up the matter with the Government of India for appointment of 13 Project Officers. The Project Officers are to be Senior Officers either from the Central Services or from the State Services. So far, the State Government have appointed only 3 Project Officers. The progress of the ITDPs in West Bengal is very slow on account of absence of any Administrator/Coordinator at the Project level.

12.91 The State Govt. had appointed a Committee with a view to preparing master plan for surveying the potentialities of irrigation in the tribal Sub-Plan area of the State. As a result of the recommendations of this Committee, the State Govt. have now proposed in the Tribal Sub-Plan 1980-85 to create an office of the Director (in the rank of Superintending Engineer) Tribal Areas Irrigation Development with suitable technical and clerical staff. The Director will be under the administrative control of irrigation Department. During their tour to Vardhman and Bankura districts of the State in the month of June, 1981, the Commission for Scheduled Castes and Scheduled Tribes was told by a number of tribal people of ITDP No. 33 that they could not fully utilize their small pieces of agricultural land for want of irrigation water. They had also suggested to the Commission that a number of irrigation schemes could be started in the areas with a view to improving the economy of the tribal people. It is hoped that the proposal for creation of the Directorate Tribal Area Irrigation Development would be processed by the Ministry of Home Affairs urgently so that the vast irrigation potential in the Tribal Sub-Plan areas of the State now going dorment is

properly harnessed for the benefit of the tribal people in particular and the non-tribals of those areas in general.

12.92 Thus the administrative set up in charge of formulation, coordination and implementation of Sub-Plan Area programmes in various States differs from State to State. Although complete information regarding achievements made in the Sub-Plan Area Programmes is not available, the fragmentary data in hand spotlights gaps in achievements. It is felt that the executive apparatus has not been able to display the capacity and flexibility for the new task even after five years of implementation of the programmes of Tribal Sub-Plan. In other words, the administrative, coordinating and implementing machinery has not been very effective in the Tribal Areas to achieve desired results of various developmental programmes. One of the important reasons for the tardy implementation of tribal development programmes is that this matter gets low priority in the working of all departmental functionaries in the tribal areas and that the functioning of various technical departments is confined to narrow departmental grooves. The technical officers working in the Sub-Plan areas do not owe allegiance to the Project Administrators in as much as the latter have no administrative control over them in all the States except Andhra Pradesh and Madhya Pradesh.

12.93 As regards administrative set up at the State level the role of the Department dealing with the welfare of Scheduled Tribes should be placed in proper focus. It has to be reorganised as a nodal department which would act as the motivating force in the Scheduled Tribe development in the State. The power and function assigned to this department should be such that the Planning and Administrative Department connected with the formulation and implementation of various programmes should consult this nodal department at the time of formulation of schemes for the welfare of Scheduled Tribes. Moreover, for effective implementation of various programmes the chain of command is desirable to stretch from the Tribal Commissioner at the State Level, through Commissioner of a Division, Collector of a District Project Administrator of ITDP, Block Development Officer to Block Level Extension Officer/Village Level Workers. In this connection it may be mentioned here that the States of Andhra Pradesh and Madhya Pradesh have done well by placing Development Blocks in line under the ITDPs., implying that the Block Development Officer is under the control and supervision of Project Administrators of the ITDPs. This is not the case in other States like Bihar, Orissa, Rajasthan etc. and hence the Project Administrators find it difficult to get the tribal development programmes executed in the field through Block agency in an effective manner. We are inclined to suggest that, for administrative structure to function smoothly and effectively, in the Tribal Sub-Plan areas, transfer of control of Development Blocks to the Tribal Welfare Department may be effected without delay. We further suggest that adequate administrative and financial delegation should be made in favour of Project Administrator, ITDP Authority, Collector, Commissioner and powers of technical sanction should be conferred on the technical heads in so far as Sub-Plan areas programmes are concerned.

12.94 It is desirable to have necessary linkages between the Tribal Development Departments and other Development Departments of the State Governments. For example in the State of Madhya Pradesh this matter seems to have been done as tribal development schemes of various departments are vested by the tribal welfare department which controls the programmes through a single demand in the budget. Diversions are possible only with the concurrence of the Tribal Welfare Department. In Bihar, a Branch Secretariat has been set up at Ranchi which operates the Sub-Heads under Major Heads of various sectoral departments and has been empowered to issue sanctions for schemes. The Regional Development Commissioner has been made Principal Secretary of all the Departments of Government in this matter. As far as our information goes, this is not the case in Orissa and other States. We suggest that appropriate inter-linkages should be created between the Tribal Development Department and other Development Departments dealing with the Tribal Sub-Plan area schemes in all the States implementing the Sub-Plan programme.

12.95 The chances of overlapping of functions among the SFDA, DPAP, IRDP and ITDP should be reduced to the minimum by ensuring that there is no divergence of objectives in the programme of these agencies. This could be possible through constant review of the programmes in the meetings at the Project level by the representatives of the Agriculture, Tribal Harijan Welfare Department etc.

12.96 The Advisory Committees set up at various levels should comprise of prominent tribal leaders, Social Scientists and Voluntary workers for planning and review of developmental programmes in Sub-Plan areas.

12.97 The district administration should represent a well coordinated administrative unit in as much as the district continues to be the basic unit of Planning and supervision of various developmental programmes. The Collector and District Magistrate occupies a key position in administration in the district. Therefore, he is assigned a special responsibility for implementing in spirit the developmental programmes in the Tribal Sub-Plan areas. He has been made chairman of the ITDP level project formulation and implementation committees comprising both officials and non-officials. However, in some States like Gujarat and Maharashtra, the Executive Officer in charge of Zila Parishad looks after the Sub-Plan schemes. In fact, the Collector and District Magistrate remains busy most of the time in connection

with maintenance of law and order and collection of revenue and disposal of cases on revenue matters etc. in the district with the result he hardly finds time to pay attention to Sub-Plan area programmes. We are, therefore, inclined to suggest that at the district level the District Magistrate should be assisted by a senior Officer of the rank of A.D.M. preferably brought from the IAS cadre, who should have a social position for coordination programmes in the Sub-Plan areas.

12.98 The Sub-Plan concept envisages that an ITDP is a unit for formulation of plan and its supervision, while, actual execution of programmes rests with the development Block which has been considered as the lowest unit of development. Therefore, it is necessary that the administrative structure at the block level becomes an integral part of the ITDP. The Plans for the blocks should be prepared within the overall frame work of the ITDP as the ITDP represents the total investment in the area including the outlays which may be specifically meant for each block, which implies that the ITDP plans have to be built up from below on the basis of block plans. As stated earlier in this chapter, the Development Blocks should be placed under the ITDP, whereby, the Block Development Officer functions under the control and supervision of Project Administrator of the ITDP, so that the Project Administrators can carry on execution of various developmental schemes smoothly at the block level.

12.99 As regards involvement of various types of personnel in the execution of ITDP programmes, a well defined relationship between the Project Administrator on the one hand and the District and Sub-Divisional technical officer on the other should develop, so that the programmes can be implemented effectively. Since the Project Administrator is responsible for effective implementation of the development programmes in the Sub-Plan area, he should be a man of high calibre and status. He should be chosen from among the IAS Officers or senior State Civil Services persons.

12.100 In view of the very special conditions of the tribal areas, the unusual problems prevailing there and the urgency of developing them as rapidly as possible, the role of personnel put incharge of various developmental schemes in these areas assumes importance. Soon after assuming the charge of office, the Prime Minister expressed her concern over the implementation of tribal development programmes in the meeting of the Governors and the Chief Ministers, said "I have repeatedly emphasised that a critical requirement is the creation of a dedicated and sensitive administrative frame work for the tribal areas. I believe we are still lagging behind in creating the right type of structure and posting the right type of persons in the tribal areas". Therefore, in the fitness of things, while selecting various types of personnel for being posted to the tribal areas, it may be ensured that they are devoted and experienced workers having working knowledge about the work relating to tribal welfare.

12.101 The persons who go to the tribal areas as officer must be prepared to share their lives with that of tribal people. They must be prepared to enter their huts, talk to them, eat and smoke with them without considering themselves superior to those people so that they can win their confidence and respect and can work with their cooperation in these areas. We feel that we have not been able to select right type of persons to be posted to the tribal areas to carry on the formulation and implementation of various development programmes. We understand that the officials posted in tribal areas feel that it is a punishment for them and that after receiving posting orders, their common practice is to proceed on long leave and in the meantime make all efforts to have the posting orders cancelled. It has been also come to our notice that in various States the key persons like Medical Officers, Technicians, Nurses, Compounders shun the tribal areas and try to get away soon after they are posted. Even numbers of other cadres, like Revenue, Education etc. also do not like to work in the tribal areas and on some pretext or the other, they want to get their transfers to non-tribal areas. We are, therefore, of the opinion that all the States where the tribal Sub-Plan programmes are in operation should have sub-cadres within selected State Cadres, whose members may serve in the tribal areas say for a period of 5 years atleast. Subsequently, these officers should be permitted to join the main cadres and be allowed to be posted outside the tribal areas if they so desire.

12.102 In the recruitment of field level functionaries whose cadres are generally regional or district based, preference should be given to the local tribes even by relaxing minimum educational qualifications, wherever necessary. There is bound to be a further advantage in posting local tribal people in preference to outsiders as they would bring about the desired harmony between the administration and the tribal setting. They may also be relied upon as a watch dog machinery by the Project Administrators. This suggestion should be kept in view by the key departments like Police, Forest, Revenue, Education, Agriculture etc., while recruiting staff at the intermediary and the lowest level.

12.103 It is necessary that such personnel should be selected by Screening Committees constituted by the State Government. We understand that a State level personnel Selection Committee has been set up in Bihar comprising the Chief Secretary, Development Commissioner, Additional Development Commissioner and Financial Commissioner. This Committee is reported to have also taken action to transfer unsuitable officers out of the tribal areas. They are also considering creation of sub-cadre of personnel for the tribal areas. In Gujarat there is a Committee headed by the Chief Secretary to select the Project Administrators and other

Officers solely on merit on the basis of performance and experience in tribal development. Similarly in Tamil Nadu, persons with necessary aptitude and interest in tribal development work are generally preferred. In Karnataka, the State Government is taking proper care to post suitable persons to work both in the field and Head Office who have aptitude for tribal development work. We suggest that screening committees of the State level, Divisional level and District level should be set up for selection of various types of personnel required to be posted in the tribal areas. While making selection of technical officers, the concerned Heads of Departments should be taken as co-opted members in the Screening Committees.

12.104 *Training*

As regards training of personnel working in the tribal Sub-Plan area, some suggestions have been made in the Chaper XIII (Para 13-26, 13-27) in Research and Evaluation Studies and Training which may be considered for implementation.

12.105 In fact the tribal areas are often inhospitable and some time unhealthy characterised by lack of facilities of communications, health, education, entertainment etc. Sometimes, the Government servants posted in tribal areas have to maintain two establishments for reasons of education of children or health or other grounds which financially cost them more. Coupled with this difficulty is the want of proper residential accommodation in the tribal areas. The Seventh Finance Commission having observed these difficulties, recommended compensatory allowance to be paid to the various categories of personnel working in the tribal areas to help them overcome financial and other disadvantages. In addition they had also recommended for construction of residential buildings for such personnel. State-wise provision for upgradation of administration in tribal areas during 1979—84 as made by the Seventh Finance Commission is given in the table below :

(Rs. in lakhs)

Sl. No.	State	Compensatory allowance	Residential buildings
1.	Andhra Pradesh	165	56
2.	Assam	146	152
3.	Bihar	621	112
4.	Himachal Pradesh	20	24
5.	Kerala	20	40
6.	Madhya Pradesh	1,056	336
7.	Manipur	74	40
8.	Orissa	603	184
9.	Rajasthan	150	40
10.	Tamil Nadu	22	72
11.	Tripura	95	24
12.	Uttar Pradesh	1	16
13.	West Bengal	98	96
	TOTAL	3,071	1,192

12.106 The information available in this Commission on the incentives given to the Officers who are working in the tribal areas shows that the State Governments of Gujarat, Tamil Nadu, Orissa, Karnataka, Andhra Pradesh, Madhya Pradesh and Himachal Pradesh have made some exercises for giving incentives to the officers to attract them to work in the tribal belts. The Government of Gujarat is having a provision of granting tribal allowance ranging from Rs. 20 to Rs. 50 p.m. to the staff working in the tribal areas. The Project Administrator and Class-II Officers working under him in the said areas are granted special pay at the rate of Rs. 150 and Rs. 75 p.m. respectively. Those who are working in Dang district, are getting Dang allowance as well in addition to the above mentioned benefits. In Tamil Nadu, the officers and staff working in tribal areas are given hill allowance, winter allowance, warm clothing advance. Benefits like Special Compensatory allowance, leave travel concession, more casual leave to cover the journey in hill areas, and children's education allowance are under the consideration of the State Government.

12.107 In Andhra Pradesh the following special incentives are given :

(i) 20% of basic pay as Agency allowance ;

(ii) Reimbursement of hostel expenses of employees' children studying at places away from their headquarter if such facilities do not exist at headquarters. Already children of officials working in tribal areas have reservation of seats in Residential Schools established in tribal areas;

(iii) Reimbursement of medical expenses of wife, parents, and children if medical care is not available; and

(iv) Until quarters are provided, 10% of basic pay are being paid as House Rent Allowance.

12.108 In Madhya Pradesh a scheme has now been finalised for compensating personnel according to the level of backwardness of the places of posting.

12.109 The Government of Orissa have decided to provide quarters to the employees of various Departments working in the tribal areas. They have also decided to grant a special pay of 20% of the basic pay of the employees concerned.

12.110 In Karnataka a comprehensive proposal has been sent to Government for sanction of special incentives such as special pay, allotment of rent free quarters, educational concessions to the officials working in the tribal areas. The concessions provided by the Himachal Pradesh Government have been detailed elsewhere in this chapter.

12.111 It is suggested that the grants awarded by the Seventh Finance Commission should be fully utilized by the concerned States for

providing residential accommodation as also granting compensatory allowance ranging from 20 percent to 50 percent of pay depending on the backwardness of the places of posting to the officials of all Departments working in the tribal areas. It is further suggested that other incentives like grant of children educational allowance etc. as given by the Government of India to its employees, liberalised scale of Casual Leave and Leave Travel Concession as recommended by Maheshwar Prasad Committee may also be given to such employees. Due recognition should be given to the service rendered in the tribal areas by grant of suitable awards to the concerned employees and some weightage for each service should also be duly reckoned with while considering the cases of promotion to various categories of posts.

12.112 It is a common feeling that one of the reasons for slow progress of various developmental programmes operating in the tribal areas is the system of frequent transfer of officials in charge of implementation of such programmes. An official posted in the tribal areas generally take some time to know about the people and their problems and thereafter discover ways and means to tackle them. It so happens that by the time the official gets acquainted with such unusual areas and unusual people and their problems and settles down in his work, he is transferred to some other areas. The constant change of officers in the tribal areas on account of their frequent transfer creates a bad effect on the tribal people. Some times when a good officer working for their well being is transferred, they feel very much disappointed. Therefore, it is desirable that an officer posted in the tribal area should be allowed to spend atleast 5 years in the tribal area so that he can get uninterrupted time to solve the problems of the tribal people. Such Officers on their promotion should not be transferred outside the tribal areas even if senior posts are not available in the tribal areas. That is to say they should be adjusted in the tribal areas.

12.113 The services of senior and experienced officers belonging to different departments should be obtained for being posted in the tribal areas duly protecting their emoluments and giving additional incentives wherever necessary. Such officers should be encouraged to learn tribal dialects and due rewards/recognition should be given for learning the same.

12.114 Information available with this Commission reveals that the Government of Gujarat have issued instructions to all the Secretaries to Government Departments and Heads of Departments not to keep the posts in tribal areas vacant while posts in the non-tribal areas are filled up. the officers and staff should not be transferred to tribal areas by way of punishment and the officers and staff with appropriate orientation, aptitude and sympathy for tribal communities should be transferred and posted in the tribal areas. So also it is the general policy of the State Government of Karnataka not to transfer the officers connected with tribal development too frequently which affects the implementation of the tribal Sub-Plan. We feel that other State Governments should issue suitable instructions to various Administrative Departments and the Heads of Departments to post suitable officers in the Tribal Areas and not to disturb/transfer them unless they complete atleast 5 years of service in the area. Such officers on their promotion to senior posts shoud not be transferred from the tribal areas on the ground that such posts are not available there. On continuous completion of their tenure in the tribal areas the officers should be given incentives like posting them at the place of their choice on the lines of the instructions issued by the Government of Himachal Pradesh. This will surely attract honest and able officers to work in the ITDPs.

12.115 The State Governments concerned should amend the Service/Recruitment Rules for various posts by inserting a suitable provision to the effect that no Government servant would be eligible to claim an annual increment. crossing of efficiency bar and promotion as a matter of right unless he/she renders a qualifying service of at least 5 years in the tribal areas.

12.116 In the Annual Confidential Reports of the Gazetted and non-Gazetted officers, there should be a column to indicate the nature of work done by the officer in the tribal areas. This should be taken into account while sanctioning annual increment, crossing of efficiency bar or giving promotion on out of turn basis.

12.117 Although programmes under Modified Area Development Approach covering pockets of tribal concentration have been taken up by the State Governments at the instance of the Government of India, there is no programme implementing agency at the Sub-Divisional Level. Consequently, it is not possible to judge the progress of these programmes. We, therefore, suggest that a Sub-Divisional Level Project Implementation Committee for Modified Area Development Approach programme comprising Sub-Divisional Officer, Block Development Officer, Agricultural Extension Officer, Veterinary Extension Officer, Co-operative Extension Officer, Marketing Officer, etc. may be constituted so that the implementation of the programme is streamlined.

12.118 *Development of primitive tribes :* The Government of India has suggested that the tribal communities which are extremely backward and are not able to adjust in the changing situation prevailing in the country should be identified and suitable family oriented and group oriented schemes framed for their economic and social development. The criteria viz. (i) pre-agricultural technology, (ii) extremely low level of literacy and (iii) stagnant population were adopted for identification of such backward tribes (primitive tribes). In the meantime

various State Governments have identified such primitive tribal groups in their States and have made exercises for formulation of suitable programmes for their development.

12.119 In Gujarat, in order to see that the programmes meant for these primitive groups take off in the right spirit, one Project Officer for Primitive Group at the State level and 5 Extension Officers in 5 Project areas have been appointed to initiate the work. The Tripura Government have proposed to create 3 posts of Special Officer (non-Cadre) alongwith supporting staff to take up development work for the primitive tribes. In Tamil Nadu, Project Reports on the development of primitive tribes in the State have been prepared and they are under revision now. In Andhra Pradesh, special schemes have been proposed which are under implementation. So also in Orissa 10 Micro Projects for the development of the primitive tribes have been started and such a project is headed by an officer designated as Special Officer who is drawn either from the cadre of District Welfare Officer or Headmaster or Research Officer working in the Tribal and Harijan Research and Training Institute of from the cadre of District Agriculture Officer of the Agriculture Department.

12.120 We are of the opinion that without dedicated approach and continuous rapport by the Special Officers incharge of the micro projects, the primitive tribes are not likely to develop at all. We, therefore, suggest that the appointment of such officers should be done by the department incharge of Tribal Welfare in consultation with the Directors of Tribal Institutes. While making selection of such officers, the State Governments may ensure that these officers are devoted to tribal welfare and are sympathetic towards tribals.

Special Component Plan for Scheduled Castes

12.121 The funds available with the departments incharge of Scheduled Castes Welfare in various States and the Union Territories are of supplemental nature. Various departments dealing with divisible schemes have programmes which could benefit families. It has been observed that the Scheduled Castes are not getting adequate benefit of the schemes implemented by the General Departments. In order to ensure percolation of benefits to the Scheduled Castes out of the General Sector programmes to enable them to cross the poverty line, the Central Government have been able to convince the State Governments to prepare Component Plans for the welfare of Scheduled Castes by flow of funds from the Sectoral Departments. The main Sectors to which the Home Ministry has been giving priority are agriculture, and allied sectors (Animal Husbandry and Dairying, Agriculture, Minor Irrigation and Fisheries), Industries (Cottage and Village Industries, Handloom, Handicraft and Sericulture), Education, Health, Housing and Water Supply and Urban Development. Like the tribal Sub-Plan, the Special Component Plan for Scheduled Castes is also to be a distinct part of each State Plan and of each Sector of the Central Plan.

12.122 The State Governments of Andhra Pradesh, Assam, Bihar, Gujarat, Himachal Pradesh, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Orissa, Rajasthan, Punjab, Tripura, Uttar Pradesh, West Bengal and the Union Territory of Pondicherry have since prepared Component Plans. But according to our reports there is no wholetime officer (Coordinator on Component Plan for Scheduled Castes) in the Union Home Ministry, Planning Commission as well as in the Planning Departments of the State Governments for ensuring flow of sectoral funds to the Component Plan. We, therefore, suggest that the Central Government as well as the concerned departments of the State Governments should designate a wholetime officer of Senior Status with supporting staff with a view to ensuring flow of funds from all the departments implementing the family based schemes. In order to ensure that Special Plans receive adequate attention at the district level, we further recommend that the State Governments/Union Territory Administrations should post whole-time officers (Special Component Plan) at the district level as well as at the Sub-Divisional levels on the lines of the Integrated Tribal Development Programmes.

12.123 A special role will have to be assigned to the Scheduled Castes Finance and Development Corporations for implementation of family based Schemes. Such Corporations with the Government of India equity contribution have been set up in 16 States. Since the sum total of Special Component Plan for Scheduled Castes to be implemented through the agency of these Corporations includes Special Central Assistance, it is but desirable that the Directors/Deputy Directors for Scheduled Castes and Scheduled Tribes are associated with the Board of Directors of these Corporations. We, therefore, suggest that the Ministry of Home Affairs should provide for nomination of Director/Deputy Directors for Scheduled Castes and Scheduled Tribes in the Board of Directors of these Corporations by inserting suitable clause in the sanction letters on the lines of the sanction letters for grant-in-aid to the non-official organisations.

12.124 For implementation of the welfare programmes along the right lines, adequate arrangements for monitoring and evaluation of such programmes assume utmost importance. This is specially so, consequent upon the implementation of Tribal Sub-Plan and the Special Component Plan for Scheduled Castes.

12.125 The Commission, therefore, recommend that the Bureau of Economics and Statistics which are entrusted with the work of monitoring and evaluation in these States/Union Territory Administrations should accord top

priority to the above welfare programmes. The Tribal Research Institutes in various States should also be entrusted with this task with provision of adequate supporting staff. The field organisation of the Commission may also be associated with this work with regular supply of feed back data by the various ministries of the Government of India and the State Government/ UT administration so that proper monitoring and evaluation could be done by them.

Tribes Advisory Council

12.126 According to para 4 of the Fifth Schedule to the constitution States having Scheduled areas are required to constitute a Tribes Advisory Council consisting of not more than 20 members of whom about 3/4th should be representatives of Scheduled Tribes in the Legislative Assembly of the State. The States not having Scheduled Areas but having Scheduled Tribe population may have a council. The Council is expected to advise on matters pertaining to the welfare and advancement of Scheduled Tribes in the State. The Tribes Advisory Councils are functioning in 8 States viz., Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa and Rajasthan having Scheduled Areas. States like Tamil Nadu and West Bengal which do not have Scheduled Area have also constituted Tribes Advisory councils. State Board have been constituted in Kerala, Uttar Pradesh and Tripura which also do not have Scheduled Areas. The information available with us reveals that many of the Tribes Advisory Councils have not held the required number of meetings as prescribed under rules.

12.127 The Commission feel that the Tribes Advisory Council being very important advisory body in relation to the welfare of Scheduled Tribes, may hold frequent meetings to discuss various problems of the Scheduled Tribes and suggest measures for their welfare.

Harijan Welfare Advisory Boards at State/ District/Sub-Divisional levels.

12.128 In order to associate the members of the State Legislatures and other public workers interested in the welfare of Scheduled Castes some State Governments have constituted Harijan Welfare Advisory Boards. The aims and objectives of such Boards are to advise the State Government on all matters relating to (i) assessment of the requirements of the Scheduled Castes and formulation of Welfare Schemes for them and (ii) review from time to time the working of sanctioned schemes with a view to suggesting improvements or changes in the schemes wherever necessary. These Boards should meet atleast once in every six months with a view to assessing the working of the schemes under special Component Plan for Scheduled Castes.

State Legislative Committee for the Welfare of Scheduled Castes and Scheduled Tribes.

12.129 In response to the suggestions made by the Government of India to the State Governments to have Legislature Committees for the Welfare of Scheduled Castes and Scheduled Tribes on the lines of the Parliamentary Committee at the Centre, the States of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal and Tripura have constituted such Committees to keep a watch over the interest of the Scheduled Castes and Scheduled Tribes in their respective States.

12.130 We suggest that the remaining States may also constitute such a Committee on the Welfare of Scheduled Tribes. We further suggest that the Legislative Committee Secretariats in the States having Legislative Committee on the Welfare of Scheduled Castes and Scheduled Tribes should send copies of the reports submitted by these Committees to our Commission regularly for perusal.

Administrative machinery for enforcement of Regulatory measures etc.

12.131 A number of regulatory measures have been framed by various States under the Fifth Schedule to the Constitution, particularly with regard to debt bondage, indebtedness, money lending, land alienation, etc. to provide relief to the Scheduled Tribes who have been subjected to exploitation by the non-tribals for centuries together.

12.132 A scanty information available with us shows that in Andhra Pradesh special machinery has been created in every district having Scheduled areas to enforce the provisions of the protective regulations effectively. Seven posts of Special Deputy Collectors with headquarters in each of the 7 tribal district, were sanctioned and the District Tribal Welfare Officer, Mahaboobnagar is designated as ex-officio Special Deputy Collector in Mahaboobnagar. Each of the Special Deputy Collectors has been given a complement of subordinate staff to investigate the cases of violation under the regulations and assist the Special Deputy Collector concerned in effective enforcement of the regulations. Deputy Tehsildars were appointed as Special Officers and their jurisdiction determined under section 6 of Andhra Pradesh (Scheduled Tribes) Debt Relief Regulation. Entire protective machinery has been geared up to check the violation of the Regulations effectively and restore land to the tribal owners and safeguard the interests of the tribals against usurious moneylenders. The progress of implementation is reviewed by the Commissioner of Land Revenue at the State Level once in every three months. As a result of vigorous steps taken by the enforcement machinery, 52,06,493

acres of land has been restored to 12682 tribal owners and the debt of Rs. 13.83 lakhs has been scaled down till 1980.

12.133 In Orissa, to restrict alienation of land by persons belonging to the Scheduled Tribes in the Scheduled Areas of the State 'The Orissa Scheduled Area Transfer of Immovable Property (by Scheduled Tribes) Regulation 1956' was promulgated with effect from 1st October, 1956. This Regulation provides that any transfer of immovable property belonging to a member of Scheduled Tribes to a member not belonging to Scheduled Tribes without permission of a competent authority shall be void. The implementation of the Regulation is the responsibility of the Collector, which may include any officer or officers appointed by the State Government to discharge the functions of the Collectors, who is the competent authority. At present, the Sub-Divisional Officers and some Special Officers in the Scheduled Areas have been declared as competent authorities.

12.134 An appeal against the order of competent authority shall lie before the Collector or with the Board of Revenue if the original order is made by the Collector under Section 3(3) of the Regulation.

12.135 If the Project Administrators are declared as the Additional District Magistrates and are authorised to perform the functions of the Collector under Regulation 2 of 1956, they will have the appellate jurisdiction under relevant provision of Regulation 2 of 1956.

12.136 To control and regulate the business of money lending in the Scheduled Areas of the State 'The Orissa (Scheduled Area) Money Lender's Regulation 1967' was brought into force with effect from 15th November, 1969. Under this Regulation, the Assistant District Welfare Officers posted at the Sub-Divisional Headquarters, the Circle Inspectors of Police, Welfare Extension Officers and Sub-Inspectors of Police have been declared to act as Inspectors who may enter any premises within their jurisdiction to inspect the books, accounts, records, files, documents, safe vaults and pledges in such premises.

12.137 Unlike the provision under the Orissa Money Lender's Act 1939, powers to try offences under Regulation 2 of 1968, vest with judicial magistrates. The question of vesting judicial powers with executive magistrates to try offences under Regulation 2 of 1968 is under examination of High Power Committee under the Chairmanship of Member, Board of Revenue. But under the existing provisions of Regulation 2 of 1968 the Additional District Magistrates functions as the appellate authority in respect of cases (under Section 4(7) and 16(3) of Regulation) relating to grant, suspension and cancellation of money lending licences. If the project administrators of Integrated Tribal Development Areas are declared as Additional District Magistrates, they shall have the jurisdiction to function as appellate authorities under the said provision of 'The Orissa (Scheduled Areas) Money Lender's Regulation 1967' (Regulation 2 of 1968).

12.138 Tribals in Gujarat enjoy to some extent the protection of laws in the matter of alienation of their land in favour of non-tribals. Most of the land held by them is inalienable and impartable tenure.

12.139 According to a notification issued by the State Government in 1961 under the Bombay Land Revenue Code 1879 transfer of land from tribal to non-tribals has been prohibited without the permission of the Collector. Such unauthorised transfers can be dealt with under Section 79(A) of the Land Revenue Code which provides for summary eviction of unauthorised occupants. Instructions have been issued by Government to Collectors and District Magistrates to enforce the aforesaid provisions and to restore the possession of such land to the tribal if alienated to any person.

12.140 An amount of 10.00 lakhs has been proposed out of Special Central Assistance during 1980—85 for preventing illegal land alienation from tribals to non-tribals as also to restore such illegally alienated lands to tribals. Additional revenue staff will be provided to District Collectors for enforcement of the legal provisions in this connection.

12.141 Special Cells should be set up at State and District level and Project/Block level for giving special attention to the implementation of regulatory measures for Scheduled Tribes relating to alienation, debt bondage and money lending. The cells should also deal with the problems of monitoring and evaluation of these measures. The Cells at the State and District level and Project/Block level should comprise the representatives of the Welfare Department and the Revenue and other concerned Departments under the overall control of Commissioner Tribal Welfares; Collector and Project Officer/ Block Development Officer respectively. It should be the primary duty of the State Welfare Departments to oversee the working of the Regulatory Measures.

Follow up action on Commission's Recommendations

12.142 With a view to ensuring prompt and adequate follow-up action on the recommendations made by this Commission in their Annual Reports, it is recommended that a separate cell under the charge of a senior officer be set up in the Ministry of Home Affairs, which is the nodal Ministry at the Centre, to coordinate with and ensure prompt implementation by the Ministries/ Departments concerned at the Centre and the States/Union Territories. Similar cells may be set up under the Chairmanship of the Chief Secretary in the States/Union Territories.

CHAPTER XIII

RESEARCH, EVALUATION STUDIES AND TRAINING

There is a general agreement about the research that it is an inseparable adjunct to any programme of work in the era of Planning for socio-economic development in the country. In fact, underdeveloped regions in the country are problem-oriented regions of growth and they need special attention of the planners. Empirical studies are, therefore, a *sine-quo-non* for the formulation of suitable welfare programmes for these underdeveloped regions and their people. Systematic studies on the social, economic and cultural life of the people inhabiting these regions provide much needed guidelines for the planners in formulating suitable area development plans and offer useful opportunity to the development workers to become aware of the actual conditions of the people and to relate their experience to the development activities. The research studies also provide a mechanism which will enable the development workers to become sensitive to the special social and economic problems of the people. Likewise, evaluation studies with unbiased outlook of various developmental schemes being implemented for the welfare of the people have assumed great importance in assessing the impact of these programmes on the people for whom these are being implemented and throwing light on the shortcomings of these welfare programmes as also affording rich experience for all future programmes.

13.2 In so far as the welfare of Scheduled Tribes and Scheduled Castes is concerned, developmental programmes have been formulated on a sizeable scale. New strategies of tribal development based on the latest concept of planning have been oriented to develop (i) Areas of tribal concentration identified as Sub-Plan areas; (ii) Pockets of tribal concentration, (iii) dispersed tribals in other areas and (iv) primitive tribal communities, which have ushered in from time to time to accelerate the pace of tribal development. Similarly the Special Component Plan for Scheduled Castes is an approach adopted for the economic development of Scheduled Castes by various development departments through individual and family oriented schemes or through composite programmes directed at specific target groups aimed at bringing about an increase in their income mainly through creation of productive assets and thus assist them to cross the poverty line. So also the Scheduled Tribes and Scheduled Castes Development Corporations have been started in various states aiming at checking exploitation of Scheduled Tribes and Scheduled Castes by taking up individual family and group oriented schemes with the object of providing income generating assets for them. A major task for us is to see that these schemes are implemented on the right lines so that benefits actually reach the target groups. It is in response to these challenging situations that the Research Organizations including the Tribal Research Institutes functioning in various States/Union Territories have oriented themselves functionally or are planning to do so to undertake researches keeping in view the planning and development of the Scheduled Castes and Scheduled Tribes.

13.3 It is gratifying to note that the Research Organisations, like the Tribal Research Institutes, Anthropological Survey of India, University Departments, Bureaux of Economics and Statistics, etc., have, in addition to the conduct of sociological studies for the purpose of tracing the history of the tribals, their origin, their migration, and there racial affinities which are important from academic point of view, have now started focussing equally their attention on the study of objective value of the welfare programmes for the Scheduled Castes and Scheduled Tribes. The field organisation of the Commission which is saddled with multifarious work connected with the welfare of Scheduled Castes and Scheduled Tribes are also engaged in undertaking studies in an appropriate scale in the field of the welfare of these backward classes. So also, with a view to encouraging the research scholars in various universities in the country who are taking interest in the study of the problems of Scheduled Castes and Scheduled Tribes, the Ministry of Home Affairs is awarding Scholarships/Fellowships so as to enable them carry on research. Based on the information available with us relating to the research activities of various research organisations, we give below a brief account on each of them alongwith our comments.

13.4 This Commission had addressed a communication to all the 11 Tribal & Harijan Research and Training Institutes, Directorates of Economics & Statistics in all the State Governments/Union Territory Administrations, field offices of the Commission as well as other organisations of all India character doing research on the problems relating to the Scheduled Castes and Scheduled Tribes. Inspite of persistent efforts, the Commission have not received information from a number of organisations. The available information shows

that only 9 out of 11 Tribal and Harijan Research and Training Institutes, 24 out of 31 Directorates of Economics and Statistics and two other organisations of all India Character have furnished replies. Further, out of 24 Directorates of Economics and Statistics which have replied only 6 have undertaken some studies on the problems of Scheduled Castes and Scheduled Tribes, while the other 18 Directorates of Economics and Statistics have communicated 'nil' information. The field offices of this Commission also undertook inspections of welfare schemes under Central/ State Sector programmes and also conducted studies on various subjects during the year.

13.5 The details regarding the surveys/ research studies conducted by the various organisations which have responded to the communication from the Commission are given at Annexure-I, while summaries/main findings etc., of some of the important research studies conducted by these organisations including the studies on various subjects and Central and State Sector programmes inspected by the field offices of this Commission are given below :

I. DIRECTORATES OF ECONOMICS AND STATISTICS

PUNJAB

(1) *The evaluation study of the schemes relating to the grant of subsidy to Scheduled Castes for purchase of agricultural land.*

The Evaluation Unit of the Economics and Statistical Organisation of Punjab Government conducted an evaluation study of the scheme relating to the grant of subsidy to the Scheduled Castes for purchase of agricultural land, installation of wells/construction of houses on the land thus purchased, and for reimbursement of stamp duty at the time of execution of registration deed during 1979-80 by covering the beneficiaries from three districts viz. Amritsar, Ludhiana and Faridkot taken from each of the Administrative Divisions having the maximum number of Scheduled Caste beneficiaries from 1974 to 1977 with the main objective of ascertaining the extent of utilisation of subsidy and determining how far this scheme has been implemented effectively.

The following are some of the important findings of the study :—

(i) Since November 1966, 639 persons have benefited from this scheme.

(ii) Since the reorganisation of the State, Rs. 40.43 lakhs had been allocated for the scheme, "grant of subsidy for purchasing land" and only Rs. 26.61 lakhs had been utilised, the main reason for under-utilisation being the weaker financial position and the inability of the beneficiaries to complete the formalities after sanction of subsidy to them.

(iii) 162 acres or 83.9 per cent of the total land purchased was reported fit for cultivation and 31 acres or 16.1 per cent was not fit for cultivation, 18 acres required lavelling, 9 acres required removal of bushes and 3 acres could not be reclaimed.

(iv) 193 acres of land was purchased at the cost of Rs. 5.83 lakhs out of which Rs. 2.80 lakhs (48.03%) was contributed by the beneficiaries as against Rs. 3.03 lakhs (51.97%) provided by the Government as subsidy for the purchase of land.

(v) 36 beneficiaries forming 63.15 per cent of the total beneficiaries reported time-lag upto six months which was considered to be normal. Out of the remaining 21 beneficiaries, 13 beneficiaries reported time lag upto 9 months, 4 beneficiaries reported time lag even more than one year between the dates of submission of applications for subsidy and the dates of its sanction.

(vi) Due to rush of work at Tehsil Office level the finalisation of applications for grant of subsidy for purchase of agricultural land was delayed as the staff provided at Tehsil level was inadequate.

(vii) The Scheduled Castes beneficiaries had purchased land from their kith and kin and from other persons who were closely known to them.

(2) *Evaluation study on working of the Punjab Scheduled Castes Land Development and Finance Corporation.*

The Economic and Statistical Organisation, Government of Punjab, conducted another study to evaluate the working of the Punjab Scheduled Castes Land Development and Finance Corporation with a view to assessing how far the Corporation had been helpful in improving the economic conditions of the Scheduled Castes by advancing loans and ascertaining whether the loans were properly utilised. For this purpose, the organisation covered four districts viz. Jullundur, Patiala, Sangrur and Hoshiarpur where maximum number of loans were advanced to Scheduled Castes since the inspection of this Corporation.

Some of the important findings of the study are detailed below :—

(i) The Corporation had its original capital of Rs. 5 crores. Loans to the tune of Rs. 4.50 crores had already been advanced to cover 10,800 Scheduled Caste families settled in various trades/ occupations upto March, 1977.

(ii) The average annual income per loanee household had risen from Rs. 6,222 in 1973-74 to Rs. 8,125 per family during 1975-76.

(iii) Only a small portion of the population who had relatives and friends in service had been benefited by the loan programmes of the Corporation and advancing of loan was concentrated in certain villages/towns and even in certain families.

(iv) Loan programmes of the Corporation had not only improved the economic status of the loanees but in most of the cases small doses of loan had helped them to start new occupations. 26 selected loanees had expanded their old establishments and 14 loanees had started new business with the loan money of the Corporation. These loanees were mainly Karyana merchants, cloth merchants and those having leather business, cycle spare parts and repair shops, and wood business etc.

(v) As regards time consumed in processing the applications for sanction of loans, 288 loanees forming 67.45 per cent had reported time lag of 3 months which was considered normal as per the procedure followed. 50 loanees forming 14.79 per cent reported time lag of more than 3 months due to official formalities at different levels and in two cases it was reported that the letters were not received by the loanees in time.

(vi) Repayment of loans by the loanees was not satisfactory. It was not being pursued effectively by the Corporation because of paucity of staff at district level.

(vii) The percentage of loanees reporting difficulties at village level, Tehsil level, District Field Office level and Head Office level in the disposal of their loan applications was 43.49, 49.41, 10.65 and 22.76 percents respectively.

(viii) 209 loanees forming 61.84 per cent had utilised the loan properly at initial stage and 129 loanees forming 38.16 per cent had partly misutilised the loan. The reason given by the loanees for misutilization of the loan amount were generally related to the clearance of old debt, meeting of expenditure on social ceremonies, obligations etc.

MAHARASHTRA

(3) *Report on the evaluation study of Minor Irrigation Projects benefiting Tribal Sub-Plan Area.*

The Directorate of Economics and Statistics, Government of Maharashtra, Bombay has conducted an evaluation study of minor irrigation projects in the Tribal Sub-Plan Areas in Maharashtra to ascertain the proportion of tribal beneficiaries among the beneficiaries of minor irrigation works at the time of introduction of Tribal Areas Sub-Plan (TASP). For this study, only three types of works viz. (i) Tanks, (ii) Bandharas and (iii) Lift Irrigation Works have been covered.

Some important findings of the study are given below :—

(i) For all types of projects taken together the proportion of tribal beneficiaries was only 31 per cent. Sector-wise, this proportion was 26 per cent for the State Sector projects and 66 per cent for Local Sector Project.

(ii) The proportion of tribal beneficiaries for the tanks and lift irrigation was 26 per cent and 28 per cent respectively, below the over-all proportion of 31 per cent and that for bandharas was 78 per cent.

(iii) In the areas where topography was suitable for tanks, there were more landless tribals than tribals with land-holding. Of the total beneficiaries, 72 per cent benefited from tanks. Yet, among the beneficiaries of tanks, there were only 26 per cent tribal beneficiaries.

(iv) In Nasik district out of 180 bandharas completed in the Local Sector, 176 were found non-functioning. For Gobapur tank of this district, it was observed that for Gobapur (a tribal) village, the land was owned by non-tribals of the neighbouring village and there was no tribal beneficiaries.

(v) In the village covered by the selected 36 projects the proportion of tribal population was only 53 per cent, tribal beneficiaries being only 31 per cent of the tribal population.

(4) *Report on the evaluation study on Medium Irrigation Projects benefiting Tribal Sub-Plan Area.*

The Directorate of Economics and Statistics, Government of Maharashtra, Bombay, conducted another similar evaluation study of Medium Irrigation Projects benefiting Tribal Sub-Plan Area in Maharashtra to find out the proportion of Scheduled Tribes cultivators benefited by the selected Projects and to estimate the proportion of area belonging to the Scheduled Tribe cultivators to the total area irrigated by the Projects by covering all the four Medium Irrigation Projects in the Tribal Sub-Plan area which had benefited the cultivators during 1978-79.

Some important findings of the study are given below :—

(i) The percentage of Scheduled Tribes population in the villages benefited by the selected Projects in 1978-79 was relatively small viz. 17 per cent. The proportion of beneficiary Scheduled

Tribes cultivators was 12% and the percentage of their irrigable area to the total irrigable area was 18%.

(ii) In the matter of actual irrigation benefits during 1978-79 the percentage of Scheduled Tribe cultivators was 11% and the proportion of their area actually irrigated was 19%.

(5) *Evaluation study of the scheme of supply of electric pump sets to Adivasi agriculturists.*

A scheme to distribute pump sets (electric and oil engine) at 100 per cent subsidy was put into operation from the year 1973 to enable the Scheduled Tribes of Maharashtra to increase their agricultural production. The electric pump sets were given throughout the State, while the oil engines were given in Tribal Sub-Plan Area. The scheme was open only to those Scheduled Tribe beneficiaries who held land measuring 2.5 to 16 acres and who had an assured perennial source of water supply. Hence the above study was conducted by the Directorate of Economics and Statistics, Maharashtra to find out:

(i) Whether the pump sets and oil engines have been distributed to the cultivators who qualify for it;

(ii) Whether the pump sets were in working condition and if not the reason thereof; and

(iii) Arrangement or maintenance of pump sets.

The following are some important findings of the study:

(i) As many as 25% of pump sets (145) have not worked at all since they were handed over to the beneficiaries, while 8 per cent (49) did not work in the agricultural season, 1978-79. In other words, 1 out of 3 was not put to use at all. It was noted that 92 pump sets out of these (63%) were inoperative because of lack of power connection; 19 pump sets had no water supply; 10 pump sets were defective and hence not used.

(ii) More than 50% of the beneficiaries were not satisfied with the present arrangements for maintenance of the pump sets.

(iii) Out of 286 reporting beneficiaries, nearly one third complained about irregular power supply, three fourth complained about shortage of working capital and one fifth reported need for repairs to wells.

HARYANA

(6) *Assessment of the benefits accrued to Scheduled Castes from various schemes and programmes.*

The Economic and Statistical Organisation, Planning Department, Haryana, conducted a survey in two selected blocks of the State to assess the benefits accrued to the members of Scheduled Castes from specific as well as general sector schemes/programmes. The triple objectives of the above study are: (i) to identify the specific benefits/incentives provided to the Scheduled Castes in the State (ii) to ascertain the benefits accruing to members of the Scheduled Castes from various general sector schemes implemented by various development departments and (iii) to know the extent of participation of the Scheduled Castes in the various development schemes/programmes implemented by the Government besides ascertaining their views about the adequacy of the benefits/incentives provided to them.

The schemes/programmes undertaken by the Department of Welfare of Scheduled Castes and Backward Classes have been grouped into (a) Educational schemes, (b) Economic Uplift, (c) Housing etc. Award of scholarship and reimbursement of tuition fee, Post-matric Scholarship, Girls' hostel schemes are some of the important educational schemes implemented by the State Government of Haryana for the uplift of Scheduled Castes, whereas Drinking Water Wells, Pre-examination Training Centre, Legal Assistance Schemes are some of the schemes covered under economic uplift of the listed classes. The study which covered Bawal Block (Reserved Constituency) of Mahendragarh district selected from backward areas and Shahbad Block of Kurukshetra district representing developed areas has revealed the following:—

(i) The Scheduled Castes were generally satisfied with the benefits/facilities provided by the Government for promotion of education amongst the members of Scheduled Castes.

(ii) Among the Scheduled Caste communities Chamar, Ramdasia, Jatias and other communities had availed/received more benefits/facilities as compared to the other castes.

(iii) Inspite of compulsory education for the children in the age-group of 6-11 years, 53.5% Scheduled Castes children in Shahbad and Bawal Blocks were not attending the school. In the State as a whole, 49.3% Scheduled Caste children were not attending the schools during the year 1977-78.

(iv) The Scheduled Castes households engaged in agriculture had not availed/received much benefits from the agricultural schemes either because the majority of the Scheduled Castes held very small

land holdings, or agriculture was followed as a secondary occupation, or only 12% of the Scheduled Castes houses of Shahbad and 13% of Bawal Block were engaged in agriculture.

KERALA

(7) *Report on Socio-economic Survey of tribals in Kerala during* 1976-78.

The State Bureau of Economics and Statistics, Government of Kerala undertook a study of the socio-economic conditions of the tribals in the State of Kerala during 1976-78 covering a tribal population of 2,00,042 in 41,452 tribal households scattered in 3,469 hamlets/tribal settlements/Karas in the State. The field work of the survey was started in August, 1976 and continued upto April, 1978 when the drafting of the survey report was completed.

The following findings of the study are :—

(i) There were 38 tribal communities and Paniyans constitute the largest community with about 23 percent of the total tribal population and they are followed by Malai Arayans.

(ii) Each of the 15 communities now occupying the lower ranks has only a population of less than 0.5 percent of the tribal population.

(iii) Malakkuravan is the smallest community with a population of only 13.

(iv) Tribals have comparatively smaller families with an average size of 4.83 against 6.03 for the general population.

(v) The level of literacy among the tribals in the State is very low with only 26.55 percent literate against 60.42 perecent for the State in 1971 and 29.32 percent for all India.

(vi) Among the literates 51 percent are below primary level and less than 4 percent have passed SSLC and above.

(vii) About 50 percent of the tribals are economically active as against 29 percent of the general population in the State in 1971.

(viii) Nearly two-third of the workers (tribals) are daily wage earners—mainly agricultural labourers.

(ix) Bonded labourers are very insignificant in number with only 0.2 percent of the tribal population.

(x) Agricultural labourers on an average could get employment only for 13 days in a month and the farm wage was Rs. 6 for males and Rs. 4 for females. However, 70 percent of the tribal households possess land and the average size of holding is 2.3 acres.

II. THE HARIJAN AND TRIBAL RESEARCH INSTITUTES

(8) *Kadana Resettlement : A study of Tribal resentment.*

As suggested by the Tribal Development Wing of the Ministry of Home Affairs, Government of India in the meeting of the Directors, Tribal Research Institutes in July, 1978, a study entitled "Kadana Resettlement" was undertaken by the Tribal Research and Training Institute, Rajasthan during 1979 on the tribals affected by the displacement on account of construction of a major irrigation project, Kadana Dam. The objectives of the study are (i) to examine the various processes involved in displacement situation prior to settlement (ii) to see how fast people adapt successfully & (iii) to see how the Government has carried out the norms of rehabilitation and with what results.

The Bhil tribal population has been largely affected by the construction of Kadana Dam, the outcome of inter-state agreement made between the States of Rajasthan and Gujarat for harnessing the river Mahi for the purpose of irrigation and power generation.

Some salient findings of the study are given below :—

(i) One of the major drawbacks of rehabilitation programme has been the lack of proper planning.

(ii) The evacuation of displaced families was not done in a phased manner. The Bhil inhabitants of affected villages had known about the construction of Kadana Dam through their own counterparts inhabiting the bordering villages of Gujarat.

(iii) It has been found that the Government resorted to the policy of paying compensation and then leaving the people themselves to rehabilitate. The result was that much of the money was spent on middlemen, brokers, etc. instead of being utilised for improving the land or for the construction of better houses.

(iv) The Government promised provision of facilities like drinking water wells, schools, panchayat ghars, meeting platforms, roads, dispensary and hand pumps. But some of these were not provided to the displaced people due to slow utilisation of resources and lack of co-ordination between concerned departments.

(v) Adjustment to new conditions is generally felt difficult by these ignorant displaced people. It could be made easier by making the amenities available prior to the arrival of displaced people.

ORISSA

(9) *Health and genetic problems of Kutia-Kondhs of Burlubaru, Phulbani District, Orissa.*

The Tribal & Harijan Research-cum-Training Institute, Orissa conducted a study on the health and genetic problems of Kutia-Kondhs of Burlubaru village, a Kutia Kondh village located in Belghar area of Phulbani district, Orissa. The main objective of the study is to identify special and specific problems concerning the health aspects of Kutia Kondhs and to take effective measures in formulating definite health programmes and to implement them in the near future for the benefit and well-being of this particular tribal group. The Kutia Kondhs are a primitive section of Kondh tribe which was once noted for its horrid practices of human sacrifice and female infanticide. The said village consists of 20 households of 107 people all belonging to Kutia-Kondhs and is covered by the special project Kutia-Kondh Development Agency. 103 persons of the total 107 were examined physically, clinically and blood samples were tested for malarial parasite sickle-cell gene and G-6 PD (Glucose-6-Phosphate Dehydrogenase) deficiency.

The findings of the above study are given below :—

(i) Most of the diseases afflicting the Kutia Kondhs of this village are mainly due to insanitary condition, lack of personal hygiene and lack of health education.

(ii) There is utter ignorance among the Kutias about the causes of their maladies. The only way to enlighten them in matters concerning health is to give these tribals health education through adult education classes.

(iii) The water of the hill streams of this area which the Kutias used for drinking and for cooking meals is suspected to have graphite which may be the reason for their complaint about indigestion and irritation in stomach.

(iv) There is high incidence of tuberculosis in the studied village. This may be due to insanitary condition and contagion by being huddled in huts without ventilation.

(v) The incidence of leprosy was not found to be high in the studied village, but in a nearby village viz. Rangapara the incidence of leprosy was quite high among Kutias. However, they are not secluded from their society and live in close contact with family members.

(vi) The causes of low blood pressure (Hypotension) which was found among the Kutias requires investigation.

(vii) The incidence of sickle-cell disease (sickle-cell trait and anaemia) and the red-cell enzyme deficiency (G-6-PD) is quite high.

(viii) A very high incidence of malaria was observed in the studied village.

(10) *Health and nutritional status of Pauri-Bhuinyas of Joidih village, Sundargarh district, Orissa.*

The Tribal and Harijan Research-cum-Training Institute, Orissa conducted a similar study on the health and nutritional status of Pauri Bhuinyas in Jaildih village, a typical Pauri Bhuinya village located in Koira area of Sundargarh district, Orissa. The Pauri Bhuinyas or Hill Bhuinyas are numerous and are widely distributed in Orissa, their main concentration being in the districts of Keonjhar, Sundargarh, Mayurbhanj and Sambalpur. The Pauri Bhuinyas are found mostly in the Bhuinya pirh of Keonjhar district and the adjoining hilly areas of Bonai Sub-Division of Sundargarh district. From time immemorial, the Pauri Bhuinyas have been confining themselves to the dense forests and the hills in and around Banspal, which lies in the western side of the upper Keonjhar. Thus, the inhospitable hill terrain and valley bottom form the home land of the Pauri Bhuinyas.

Given below are some important findings of the study :—

(i) Gastro-intestinal (G.I.) tract diseases were of common occurrence and the frequency of dysentery and diarrohea was high.

(ii) The other major diseases prevalent were those of the respiratory system, Malaria, BNT group of diseases, influenza, nutritional diseases and skin diseases.

(iii) No cases of venereal diseases, yows, leprosy, tuberculosis and filariasis were detected.

(iv) Genetic diseases such as sickle cell diseases (sickle-cell anaemia and sickle cell trait) and G-6-PD deficiency among cell surveyed population was absent.

(v) The diet survey indicates that the Bhuinya diet is deficient both in quality and quantity as compared to the accepted standard.

(vi) Due to undernutrition and malnutrition, diseases of respiratory system and those of ear, nose and throat make their appearance significantly.

(vii) The Pauri Bhuinyas have a strong habit of drinking alcoholic beverages.

(viii) Most of the diseases afflicting the Pauri-Bhuinyas of Jaldih village are mainly due to insanitary condition, ignorance and lack of health education.

MIZORAM

(11) *A village survey of Mizoram*

The Tribal Research Institute, Mizoram has undertaken a village survey in the State of Mizoram for a thorough study in the field of socio-economic, culture, education, etc. of the people by selecting villages from different parts of the territory. Though the preparation of the report is under progress, the Institute has furnished certain revealing problems of the tribals which are given below :—

(i) Though the high literacy percentage of Mizoram (53.79%) has been mainly due to the spread and growth of Christianity, this is coupled by hundreds of problems among student community. The case of drop outs in primary school stage is less which reached its height in High School stage with the result only 40% of the students reach their graduation level and the percentage at Post-Graduate level is only 10%. In the field of Science and other Technical lines, the Mizos are yet to make a start. Poverty is stated to be the evil behind such drop outs.

(ii) Economically also the tribals of Mizoram are poor. Over 86% of the people live in the rural areas in the most wretched manner. Jhum is the main occupation with an annual products that can last barely three months. However the few existing cottage industries in some villages have been quite beneficial.

(iii) The tribals of Mizoram are also out off from the national main stream due to lack of adequate communication facilities. The only outlet of Mizoram is the Aisawal Silchar road which is far from adequate. The road communication between Aizawl and other parts of the Union Territory is still worse. Many villages are still inaccessible. During the mansoon season, a large number of villages are completely cut-off and the villagers had to go without meals.

III. FIELD OFFICES OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

(12) *Inspection of the schemes run by the Indian Red Cross Society in Jaunsar-Bawar area of Dehradun district, Uttar Pradesh*

The inspection report by Deputy Director, Lucknow of schemes implemented by the Red Cross Society in Jaunsar-Bawar area of Dehradun District out of grant-in-aid from the Ministry of Home Affairs reveals that the Ministry sanctioned a total sum of Rs. 8,25,131 during 1978-79 for running various schemes viz., Jaunsar-Bawar scheme (Rs. 2,28,975), Tehri-Garhwal scheme (Rs. 2,41,005), Nainital scheme (Rs. 1,69,020), New Scheme for Rajis in Pithoragarh and Almora (Rs. 1,00,000), Supervisory Unit, Dehradun (Rs. 69,819) and Headquarters staff (Rs. 16,312). The Deputy Director visited the Main Hospital, Nagthat and Maternity and Child Welfare Centres located at Lakayar, Jadi, Korwa and Kotapathar during October, 1979. His observations on the working of these schemes are given below :—

(1) *Main Hospital, Nagthat*

The O.P.D. and Indoor registers revealed that the number of patients coming to the hospital for treatment had considerably increased. The hospital was found to be running in two rented buildings. It was, therefore, suggested that the Zila Parishad Dak Bungalow might be acquired so as to increase the sphere of activities of the hospital.

(2) *Maternity and Child Welfare Centres at Laksyar, Jadi, Korwa and Kotapathar*

The overall performance of these Centres was found to be satisfactory. It was observed that most of the rooms of the building in which the Centre at Jadi is located were rendered useless as the roof was blown away by storm. It was suggested that some funds should be sanctioned for repairs of these rooms so that the entire building could be utilized by the centre. In the case of Kotapathar Centre, residential facilities provided to the staff were still far from satisfactory. This should be looked into by the authorities concerned.

(13) *The working of the institutions run by the Hind-Sweepers Sevak Samaj in Uttar Pradesh*

During January-February, 1980, the Deputy Director for Scheduled Castes and Scheduled Tribes, Lucknow inspected the working of the Post-matric Hostel, Allahabad, Babu Jagjivan Ram Ashram type School for Sweepers' children, Manauri (Allahabad), Shorthand and Typewriting Training Centre, Lucknow run by the Hind-Sweepers Sevak Samaj with the grant-in-aid provided by the Ministry of Home Affairs.

The following are some of the observations made by the Deputy Director on the working of the above instiutions :—

(a) *Post-matric Hostel, Allahabad :*

(i) The accommodation in the hostel was inadequate to cater to the needs of the sanctioned strength of 35 inmates.

(ii) The hostel had neither been provided with library nor the inmates had been supplied with sports goods although funds were sanctioned for the purpose.

(iii) No tutor had been engaged by the Samaj to impart special coaching to the inmates who were found deficient in various subjects of their study even though there was a provision of a tutor to be appointed on a monthly remuneration of Rs. 150.

(b) *Babu Jagjivan Ram Ashram School for Sweepers' Children, Manauri (Allahabad) :*

(i) The accommodation in this Ashram School was found extremely insufficient for the sanctioned strength of 72 students.

(ii) The quality of teaching and attention given to the children seemed to be rather poor.

(c) *Shorthand and Typewriting Training Centre, Lucknow :*

(i) The machines provided in the Centre were not maintained properly. As such the quality of training had deteriorated.

(14) *Inspection of Ashok Ashram, Kalsi, District Dehradun, Uttar Pradesh*

The inspection of the accounts and working of Kanya Ashram at Kalsi, Atal, and Sumankyari and the Lady Social Workers' Training Centre, Kalsi, all run by the Ashok Ashram, Kalsi with the financial aid from the Ministry of Home Affairs during 1978-79 was done by the office of the Deputy Director for Scheduled Castes and Scheduled Tribes, Lucknow during October 1979 and January 1980 relating to the following schemes :—

(i) Tribal girls' Ashram School at Kālsi for 100 students.

(ii) Tribal girls' Ashram School at Atal for 50 students.

(iii) Tribal girls' Ashram School at Sumankyari for 50 students; and

(iv) Lady Social Workers' Training Centre, Kalsi.

The Deputy Director made the following bservations on the working of the Ashram :—

(i) The cash book of the said Ashram was not being signed by Secretary or the Treasurer but by the Accountant-cum-Clerk.

(ii) Some of the buildings in the Ashram were badly in need of repairs.

(iii) (a) The staff employed in the Lady Social Workers' Training Centre, Kalsi were fund to be having no background of social work.

(b) The girls admitted in the said institution were almost entirely non-Scheduled Tribes. During 1978-79, the above Centre could train only 13 girls of whom, 10 belonged to Brahmin and Rajput Communities and only one was a Scheduled Caste (Koli).

(15) *Study on the hostel facilities provided to Scheduled Castes and Scheduled Tribes students in Karnataka*

As desired by the Ministry of Home Affairs, Government of India, the Research Team of the office of the Director for Scheduled Castes and Scheduled Tribes, *Madras* conducted a study on the working of the hostels run for Scheduled Castes and Scheduled Tribes in Karnataka State with a view to find out whether vocational training was provided in these hostels, the performance of the Scheduled Castes and Scheduled Tribes in examination, the ratio of drop-outs and whether the amenities provided in the hostels were adequate for healthy living of the Scheduled Castes and Scheduled Tribes students.

For this purpose, the Research Team selected three districts viz., Bangalore, Mercara and Karwar (9 hostels in Bangalore, 7 in Mercara and 11 in Karwar districts) to have a comparative picture of the conditions of the hostels in rural and urban areas.

Important findings of the study are given below :

(i) Majority of the hostels were run in privately owned buildings which were dingy and lacked basic amenities.

(ii) Most of the hostels in Mercara and Karwar districts failed to attain the sanctioned strength while in some of the hostels in Bangalore district the actual strength far exceeded the sanctioned strength.

(iii) The food served in the hostels was deficient in protein value.

(iv) Though each hostel is provided with a library, the boarders hardly made use of this facility. Many did not borrow any book on the plea that there was no time for them to read these books. Besides, most of the library books included noval and other literature, the standard of which was too high for the High School students.

(v) The text books and dress could not be supplied in some of the hostels even upto September, 1978 reportedly due to the difficulty in purchasing cloth from the Janatha Bazar or other Government approved shops and getting those stitched by the Tailoring-cum-Production Units (TPU).

(vi) Health facilities provided to the boarders were not sufficient.

(16) *A sample study of the Special Booths for Scheduled Castes voters during Mid-term Lok Sabha Poll in January,* 1980.

The Commission desired its field offices to conduct a study in different States on the impact of booths set up for Scheduled Castes during the Mid-term Lok Sabha election in 1980 to find out as to what extent the Scheduled Castes in general could cast their votes and to what extent they were obstructed/ stopped from exercising their franchise.

This Commission's field offices located at *Ahmedabad, Lucknow, Patna* and *Bhopal* conducted sample studies in the States of *Rajasthan, Maharashtra, Gujarat, Uttar Pradesh, Bihar* and *Madhya Pradesh.* The important observations made in the study reports are detailed below :—

(i) In almost all the booths set up separately for the weaker sections, the Scheduled Castes voters exercised their franchise freely during the Mid-term Lok Sabha election 1980.

(ii) The separate booths had adequate arrangements and provided security to the Scheduled Castes.

(iii) However, the study conducted in the State of *Rajasthan* did reveal that there were incidents of prevention of Scheduled Castes from exercising their franchise and there was proxy of Scheduled Castes voters in Ganganagar Parliamentary constituency in the Mid-term Poll in January, 1980 to the Lok Sabha.

(iv) In *Gujarat* State, setting up of special booths for Scheduled Castes did help their women folk to come out in large number for voting as the special booths were located in their own localities.

(17) *Inspection of Modified Area Development Approach, M. Rampur and the Training-*cum-*Production Centre, Junagarh in Kalakhandi District, Orissa*

The Deputy Director for Scheduled Castes and Scheduled Tribes, Bhubaneswar inspected the working of the economic uplift schemes in M. Rampur Block in February, 1980 in order to make a study on the working of the Modified Area Development Approach programmes and Training-*cum*-Production Centre, Junagarh among others.

(1) *Modified Area Development Approach, M. Rampur.*

The important findings/observations of the study are given below :—

(i) The tank costing Rs. 10,000/- was sanctioned in May, 1979 but the contractor could not complete even one-fourth of the work till February, 1980.

(ii) The tribal male and female labourers doing earth work at Modified Area Development Approach tank in Jorakhaman village were being paid unequal wages by the contractor. The contractor was also not maintaining any acquittance register towards payment of wages to the labourers.

(iii) Though eight goatry units and six units of bullock were given to eight and six tribal families respectively, they were not aware whether the transactions had been recorded by the State Bank of India, M. Rampur in their pass books. Some of the beneficiaries contacted by the Deputy Director could not tell the amount of interest payable by them on the loan component for purchase of goatry units.

(iv) Many tribals of M. Rampur block were not availing the facility of bank loans at DRI due to landlessness. They were not aware of the facility of getting loan at differential rate of interest by production of collateral security.

(v) The tribal leaders were not associated with the working of the 30 student *Chatsali* (one teacher Primary School) at Jorakhaman. The school teacher who was being paid a salary of Rs. 40/- per month only was found to be absent from the School on the date of inspection by the Deputy Director.

(2) *Training-*cum-*Production Centre, Junagarh*

The Deputy Director visited the Centre at Junagarh which was imparting training in the trades of Carpentry, Tailoring, Smithy, I.C. Engineer and Training-*cum*-Drilling to the Scheduled Castes and Scheduled Tribes students. This huge Training-*cum*-Production Centre was started under Central Sector of Second Five Year Plan by the State Tribal and Rural Welfare Department.

The duration of the above courses differs from trade to trade. Each Scheduled Caste/ Scheduled Tribe trainee is given a monthly stipend of Rs. 60/-. As against the sanctioned strength of 66 in all the five trades, there were only 12 trainees on role in Carpentry and Tailoring trades at the time of the visit of the Deputy Director.

The Deputy Director has made the following observations on the basis of his inspection of the above centre : —

(i) Though there was complete availability of infrastructure for opening of an Industrial Training Institute at Junagarh, it was not being used on proper lines.

(ii) The certificate issued by the Principal of the Training-*cum*-Production Centre did not help the passed out trainees as it had not been approved by the National Council of Vocational Training.

(iii) There was not a single trainee on roll in Blacksmithy, I. C. Engineer and Turner Trade. The State Government were spending heavily on salary of staff and on other items and on work sections.

(iv) The major portion of the hostel building was being used by the Rural Industries Project for Lac Development.

(v) The sewing machines in the tailoring section were not being serviced regularly.

(vi) Clothe stitched by the trainees were not being sold regularly.

(vii) No follow-up register of passed-out trainees was being maintained.

IV. OTHER ORGANIZATIONS

(18) *Evaluation report on the scheme of aiding subsidised hostels and other voluntary agencies doing Scheduled Castes/Tribal Welfare work in Tamil Nadu under the control of the Director of Harijan & Tribal Welfare, Government of Tamil Nadu*

The Evaluation and Applied Research Department of the Government of Tamil Nadu has conducted an evaluation study on the scheme of aiding subsidised hostels and other voluntary agencies engaged in Scheduled Castes/ Tribal Welfare work in the said State with the objectives of studying (i) the extent to which the various norms stipulated for "recognition" of the hostels have been fulfilled by the managing agencies of the hostels, (ii) to assess the facilities provided to the inmates in respect of accommodation, food, study, games, free-mixing, (iii) to study how the subsidy amount has been utilized by the managements for providing food to the inmates, (iv) to diagnose the factors influencing the overall performance of the hostels, and (v) to make suitable suggestions for improving the operational efficiency of the hostels.

Details of the scheme:

Under the schemes, the Government of Tamil Nadu have made provision to offer boarding grant to the hostels managed by private philanthrophic agencies which have come forward to fulfil the norms laid down by the Government for providing facilities to the students belonging to the eligible communities for pursuing education. The scheme is in operation in all the districts of Tamil Nadu except Kanyakumari, Salem, Dharampuri and Pudukkottai. The scheme is implemented by the respective Collectors in the districts assisted by the District Harijan Welfare Officers the overall coordination vesting with the Director of Harijan & Tribal Welfare.

Some of the important findings of the above study are given below :

(i) Most of the managements had taken proper care in providing facilities and supplying adequate food to the inmates in the hostels.

(ii) The State Government had raised the annual rate of subsidy amount from Rs. 250/- per annum to Rs. 300/- to those hostels which are located in villages and to Rs. 350/- to those located in the Taluk/District Headquarters with effect from December, 1978.

(iii) Frequent inspections of the hostels by the District Officials were felt necessary to tone up the working efficiency of hostels.

(iv) In almost all the hostels there was general complaint that the sanction of subsidy was delayed very badly.

(v) There is no prescribed minimum qualification fixed for the post of hostel warden who plays a key role in proper maintenance of the hostel.

KERALA :

(19) *Working of the Girijan Co-operative Societies, Attapady (Kerala)*

The Kerala Institute for Research Training and Development Study of Scheduled Castes and Scheduled Tribes, Calicut undertook a study to analyse the working of the Girijan Service Co-operative Societies of Attapady Integrated Tribal Development Block Area to find out the actual reasons for the failure and success of the tribal Co-operatives. The Attapady Tribal Development Block covers the tribal population numbering 17.587 of which Irulars are 14,908. The present study has coyered all the Girijan Service Co-operative Societies located at Thavalam, Mukkali, Varangampadi, Pudur, Kottathara and Chindakki.

The following are some of the important findings drawn from the study conducted in all the societies :—

(i) The area of operation of the societies is large which posed a problem for the societies to cater to the needs of the majority of the tribal members.

(ii) The Societies have not taken up any tribal development schemes like construction of houses, running of ration shops, opening of provision stores, etc.

(iii) Accounts relating to the various transactions of the Societies are not kept properly.

(iv) The Societies confine only to issue of crop loan and collection and marketing of agricultural produce.

(v) There is no permanent and active administrative personnel for the development of the Societies.

UTTAR PRADESH

(20) *An exploratory study about the drop-outs at the Primary and Junior levels of education*

The State Planning Institute, Government of Uttar Pradesh, Lucknow undertook an exploratory study about the drop-outs at the Primary and Junior levels of education in the State of Uttar Pradesh to find out the nature of the problems of drop-out among the school-going children in three districts viz., Lucknow, Varanasi and Almora of Uttar Pradesh. Though the study was conducted to assess the extent of wastage of such students among the junior and high school students as a whole, it has a bearing on the extent of wastage of such students among Scheduled Castes and Scheduled Tribes.

The data collected by the Study team about the students admitted in Class I in 1969 and their number in Class VIII in 1976 in the schools of Lucknow, Varanasi and Almora districts reveal that 20.43 percent of the total 93 Scheduled Castes/Backward classes students enrolled in Class I during 1969, have continued upto Class VIII which is higher than the performance of all students who reached Class VIII, their percentage being 16.78 only. No reasons have been assigned for better retention rate among Scheduled Castes and Backward Classes students when compared with all the students taken together. The State Government may furnish reasons for this encouraging trend among Scheduled Castes and Backward Classes students.

The main reasons for the drop-outs among Scheduled Castes are continued absence, domestic work, leaving the villages, name struck off from the attendance register which are due to poverty.

(21) *The problem of atrocities on Scheduled Castes in Bihar—Sample survey in the districts of Rohtas, Bhojpur and Begusarai*

The Bureau of Police Research and Development, Ministry of Home Affairs, Government of India undertook a survey during 1979 on the problems of atrocities on Scheduled Castes in Bihar by covering the districts of Rohtas, Bhojpur and Begusarai to find out the magnitude of the problem in the State and to recommend measures to protect the Scheduled Castes from the highhandedness of other castes.

After analysing different factors which might have led to the committing of atrocities on Scheduled Castes and the nature of atrocities committed on the basis of the statistical information collected for 1978, and also the socio-economic and political causes, the Bureau has arrived at the following conclusions :—

(i) Among many causes which resulted in the committing of atrocities on Scheduled Castes, land disputes largely contribute to these crimes. The sources of conflict and tension are inadequate land reforms, ineffective enforcement of Minimum Wages Act, continuance of bonded labour, rural indebtedness and social disabilities of the Scheduled Castes. While Scheduled Castes are more conscious and aware of their social and economic rights, denial of these rights undermine their confidence in the administration and proves them to adopt an aggressive and assertive posture against all those whom they hold responsible for their growing sense of deprivation.

(ii) The recent decision of the State Government of providing arms at Government expenses to Scheduled Castes in the selected villages has not found favour with the police and administrative authorities on grounds of unsafe dwellings of the Scheduled Castes as also the depleted strength of police at rural police stations which remain unarmed and without the complement of armed police force.

(iii) Another finding of the Bureau is that the police alone is not capable of dealing with this problem on account of its social, economic and political facts. The crimes are mere manifestation of deeprooted socio-economic and political maladies.

(iv) Last but not least, the Gram Panchayat can be profitably used as an institution of management and mediation for dealing with disputes between Scheduled Castes and non-Scheduled Castes.

CHANDIGARH

(22) *Social Service needs of the Scheduled Caste employed women in rural and urban areas*

A Research scholar of Punjab University has submitted a report entitled "Social Service Needs of the Scheduled Caste Employed Women in Rural and Urban Areas". The report covers the Post-graduate Institute of Medical Sciences, Chandigarh (Urban), the labour colony in Sector 25 (Semi-Urban) and three villages surrounding Chandigarh (Rural), the respondents from all the three areas being 120 for the survey. Out of them, there were only 13 (32.5%) belonging to the Scheduled Castes in the urban areas while all the respondents in the

semi-Urban and 26 (90%) respondents in the rural areas belonged to Scheduled Castes. The scholar tried to find out the problems being faced by the employed women in rural and urban areas relating to the working condition, wages, facilities provided by the management such as leave benefits, maternity benefits, etc., the effect of work on family life and vice versa, and what more they need in terms of these benefits.

The following are some of the important findings of the study :

(i) The largest number of workers were found in the age-group of 20-30 years in the semi-urban, 31-40 years in the urban and 41-50 years in the rural areas.

(ii) The conditions around the living quarters were found to be good in the urban areas while in the rural and semi urban areas, there were found to be dirty and there were no sanitary facilities.

(iii) While the urban employees got benefits such as sick leave, maternity leave, casual leave, financial assistance in the form of provident fund and gratuity, those in the semi-urban and rural areas did not get any such benefits although the semi-urban working women could get some leave in case of emergency.

(iv) The scholar has observed the recreation facilities the working women got. It was found during the field work that nearly half of the women went for movie provided by the management for their entertainment, the only type of entertainment which the semi-urban and rural working women could afford was gossiping or at the most going out to fairs or other social gatherings.

(v) While the urban and semi-urban working women asked for more leave provisions, the rural working women felt that nothing could be done for them in this respect as they were daily wage earners.

Scheme of Research Scholarship/Fellowship of the Ministry of Home Affairs

13.6 Annually, 25 awards are made to scholars who have registered as Ph.D. students in the Universities and work on the problems relating to tribal development. These awards are of two types, Doctoral and Post-Doctoral, the value of each being Rs. 400/- and Rs. 600/- p.m. respectively. Other expenses including travelling expenses are also provided to the research scholars. Of the 25 awards made during the year 1977-78, 16 scholars are reported to have been continuing their work. In 1979, 4 scholars have been selected for the Post-Doctoral Fellowship and 21 for Doctoral Fellowship.

13.7 We feel it is useful scheme which will go a long way in exploring new areas of research into the tribal life and culture. We suggest that the number of Scholarships/Fellowships may be increased so as to attract more scholars for carrying on researches relating to both Scheduled Castes and Scheduled Tribes. We further suggest that periodical progress of the research projects undertaken by the scholars should be submitted to the Ministry of Home Affairs and our Commission.

13.8 The services of Research Fellows who are in receipt of Fellowships etc. from the Ministry of Home Affairs for doing Post-Doctoral and Doctoral Research on the problems of Scheduled Tribes should also be utilized by the Tribal & Harijan Research and Training Institutes for conducting researches on the problems of Scheduled Castes and Scheduled Tribes. We, therefore, suggest that the Ministry of Home Affairs should also incorporate this point in their guidelines to the Tribal and Harijan Research and Training Institutes. A recommendation regarding guidelines has been made elsewhere in this Chapter.

Tribal Research and Training Institutes :

13.9 Generally a Research and Training Institute has two wings viz., Research and Training. The Research wing undertakes ethnographic studies, formulation of plans, evaluation of development programmes and provide expert opinion on various programmes and problems relating to tribal and tribal areas, while the Training Wing imparts special orientation coaching for various official and non-official development functionaries engaged in tribal welfare in order to equip them with necessary skills and techniques for efficiently discharging their duties.

13.10 Most of the Tribal Research Institutes have completed about 2 decades of useful research, Originally these institutes were mainly engaged in ethnological studies and some fundamental research. Since the time of introduction of Sub-Plan schemes, their working has acquired a new orientation and the institutes are contributing to the task of planning in the preparation of Tribal Sub-Plan and other project reports including those on Modified Area Development Approach and Micro Projects for primitive tribes, etc. Thus, the Tribal Research Institutes are endeavouring to strive a healthy balance between theoretical and practical researches. The information available with us regarding the studies conducted by various Tribal Research Institutes reveals that the Ministry of Home Affairs entrusted 3 studies, namely, (i) Land Alienation, (ii) Displacement of tribals on account of establishments of industrial, irrigation and other major projects and (iii) the impact of Tribal Cooperative Structure in the tribal Sub-Plan areas with the Tribal Research Institutes with the

Institute-wise position of progress of the three studies taken up or not, is given below:

(a) *Study of land alienation :* Only the Pune Institute has completed the study, while Bhubaneswar, Gauhati, Lucknow and Ahmedabad Institutes have not yet taken up this study. The other Institues at Hyderabad, Calcutta, Calicut, Udaipur, Ranchi and Bhopal have taken up this study.

(b) *Study on displaced tribals on account of establishment of Industrial and Irrigation Projects :* The Institutes at Bhubaneswar, Calcutta, Bhopal Gauhati, Lucknow and Ahmedabad have not yet taken up the study, while the Institutes at Hyderabad, Pune, Calicut and Udaipur has already completed the study and has brought out the report.

(c) *The Impact of Tribal Co-op. Structure in the Sub-Plan area :* The Institutes at Hyderabad, Bhopal, Ranchi and Lucknow have not yet taken up this study, while the Institutes of Bhubaneswar, Calcutta, Udaipur, Gauhati and Ahmedabad have taken up the study. Only the Calicut & Pune Institutes have been able to complete the study.

13.11 We are, therefore, inclined to comment that most of the Institutes have either not taken up the studies or have not so far prepared reports on some of the studies already taken up by them. All the Institutes should take early steps to complete the studies assigned to them by the Ministry of Home Affairs urgently and copies of the reports thereof sent to the Ministry of Home Affairs as well as this Commission.

13.12 The information available further reveals that due to involvement of Tribal Research Institutes in the preparation of the Tribal Sub-Plan, Integrated Tribal Development Project Reports, Micro Projects on primitive tribes, Universal Benchmark surveys and other routine research studies assigned to them by the State Governments from time to time, some of the Institutes could not devote much of their time to other important research projects.

DATA BANK

13.13 The Working Group constituted by the Conference of State and Central Statistical Organisations for preparation of a manual on regional level statistics has finalised the format to develop data bank at district level. It is understood that the Ministry of Home Affairs have suggested to the Central Statistical Organization that such data banks should appropriately have a provision for supplying adequate information in respect of atleast certain key indicators separately for the tribal areas, the Scheduled Tribes and Scheduled Castes. It is felt that the Tribal Research Institutes should also evolve a comprehensive information and reporting system to keep track of the programmes and as a part of this system, there is a need of a data bank being maintained by various Tribal Research Institutes to facilitate scientific preservation and retrieval of quantitative and qualitative data on Scheduled Castes and Scheduled Tribes and their development.

MONITORING AND EVALUATION CELL

13.14 As a matter of fact, it is difficult to assess a situation that is now rapidly changing as a result of various developmental programmes being implemented for the welfare of Scheduled Castes and Scheduled Tribes. Although most of such schemes have taken a long time to get into their stride, the tempo has now greatly increased everywhere which shows that this experiment has to certain extent succeeded in achieving certain tangible results. With a view to keeping a record of the pace of such achievements and taking necessary steps to accelerate the implementation of various programmes by removing the short-coming, bottlenecks, if any, there is need to starting a Monitoring and Evaluation Cell in each Tribal Research and Training Institute. It is understood that the Ministry of Home Affairs, on the suggestion of the Planning Commission, constituted a Working Group on monitoring and evaluation of tribal development and development of consequent to the report submitted by the Central Working Group on monitoring and evaluation of tribal development and development of backward classes sector the State Government have been requested by the Ministry of Home Affairs to create a sound monitoring apparatus having its roots at the ground level, with a view to funnelling the feed back upward to Block, ITDP, District, Divisional, State and National level. The Commission feel that in any system to be evolved on monitoring and evaluation on the basis of the report of the said Working Group, it would be ensured that the Commission's independent role in monitoring and evaluation of programmes is clearly brought out.

POPULAR SERIES ON TRIBAL LIFE AND CULTURE

13.15 We are happy to note that the Ministry of Home Affairs have emphasised the urgent need of bringing out a popular series on the tribal life and culture. In fact, these booklets can be of practical use for the officials and non-officials working in the tribal areas. We feel that these booklets should be simple-written, well printed and well illustrated and should be written in English which can be translated into various regional languages including some major tribal languages. These booklets should contain factual information dealing with historical background, social relations and customs, beliefs and practices, tribal land and system of land tenure which can be related to their development. The task of preparation of these booklets

should be entrusted to the University Professors, Writers of eminence having interest in tribal life and culture, Research Scholars and officers of the Tribal Research Institutes. Adequate amount of money should be made available to the Tribal Research Institutes for undertaking these exercises.

Organisation of Seminars:

13.16 There is also a need for organising Seminars for discussion regarding various problems concerning the Scheduled Castes and Scheduled Tribes with a view to finding out solution to their problems. Such seminars should be arranged by the Tribal Research and Training Institutes with participations of eminent professors of various Universities, Planners, Administrators and Research Scholars interested in the field of research regarding the welfare of Scheduled Castes and Scheduled Tribes. The deliberations in these seminars will no doubt help the Planners in the formulation of various programmes for the benefit of these weaker sections of the society.

Benchmark Survey:

13.17(i) The Benchmark Survey (Universal) sponsored by the Tribal Development Division of the Ministry of Home Affairs is being conducted by the Tribal Research Institutes and the Bureau of Economics and Statistics, etc. in 16 States and 2 Union Territories covered under the Tribal Sub-Plan. This is an important survey inasmuch as it covers all the households, hamlets and villages within the Sub-Plan areas giving details therein regarding the economic status, indebtedness, ownership, and alienation of land, shifting cultivation, association with cooperatives, number of children of school-going age and attending school and level of literacy separately for Scheduled Castes and Scheduled Tribes and others etc. This survey is extremely vital which can be used for formulating schemes for the development of Scheduled Tribes. The information available with us reveals that in none of the States the survey has been completed and in many cases the work has reached the tabulation stage. It further reveals that there are constraints experienced by various Research Institutes in the lack of accommodation for storage of questionnaires and schedules concerning the survey and paucity of funds for computerisation of data and shortage of staff.

(ii) With a view to including points for collection of basic data relating to the problems of Scheduled Castes and Scheduled Tribes in the 1981 census this Commission had, during 1979 and 1980 taken up the matter with the Ministry of Home Affairs and Registrar General India, requesting them to include the following points in the individual slips (universal) for collection of data at the time of census enumeration:

(a) Criteria for full employment and under employment (b) minimum wages for agricultural labourers (c) bonded labour (d) share croppers, their type of tenancy, whether it is oral or recorded (e) ownership of housesites, whether it is oral or recorded (f) benefits derived by the Scheduled castes and Scheduled Tribes families from welfare programmes since Independence.

Though discussion took place at the highest level, the Ministry of Home Affairs and Registrar General did not agree to the proposals for including items mentioned at (b), (c) and (f). They agreed to collect partial data in respect of share croppers but expressed inability of the Registrar General's organisation to find out whether the share croppers were recorded as such in land records. In respect of item (a) the Registrar General clarified that the data relating to full employment and under employment will be collected in accordance with the policy decision of the Planning Commission. As regards ownership of housesites, it was stated by the Registrar General that the housesites details were already included in the House-hold Schedule.

It was suggested by the Registrar General and the Ministry of Home Affairs that the associated organizations such as the Central Statistical Organization, the National Sample Survey Organization etc. may be approached by the Commission for collection of relevant data. The Commission feel that as the matter is of crucial importance for planning measures for economic advancement of Scheduled Castes and Scheduled Tribes it would be essential for said associated organizations namely Central Statistical Organization/Central Sample Survey Organization to conduct Bench-mark Surveys in respect of items not covered by the Registrar General in the Census Operations so that the analysis of the data on these items is made available to the planners both at the Central level and the State level, for appropriate action.

13.18 Considering the importance of this survey in the light of formulation of schemes for the welfare of Scheduled Tribes, we feel that there is urgent need for completing it within the shortest possible time and all efforts should be made by the Ministry of Home Affairs and State Governments concerned to remove constraints experienced by the Tribal Research Institutes and other agencies in completion of this assignment, we suggest that similar studies may be undertaken in respect of the Scheduled Castes so that schemes best suited to their economic development can be formulated for being covered under the Special Component Plan for Scheduled Castes.

RESTRUCTURING OF TRIBAL RESEARCH INSTITUTES

13.19 Due to the increase in the volume of work of the Tribal Research and Training Institutes as a result of their association with the task of preparation of Tribal Sub-Plan documents, Integrated Tribal Development Project Reports, identification of primitive tribals and preparation of project reports for their development, various studies connected with the formulation of welfare schemes for the Scheduled Castes under Special Component Plan, Universal Benchmark Survey and some research studies of regional nature, it is felt that the Tribal Research and Training Institutes should be strengthened with the provision of adequate staff and funds. These Institutes should be composed of multi-disciplinary teams whose members are well versed in the subjects like Anthropology, Sociology, Economics, Psychology, Linguistics, Statistics, etc. In other words, these institutes should represent an integrated personality to be able to handle the task which basically is of integrated nature, i.e. the integrated development of the weaker sections of the society. The Institutes should be placed under the administrative control of the Department dealing with the welfare of Scheduled Castes and Scheduled Tribes so that various positive gains with regard to availability of funds and research personnel accrue to these Institutes with the least delay. In addition, these Institutes should have close association with academics of various Universities which will enrich the quality of work in these Institutes. The Commission reitereate the suggestion of the Ministry of Home Affairs conveyed to the State Governments that the Advisory Committees of the Tribal Research and Training Institutes should be headed by the Chief Minister of Minister-in-charge of Scheduled Castes and Scheduled Tribes Welfare in the State in order to give more weightage to the status of these Institutes. Moreover, representatives from various Universities, reputed academic Institutions, Anthropological Survey of India and non-officials well conversant with Scheduled Castes and Scheduled Tribes welfare matters should be taken as members in these Advisory Committees. These Committees should meet at least twice a year to review the working of these Institutes in the context of assignments and progress of research studies entrusted to them.

13.20 The Directors of the Tribal Research Institutes, Gauhati, Pune and Bhubaneswar, have already been declared as Heads of Departments. This has been rightly done to give some autonomy in administration to the Directors of these institutes in financial matters. The Commission strongly feel that the other State Governments having such institutes shall follow suit by declaring the Directors of their institutes as Heads of the Departments.

13.21 The Commission recommend that like Orissa and Kerala Institutes, the other Tribal Research and Training Institutes should be renamed as Tribal and Scheduled Castes Research and Training Institutes.

13.22 The Commission have noted that these Institutes are confining their activities only to the States in which they are located. In other words, other States/Union Territories which have got no such Institutes are not able to get the service of these Institutes. These Institutes are being financed by the Central Government. We, therefore, recommend that like the Centrally Sponsored Schemes of All India Services Preexamination Training Centres, the Institutes should also cater to different regions of the country in such a manner that all the States/Union Territories covered by their programmes. The Ministry of Home Affairs being the nodal Ministry would of course ensure by issue of suitable guidelines to the Institutes so that the jurisdictions of these Institutes are well defined.

BUREAU OF ECONOMICS AND STATISTICS

13.23 Besides the Tribal Research and Training Institutes, the Bureau of Economics and Statistics in various States and Union Territories assume a major role in the planning process by undertaking studies which, *inter alia,* include demographic studies, impact of developmental schemes, domestic consumption, household assets and receipts and payments, impact on employment in industrial areas and such other studies related to the economic development of the people in the States and Union Territories.

13.24 We are sorry to comment that the Bureaux of Economics and Statistics in the States and Union Territories having sizeable population of Scheduled Castes and Scheduled Tribes, have not paid the desired attention to the problems of these weaker sections. Quite a good number of special programmes are under implementation for the welfare of weaker sections which, *inter alia,* include Scheduled Castes/Scheduled Tribes in the various States and Union Territories. We, therefore, recommend that the Bureaux of Economic and Statistics should invariably invite proposals from the Department dealing with the welfare of Scheduled Castes and Scheduled Tribes in the State Governments/Union Territory Administrations as well as the Tribal Research and Training Institute, if there is one, regarding the studies to be undertaken during the year. The Director, Scheduled Castes and Tribes Welfare Department in the State Government, the Director of Tribal Research and Training Institute, if there is one as well as the field organization of this Commission should be associated with the Committee in the Bureau of Economics & Statistics which vets the above proposals.

13.25 We are of the opinion that having regard to the various problems facing the Scheduled Castes and Scheduled Tribes and with the implementation of various welfare programmes as also legislative measures, the following important studies which have a bearing on the

development process should be considered for being conducted by the Tribal Research Institutes/Bureau of Economics and Statistics and other organisations including University Teaching Departments :

(1) Bonded Labour :
  (i) Identification of bonded labourers
  (ii) Evaluation of the rehabilitation programmes for freed bonded labourers

(2) Evaluation study on the working of the provision contained in Sec. 15. A. of the PCR Act, 1955

(3) Land Reforms Act including the problem of land alienation and measures taken to check the same.

(4) Reservation in Services & Posts for Scheduled Castes and Scheduled Tribes both or the Union and State Governments.

(5) Electrification of Scheduled Castes bastis & Tribal hamlets.

(6) Enforcement of social legislation like Minimum Wages Act with special reference to its applicability to agricultural labourers.

(7) Drinking water supply to Scheduled Castes and Scheduled Tribes.

(8) Evaluation study on the accrual of benefits to Scheduled Castes and Scheduled Tribes out of special programmes like SFDA, MEAL, ITDPs, DPAP etc.

(9) Study on the Tribal unrest.

(10) Evaluation study on the loan schemes implemented by the Scheduled Castes Development Corporations.

(11) Indebtedness among the Scheduled Castes/Scheduled Tribes.

Broad guidelines laying down the objectives and scope of the above studies should, of course, be prescribed by the Union Home Ministry in consultation with this Commission.

Training :

13.26 Training forms and integral part of the curricula of the Tribal Research and Training Institute which imparts special orientation training to various official and non-official functionaries engaged in the welfare and developmental programmes among tribals in order to make them understand the historical background, living conditions, psychological and sociological background, cultural life and multifarious problems of the tribals. This has been felt necessary because the major handicaps for the developmental programmes not being result-oriented has been due to lack of proper training of the officials in the tribal life and culture. It will not be out of place to mention here that once late Pt. Jawaharlal Nehru had said "we ought to be careful about appointing officers anywhere, but we must be doubly so when we appoint them in tribal areas. An officer in the tribal areas should not merely be a man who has passed an examination or gained some experience of routine work. He must be a man with enthusiasm, whose mind and even more so whose heart understands the problems, it is his duty to deal with".

13.27 Detailed information regarding organisation of training by various Tribal Development Institutes are not available with us with the result it is not possible to offer our comments in regard to the training programmes conducted by them. From our experience during the course of tours in various parts of the country and the reports available with us, we infer that there are a few trained workers in project areas having orientation training. It is due to this gap in the preparation of the minds and attitudes of the workers that the development programmes have not succeeded in achieving the objectives of various programmes in the tribal areas. It is, therefore, emphasised that the training programmes for all workers connected with the implementation of programmes for the welfare for Scheduled Castes and Scheduled Tribes should be organised by the Tribal Research Institute. A comprehensive programme for the training of various categories of lower level officials in the Departments of Revenue, Home (Police), Cooperation, Forest, Agriculture, Industries, etc., would not only bring improvement in the welfare programmes, but also arrest the unrest among the Scheduled Tribes and Scheduled Castes due to under-percolation of benefits to them. Such programmes would have the focus in sharpening the observations of these officials.

ANNEXURE I

Statement showing the research and evaluation studies/inspections conducted/completed during 1979-80 *by*

(i) The Bureaux of Economics and Statistics

(ii) The Harijan and Tribal Research Institutes

(iii) The Field Offices of the Commission for Sch. Castes & Sch. Tribes

(iv) Other Organisations.

Sl.No.	Name of the Office/ Organisation	Title of the Study	States/U.Ts	Remarks
1	2	3	4	5
		(i) *Bureau of Economics and Statistics*		
1	Directorate of Economics & Statistics, Himachal Pradesh, Simla.	1. Evaluation study regarding land to landless Scheduled Caste persons.	Himachal Pradesh	
2	Directorate of Economics & Statistics, Manipur, Imphal.	2. Benchmark Survey of Manipur West District	Manipur	
3	Directorate of Economics & Statistics, Maharashtra, Bombay	3. Evaluation study of the schemes of supply of electric pumpsets to Advasi agriculturists.	Maharashtra	
		4. Evaluation study of the minor Irrigation Projects benefitting Tribal Sub-Plan Area	Maharashtra	
		5. Evaluation study of the Medium Irrigation Projects benefitting Tribal Sub-Plan Area	Maharashtra	
4.	Bureau of Economics & Statistics, Kerala, Trivandrum.	6. Socio-economic Survey of Tribals in Kerala	Kerala	
5.	Economic & Statistical Organisaion, Punjab, Chandigarh	7. Grant of subsaidy to Scheduled Castes for Purchese of Agricultural land	Punjab	
		8. Working of the Punjab Scheduled Castes land Development and Finance Corporation	Punjab	
		9. Report on Surtapur Form in Ropar District.	Punjab	
6.	Economic and Statistical Organisation, Haryana, Chandigarh	10. Assessment of the benefits accrued to Scheduled Castes from various schemes and programmes in Haryana.	Haryana	
		(ii) *Harijan and Tribal Research Institutes*		
7	Cultural Research Institute, West Bengal, Calcutta.	11. Alienation of Tribal Land in Bagmundi & Arche of the district of Purulia	West Bengal	
		12. Benchmark Survey in ITDP mouzas of West Bengal	West Bengal	
		13. Assessment of progress of Secondary education amount the Scheduled Tribes & Scheduled Castes of West Bengal during 1961-71	West Bengal	
		14. Community identification of Kharwas of the district of Malda	West Bengal	
		15. Stagnation among Scheduled Castes and Scheduled Tribes students in comparison with other community students in the Secondary stage of education of West Bengal during 1973	West Bengal	
		16. Factors retarding the progress of education among the Scheduled Castes & Scheduled Tribes	West Bengal	
8.	Tribal Research and Training Institute, Gujarat Vidyapith, Ahmedabad.	17. Block level Planning for Full employment	Gujarat	
		18. Resurvey of Bhil Villages (Itave and Maghanisar)		
		19. Resurvey of Vasava Village (Mohini)	Gujarat.	

1	2	3	4	5
9	Tribal Cultural Research and Training Institute, Hyderabad	20. Monography of Chenchus	Andhra Pradesh	
		21. Three Model Tribal villages	Andhra Pradesh	
		22. Incidents of blindness among the tribes of Andhra Pradesh	Andhra Pradesh	
		23. Fertility and Family planning among 5 tribal communities of Srikakulam	Andhra Pradesh	
		24. Basic studies on Scheduled Tribes—Kolams Konda Kummaris Manner-warlu and Holva	Andhra Pradesh	
		25. Pottentialities of dairy development in tribal areas of Visakhapatnam	Andhra Pradesh	
		26. Evaluation of ITDP for Chenchus	Andhra Pradesh	
		27. Evaluation of Special Nutrition Programme in the tribal areas of Warangal district	Andhra Pradesh	
		28. Evaluation of Special Nutrition Programme for tribals in the district of Srikakulam and Visakhapatnam	Andhra Pradesh	
		29. Study of timely award of scholarship	Andhra Pradesh	
		30. Evaluation of the scheme of Nationalised Text-Books.	Andhra Pradesh	
		31. Second leg of Benchmark Survey, Srikakulam District.	Andhra Pradesh	
		32. Benchmark survey in Sub-Plan areas	Andhra Pradesh	
10	Tribal Research and Training Institute, Pune.	33. A Study of assessment of tribal youths training programmes conducted by the Tribal Research and Training Institute, Pune.	Maharashtra	
		34. Status of land ownership of the tribal people and how far the legal and actual position merge from various steps taken to protect their interest and present policy about alienation & allotment of land.	Maharashtra	
		35. Universal Benchmark survey of Tribal Sub-Plan and additional Tribal Sub-Plan villages and Hemlets in Maharashtra State.	Maharashtra	
		36. Evaluation of Dabchari Dairy Development Project in Thane District.	Maharashtra	
11	Tribal and Harijan Research-cum-Training Institute, Orissa.	37. Preparation of report on 2nd leg Benchmark survey of Parlakhemundi T.D.A.	Orissa	
		38. Restudy of Hill Bhuinyas of Sundergarh and Keonjhar district.	Orissa	
		39. Socio-economic survey among the Scheduled Tribes inhibiting the Dandakaryana areas	Orissa	
		40. Study on incidence of disease and nutritional status of Kondhs of Belghar area	Orissa	
		41. Study on incidence of diseases and nutritional status among Pauri Bhuinyas of Bonai area	Orissa	
		42. Evaluation of Saora Development Agency	Orissa	
		43. Preliminary tabulation work on Universal Benchmark survey.	Orissa	
		44. Evaluation of Dugwell scheme in Parlakhemandi, Gunupur, Rayageda, Sundergarh and Kuchinda areas.	Orissa	
		45. Study of Caste status of the following communities:— (i) Kamar, Kol Kamar & Chapua Kamar (ii) Purna, Bhanja Para & Tamaria Puran (iii) Jhera/Jhora (iv) Majhi/Mojhie/Majhia (v) Rautia (vi) Bhagata/Bhokta (vii) Kamar, Chapna Kamar and Kal Kamar	Orissa	
12	Tribal Research and Training Institute, Rajasthan, Udaipur.	46. Kadana Resettlement	Rajasthan	

1	2	3	4	5
		(iii) *Field offices of the Commission for Sch. Castes and Sch. Tribes.*		
13	Director for Scheduled Castes & Scheduled Tribes, Madras.	47. Trend of resentment against reservation for Scheduled Castes and Scheduled Tribes in Legislatures and Services.	Kerala	
		48. Study on hostel facilities provided to Scheduled Castes and Scheduled Tribes students in Karnataka.	Karnataka	
14	Director for Scheduled Castes & Scheduled Tribes, Ahmedabad.	49. A sample study on the impact of Special/Separate booths set up for Scheduled Castes and Scheduled Tribes during Mid-term Lok Sabha Election, 1980	Rajasthan, Gujarat & Maharashtra	
		50. Trend of resentment against reservation for Scheduled Castes and Scheduled Tribes in Legislatures and Services.	Maharashtra	
15	Deputy Director for Scheduled Castes & Scheduled Tribes, Lucknow.	51. Inspection of the Schemes run by the Indian Red Cross Society in Jaunsar-Bawar area of Dehradun, Uttar Pradesh.	Uttar Pradesh	
		52. The working of the Institutions run by the Hind Sweepers Sevak Samaj in Uttar Pradesh.	Uttar Pradesh	
		53. Inspection of Ashok Ashram, Kalsi, Dist. Dehradun, Uttar Pradesh.	Uttar Pradesh	
16	Director for Scheduled Castes & Scheduled Tribes, Patna.	54. Trend of resentment against reservation for Scheduled Castes & Scheduled Tribes in Legislatures and Services.	Bihar	
17.	Deputy Director for Scheduled Castes & Scheduled Tribes, Bhubaneswar.	55. Trend of resentment against reservation for Scheduled Castes & Scheduled Tribes in Legislatures and Services.	West Bengal & Orissa.	
		56. Inspection of Modified Area Development Agency, M. Rampur and Training-cum-Production Centre, Junagarh in Kalahandi District, Orissa.	Orissa	
18	Director for Scheduled Castes & Scheduled Tribes, Bhopal.	57. A sample study on the impact of Special/Separate booth set up for Scheduled Castes & Scheduled Tribes during the Mid-term Lok Sabha Election, 1980.	Madhya Pradesh	
		(iv) *Other Organisations*		
19	Evaluation and Applied Research Department, Government of Tamilnadu, Tamilnadu.	58. Evaluation study on the scheme of Aiding subsidised hostels and other voluntary Agencies in Harijan & Tribal work under the control of the Director for Harijan & Tribal Welfare, Government of Tamilnadu.	Tamilnadu	
20	Institute for Research, Training and Development Studies of Scheduled Castes and Scheduled Tribes, Calicut.	59. Working of Girijan Service Co-operative Societies of Attapaddy.	Kerala	
		60. A Study report on the Cholinaichen of Nilamber.	Kerala	
21	The Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, New Delhi.	61. The problem of atrocities on Harijans in Bihar—Sample Survey in the districts of Rohtas, Bhojpur and Begusarai.	Bihar	
22	Manpower Planning Division, State Planning Institute, Lucknow.	62. Drop-cuts at the Primary and Junior levels of education.	Uttar Pradesh	
23	Department of Anthropology, Punjab University, Chandigarh.	63. Social Services needs of the Scheduled Castes employed wemen in rural and ubran areas.	Chandigarh.	
24	ANS Institute of Social Studies, Patna.	64. Tribal participation in Panchayati Raj in Ranchi District.	Bihar	
		65. A study of tribal children.	Bihar	
		66. The Munda Elite	Bihar	
		67. Socio-economic impact of Rural Electrification in the tribal areas in Bihar.	Bihar	
		68. A study of the Sauriya Paharis of Rajmahal Hills with special reference to their declining population and developmental needs.	Bihar	

1	2	3	4	5
		69. Harijan atrocities—A case study of the Pipra carnage.	Bihar.	
		70. Evaluation of the Antyodaya Programme in Bihar with special reference to Scheduled Castes.	Bihar	
		71. Patterns of exploitations of the Scheduled Castes in Bihar.	Bihar	
		72. A study of Bonded Labour among Scheduled Castes and Scheduled Tribes in the Palamau District.	Bihar	
25	Indian Council of Social Science Research, New Delhi.	73. Settlement Pattern of some tribal groups of the North East : The Khasis and Garos of Meghalaya.	Meghalaya	
		74. Career and placement study of Scheduled Castes and Scheduled Tribes candidates who passed School final examination in selected two districts in Tamilnadu.	Tamilnadu	
		75. Occupational Mobility among the Khasis of Shillong Pner and Jawai and Gases of Ture, the three Urban cities of Meghalaya.	Meghalaya	

CHAPTER XIV

STUDY TOURS OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

In response to the special responsibility placed on this Commission vide Government of India Resolution referred to in the Chapter on 'Organisational set up and Functions of the Commission', this Commission have undertaken tours in various parts of the country during 1979-80 and have studied, *inter-alia*, about the safeguards provided for Scheduled Castes and Scheduled Tribes and the development programmes being implemented for their welfare. Their tour notes wherein they have made various observations and recommendations have been given in this chapter. These study tours relate to the studies made by the Commission and do not include studies made by the Commissioner for Scheduled Castes/Scheduled Tribes in respect of which he submits separate report to the Government of India.

Particulars of Tours

Sl. No.	Name	Duration of tours	Schemes studied
1	2	3	4
1(a) (i)	Shri Bhola Paswan Shastri, Chairman	5th to 7th May, 1979	Study of Antyodaya Programme in Rajasthan.
(ii)	Shri R. P. Khanna, Secretary		
(b)			Follow up of the study on the Antyodaya programme in Rajasthan.
2	Shri Bhola Paswan Shastri, Chairman	8th to 11th June, 1979	Study of Antyodaya programme in West Champaran district of Bihar.
3	Shri T. S. Negi, Member	8th to 8th Oct., 1979	Study on bonded labour system in U.P. & H.P.
4	Commission for Scheduled Castes and Scheduled Tribes	23rd to 27th Oct., 1979 & 7th to 11th January, 1981	Study of land reform and the "Operation Barga" system in West Bengal.
5	Do.	Nov., 1979 to January, 1981	Study of Land Reform in Kerala.
6	Shri Bhola Paswan Shastri, Chairman	February, 1980	Visit to Birhor colonies in Bihar.
7	Shri T. S. Negi, Member	24th to 29th Feb., 1980	Study of various welfare programmes/institutions in Bihar.

14.2 The notes in respect of the above tours are given below ad seriatim :

1 (a) *Study of Antyodaya Programme in Rajasthan from the 5th to the 7th May, 1979.*

Introduction

14.3 The Chairman, Shri Bhola Paswan Shastri, accompanied by the Secretary, Shri R. P. Khanna, visited Rajasthan from the 5th to the 7th May, 1979. On arrival, the details of the Antyodaya Programme were discussed with Shri Satish Kumar, Commissioner for Antyodaya Programme and his officers. Later on the Chairman also held discussions with the Chief Minister of Rajasthan.

General data about Rajasthan State

14.4 Rajasthan has a total population of 2.58 crores (1971) with an area of 3.42 lakh sq. kms. The density of population per sq. kilometer is 75 and is the lowest among the major States in India (leaving out Himachal Pradesh and Jammu and Kashmir) as against the national average of 173 per sq. kilometer. Therefore, the man : land ratio in Rajasthan is fairly high. The total number of workers in the rural areas is about 69 lakhs out of which about 51 lakhs are cultivators and 7 lakhs are agricultural workers. The percentage of cultivators with reference to rural workers is about 74 and of agricultural labourers 10.5. The population of Scheduled Castes is 16 per cent and

that of Scheduled Tribes 12 per cent, i.e., the total of Scheduled Castes and Scheduled Tribes in the State is 28 per cent. There are 26 districts consisting of 33,000 villages.

Rural poverty

14.5 In so far as the estimate of rural poverty is concerned, three studies have been conducted in Rajasthan. One of them, which was conducted by the National Council for Applied Economic Research, determined the percentage of people below the poverty line at 56.36 per cent at 68-69 prices. The second estimate relates to the National Sample Survey (NSS). The draft report of NSS of 1975 has determined the percentage of people below the poverty line at 44.76 or 45 percent. The third study has been conducted by the State Directorate of Economics and Statistics of Rajasthan. This Study places the percentage of rural population below the poverty line at 63.47 per cent. As the different Studies have followed different base model for computing income or consumption level with a view to arriving at the figure of population below the poverty line, the State Government has as a working proposition adopted the figure of 56 per cent of rural population as living below the poverty line.

Field visits, discussions with officials and analysis of schemes

14.6 On the first day, i.e., the 5th May, apart from discussions with the Chief Minister and local officers at headquarters of the State, field visits were made in Jaipur district in two villages, viz., Bhombala, about 20 Kms. from Jaipur and Laliakawas, which is also about 20 Kms. from Jaipur. Collector, Jaipur accompanied the team during these field visits. In the first village out of 5 beneficiaries under the Antyodaya programme, only 3 could be contacted. The other two had gone out and, therefore, were not available. In the second village, there were 4 beneficiaries and all were contacted.

14.7 On the second day the Team visited Ajmer district accompanied by the Project Officer (Credit), Antyodaya Programme. On the way the Ajmer Collector, Smt. Krishna Bhatnagar, met the team at village, Gangwana, about 16 kms. from Ajmer. Gangwana is Panchayat headquarters as well as Patwari headquarters. The local officers had arranged to collect the beneficiaries under the Antyodaya Programme from the neighbouring village at Gangwana itself, viz., Gangwana, Chandiawas and Jethana. The total number of beneficiaries contacted in these Villages was 9 (including 3 pensioners). There were two cases in which the question of supply of bullocks was under processing as the applicants already had some land. There was one case in which the question of supply of sheep was under processing. There was another case in which the question of giving a welding machine was under processing.

14.8 Later in the afternoon the Team accompanied by the Collector, Ajmer visited another village, viz., Mangliawas, which is about 24 kms. from Ajmer. This village also is Panchayat headquarters. In this village also the beneficiaries and Sarpanches from the neighbouring villages had been collected. The beneficiaries were mainly from Mangliawas, Gola, Jathana, Dumara, Sardana, Amarged, Liri and Brichiawas. The total number of beneficiaries contacted in this village was 19 (including 11 pensioners).

14.9 The beneficiaries had received benefits mainly under the following schemes :

(1) There were 8 cases in which milch buffaloes had been supplied.

(2) There was one case in which a cow had been supplied.

(3) There were 4 cases in which goat units consisting of 10 goats and one buck had been supplied.

(4) There was one case in which a sheep unit consisting of 30 sheep and one ram had been supplied.

(5) There were two cases in which camels and carts were supplied.

(6) There was one case in which a sewing machine had been supplied.

(7) There were 4 cases in which loans had been given for digging irrigation wells in their land for increasing the productivity of the land.

(8) There were 14 cases in which pension had been given. This included one case of couple.

As already indicated above, there were a few cases which were under process for supply of bullock and sheep, etc.

14.10 A list of beneficiaries giving details of benefit obtained in each case is attached in Annexure I. Out of total number of 35 cases, the number of Scheduled Castes beneficiaries were 29. The cases of persons which are still under processing have been indicated in Annexure II.

14.11 Rajasthan State consists of 26 districts out of which 19 districts are covered under different programme SFDA, MFAL, DPAP and Desert Area Programme etc. There are 7 districts which are not covered by any programme under the Central sector.

14.12 Broadly, the pattern that the State Government have followed is that in the districts covered by Central programmes, they have tried to link up the beneficiaries with the Central Programmes concerned while in the seven districts in which there is no Central programmes, they have provided funds from the State exchequer under the State Plan on the lines of the Central Sector programme indicated above.

14.13 Another special feature is that while the Central sector schemes are of special nature, which primarily concern agriculture, animal husbandry, development etc., in the Antyodaya programme they have extended the scope by giving them occupation in other spheres also such as opening of tea stalls, cycle repair shops, barber's shops etc., according to the choice of the beneficiaries. In such cases, irrespective of whether the districts concerned are covered under the Central or State sector schemes, the State Government have provided for funds under the State sector.

Antyodaya Programme—its aims and objectives and special features

14.14 The question that may arise is as to what is the basic difference between the Antyodaya programme and other programmes which are meant for the comparatively poorer sections of the population, viz., SFDA, MFAL, DPAP etc. Though the SFDA, MFAL, DPAP etc. programmes were intended to benefit the rural poor such as small and marginal farmers and the landless labourers, yet no special effort was made to ensure that the benefits of the schemes would go to the poorest of the poor. The benefits under this scheme were extended to various categories of people who came forward irrespective of whether they were below the poverty line or not and irrespective of whether they were, broadly speaking, more affluent than the others. The result was that even among the small and marginal farmers and landless labourers, the benefits were secured mainly by the comparatively more affluent sections among these groups rather than the poorest sections.

14.15 (a) The Antyodaya Programme, however, was started with the principal objective of giving benefit, starting with the poorest of the poor in the village and moving upwards based on the criteria of poverty. A micro approach was adopted with family as the main unit to identify the poorest families in each village and extend to them the benefits under the different programmes in order of priority starting from the bottom upwards.

(b) Another distinguishing feature of the programme is that no distinction is made on the basis of caste, religion, domicile etc. Identified families consist of all religions and castes, including Scheduled Castes and Scheduled Tribes.

(c) Another special feature of the programme is that the Government machinery itself takes the initiative in the matter, granting benefits to the poor families. For this purpose the Government machinery moves into the villages and approach the poorest families at their doorsteps.

(d) Another distinguishing feature is that the programme has been taken up in all the villages in the States so as to ensure that the benefits of the programme reach out in all the regions of the State, so that there is no regional imbalance at all in the State.

(e) One of the main features of the programme is that even among the poorest of the poor families there are cases of indigent old persons who are either singles or couples but have nobody to support them and they have themselves become unable, because of age or physical disability, to earn a living on their own. All such cases are being covered in the Antyodaya programme by the Government pension scheme, which is Rs. 40 per head in respect of an individual and Rs. 60 for a couple. This scheme is very important from the Gandhian school of thought and humanitarian point of view for which the Planning Commission of the country have not made any provision in their Plans, with the result that this class of indigent people, who are the most vulnerable sections of the society, had been completely left out of the Planning Process. The Team is happy to note that the State Government have made a provision for this scheme out of their own funds.

(f) As already indicated above, another important feature of the programme is that though the existing Central sector schemes are of special nature, primarily concerning agriculture, animal husbandry etc., in the Antyodaya programme the State Government have extended the scope by giving occupation in other spheres such as opening of tea stalls, cycle repair shops, barber shops, laundry shops, pan shops etc., according to the choice of the beneficiaries. In such cases the State Government have provided for funds in the State sector. The Team is glad to note that this has further widened the net of coverage of the poorer sections of the society.

Criteria for selection of beneficiaries

14.16 Broadly, the criteria laid down for the selection of families are as follows :

(1) Families under severe destitution having no economic asset and no member in the age group of 15—69 years capable of economic activity.

(2) Families having no economic assets but having one or more persons capable of economic activity where annual family earnings do not exceed Rs. 1200.

(3) Families of landless people and artisans etc. whose annual income is between Rs. 1200 to Rs. 1800.

(4) Remaining families having land and other assets but living below the poverty line.

14.17 With a view to ensuring that in the first instance benefits reach out to those sections of the population whose earnings are lower than even those who, though below the poverty line, are yet near the poverty line, criterian (4) has since been modified and from the second round onwards under criterian (4) only families having

land and some assets but whose income is below Rs. 1800 can be identified.

14.18 Another change that has been introduced is that while in the first round five families were identified in all villages irrespective of their size, in the second round the number to be identified in the villages of various population groups has been fixed as follows :

(i) Villages with population upto 500	3 families
(ii) Villages with population from 501 to 1000	5 families
(iii) Villages with population from 1001 to 1999	7 families
(iv) Village with population of 2000 and above	10 families

14.19 As on 31-3-79, 1,52,582 families had been identified in the first round for giving benefits in 32,638 villages. In the first round it was found that there was not a single poor family in 1280 villages.

In the second round the number of families identified is about 1,12,000 in 31,423 villages. Identification in some of the other villages is still continuing but it has been found that in the second round there was not a single poor family in 2,887 villages.

Benefits accruing to Scheduled Castes & Scheduled Tribes

14.20 Another point to be noted is that while no distinction has been made for the selection of families on the basis of religion or caste, yet in the first round 57,134 (36%) families which were identified for giving benefits belong to Scheduled Castes and 36,032 (22%) belong to Scheduled Tribes. Thus, in the first round nearly 58 per cent of the total identified families belong to the Scheduled Castes and Scheduled Tribes. In the second round so far 40,294 Scheduled Castes families (36%) and 19,247 Scheduled Tribes families (17%) making a total of nearly 53 per cent Scheduled Castes and Scheduled Tribes families have been identified for giving benefits under the scheme. This confirms the general impression that the Scheduled Castes and Scheduled Tribes form the the majority of the poorest of the poor in the rural areas.

14.21 Out of the families selected in the first round nearly 90% of the identified families have been provided with means of livelihood. Out of the families identified in the second round about 35 per cent of the families have so far been provided with benefits. The balance of the cases are under processing.

14.22 Broadly speaking, the pattern of selection is that in the first instance local Patwaris and VIWs prepare lists of about 10.15 eligible families starting with the poorest family in the villages concerned according to the criteria prescribed by the Government. They are expected to prepare these lists in consultation with the local Sarpanches and other local leaders. Later on these lists are placed before the Gram Sabha of each village in which the local MPs and MLAs are also invited. The local DOs, the Tehsildars and other officers also attend these meetings. The idea is that the local villagers with their intimate knowledge of each family would be able to screen out those cases which are not the poorest of the lot and which do not deserve immediate assistance. Out of the lists prepared by the Patwaris/VLWs, the Gram Sabha selects five beneficiaries (First round) and 3 to 10 beneficiaries depending on the size of the village in respect of the second round. It is open to the Gram Sabha to accept or reject any or all the names and to modify the lists. The decision of the Gram Sabha is generally considered final. After the finalisation of the lists in the same meeting and taking into consideration the choice of the families in respect of the benefits to be given to them, suggests the best possible ways of assistance to the selected families to enable them to achieve a reasonable level of income. Each identified family under the Antyodaya programme is supplied with an identity card.

14.23 Based on the data compiled on the socio-economic profile, a plan of action is prepared at the block level by the BDO with the help of his extension staff and technical officers available at the Block and District level. These plans are then consolidated to form the District Antyodaya plans and they are discussed in the District Antyodaya Committee and given the final shape.

14.24 The District Antyodaya Committee consists of the following members :

(i) Collector	Chairman
(ii) Zilla Pramukh	Member
(iii) MLAs	Members
(iv) All District Level Officers of Agriculture, Animal Husbandry, Coooperation, Irrigation, Public Works Department, Rajasthan State Electricity Board, Public Health Engineering Department, Forest, Statistics, Social Welfare	Members
(v) Additional District Development Officer/Deputy District Development Officer	Members
(vi) Representative of Milk Union .	Members
(vii) Manager, Central Cooperative Bank	Members
(viii) The representatives of Commercial Bank	Members
(ix) Secretary, Land Development Bank	Member
(x) Project Officer, Small Farmers Development Agency/Project Director, Drought Prone Area Programme/Desert Development Authority	Member-Secretary

Impressions of this Team in respect of selection of beneficiaries

14.25 It appears that local MPs have not been included in the District Antyodaya Committees as regular members. Since the MPs are also representatives of the people the Team would recommended that they should also be included as regular members of the District Antyodaya Committees.

14.26 On the basis of the visits of this Team to the villages, and direct contact with the families who benefited from the programme, the Team feels that, by and large, the beneficiaries who had been selected were deserving cases and had been carefully chosen. In the case of one village, viz., Chandiawas, in Ajmer district, it was noticed that all the beneficiaries had land and they had gone in for digging irrigation wells in their land. The Team made special inquiries as to whether there was any landless labourer in the village but was informed by the Collector, Ajmer that in Chandiawas there was no landless family at all as the Kisengarh estate in which these villages were originally included had settled surplus land with all the landless labourers in the villages with the result that Chandiawas did not have any landless villagers at all.

Financial pattern of the Antyodaya programme

14.27 Broadly, the Antyodaya programme, apart from following the principle of starting from the poorest family or bottom upwards, has followed the pattern of Central Schemes in so far as the financial aspects of the programme are concerned. For instance, under the Central Sector a landless labourer or a marginal farmer is entitled to one-third subsidy and two-thirds loan from a Commercial or a Cooperative Bank, while a small farmer is entitled to 25 per cent subsidy and 75 per cent loan. This very pattern has been followed in the case of the Antyodaya programme also.

14.28 One of the facts that came to the notice of the Team is that while the Commercial Banks are charging interest at the differential rate of 4 per cent, initially the Cooperative Banks were charging 13 per cent interest, which was exceedingly high. It was subsequently reduced to 10 per cent and later on to 9 per cent. With a view to further reduce the burden of interest on the poor beneficiaries who take loan from Cooperative Banks, the State Government have taken the initiative of giving a subsidy of 3 per cent on interest in respect of the Cooperative Banks. So the beneficiaries who have got loans from the Cooperative Banks have to pay a net interest of 6 per cent only.

14.29 The Team is of the view that since the Antyodaya programme is meant for the benefit of the poorest of the poor and since a large number of cases relate to those who are landless workers it would be more appropriate if the rate of interest is uniformly brought down to the level of 4 per cent, which is the differential rate of interest allowed by the Commercial Banks. In any case in respect of landless families this lower interest rate of 4% should be uniformly applicable. This is a matter which the State Government may like to consider.

14.30 Initially the banks were demanding separate guarantors with assets, in addition to the pleading of the buffaloes or goats or sheep etc. given to the families concerned. This condition of the banks regarding furnishing of third party guarantees by people holding local assets led to considerable difficulties in giving benefits to the poor families, particularly the landless families. The State Government held discussions with the representatives of the Reserve Bank, the Cooperative Banks and the Commercial Banks and the Team was informed that now an arrangement had been arrived at under which the third party guarantee would not be necessary and the assets given to the beneficiaries could themselves be pledged with the banks and it would suffice for the purpose of grant of loans by the banks. No separate guarantees would be necessary now. It was also reported that this scheme had already been brought into force in so far as the Cooperative Banks were concerned but in so far as the Commercial Banks were concerned, the Government had only recently issued instructions. The Team feels that with the revised arrangement arrived at by the Government with the banks it should be possible for the landless families to avail of the benefits of the various schemes under the Antyodaya Programme on a much larger scale.

14.31 In the course of their visits the Team came across a case of a Mehtar, viz., Jauhari of Ghogra village, who had applied for a sheep unit about year ago but could not get it and had recently reapplied for the same. It was noticed that in his case no guarantor with assets was forthcoming with the result that he could not be given any benefit. The Collector, Ajmer mentioned that in view of the revised arrangement with the banks, it would now be possible to give him the necessary sheep unit.

Special problems, features of schemes under the Antyodaya Programme

14.32 In so far as the scheme of supply of milch cattle is concerned, the broad pattern that is followed is that in the first instance one head of buffalo or cow is supplied to the family but under the scheme a second head of buffalo or cow is to be supplied after about six months or so, when the first buffalo or the cow starts getting dried up. It was, however, noticed by the Team that in most of the cases the first buffalo or the first cow had started drying up and yields of milk per day had gone down from 5 to 7 kgs. to even 2 kgs. or less, leading to a substantial fall in the income of the beneficiaries while the liability to pay the instalments due to the bank still continued. The Team went into the question as to why a second head of buffalo or cow had not been supplied in each case. It was brought to the notice of the Team that in several cases there was lack of timely follow-up

action by the local authorities. It also came to the notice of the Team that in several cases the economic implications of this scheme had not been understood by the beneficiaries with the result that in the cases of landless workers, there was lack of motivation in going in for the second head of buffalo or cow, as they were afraid that it would increase their liability. There was, therefore, lack of motivation in some of these cases and this is another matter in which the local authorities would have to take special care to ensure that the economics of the scheme is carefully explained to the beneficiaries so that they are motivated for going in for the second head of milch cattle.

14.33 The Team would, therefore, recommend that the Government may kindly make suitable arrangements to ensure that there is adequate follow-up action combined with efforts to motivate the families to go in for the scheme of milch cattle by explaining the economics or the scheme to them.

14.34 Bearing on the scheme of milch cattle, another point that came to the notice of the Team was that the beneficiaries had not been directly linked with the nearest dairies with the result that intermediaries were collecting milk from the beneficiaries. With a view to ensure that full benefits of the scheme go to the beneficiaries the desirability of linking the milch cattle beneficiaries directly to the dairies should also be considered.

14.35 In respect of the beneficiaries under the camel-*cum*-cart scheme and supply of goat and sheep units, the Team was glad to note that the beneficiaries claimed that their income had increased and that they were happy to go in for such schemes.

14.36 There is, however, one point that also came to the notice of the Team, which relates particularly to landless families. In their cases they have to purchase grasses or leaves and fodder for feeding the milch cattle or goats and sheep. While in the case of goat and sheep units the beneficiaries did not consider it to be a heavy burden for making purchases as it has to be done only during the dry seasons because the goats and sheep could graze in the pasture land during the rainy season, in the case of milch cattle the landless labour families indicated that they had to incur expenditure for the purchase of grasses and fodder, particularly the latter, both in the dry and rainy season. Considering the special difficulties of the landless labour families, particularly in respect of the milch cattle, the Team would recommend that the banks should charge instalments only for one head of cattle at a time and instalments for the second head of cattle even though supplied earlier, should start after the liability on the first head of cattle has been cleared.

14.37 In respect of the landless families, the Team would also recommend that in all such cases the rate of subsidies may be raised to 50 per cent instead of 33-1/3 per cent.

These suggestions are for the consideration of the State Government.

14.38 The Team was glad to note that the State Government have introduced a scheme of cattle insurance both for milch cattle as well as other animals. The insurance for milch cattle is 2½ per cent while for other animals it is 2 per cent. Half of the cost in respect of insurance is borne by the Government in the form of subsidy. The balance half of the cost is met by the beneficiaries but Bank loan will be made available to them for meeting their share of the premium.

14.39 The Team was also happy to note that some of the beneficiaries of Chandiawas village who had land had been given loans-*cum*-subsidy for sinking of irrigation wells themselves claimed that they had double benefits in the sense that even in respect of the single crop had increased and besides, they could now grow a second crop as well. The Team was informed that the provisions of irrigation wells in their lands had led to a positive gain in larger yields and multiple cropping.

14.40 The Team also met a number of old-age pensioners both at Mangliawas and Gangwana. The pension given to a single person is Rs. 40 while to a couple it is Rs. 60. The pensioners reported that they were getting their pension through money orders regularly and no pensioner had made any complaint that pension money had not been received. However, in one case of Deva Ganesh from Liri village, there was a representation that pension should be enhanced to Rs. 60 as Rs. 40 was not adequate in these days of high prices.

In the draft Medium Term Plan for 1978-83, the Planning Commission have arrived at a figure of Rs. 61.8 (76-77 prices) per month per capita as the cut-off point for poverty line. Keeping this in view the State Government may consider the desirability of revising the rate of pension in case they so like.

Grant of loan to beneficiaries

14.41 It would appear that as on 31-3-79 while credit facilities for various schemes had been sanctioned for 57,690 families in the first round, 16,526 families had not got loans. Similarly, out of a total of 24,116 families sanctioned loans in the second round, 18,025 families had not yet got the loans.

14.42 Even if the cases of the second round are ignored, it would appear from the figures of the first round that there is considerable time-lag in the disbursement of loan after it has been sanctioned. This Team would also recommend that there is need for acceleration of disbursement of credit to the beneficiaries and the State Government may consider plugging the loop-holes in this connection.

14.43 At village Mangliawas, the Sarpanches of Mangliawas, Lama, Jathana, Brichiawas, Liri and Sardana had also come. The Team had a discussion with them also and they confirmed that the selection of the beneficiaries was being made in the Gram Sabha on merit. They also indicated that the BDOs with their staff attend these meetings and in case there is any underserving case which is trying to get any benefit, the case is brought out by some local worker or other, and the undeserving case gets weeded out. Invitations are also sent to MPs and MLAs but it was reported by the Sarpanches that generally the MPs and the MLAs had not been attending these meetings.

14.44 They also mentioned that Food for Works Programme had also been undertaken in their areas and the main items that were being taken up were tanks, school buildings, roads, drinking water wells, community irrigation wells, etc. Except during the busy agricultural season, the labourers were available for the programme and it provided living income to them during the lean season. The system of payment is entirely in kind, i.e., 5 kgs. of wheat per day.

Homestead Land

14.45 One of the other points which came up before the Team in the course of discussions with landless villagers both in Jaipur and Ajmer districts was in respect of settlement of homestead land on which the landless labourers had built their houses. It was reported that practically in all the cases huts had been in existence on land given to the beneficiaries by the Panchayats, for several years but formal Pattas in their favour had not been issued. The Team was informed that there was no custom of issuing Pattas and Panchayats allow settlement of the homeless people on village common land. However, in some cases such as Liliakawas in Jaipur district, it was indicated by the Headmaster of a School belonging to the same village who was present when the beneficiaries were being examined, that persons belonging to a local Regar community, which is a Scheduled Caste community, would not dare to vote against the Sarpanch of the village lest they might be ordered to vacate the land allotted to them.

14.46 The Team is of the view that there is a real possibility of political or personal implications in the matter such as in the case of Panchayat elections or even Assembly and Parliament or other elections, when pressure might be brought to bear on, or even victimisation might be indulged in, on settlees to coerce them into voting in favour of those who wield political influence. It would, therefore, be more appropriate if a system of grant of regular Pattas for the settlement of homestead land given to the landless labourers could be introduced so that there is no possibility of any mischief later on.

Administrative Organisation of the Programme

14.47 At the State level there is a State Policy Committee presided over by the Chief Minister with Cabinet Ministers and senior officers as members. There is also a State level Monitoring Committee known as the Committee of Directions with officials presided over by the Chief Secretary. A wholetime official of the rank of Commissioner has also been appointed to take care of the Antyodaya Programme along with other special Programmes which are intimately connected with the implementation of the Antyodaya programme.

14.48 In the field the Collector is responsible for the implementation of the programme and he is also the Chairman of the District Antyodaya Committee which consists of members of Legislatures belonging to the district, prominent non-officials and other district level officers concerned with the implementation of the development programmes. The Collector is also assisted by the District Development Agency/Small Farmers Development Agency in the implementation of the programmes.

14.49 At the Block level, the BDO along with his Extension Supervisor is responsible for the implementation of the programme. He is assisted in the matter by the Revenue officials, particularly in respect of matters of land allotment.

14.50 At the Panchayat level, the Sarpanch has been made responsible for ensuring that the Antyodaya families indentified in his area are fully covered and provided with necessary assistance.

14.51 Though the Antyodaya programme at present is being implemented through the existing development agencies, assisted by Revenue agencies, wherever necessary, yet as the programme gains momentum it may be necessary to strengthen the staff at various levels. Both the Collectors, viz., at Jaipur and Ajmer, mentioned that they needed strengthening of the organisation at different levels as the work was increasing and that the normal staff might not be able to cope with the workload in due course. The Team discussed the matter with the Antyodaya Commissioner who explained that this matter was already receiving the attention of the State Government.

14.52 As the programme gains momentum there is also a possibility that some mal-practices might develop and since the programme confers some benefits in the form of assets to the beneficiaries, some undesirable people might try to gain some advantages from the programmes. This is another factor which has to be guarded against and while the official machinery has to be alert at various levels, it has also to be ensured that the Gram Sabha in each village continues to be intimately associated with the selection of the beneficiaries.

General conclusions

14.53 The Team visited Rajasthan to study the Antyodaya programme mainly with a view to ascertaining the benefits that the poorest of the poor in general and the Scheduled Castes and the Scheduled Tribes in particular, are deriving benefits from the implementation of the programme. The broad impression that the Team has gained is that while under the existing schemes like SFDA, MFAL, DPAP etc. previously the comparatively more affluent among these groups were drawing bulk of the benefits, and no special effort was made to identify the poorest of the poor such as the landless labour without any asset, the present Government of Rajasthan have used these very schemes by giving them a positive tilt in favour of the poorest of the poor in the village, by identifying first the poorest families in the villages, starting from bottom upwards. The Schemes were so moulded as to first benefit the poorest families in the villages, without any asset. The particular emphasis and shape that the Rajasthan Government have given to these schemes had not been clearly brought out in the above noted prescribed schemes earlier, which had lumped together the small and marginal farmers and the landless agricultural labourers, without giving the first priority to the landless labour. In fact the lumping together of these categories under the above noted programmes was not the correct approach of dealing with poverty and the best way should have been to put the landless labour in a separate category altogether, rather than lumping them together with even small and marginal farmers, with a view to giving them the first priority in the benefits accruing from the schemes. If this had been done the scheme would have made a direct attack on poverty at the lowest level. The Team is glad to record that this particular objective has now been achieved under the Antyodaya programme by the Rajasthan Government which has laid emphasis first on the landless poor and then move upwards, thus making a direct attack on poverty at the lowest level.

14.54 Another step taken by the Rajasthan Government to make a direct attack on poverty among those who are the most vulunerable to it, is to undertake a pension scheme under which the aged poor persons without any assets and without any close relative to support them, are identified and are given a monthly pension. This step, which is based on Gandhian school of thought and humanitarian grounds, is also highly commendable as it helps those who are the most vulnerable group in the society to the ravages of deprivation and poverty.

14.55 (1) Further widening of the scope of occupations under the State Plan sector has rendered the programme more useful with the result that even those who are not agricultural workers or rural artisans but are yet very poor can draw benefit from the programme such as in the case of opening of tea stalls or barber shops or laundry shops, cycle repair shops etc.

(2) The Team was further glad to note that the approach of the Antyodaya programme and the widening of its scope by the State Government have produced a positive impact on the minds of the poorest sections of the society in the villages which this Team visited. The beneficiaries who came into contact with the Team were generally happy about the benefits extended to them.

(3) The cases that the Team came across were broadly all genuine cases.

(4) The Team was also glad to note that even though the programme is being implemented without any distinction on the basis of religion caste or creed, about 58 per cent of the beneficiaries in the first round were the Scheduled Castes and Scheduled Tribes. (36 per cent Scheduled Castes and 22 per cent Scheduled Tribes). In the second round 53 per cent were Scheduled Castes and Scheduled Tribes. (36 per cent Scheduled Castes and 17 per cent Scheduled Tribes).

(5) The Team further has an impression that while the Antyodaya programme has put the poorest sections of the rural population on the road to crossing the poverty line, in the case of landless families, many of the schemes will reach the take-off stage after the full repayment of the loans.

(6) Another feature that came to the notice of the Team was that in the villages that the Team visited there was no indication of any social tension as a result of the benefits given by the Government to the poorer sections of the society. This is a very happy feature of the programme.

(7) In view of the positive tilt in favour of the poorest of the poor in the rural areas that the programme has given, the programme is a great step forward in alleviating the sufferings of the rural poor and the Team feels that it would be advantageous for the other States also to study this programme and consider implementing it in their States.

Acknowledgements

14.56 The Team is very grateful to the State Government, particularly the Chief Minister, for having provided all necessary facilities to enable the Team to study the various features of the Antyodaya Programme. The Team got full co-operation from the official machinery at all levels, for which it expresses its grateful appreciation.

Summary of recommendations

14.57 A summary of recommendations may by the Team is as given below :

(1) The State Government of Rajasthan should make suitable arrangements to ensure adequate follow-up action in respect of the scheme undertaken under the Antyodaya programme combined with efforts to motivate

the beneficiaries so as to make them aware of the economics of the schemes. This is particularly so in respect of the scheme of milch cattle.

(2) With a view to ensure that full benefits of the milch cattle scheme go to the beneficiaries, the desirability and feasibility of linking the milch cattle beneficiaries directly to the dairies should also be considered by the State Government.

(3) Keeping in view the fact that the milch cattle become dry for certain periods, it would be desirable if, in respect of the landless labour beneficiaries, the banks are persuaded to charge repayment of loan instalments only for one head of cattle at a time and instalment for the second head of cattle, even though supplied earlier, should start after the liability of the first head of cattle has been cleared.

(4) Since among the small and marginal farmers and the landless families, the latter are the poorest of the lot, the State Government may consider raising the rate of subsidy in respect of the schemes applicable to landless labour families from 33 1/3 per cent to 50 per cent.

(5) The rate of interest charged from the landless families should be uniform at 4 per cent irrespective of whether the credit is given by the Commercial Banks or the Cooperative Banks.

(6) In so far as the old-age pension scheme is concerned, the present rate is Rs. 40 for a single person and Rs. 60 for a couple. Representation had been made to the Team that in view of the high prices, these amounts were inadequate for eking out a living, even at the subsistence level. In respect of the rural areas, the Planning Commission have determined Rs. 61.8 (1976-77 prices) per month per capita income as the out-off point for poverty line, that is to say, that a consumption level of Rs. 61.8 per month at 1976-77 prices is considered the minimum necessary for subsistence. Keeping this in view, the State Government may consider the desirability of revising the pension.

(7) There is time-lag in the sanction of loans and their actual disbursement to the beneficiaries. The Team is of the view that there is need for acceleration of disbursement of credit to the beneficiaries and the State Government may consider plugging the loopholes in this matter.

(8) It came to the notice of the Team that homestead land on which landless labour families have built up their huts, have not been formally settled with the landless families concerned. The Team is of the view that it would be more appropriate if a system of grant of regular Pattas for the settlement of the homestead land given to the landless labour families is introduced so that their right to the homestead land is established and there is no possibility of their eviction by local vested interests.

(9) Since the Antyodaya programme is gaining momentum, there is need for strengthening the organisational set up at various levels.

(10) Since the Members of Parliament are representatives of the people, they should also be made regular members of the District Antyodaya Committees.

(11) There is also possibility that, in due course, some mal-practices might develop because the scheme confers some benefits in the form of assets to the beneficiaries. There is a possibility that some undesirable people might try to get advantage out of the scheme. Local official machinery has to be alert at various levels to guard against this possibility. The system of colsely associating the Gram Sabha of the village in the selection of beneficiaries should be vigorously enforced as it would be a strong factor in checking such mal-practices.

(12) In view of the positive tilt in favour of the poorest of the poor in the rural areas that the Antyodaya programme has given, it is felt that it would be advantageous for the other States also to study this programme and consider implementing it in their States.

ANNEXURE I

A short note on the Antyodaya Beneficiaries contacted on 5-5-79 in Jaipur District

Bhombala village—Jaipur District

This village is located at a distance of about 20 kms. from the district headquarters. The village has a total population of about 496. This is a multi-caste village. The Balai (3 families) Nayak (3 families) Dhanka (11 families) and Bairwa (10 families) constitute the Scheduled Caste population of the village.

2. In this village 5 Antyodaya beneficiaries were selected in the first phase of the programme. The caste-wise breakup and the units under which they have been covered are as under :

Caste	Scheme
(i) Rana	Old age pension (one)
(ii) Balai (SC)	Milch buffaloes (one)
(iii) Nayak (SC)	Milch buffaloes (two)
(iv) Bairwa (SC)	Camel and Cart (one)

3. Of the above five beneficiaries 3 beneficiaries could be contacted during the visit to the village, the details of which are as discussed under.

Shri Kalyan Putra Chandalal

4. Shri Kalyan belongs to Nayak (SC) community and aged about 52 years. He can read and write. His family consists of 5 persons. He possess 1½ bhigas of land and also combinedly owns a well and a electric pumpset. He has two kutcha houses. As he was away for purchasing the second buffalo his wife was contacted. His main occupation is cultivation, carpentry and casual labour. His income details could not be obtained as he was out of the village.

5. He was given a milch buffalo on 13-10-78 at a cost of Rs. 2,000. Excluding the subsidy amount of Rs. 666/- he has to repay a loan of Rs. 1334/- to the bank @ Rs. 50/- per instalment, besides interest. It was reported that he used to get seven kgs. of milk (both times) in the beginning and earned an income of Rs. 14/- per day. Thus in a month he used to get an income of Rs. 420/- on the buffalo. Deducting the monthly instalment of Rs. 50/- he gets a net profit of Rs. 370/- p.m. as he is not required to incur much amount on the feed of buffalo for he owns land. It is stated that at present the buffalo is giving only 3 kgs. of milk one time and thus his income has come down from Rs. 420/- p.m. to Rs. 180/- p.m. Even then he gets a net income of Rs. 130/- deducting the monthly instalment of Rs. 50/-. However, he has been repaying the loan @ Rs. 100/- p.m. regularly.

Shri Bhawar Putra Prabhu Dayal

6. He belongs to Nayak (SC) community and owns a land of 1½ bhigas. He studied upto 7th class. He owns one kutcha house and a pucca house. He has also a share in the well and in the pumpset. He has five dependents. As in the first case his occupation is cultivation, carpentry and casual labour. As he is also out of the village the details of his income could not be obtained.

7. He was supplied with two buffaloes on 2-9-78 and 28-4-79 at a cost of Rs. 4,000. At present the first buffalo which was giving about 7 kgs. milk in beginning is giving only 1 kg. milk one time and the second one is giving 1½ gs. (both times) of milk per day. Thus he is earning Rs. 17/- per day on both the buffaloes. Excluding Rs. 100/- towards bank payment he earns a net profit of Rs. 510/- p.m. As he owns land he is not required to spend much on the feed of buffaloes. However, even if we deduct on an average Rs. 100/- p.m. on the feed of two buffaloes he still gets a net income of Rs. 310/- per month. It is reported that both the beneficiaries have been trying to get the maximum yield of the buffaloes and feeding them properly.

Shri Gulab Chand Putra Motilal

Bairwa (SC) community. He owns a thatched hut

8. He is a migrant to this village and belongs to constructed on the village panchayat land on the South-Western periphery of the village. He is not having patta for the homestead land. His family consists of 5 persons. In the beginning he used to do casual labour and earned about Rs. 3 to 4 per day and thus earned a monthly income of about Rs. 100/-.

9. Now he is supplied with a camel and Cart on 29-8-78 at a cost of Rs. 3200/-. Excluding the subsidy part of Rs. 1066/- he has to repay a loan of Rs. 2134/- @ Rs. 60/- p.m. beside interest. He started that he has been earning Rs. 20/- to 30 per day on the Camel Cart. He also stated that he has to incur an expenditure of Rs. 10/- per day on the feed of the Camel. Even if we calculate on an average of Rs. 25/- per day he gets an income of Rs. 750/- per month. Deducting Rs. 300/- towards the feed of the Camel and Rs. 60/- towards monthly repayment of loan he gets a net income of Rs. 390/- per month. However, it is reported that he is not hardworker and often fell sick. He used to get continuous work during harvest season. He happiily stated that there is lot of improvement in his economic status after getting the Camel and Cart, and not worrying for his daily bread. The local enquiries revealed that on an average a Camel of good health can give service for about 17 to 20 year. Once the loan is repaid, whatever income he earns will be his own and thus he can lead a happy life crossing the poverty line. He stated that he has so far repaid 8 instalments without any break.

Loliyakawas Jaipur District

10. This village forms a part of Mapura village Panchayat and situated at distance of about 20 kilometers from the district headquarters. It is multi-caste village and has a total population of about 425. The Rehgars (42 families) constitute the Scheduled Caste population of the village.

11. In this village 4 beneficiaries (all Scheduled Caste) have been selected in the first phase of the Antyodaya programme. During the visit to the village all the four beneficiaries were contacted the details of which are as discussed under:—

Shri Jagannath Nanagaram

12. He belongs to Rehgar (SC) community and owns a kutcha house. He is a landless labourer. He is about 55 years old and is an illiterate. His family consists of 8 persons excluding himself. His main occupation is casual labour and cobbler work and used to earn about Rs. 5 to 7 per day. Thus he used to earn a monthly income of about Rs. 160/-.

13. Under the Antyodaya programme (first phase) he was given a milch buffalo on 9-11-78 at a cost of Rs. 1900/-. In the beginning he used to get 7 kgs. of milk (both times) per day. He stated that the buffalo went dry at present and as such he is not incurring any expenditure on the feed of the buffalo.

Thus in the beginning he used to get an income of Rs. 14/- per day. Excluding the bank instalment of Rs. 50/- p.m. he earns an income of Rs. 370/- p.m. However, he has been paying Rs. 100/- per instalment. Even then he got a income of Rs. 320/- per month. He stated that when the buffalo was giving milk he used to spend about Rs. 5 to 7 per day on the feed of the buffalo. Even if we calculate on an average of Rs. 5/- per day towards the feed of the buffalo he used to get a net income of Rs. 170/- p.m.

14. He stated he had already repaid Rs. 600 towards his loan. He is very anxious to clear off the loan. But it appears he is in a dilemma whether to take a second buffalo or not. Despite the fact that the buffalo went dry he has been paying the instalments regularly by doing casual labour and cobbler work. It appears that the authorities concerned have not explained his about the economics of the milch cattle.

Shri Moru Bura Ram

15. He belongs to Rehgar (SC) caste and aged about 44 years. He is a landless labourer and owns a Kutcha house. His occupation is casual labour and used to earn about Rs. 3 to 4 per day. Thus he used to earn a monthly income of about Rs. 100/-. His family consists of 5 persons including himself.

16. He was given a milch buffalo on 9-11-78 on a cost of Rs. 2000/-. Excluding the subsidy part of Rs. 666/- he has to repay loan of Rs. 1334/- besides interest. In the beginning he used to get 7 kgs. of milk but he stated that at present he is getting only 3 kgs. per day. For about four months he earned an income of Rs. 420/- per month. Excluding Rs. 50/- towards instalment and Rs. 150/- towards the feed of the buffalo he used to earn a net income of Rs. 220/- per month. However, he has been paying Rs. 100/- p.m. to clear off his loan. At present he is getting an income of Rs. 180/- only p.m. As such he is not getting any profit at present. As in the first case he is also whole heartedly not willing to go for the second buffalo.

Shri Sheetar

17. He is a landless labourer and belongs to Rehgar (SC) community. He owns a Kutcha house and his family consists of 5 persons. In the beginning he used to do only casual labour in the village and earned about Rs. 3 to 4 per day raising his monthly income to about Rs. 100/-.

18. Under the Antyodaya programme he was given a milch buffalo on 20-11-78 at a cost of Rs. 2000/-. Excluding the subsidy portion he has to repay a loan of Rs. 1334/- to bank. He stated he used to earn an income of Rs. 8/- per day in the beginning as the buffalo used to give 4 kgs. of milk. Though he was required to pay Rs. 50/- per instalment he has been paying Rs. 100/- per instalment. Thus in the beginning also he got no profit at all for he has to incur about Rs. 150/- p.m. on the feed of the buffalo.

19. Now, he stated that he is getting only 1 kg. milk per day and earning only Rs. 60/- p.m. He is not willing to go for the second buffalo in view of the fact that he could not earn any net profit on the buffalo.

Shri Govind Ram

20. He is a landless labourer and owns a cutcha house in the village. He is about 42 years old and an illiterate Rehgar (SC). His family consists of only 3 persons including himself. He is a casual labourer in the village and used to earn about Rs. 3 to 4 per day raising his monthly income to about Rs. 100/-.

21. Under the Antyodaya programme he was given a milch buffalo on 19-11-78 at a cost of Rs. 2000/-. As in the case of others he has to repay a loan of Rs. 1334/- besides interest.

22. He stated that in the beginning he used to earn an income of Rs. 360/- p.m. as the buffalo used to yield to 6 kgs. of milk per day. As he has been paying Rs. 100/- per instalments and excluding the expenditure on the feed of the buffalo, he used to get a net income of Rs. 110/- p.m. Now, he stated that he is getting only 2 kgs. of milk per day. Thus, his monthly income has come down to only Rs. 120/- p.m. As such he is at present not getting any profit on the milch buffalo. As in the other cases, he is also not wholeheartedly willing to go for second one.

Details of the Antyodaya beneficiaries contacted on 6-5-79 in Ajmer district

23. The details of the Antyodaya beneficiaries met at Ganwana village are as discussed under :

Shri Sayar Arjun—Chandiavas village

24. He belongs to Bambhi (SC) caste and aged about 45 years. He has 12 bhigas of land and owns a kutcha house. His family consists of 7 persons including himself.

25. Under the Antyodaya programme (first round) he was sanctioned a long term loan of Rs. 5000/- for digging and construction of an irrigation well out of which 25% is the subsidy portion. Out of 5000/- he got only Rs. 2500/- towards first instalment in the month of October, 1978. It is stated that the work on the well is still in progress but water though insufficient is available.

26. Mr. Arjun stated prior to getting this loan, he was growing only rainfed crops (Kharif Crops) on the land once in a year and used to get 2 to 3 quintals of grain. Now due to the availability of water he has switched over to Rabi crops of growing wheat and other waterfed vegetables besides Kharif Crops. Thus, due to the construction of an irrigation well his entire cropping pattern has been changed and the yield has been increased by more than two-folds. He stated that he had fixed a pumpset to the well on rental basis i.e. Rs. 7/- per hour. He has bullocks of his own. The rate of interest is 4% and the loan amount which has to be repaid within 15 years. He is happy about his present position.

Shri Ladhu Bhoru—Chandiawas village

27. He belongs to Rehgar (SC) community and owns 5 bhigas of land. His family consists of 5 persons including himself. He owns a kutcha house. His occupation is cultivation and used to harvest about 4 to 5 Maunds of grain during Kharif season.

28. He was sanctioned a long-term loan of Rs. 5000/- for digging and construction of an irrigation well and the entire amount has been paid to him. He stated that the entire amount has been utilised for the purpose for which the loan was given. He also stated that he had to spend about Rs. 3000/- more for the completion of the well. However he is happy and now he is taking benefit of both the seasons for growing crops.

Shri Lala S/o Ghisa —Chandiawas village

29. He belongs to Bambhi (SC) community and owns a Kutcha house. His family consists of 5 persons. He owns 4 bhigas of land.

30. He was also sanctioned long-term loan of Rs. 5000/- for digging and construction of an irrigation well and the entire amount has been paid in the month of May, 78. Out of this loan 33⅓% is the subsidy portion. He stated that he has harvested one rabi crop (wheat) and the yield has become doubled, when compared to the previous years when he used to grow only rainfed crops once a year.

Shri Narayana Nathu—Chandiawas village

31. He belongs to Bambhi (SC) caste and owns 4 bhigas of land. He was sanctioned a loan of Rs. 10,000/- for digging and construction of an irrigation

well and purchasing a pump set. He stated that he had already fixed the pump set on the new well and harvested one rabi crop. But he stated that he has no bullocks to plough the land. He had to hire the bullocks during agricultural operations. However, he stated that yield has become doubled after construction of the well.

Shri Mishri Uzira—Jatli village

32. He belongs to Dhadi (SC) community and own, 10 bhigas of land. His main occupation is cultivation. In the first phase of the Antyodaya programme he was given female goats and 1 male goat in the month of November 1978 at a cost of Rs. 2500/- including the subsidy portion. He did not tell as to how many [illegible] of milk he used to get per day. He stated that he got so far, five kinds out of the 10 goats (one male goat and four female goats). This will be his additional capital income besides selling milk. He stated that he has already collected 2 to 3 carts of manure which may fetch him about Rs. 170 to 200. The details of loan and instalment to be paid are not available.

Shri Panchu Teju—Jatli village

33. He belongs to Chamar community and he is a landless labourer. His main occupation is agricultural and casual labour in the village. His family consists of 5 persons and his first son is studying III standard.

34. In the first phase of the programme he was given 10 goats and one male goat. He stated that he has been getting about 7 kgs. of milk and earning Rs. 7/- per day. Thus per month he is earning Rs. 210/-. He stated that his wife is grazing the goats. He also stated that he got so far 8 kids (4 female goats and 4 male goats) out of 10 goats supplied to him which will become his capital income. He also collected about 2 to 3 carts of manure which may fetch him about Rs. 170 to 200. The details of loan and amount of instalment to be paid per month are not available.

35. In the second phase of the programme, the under-mentioned beneficiaries have been selected for giving old age pension who were contacted at Gagwana village.

Smt. Jhamri—Gagwana village

36. She belongs to Rehgar (SC) community and aged about 58 years. She stated that she has been getting pension @ Rs. 40/- per month since January this year.

Smt. Musmat Gora—Gagwana village

37. She is blind and belongs to Rehgar community and has been getting the pension @ Rs. 40/- p.m. regularly.

Shri Halli Mirasi—Gagwana village

38. He is a Muslim by caste and has been getting oldage pension @ Rs. 40/- p.m. regularly.

Mangliavas village—Ajmer District

39. The details of the beneficiaries contacted at this village are as discussed under.

Shri Pusa Bhura—Jathana village

40. He belongs to Nayak (SC) community and is a resident of Jathana village. He was selected in the first phase of the Antyodaya programme and was given a loan of Rs. 2925/- including the subsidy portion of Rs. 975/- for purchasing 10 female goats and a male goat on 31-1-79. He is a landless labourers and doing agricultural and other casual labour prior to getting goats and used to earn about Rs. 3 to 4 per day.

41. He stated that he has been getting daily about 5 kgs. of milk and earning an income of Rs. 6.25 per day. Thus his monthly earnings went upto Rs. 187.50. Now he has been spending about Rs. 40/- per month on the feed of goats which will be almost negligible during rainy season. He stated that he has not yet sold the manure of the goats which may fetch him about 170 to 200. He got 10 additional kids out of 10 female goats which will become his capital income.

Shri Mangla Rama—Jathana village

42. He belongs to Rehgar (SC) community. He is a landless labourer and his occupation is agricultural labour and cobbler's work.

43. He was given a cow on 17-7-78 at a cost of Rs. 584/- (Loan) and Rs. 291/- (subsidy). He stated that in the beginning he used to get 5 kgs. of milk per day and earned Rs. 5/- per day raising his monthly income to Rs. 150/-. Every month he has to pay Rs. 30/- towards bank loan. He stated that at present he is getting only ½ kg. milk per day, and he has not yet taken the second cow. In the beginning he used to get an income of Rs. 40/- p.m. allowing an expenditure of Rs. 2/- to Rs. 2½ per day on the feed of the cow. Now he is not getting any profit on the cow and he said that it has become a liability to him.

Shri Ramkaran Bheru—Dumanda village

44. He belongs to Balai (SC) community whose occupation is agricultural and casual labour and used to earn an income of Rs. 100/- p.m. He was given a camel and cart on 13-11-78 at a cost of Rs. 1800/- (loan) and Rs. 900/- (subsidy). He stated he has been earning daily about Rs. 25/- on the cart but has to incur about Rs. 10 to 13 on the feed of the camel. He has to pay 6 monthly instalments of Rs.310/- to the bank. He stated that expenditure on the feed of the Camel will almost be reduced to half per day during the rainy season. Excluding the expenditure of Rs. 300/- on the feed and Rs. 50/- towards bank loan he gets a net income of Rs. 400/- p.m. But he stated that he is not getting work daily and used to get regular work only during harvest season.

Shri Chetan Giri—Sardana village

45. He belongs to Gosai (Brahim) community and owns 2.45 bighas of land. Besides cultivation he is working as village priest.

46. He was given a Sewing machine on a cost of Rs. 300/- (Loan) and Rs. 150/ (subsidy). He stated that he has been earning Rs. 2 to 2.50 per day on the machine. However, he stated that he is not getting clothes every day as he is staying in the village. He however indicated that the supply of the Sewing machine to him had led to an increase in his overall income.

Shri Jeevan Dhukal—Mangliavas village

47. He belongs to Bambhi (SC) community and is a landless labourer. He was given a milch buffalo in the month of December 1978 at a cost of Rs. 1444 (loan) and Rs. 491 (subsidy). He has to pay a monthly instalment of Rs. 60/- towards his loan.

48. He stated he has been getting 6 kgs. of milk per day and earning Rs. 9.60 per day. Thus he is earning Rs. 288/- p.m. by selling milk. He also stated that he has been incurring an expenditure of Rs. 5 to 7 on the feed of the buffalo per day. Excluding the expenditure of about Rs. 160/- p.m. and instalment of Rs. 60/- he used to get a net income of about Rs. 70/- p.m. But he is in a dilemma whether to in go for the second buffalo may be due to dry season at present.

Shri Gopi Chela—Mangliavas village

49. He belongs to Gadia Lohar (ST) community He is a landless labourer, and was given a milch buffalo

on 19-12-78 at a cost of Rs. 1334 (Loan) and Rs. 666 (subsidy). Though he is required to pay Rs. 50/- per month towards bank loan he has been paying Rs. 100/- per month. He is doing blacksmithy work also.

50. He stated that in the beginning he used to get 8 kgs. of milk per day and earned Rs. 12.80 per day Thus his monthly income went upto Rs. 384/-. He also stated that he has been incurring an expenditure of about Rs. 5-7 per day on the feed of the buffalo. Thus excluding the instalment of Rs. 50/- and an expenditure of about Rs. 160/- p.m. on the feed of the buffalo he gets a net income of Rs. 174/- p.m. However, he stated that only after the dry season he will go in for second buffalo.

Shri Balu Sonath—Amarged village

51. He belongs to Mirasi (OBC) community and owns 6 bighas of land and gets an yield of about 18 to 20 mounds of corn during Kharif season. He was given 10 female goats and one male goat on 22-11-78 at a cost of Rs. 2000/- (loan) and Rs. 1000/- (subsidy). He stated that he got 10 additional kids (2 male goats and 8 female goats) out of 10 goats given to him which will be his capital income. He also stated that he has to incur about Rs. 30 to 40 for 3 months on the feed of the goats and getting about 3 to 4 kgs. of milk per day. He is earning an income of Rs. 100/- per month. He also stated that he had already collected 2 to 3 carts of manure which may fetch him about Rs. 170 to 200. He has to pay quarterly instalment of Rs. 140/-. His total income has come to about Rs. 300/- p.m. excluding the capital gain of 10 kids which may fetch him about Rs. 1500/- to 1700/- after a year or so. Thus excluding an expenditure of Rs. 10 p.m. on the feed of the goats and Rs. 44/- towards monthly instalment, he gets a net income of about Rs. 50/- p.m. Here the income on the manure has not been included for it has been collected over a period of about 5 months.

Shri Romnath Chautha—Brichiavas village

52. He belongs to Khatic (SC) community and is a landless labourer. His occupation is agricultural labour and other casual labour in the village and used to earn an income of Rs. 100 to 110 p.m.

53. He was given 30 sheep and a ram in the month of December, 1978 at a cost of Rs. 3950/- including the subsidy portion. He stated that he got 13 lambs out of 30 sheep given to him out of which 3 dies and sold wool worth Rs. 135 for the first time after getting the sheep. He also stated that he collected about 3 to 4 carts of manure which will fetch him an income of about Rs. 275/- to 300/-. He has been incurring an expenditure of Rs. 100/- for 6 months on purchasing leaves for feeding the sheep., He has to pay [illegible] yearly instalment of Rs. 450/- i.e. @ Rs. 75/- p.m. Up to the end of April 1979, his income went up to Rs. 435 excluding the capital gain of 10 lambs which may bring him about 1700 to 1800 after a year or so. Afte deducting Rs. 375/- @ 75/- p.m. towards instalment and an expenditure of Rs. 75/- on the feed of the sheep his income has come to nil. But he got a capital gain of about Rs. 1700/- to 1800/- on the 10 lambs.

54. At Mangliavas village as many as 11 beneficiaries of Gola Khedaprudhviraj, Liri and Mangliavas villages, who were covered under the oldage pension scheme, were also contacted who stated that they have been getting pension regularly by money order. At present the rate of pension is Rs. 40/- p.m. for single and Rs. 60/- per couple. Out of the 11 pension beneficiaries one Deva Ganesh of Liri village represented to the Chairman Scheduled Castes and Scheduled Tribes Commission that Rs. 40/- p.m. is not adequate in view of the prevailing prices and the pension should be raised to Rs. 60/- p.m.

55. At Gangwana village, the undermentioned persons who had applied for loans and whose cases had not yet been finalised explained their cases to the Chairman of the Commission, whose details are as under:—

Shri Ramzan—Gangwana village

56. In the second phase of the programme he had applied for a loan for purchasing a welding machine, but his case was still under consideration of the authorities. He is a Muslim by caste.

Shri Hussena—Gangwana village

57. He is a Muslim by caste and possesses 5 bhigas of land. He also owns an irrigation well. During the second phase of the programme he had applied for a loan for purchasing bullocks but had not yet been sanctioned loan and subsidy for the purpose. His case was under consideration of the authorities.

Shri Jardar Khan—Gangwana village

58. He is a Muslim by caste and had applied for loan in the second phase of the programme for purchasing bullocks and his case was under consideration by the authorities.

Shri Jawrilal Ramnath—Gangwana village

59. He is Bhangi by caste and owns 3 bhigas land. He had applied for loan in the first phase of the programme, for purchasing sheep but his case was not considered on the ground that he could not get third party guarantee from persons having assets. He had again applied for the loan for the same purpose in the month of January, 1979. The Collector, Ajmer explained that after applying for sheep in the first round, subsequently the applicant wanted to back out but she herself visited the village and persuaded him to stick to his request for grant of loan for supplying sheep to him. His case could not, however, be finalised in the first round as the Banks insisted on third-party guarantee for which no villager was forthcoming to help him. However, she further explained that keeping in view the latest instructions issued by the Reserve Bank of India according to which no third-party guarantee was required. his case could now be finalised soon.

53—256 HA/ND/81

I(b) Follow up of the Study on the Antyodaya Programmes in Rajasthan by the State Government

14.58 The Commission had instructed their Director at Jaipur to make a rapid follow-up study of the cases indicated in the above study. He has, however, made a follow-up study and based on this, he has made some useful suggestions as given below :

(1) (a) The instances of failure have been maximum in respect of cases pertaining to loans given for Milch Cattle/Sheep or Goat units. This is mainly due to not giving of viable units in the case of cattle. In almost all the instances, it was either on buffalo or one Cow that was sanctioned and the moment it went dry, the beneficiaries were unable to bear the expenses of feeding it. In one unit where two buffaloes were given, it was a success and out of his own savings and exertion he actually invested in buying one more. It is also noted that there is perhaps not adequate linkage at the time of disbursement of cattle loans and the need for proper marketing, veterinary care and availability of good fodder. It would have been better to coordinate at the time of giving cattle loans with the milk Federation and disbursement done on the approved milk routes for the various chilling plants, so that there would have been adequate marketing on the one hand and supply of food and veterinary care on the other.

(b) Similar experience is obtaining for cases where Goat units were distributed at 1:10 ratio which is often found to be not adequate, for sufficient income to be generated for repayment as well as subsistence. Larger units preferably in areas having good grazing facilities as well as having proper coverage by the Sheep and Wool Federation should have been given.

(c) The need for effective implementation of Cattle Insurance Scheme is also vitally required as though at the time of disbursement, insurance was done yet after mortality either due to lack of proper guidance from the field staff or due to the apathy of the Antyodaya beneficiary himself claims have not been filed and pursued.

14.59 In cases where sewing machine loan were given, it not only generated more employment and additional income for the family but also goaded him to save and purchase additional sewing machines. Similar success story is repeated for the camel cart.

14.60 The category where loans were given for irrigation wells and where the limit was Rs. 5,000 it has been the experience that the quantum of money has proved to be insufficient for completion of the irrigation well, not to take of other important items like pumpsets, bullock carts, seeds, fertilizers etc. It would be an useful exercise to give an impact oriented approach to all these cases and dovetail the cooperatives, SFDA, DPAP loaning programmes to Antyodaya beneficiaries so that while he has money for the well, he also does not lack it for pumpsets, bullock carts, seeds etc.

14.61 Last but not least significant factor in connection with the loans for these two villages is that the Bank that advanced the loan is having no serious complaints or grievances as regards repayment. The managers expressed their satisfaction as to the willingness and earnestness of the beneficiaries to effect payment. In this connection, one point that can be mentioned is that the subsidy component must be made to be converted into loan for immediate recovery in case of misutilization of the loan advanced. There have been cases where after receipt of the animals, the beneficiary has sold them and out of sale proceeds repaid his loan and appropriated the subsidy component. In the case of the sheep/goat units this appears to have been the line of action. This malady will be redressed if the above proviso is added to the grant of loans as pre-condition and rigorously implemented.

14.62 The Commission commend the above suggestions to the State Government for implementation. It has also come to the notice of the Commission that the Government of Rajasthan has not taken any action on the original note of the Commission sent to them vide letter No. 10/5/SCTC/79-RU dated 4th June, 1979. The Commission regret to note that and recommend that the Government of Rajasthan should take suitable action on the recommendations given therein as well as the suggestions of the Director for Scheduled Castes and Scheduled Tribes Jaipur as noted above.

(2) *Study of Antyodaya Programme in West Champaran district of Bihar State by the Chairman, Commission for Scheduled Castes and Scheduled Tribes from 8th to 11th June,* 1979.

Introduction

14.63 The Chairman, Shri Bhola Paswan Shastri, visited West Champaran District from the 8th to 11th June 1979 to study the implementation of Antyodaya Programme in Bihar State. In this work, the Chairman was assisted by Shri Hari Narain, Deputy Director of Zonal Office, Patna.

Antyodaya Programme

14.64 Government of Bihar had resolved to implement the Antyodaya Programme with effect from 15-8-1978. It was intended that the poorest families would be identified village-wise and thereafter a concrete plan of action would be prepared to help such families in raising their economic status. The action plan was to be prepared according to the base line data of such families on the following lines :

(a) Whether the family possesses some skill in some occupation ;

(b) Whether particular occupation by and large would suit them ; and

(c) To what extent they would require financial assistance.

Field Visits

14.65 With a view to assessing the impact of the implementation of Antyodaya Programme in the West Champaran district, the Chairman visited the following places :

Name of village	P.O.	Block
1. Pakhnaha . . .	Pakhnaha	Beria
2. Beria	Beria	Beria
3. Mangalpurkala . .	Mangalpur	Nautan
4. Gora Bind Toli . .	Parsafarm	Jagpati

14.66 He interviewed 15 persons including 13 beneficiaries and held discussions with several officials and non-officials. List of persons interviewed is appended at Annexure-I.

Criteria for the selection of beneficiaries

14.67 For identifying the poorest families in the villages, the guiding factors were as given below :

(i) In the first category, all those families were to be identified which neither had property nor any other source of livelihood and in whose case annual income from all sources did not exceed Rs. 1,200.

(ii) In the second category, those families were to be listed who were landless and annual income ranged between Rs. 1,200 and Rs. 1,800.

(iii) In the third category, those families were listed who had income from land and other sources, but per capita income in whose case did not exceed Rs. 55 per month.

14.68 Thus, it is seen that the main criteria for the selection of poorest families was their annual income and the value of property possessed by them. Government of Bihar, Rural Development Department, *vide* their letter No. Gramin Vikas 3Ka-79/78-6054 dated 5-8-1978, had written to all the District Collectors to identify 5 poorest families in each village. Collection of information with regard to the poorest families was to be done after having public co-operation in general meetings to be held on 15-8-1978. The Chief Minister had also addressed all the Headman of the villages to organise such meetings.

14.69 The Selection Committee at the District level comprised the following persons :

1. Representative of Central Bank.
2. Circle Officer.
3. B.D.O./P.E.O.
4. Mukhia of the Gram Panchayat.

14.70 Five persons from each village were to be selected on the basis of poverty.

Implementation of programme in the District

14.71 According to 1971 Census, population of West Champaran district, selected for on-the-spot study, is 15,87,019, to whom Scheduled Castes number 2,38,883 (15.5%) and the Scheduled Tribes, 22,692 (1.4%). The total area of the district is 1,735.4 sq. miles. The Chairman held discussions with the District Magistrate and other District level officers who apprised him of the scheme in brief. Financial assistance to the extent of 67% in the form of loan by the Bank and remaining 33% by way of subsidy by the Government has been provided to each beneficiary. The Government officials also helped the families by way of giving them technical guidance and requisite know-how. By 8-6-1979 (the day on which Chairman visited the district) the district administration had helped 246 families by incurring an expenditure of Rs. 62,524 on schemes, *viz.* : distribution of milch cows, plough bullocks, pig rearing, poultry, etc. Proposal for taking up another batch of 1360 families from 272 villages was being processed.

Beneficiaries

14.72 With a view to eliciting information on the working of the Antyodaya Programme, 13 beneficiaries were interviewed. The various purposes for which the beneficiaries have been advanced loans and grants are given in the table below :

Purpose for which loan was granted	No. of beneficiaries	Amount spent (in Rs.)	Average amount of loan spent per family (in Rs.)
1. Basket making .	7	700	100
2. Vegetable Selling .	1	300	300
3. Grocery Shop .	1	500	500
4. Pan shop . .	1	300	300
5. Cycle repairing .	1	500	500
6. Pig rearing . .	2	1600	800
Total .	13	3900	300

Thus, it is seen that on an average a family has been assisted with a sum of Rs. 300. Of the 13 beneficiaries, 9 persons (69%) were the deserving cases, whereas four persons (31%) were found to be those who did not conform to the criteria of poverty at all. Of these 13 beneficiaries, only 6 persons (46%) were such who have been repaying the loan regularly.

14.73 In addition to 13 beneficiaries referred to above, two more persons of village Mangalpur Kala, P.O. Mangalpur Gudria, Block Nautan were contacted. Shri Shiva Pd. Ram was sanctioned a loan of Rs. 800 (though not yet paid) for the purchase of plough cattle where as he did not possess any land. This assistance,

if provided is likely to go waste or it may help the landlord for whom he works. In respect of Shri Garjan Mian (60 years), it was noticed that he was too old to take up any work and besides this he had several other adult members in his family to support him. Thus, it was evident from the aforesaid description that the selection of these two beneficiaries has not been done in accordance with the criteria laid down to determine poverty.

Impact of the Programme

14.74 The following table shows the occupation of beneficiary prior to getting loan and after having been covered by the Antyodaya Programme :

Occupation prior to getting assistance		Occupation after securing assistance from Antyodaya Programme
1. Basket making	7	7 (Basket maknig)
2. Vegetable selling	1	1 (Vegetable selling)
3. Agriculture labour Grocery shop	1	1 (Grocery shop exclusively)
4. Basket making/Agricultural Labour	2	2 (Pig rearing)
5. Mobile pan shop	1	1 (Pan Gumti)
6. Cycle repairing	1	1 (Cycle shop)
Total	13	13

It is evident from the above table that financial assistance provided to these people has helped 2 persons in bringing mobility in their occupation and in respect of 11 persons it has helped in the consolidation of their occupation on sound economic base.

14.75 A list of beneficiaries giving details of benefit obtained in each case is furnished in Annexure II.

Discussions with the District Officials

14.76 During discussions with the District officials the Chairman was informed that the Bank officials did not extend helping hand. They stressed on the selection of those persons who had the repaying capacity. Thus, the poorest among the poor did not suit the Banking authorities. They sometimes rejected the cases recommended by the selection committee. The Branch Bank Manager stated that under rules he would not provide financial assistance to those who lacked repaying capacity and, therefore, he was helpless. Because of the present rules of the Bank under which assistance is given to beneficiaries of this programme, only 445 cases out of a total of 1360 (i.e. 32%) could be disposed of and the remaining 915 cases were still pending at the end of 1978-79. Initially in Rajasthan State also, this condition of the Banks regarding furnishing of third party guarntees by people holding local assets led to considerable difficulties in giving benefits to the poor families particularly the landless families. Thereafter, the State Government of Rajasthan held discussions with the representatives of the Reserve Bank, the Cooperative Banks and the Commercial Banks and it is learnt that now an arrangement had been arrived at under which the third party guarantee would not be necessary and the assets given to the beneficiaries could themselves be pledged with the banks and it would suffice for the purpose of grant of loans by the banks. Arrangements on similar lines may also be made by the Government of Bihar.

14.77 Sarpanch of Bahuara Gram Panchayat, Shri Ahmed Ali alleged that cases submitted by him to P.E.O. Jagpati Block in September 1978 had not been cleared as yet. The P.E.O. stated that cases of Bahuara Panchayat came under the jurisdiction of Rural Bank and not under the Central Bank. As the Rural Bank was not financing Antyodaya Programme, the cases of Bahuara Block could not be considered. The Chairman desired that the Sarpanch should have been informed in writing about the reasons for delay in such a case. In such cases the State Government should make alternative arrangements for the financing of the Antyodaya Programme.

Findings and suggestions

14.78 (i) The selection of some of the beneficiaries has not been done strictly according to the criteria for determining poverty as laid down by the Government therefore, the benefits have not gone to the poorer among the poors in some of the cases.

It is, therefore, suggested that Gram Sabha meeting should invariably be convened for selecting a family under the Antyodaya Programme. Before releasing funds to the persons review of cases should again be made, so that it is ascertained that only needy persons got the assistance.

(ii) (a) The prevalent rules, under which the assistance (loans) from Bank is to flow to the beneficiaries of this programme, require modification so that it should not depend on the present repaying capacity of the beneficiary, but should take into consideration his requirements to enable him to become a self-dependent.

The State Government should hold discussions with top Central Bank Officers and determine sound policy.

(b) In cases where the banks such as Rural Banks do not cover the Antyodaya programme, the State Government should either discuss the matter with such banks and persuade them to take up this programme or make alternative arrangements on their own for financing the Antyodaya programme in these areas.

(iii) Local leaders and the beneficiaries were neither well informed about the programme nor conscious about its proper working. The

Government officers implementing this programme also need proper orientation and a sense of devotion for the successful implementation of the programme.

It is, therefore, necessary that a concerted drive is made both among officials and non-officials to launch the programme in right earnest at different levels, viz., village, Block, Tahsil and District.

(iv) Lack of co-ordination in the implementation of schemes at the District level was evident. It is, therefore, urgently needed that District Antyodaya Committee headed by the District Collector is constituted with the objectives of putting to scrutiny the day-to-day progress attained by different component programmes under the Antyodaya Scheme and to bring about effective coordination among different developmental agencies. The Divisional Commissioners should also be actively associated in this task Organisational set up for this purpose has to be geared up by the Administrative authorities.

(v) The scheme of milch cattle and their linking up with the dairies has not been taken up. This can be tried in this District.

(vi) The State Government may consider raising the rate of subsidy in respect of the schemes applicable to landless labour families from 33.1/3% to 50%.

ANNEXURE I

1. List of officials and non-officials with whom the Chairman held discussions.

1. Shri Shakil Ahmed	District Magistrate (West Champaran)
2. Shri Bishnu Bihari Ram	Superintendent of Police.
3. Shri S. David	Managing Director, S.F.D.A.
4. Shri Bhagwat Mahto	D.D.O.
5. Shri Shiv Shanker Singh	Addl. District Magistrate (Ceiling)
6. Shri Birendra Narayan Roy	District Welfare Officer.
7. Shri Anant Narain Sinha	Dy. Collector (Land Reform)
8. Shri M. M. Bhagat	S.D.O.
9. Shri R. S. Sharma	Branch Manager, Central Bank.
10. Shri Bipin Bihari Sharma	Project Executive Officer, Beria Block
11. Shri Lalitesh Mishra	S.D.O. (Bagha)

Case study of beneficiaries

2. Manohar Ram (25 years) of village Pakhnaha informed that he had got loan of Rs. 500/- in October/ November, 1978, from Central Bank for cycle repairing. He made his cycle repairing shop in good shape in February, 1978 after getting the loan. He has to support his mother and father as well as two brothers. They live in a joint family. They have 7 Kathas of land but no ploughing cattle. They do cultivation on their own land by borrowing ploughing cattle. The brother of Manohar does cycle repairing in the same shop. They have returned Rs. 350/- of the loan.

Comments: As the beneficiary was already in profession and economically he is not the poorest of the village, he has been selected under the scheme; though the loan provided helped in improving his economic condition.

3. Roshan Shah (30 years) of village Pakhnaha informed that he got a loan of Rs. 300/- from the Central Bank in February 1979 for the purpose of opening pan shop. He was previously doing mobile pan selling, carrying biris, match boxes etc. in a basket on his head. After he got loan, he erected a Gumti on the road side just near his house and started selling pan, biri, cigarette, etc. by sitting there. He sits in the shop from 7-00 A.M. to 10.00 P.M. and sells for Rs. 25-30 per day. Previously he was earning Rs. 5/- per day by pan selling. After he erected pan gumti he repaired his house and bought two goats with the profit from pan selling. He has his wife, one minor daughter and old mother in his family. The daughter looks after the goats. The beneficiary does not own land. He returned Rs. 55/- of the loan.

4. *Comments:* This beneficiary was in the profession before he was financed under the scheme and he is not the poorest of the village. He could have been helped outside the Antyodaya Scheme. So, here also selection was wrongly done.

5. Markhu Ram (60 years) of village Beria informaed that he got loan of Rs. 1000/- from Central Bank for pig rearing. He bought 5 pigs at the cost of Rs. 200/- each. Three pigs were female and 2 male. Female pigs have given 6 calves. These calves will be ready for sale within next 6 months at the cost of Rs. 200/- each. Thus, he will earn Rs. 1200/- in a year from pig rearing. He has only two members in the family. He got the homestead land from the Betiah Raj. Previously, he was doing basket making. He does seasonal agricultural labour. He returned Rs. 70/- of loan.

6. *Comments:* The beneficiary has been rightly selected. It appears that he will improve his economic condition with this assistance provided that regular follow-up action is done by the Government officials concerned and local leaders. He returned Rs. 70/- of loan from some other source and not from the earning out of the loan.

7. Choukat Dom (57 years) of village Beria informed that he got loan of Rs. 600/- from Central Bank for pig rearing. He bought three pigs at the cost of Rs. 200/- each. He is landless and has small hut on his homestead land got from Betiah Raj. He also does basket making and agricultural labour. There are three members in his family including himself. One of the members is minor grand child.

8. *Comments:* That beneficiary has rightly been selected. It appears that he will improve his economic condition provided regular guidance is given to him from time to time.

9. Balrup Mukhiya, Beni by caste of village Mangalpurkala informed that he got a loan of Rs. 500/- from Central Bank for grocery shop. He was already in the profession. He carries grocery articles in basket on his head or shoulder. Previously he took loan from the local Mahajan for running the shop. He has wife, two minor children and old mother in the family. He is landless, His small hut is also on other's land. He does seasonal agricultural labour in the locality.

10. *Comments:* The beneficiary was already in the profession. He is some what intelligent though poor. He can be financed from other sources than Antyodaya Programme.

11. Wife of Bachan Hazara of village Mangalpur kala informed that Bachan Hazara got a loan of Rs. 300/- from Central Bank in December 1978 for business of vegetable selling. Mr. Hazara was already in this profession. He is landless and has small hut on his own land. He has wife, 4 sons and 2 daughters in the family. His adult family members do agricultural labour. He does mobile vegetable selling, carrying basket on his head in the village, nearby villages and local bazars.

12. *Comments:* The beneficiary is, of course, very poor, but he can be financed from other sources than Antyodaya Programme. The loan has been fruitful in capital promotion for his business. However, nothing can be said about his further progress with this small financial assistance.

13. Doman Bind, (35 years) of village Gora Bindtoli informed that he got a loan of Rs. 100/- in November 1978 for business of basket making. He is Mullah by caste, but basket making is also his traditional occupation. Previously he was earning Rs. 2/- or Rs. 3/- per day from basket making. Now with the assistance of loan he earns Rs. 4-5 per day. He is landless, but does some cultivation on bataidari. He has a wife, 1 daughter, 2 sons, mother and one sister in his family. The financial assistance has helped him in capital promotion. Previously he used to take loan on heavy interest for capital. He returns the loan at the rate of Rs. 20/- per month. He has already returned the big part of the loan and the dues remain at Rs. 23/- only. He has kept Rs. 25/- in reserve for bamboo. He works 8 hours daily. Due to lack of capital previously he worked occasionally on basket making. Now he is in regular work.

14. *Comments:* The selection is not cent per cent correct. The beneficiary can be helped from other sources. Impact of the assistance is encouraging. But there should be provision of assistance in time of other difficulties like illness, etc.

15. Balgovind Mukhiya (40 years) of village Gora Bindtoli informed that he got loan of Rs. 100/- from Central Bank for the purpose of basket making. He is alone in the family. Previously, there was none to give him financial assistance for basket making. Now he is happy. He prepares 3-4 baskets per day. He has deposited Rs. 50/- in reserve with Shri Malik Mishra of the village.

16. Genda Mukhiya, (38 years) of village Gora Bindtoli informed that he got loan of Rs. 100/- from Central Bank for the purpose of basket making. Previously he used to prepare 5 baskets per day. Now with this financial assistance he prepares 6-7 baskets per day. Previously he earned Rs. 6/- per day from basket making. Now he earns Rs. 10/-. He is landless. He and his adult family members do seasonal agricultural labour also. He has wife and one daughter in the family. He feels difficulty in payment of instalment after every 8 days. He falsely alleged that he did not get payment receipt.

17. *Comments:* Selection is not so correct. The beneficiary can be financed from other sources. His attitude towards the agency is not so good.

18. Timal Mukhiya (25 years) of village Gora Bindtoli informed that he got loan of Rs. 100/- from Central Bank. With this assistance he prepares more baskets comparatively. He is landless. He has wife, two minor children and one sister in the family. Adult family members do agricultural labour.

19. Kudai Bind, (35 years) of village Gora Bindtola informed that he got a loan of Rs. 100/- from Central Bank. With this assistance he improved his business of basket making a bit. Previously, he was earning Rs. 3-4 per day with basket making, but he earns now Rs. 5-6 per day. He has only wife in the family. He is landless. The family does agricultural labour in the season.

20. *Comments:* The beneficiary can be financed from other sources.

21. Gurchand Mukhiya, (20 years) of village Gora Bindtola informed that he got loan of Rs. 100/- from Central Bank. With this assistance he earns Rs. 6-7 per day in place of Rs. 3-4 per day from basket making. He kept Rs. 20/- in reserve for emergency. He is alone in the family and is also landless.

22. *Comments:* Rs. 6-7 per day earning is sufficient for an individual. The beneficiary must have saved some amount. He lacks foresightedness and diligent labour. There is need to change his attitude towards work and life. He could also have been financed from other source.

23. Awtar Mukhiya (40 years) of village Gora Bindtoli informed that he got loan of Rs. 100/- from Central Bank. With this help he earns Rs. 7-8 per day in place of Rs. 5-6 per day from basket making. He is landless and he has wife and 4 minor children in his family.

24. Besides these, two more persons were interviewed in connection with Antyodaya programme. They are Shri Shiva Pd. Ram and Shri Garjan Mian of village Mangalpurkala, P.O. Mangalpur Gudria, Block Nautan.

25. Shri Shiva Pd. Ram, (35 years) is landless labour. He has wife and two minor children. He has been sanctioned loan of Rs. 800/- for purchasing ploughing cattle 3-4 months ago but he has not been paid.

26. *Comments:* Selection under the Antyodaya Programme is correct. But he should have been sanctioned loan for purpose other than bullocks. What will be the use of bullocks when he has no land. Confidentially, it was learnt that the beneficiary is permanent labourer of Shri Rameshrai Singh of the village who is the Mukhiya of Mangalpur Kala Panchayat. He has been selected by the Mukhiya himself. It seems that Mukhiya wants to take benefit indirectly from this financial assistance by utilising the bullocks of the beneficiary.

27. The next person, Shri Garjan Mian, is an old man of about 60 years. He is physically too weak and unfit for physical labour. He has 10 members in his family. He is landless and very poor. His adult family members earn by agricultural labour. He has been selected by the Mukhiya under the scheme and he applied for loan of Rs. 2000/-, but the loan was not sanctioned by the Bank (Central Bank). Later, Shri R. S. Saran, Bank Manager informed that on their enquiry they found name of the beneficiary incorrect, and, therefore, loan could not be sanctioned. Logically, the beneficiary could have been selected from among the other adult members of his family as Shri Garjan Mian is physically weak and too old for such a work.

(3) *Tour report of Shri T. S. Negi, Member, Commission for Scheduled Castes and Scheduled Tribes. Government of India from* 8-10-1979 *to* 13-10-1979.

14.79 This tour has disclosed the following areas calling for urgent investigation/ research :—

UTTAR PRADESH

1. *Bonded Labour :* Bonded labour in general.

2. *Bonded labour involving prostitution*

In the meeting held on the 9th October, 1979 at Dak Pattor, in Uttar Pradesh, which was attended by the following officers of the Uttar Pradesh Government, bonded labour was one of the main topics discussed :

1. Shri Ganga Ram, Commissioner for Scheduled Castes and Scheduled Tribes.
2. Shri Bhawani Shanker Sharma, Special Secretary.
3. Shri N. C. Joshi, Director, Harijan & Social Welfare.
4. Shri Mahesh Chandra, Addl. Director, H.&S.W.
5. And other supporting junior officers.

14.80 It was found that there has been only one survey of bonded labour so far and that too a hurried one which took place in 1976-77 Therefore, the identification of bonded labour, taking the State as a whole, has so far been only partial. The Labour Commissioner of U.P. Government has been, it was said, charged with the responsibility of completing the survey. Mr. H. S. Saksena, the Deputy Director at Lucknow, was emphatic that there are parts of Uttar Pradesh, other than Jaunsar Bawar and surrounding areas of Nowgaon and Parole Blocks in Uttar Kashi District of Garwal Division, where also bonded labour exists, although the above named areas are the only ones where some kind of a survey has already taken place.

14.81 As for the areas specifically mentioned above, the survey in 1976-77 and again thereafter was reported to have identified 19342 families as involved in bonded labour. Earlier Shri Ganga Ram, when in 1969 or thereabout, he was District Magistrate of Uttar Kashi, had carried out an intensive survey of bonded labour-cum-prostitution as prevalent in the Parola and Nowgaon Blocks of Uttar Kashi District. This survey has since been updated and a copy of this report is understood to be available with the U.P. Government, Shri Saksena, Dy. Director, has been requested to obtain a copy of the same.

14.82 Where a family is subject to both bonded labour and prostitution, it seems that girls belonging to such families are sold for prostitution and the ultimate markets for them spread into such big cities as Delhi, Meerut, Seharanpur, etc. In some cases prostitution is practised under the garb of marriage, one of the middle men posing as the husband. The allegation is that in some cases the proceeds from prostitution are shared, among others, by the creditors of the debt giving rise to bonded labour.

14.83 Two lines of action are indicated. The first is the completion of the State-wide investigation and survey for the identification of bonded labour. The second is an intensive investigation as a case study especially in the places specifically named above in the Garhwal Division of Uttar Pradesh. While the State Governm[illegible] might be requested to expedite the former action, the latter had better be performed by the Commission itself.

HIMACHAL PRADESH

Bonded Labour

14.84 Dr. Yaswant Singh Parmar, former Chief Minister of Himachal Pradesh, who belongs to the Sirmur District has in his book, "Polyandry in the Himalayas" said on page 9 thus :

"They are advanced loans free of interest at their weddings and on other occasions though they have to render service in lieu of interest. Those tenants who serve the landlords after receiving a certain sum of money agree to place one or more members of the family, as occasion arises, at the service of the landlord and his or their services are credited as interest. If the tenants want to leave the land they have to pay back the money or go on serving the landlord till the doomsday. Such tenants are called Halis and the system is called Halip. A system very much like this was prevalent in Bihar among the Namiyas. Halis have thus to keep serving their master or seek another on the same terms. Unless the debt is cleared they cannot leave his land. The system smacks of slavery and perpetuates economic servitude. It had been the practice in the past to pay the debts of the tenant before another landlord gave him protection and availed of his services. But the knowledge of their position and their legal rights has, to some extent, changed the situation. The tenants are now asserting their rights and leaving their masters. The landlords having lost their solidarity cannot now maintain their old position. In the past the State used to force the tenants to go back to the landlord unless his debts had been paid but now the landlord is instructed to approach the law courts. He cannot have any real help from the law courts for the tenants possess nothing but their own persons and thus no decree of a court of law can help the creditor. Since the landlords, in the higher polyandrous regions in particular, depend for cultivation mainly on Halis this has greatly effected their position."

"In some cases it is indeed a great hardship on the zamindars. Some of them invest all their life's savings in Halis and if a Hali runs away

there is no means of recovering the amount advanced to him. Cases have been known where zamindars have advanced as much as Rs. 1,000 to a Hali. On the other hand, the case of the Halis is also sad one. They become hereditary serfs to all intents and purposes. Moreover, the helplessness to which they are reduced by the burden of a debt they can never repay, deserves the sympathies of all."

14.85 The book was published in 1975. There is, at Salogra, District Solan, Himachal Pradesh, an organisation containing the head offices of the Parvetiya Adimjati Sevak Sangh, a non-official body devoted to the service of the tribal people and affiliated to the All-India registered body "Bharatiya Adimjati Sevak Sangh" and of the Himachal Pradesh Branch of the All-India Harijan Sevak Sangh, another registered body. These All-India Institutions and these Himachal Branches are officially recognised for grants-in-aid. The workers of this Salogra organisation have kept reporting, with lists of specific names and addresses, the existence of bonded labour in certain parts of the Sirmur District which has been providing confirmation of Dr. Parmer's back as to the existence of bonded labour in the Sirmur District. When confronted with these facts, on the floor of the House in the Legislative Assembly of Himachal Pradesh, Dr. Parmar's own Government either flately denied the existence of bonded labour or tried to wriggle out with evasive replies. The actual questions and answers will be reproduced by me for the information of the Commission later on my return to Simla from this tour. Shri Balak Ram M.P. (after 1977 and till the recent dissolution of Parliament), also raised this issue. The matter was revived and taken up with the present State Government by myself and, in fact, the M.P. came into the picture at my instance. The present Government passed some orders as a result of which the district authorities took some measures, but, it seems fear psychosis prevailing in the localities concerned proved handicap and the true situation was not fully revealed to the enquiries officially made at the district level. The General Assistant of the district and, therefore, the Deputy Commissioner himself carried out enquiries in 2 places, namely, Shillai and Kafota, on the basis of lists of names and addresses provided through me by the above mentioned organisation at Sologra, of which Shri R. C. Rojhe, a life member of the Akhil Bharatiya Adimjati Sevak Sangh, is the Secretary. Two reports went up to the State Headquarters from the District office. The sum total of these reports boils down to this that bonded labour did exist but, with the enactment of a law against it and with the general trend of the march of time, it had so much dwindled now that no particular action need be taken, especially now that it has been made well known that there is a law forbidding bonded labour and the concerned official machinery has been alerted to enforce the law. So far as the State Government is concerned the matter seems to be resting there at present. On the other hand, workers of the Salogra organisation persist in their essertion that, although, no doubt, there has been some lessening of this evil, yet it has not faded away or died down and action is still needed to root it out. My own impression, gained from what I have heard and seen in the meetings held during this tour, is that a detailed investigation and survey are still an urgent necessary and shall have to be carried out by the staff of the Commission with the existence of Shri R. C. Rojha's organisation and the District official machinery. The flush and commotion stirred up by this tour itself and still more the very commencement of the proposed investigation may be expected to have the effect of further lessening or relaxing bonded labour. The need for intensive investigation and survey shall, however, still continue. It shall have to be not only a village to village investigation but, perhaps, in some cases, a house to house operation.

14.86 The fear in the minds of bonded labourers (generally belonging to Scheduled Castes) is generated by two considerations. The first and the foremost is the utter dependence on the creditor class in the village, to which class the debtor labourer has got attached for periods varying from a few months to 2 or 3 generations. The second seed of the fear may be found in the general atmosphere of depression influencing the psychology of the Scheduled Castes in the places concerned. Where as the latter root cause of fear is comparatively easier to tackle. The former is not so simple: Loans from banks, cooperatives and from other officially arranged sources, necessarily and unavoidably entail a certain measure of bureaucratic procedure which, even today, proves taxing on the time and capacity of simple village folk, often too distantly placed for any easy advantage from these institutions offering alternative channels of credit. The moral is that it might be better, as far as practicable, to solve the problem by bringing about emicable settlement between the creditor and the debtor, the lord and the labourers, the task master and the worker. In every public meeting I have been suggesting such compromises on the basis of a rationalisation of the dues from the labourer, on account of the principle and the interest of the loan, setting off against such dues the wages that would secure to the labourer, taking into calculation the interest that would be charged by the alternative sources of credit as also the wages that the labourer would get if he were to work even as an unskilled wage earner on road work. Such striking of a balance in the accounting might lead to anything from continued labour in favour of the creditor, with the wages going on steadily to reduce the burden of the debtor, to the paying of reasonable wages, in addition to the usual two meals a day, by the creditor to the debtor for the latter's labour. In

any such amicable arrangement, calculated to be conducive to the maintenance of good relations all round, I personally would not mind the local creditor even charging slightly higher interest than the officially arranged alternative source of credit, because the local creditor saves the debtor-labourer so much of the botheration of bureaucratic procedure. Such an amicable settlement might not only, in most cases, write off the past debts but would make it possible for the labourers to get continued work and facilities of easy credit and wages besides the two meals that are given to them under the old system.

14.87 However, before any curative or preventive measures are considered, it is essential to first have concrete and dependable information as to the exact extent and nature of bonded labour still prelevant and to this end, again, investigation shall have to be conducted urgently.

14.88 The member did write some months ago to the Honourable Chief Minister of Himachal Pradesh for making a provision in the Sixth Plan and the next Annual Plan for both identification and rehabilitation of bonded labour. Whatever the rehabilitation measures, apart from alternative sources of credit, the planning shall have to be realistic and the implementation thorough and prompt. Otherwise there will be relapse in the malaise. The usual, and unfortunately rather common bureaucratic craze for paper targets shall have to be guarded against carefully, because, not unoften this attitude flourishes at the cost of solid achievement.

14.89 (2) Untouchability: Untouchability was the Member's next principal subject in the tour. Apart from a couple of minor looking instances, no case worth a mention and of a serious nature was brought to his notice in this tour, but that would not mean that untouchability stands wiped out. While there certainly has been an appreciable decline over the years after Independence, it would be an over-statement and unwarranted complacence to hold that no anxiety need be entertained on this account.

14.90. (3) *Demand for being declared as Scheduled Tribes:*

The trans-Giri area of the Sirmur District, known as "Giripar" in common parlance, is even by official recognition, the comparatively undeveloped portion of the Sirmur District. The demand of the people, as embodied in their printed memorandum of which a c[illegible] (Annexure) is placed below, boils down to the inhabitants of this tract being declared a Scheduled Tribes and, by implication, the whole area being declared a Scheduled Area. The sole argument is likeness to the Jaunsar Bawar tract of the Garhwal Division of Uttar Kashi. The argument runs like this. Giripar of the Sirmur District of H.P. and Jaunsar Bawar of U.P. sail in the same boat of backwardness in almost every respect. Moreover, they are identical in culture, language and the way of life. Further more they have historical identity in that once upon a time Jaunsar Bawar was also part of the erstwhile princely State of Sirmur, the two areas being separated by the Tons river and, the two i.e. Jaunsar Bawar on the left bank and Giripar on the right bank, being otherwise alike topographically, their argument is further stressed by the alleged continuance to this day of mutual material relationships. This research work as well the work pertaining to investigating and assessing the practice of untouchability could be combined simultaneously with the main job of surveying bonded labour. The argument of the Giripar people to the effect that if Jaunsar Bawar can be regarded as populated by Scheduled Tribes, why not Giripar? Naturally, while examining the above mentioned aspects, bearing on similarity, the present extent of comparative development shall also have to be taken into account.

1. हिमाचल प्रदेश के दूसरे हिस्सों की तरह सिरमौर भी सदियों से एक रियासत थी। स्वतन्त्रता प्राप्ति के बाद भारत सरकार के घोषणा-पत्र (नं० 185 पी० तिथी 15 अप्रैल 1948) के अनुसार प्रशासनिक दृष्टि से सिरमौर रियासत को हिमाचल प्रदेश का एक जिला बना दिया गया। यह जिला हिमाचल की बाहरी ढलानों के बीच (177 डिग्री 112 तथा 77 डिग्री 4940 पूर्व लांगीचियुड और 30 डिग्री 2230 व 31 डिग्री 120 उत्तर लेटिचियुड) स्थित है। कयारदादून की खुली-2 पटी के अतिरिक्त यह जिला पहाड़ी है, जिसकी गहरी घटियां विभिन्न ऊंचाई की चोटियों के मध्य स्थित है।

2. गिरी नदी की लम्बाई के दांव इसके एक किनारे प्रवेश करती है तथा दूसरे सिरे तक बहती है। इस प्रकार जिले के लगभग बराबर के दो भाग बन जाते हैं, जो गिरीपार और गिरीपार के इलाके कहलाते हैं। इस भू-भाग को यह प्राकृतिक विभाजन एक जमाने से सार्वजनिक रूप से स्वीकृत है। इन दोनो इलाकों के निवासी अपनी आदतों, आचार-विचारों तथा रीति-रिवाजों के मामले में एक दूसरे से सर्वथा भिन्न है। गिरीपार का इलाका पहाड़ी है जिसके उत्तर में चूडधार पहाड़ की सबसे ऊंची चोटी जिसकी ऊंचाई 11,966 फीट है तथा बाहरी दुनियां से बिलकुल अलग है। परम्परागत गिरीपार के निवासियों को "हाटी" के नाम से जाना जाता है जो कि अपने आप में जन जातिय क्षेत्र की विशेषताएं रखता है और इसके दक्षिण पश्चिम में गिरी नदी बहती है। गिरीपार क्षेत्र के पूर्व में जौनसार बाबर का क्षेत्र मिलता है पहले सिरमौर रियासत का ही अंग था जिसकी तहसील कालसी (यू० पी०) में स्थित थी और यह उन्नीसवीं शताब्दी के आरम्भ में सिरमौर रियासत से अलग कर दी गई थी।

3. सिरमौर जिला के गिरीपार के इलाके में उप-तहसील राजगढ़, तहसील रेणुका का अधिकांश भाग, उप-तहसील शिलाई और तहसील पांवटा साहब का कुछ हिस्सा शामिल है। गिरीपार का इलाका यद्यपि तहसीलों और उप-तहसीलों में बटा हुआ है तो भी भौगोलिक, आर्थिक सामाजिक व सांस्कृतिक दृष्टि से वह एक ही प्रकार का है। सभी दृष्टियों से गिरीपार सिरमौर के अन्य भाग से भिन्न है।

4. **व्यवसाय** :--गिरीपार के लोग मुख्य रूप से कृषि पर आधारित है। लगभग 95 प्रतिशत लोग किसान हैं, शेष 5 प्रतिशत कृषि में ही जुड़े हुए हैं। यह दूसरी बात है कि इन लोगों के द्वारा अपनाए हुए खेती के तरीके बहुत ही पुराने हैं। भूमि प्रायः बंजर है तथा कम उपज देने वाली है और कठोर परिश्रम के बाद भी किसान को बहुत ही कम उपज हाथ लगती है। उन लोगों के पास भूमि थोड़ी-थोडी है। पशु दुर्बल है, औजार पुराने वक्तों के हैं तथा मुश्कील से भरपेट रोटी मिल पाती है इस इलाके में नाम लेने को भी ऐसा कोई उद्योग नहीं है जहां लोगों को रोजगार मिल सके या वहां प्राप्त कच्चे माल को उपयोग में लाया जा सके। यह भी भाग अनुसूचित जनजाति वाले जौनसार बाबर। (जिला देहरादून) क इलाके से जुड़ा हुआ है।

5. **जनसंख्या** :--1971 की जनगणना और 1974-75 की संशोधित गणना के अनुसार इस इलाके ही जनसंख्या का लगभग 1,33,393 (83,102 पुरुष और 55,211 स्त्रियां है) प्रति हजार पुरुषों के साथ 835 का अनुपात बनता है। इस अनुपात से ही इलाके में बहुपति प्रथा के प्रचलन का आभास मिलता है। प्रतिवर्ष कि० मी० 87 लोगों की रिहायश बनती है। यह सारा इलाका देहाती है, केवल कुछ वेतनभोगियों के अतिरिक्त ग्रामीण असहाय हैं जो सामाजिक दृष्टि से नितान्त पिछड़ा तथा उपेक्षित जीवन व्यतीत करते हैं।

6. **रीति-रिवाज** :--समूचे गिरीपार इलाके में प्रचलित रीति-रिवाज, जौनसार बाबर के रीति-रिवाजों के ही अनुरूप है जैसे कि संयुक्त परिवार प्रथा, जो कि हिन्दू कानून में मान्य व्यवस्था से भिन्न है। दाया-भाग और मिताक्षरा विवाह प्रणाली यहां प्रचलित नहीं है। उत्तराधिकार का उनका अपना ही नियम है, जो कि रिवाले आग व बाजुल अर्ज कहलाता है। जोड़ीदार (दो भाईयों की एक पत्नी), जिठोंग, ज्येष्ठ पुत्र का अधिकार कांठोग्र (सबसे छोटे पुत्र का अधिकार) ही उत्तराधिकार के मापदंड है तथा इन्हीं पर बंटवारा आधारित है। वहां प्रचलित कानून के मुताबिक बूजुर्गों की सम्पत्ति में स्त्रियों का कोई अधिकार नहीं होता है। आमतौर पर बाल विवाह होते है, वयस्क विवाह तो अपवाद हैं। पुर्नविवाह और तलाक आम है। तीन प्रकार के विवाह प्रचलित हैं। बाल विवाह, झाझडा और रीत, सभी जातियों में ये तीनों प्रकार के विवाह प्रचलित हैं। बारात दुल्हन के घर से चलती है तथा दुलहें के दरवाजे पर आ जाती है। यह रिवाज जौनसार बाबर व सिरमौर (गिरीपार) के इलावा देश के और किसी भी हिस्से में प्रचलित नहीं है।

7. **स्त्रियों की स्थिति** :--गिरीपार इलाके में स्त्रियों की दशा बहुत बुरी हे। उन्हें दिनरात बड़ी मेहनत करनी पड़ती है, तब भी उन्हें पुरुषो के मुकाबले हीन समझा जाता है, न तो उनका पालन पोषण ही ठीक ढंग से होता है और नही उन्हें शिक्षा दी जाती है। नैतिक मामलें में भी वहां की स्त्रियो को जौनसार बाबर की तरह दो तरह का जीवन व्यतीत करना पड़ता है। पति के घर जहां उसका जीवन बंधा-बंधा सा होता है वहां पिता के घर वह स्वतंत्र जीवन व्यतीत कर नाच-गान आदि उत्सवो में पूर्ण स्वतंत्र रहती है। जौनसार बाबर की तरह बहुपति प्रथा भी इस क्षेत्र में सर्वथा पाई जाती है। यह सारी प्रथायें उसके पिछड़े जीवन को अधिक पिछड़ा बनती है जिससे वह अच्छा सामाजिक जीवन व्यतीत नही कर सकती। अच्छी शिक्षा, अच्छा व्यवसाय, तथा पुरुष के साथ कन्धें से कन्धा मिला कर चलने के लिए, युगो पिछड़ी गिरीपार की स्त्री जाति के लिए इस क्षेत्र को जन-जातीय घोषित किया जाना नितान्त आवश्यक है।

8. **मेले और उत्सब** :--गिरीपार के लोगों के मेले व उत्सव भी देश उत्सवों से भिन्न हैं, केवल जौनसार बाबर में ही उनके अनुरूप उत्सव पाये जाते हैं। उनके मुख्य उत्सव हैं बीशू, हरयाल्टी, पांचो, जागरा, बूढ़ी दीवाली और भांतियोज। यहां की बूढ़ी दिवाली देश की दिवाली के एक महीने के बाद मनाई जाती है। भातियोजन वह उत्सव है जिसमें जनवरी के महीने में बकरों, भेड़ो, खाडू तथा सूअरो आदि की बलि दी जाति हैं। सभी उत्सवो में लोग जाति-पाति की परवाह किए बिना सामूहिक रूप से अपने अतिथियो सहित खान-पान, नाच-गाने में सम्मिलित होते है, ऐसे अवसरों पर लोक नृत्य जीवन के एक अलगाव को तोड़ते हैं।

9. **धर्म और जादू** :--गिरीपार के इलाके में प्रचलित हिन्दू धर्म तथा जन-जाति सम्बन्धी विश्वासो व अंध विश्वासों का एक अजीब मिश्रण हैं। ऐसा मिश्रण जौनसार बाबर के इलावा देश के और किसी भी हिस्से में नहीं हैं। जादू तथा अंध विश्वास इस इलाके में बहुत हैं। इन्हीं से लोगों को अपनी रोजमरा की जिन्दगी से गजरना पड़ता है तथा बिकट स्थितियों में सहारा प्राप्त करते हैं। सैतान की बुरी जुबान के महत्व को यहां माना जाता है। नीम, नामक कस्म यहां के अंध विश्वासों का एक और विचित्र रूप हैं यहां के लोगों के अपने ही देवी देवता है जैसे:

शिगुल, महासू, बिजोट, ठारी (दुर्गादेवी), कुचियाट, कोयलू और भंगायण। लोग इन्हीं देवी देवताओं की पूजा करते हैं तथा बीमारी में इन्हीं से स्वास्थ्य लाभ के लिए वरदान मांगे जाते हैं। जिस व्यक्ति पर देवी, देवता की कृपा होती है, उसकी आत्मा समय विशेष पर उस व्यक्ति के शरीर में प्रवेश कर जाती है उन्हीं के आदेश पर देवी देवताओं को बकरे व मुर्गे चढ़ाए जाते ह ताकि वे प्रसन्न होकर विपत्ति को दूर करें। जन-जाति का यही वर्णन डा० मजुमदार ने अपनी पुस्तक "दी फारचून आफ प्रिमिटिव ट्राइब" के पृष्ठ 151 में किया हैं।

10. **शिक्षा और संचार** :--शिक्षा की दृष्टि से गिरीपार का इलाका जिले के और हिस्सों से पिछड़ा हुआ है इस इलाके में कुछ विद्यालय खोले गये है, जिनमें आमतौर से न पूरा सामान होता है और न पूरे अध्यापक। इस विद्यालयों के विद्यार्थी किसी भी दृष्टि से जिले के अन्य विद्यार्थियों का मुकाबला नहीं कर सकते। इसलिए हिमाचल प्रशासन ने गिरीपार को शिक्षा की दृष्टि से पिछड़ा हुआ इलाका घोषित किया है। (नोटिफिकेशन नं० एक 3.151 60-5.4 ता० 14 नवम्बर 1960) परन्तु फिर भी इस मामले में लगभग कुछ भी नहीं हुआ है और आवागमन के साधनों की ओर भी बुरा हाल है। गिरीपार के इलाके में कोई भी ऐसी सड़क नहीं है जो बारह महीने काम में आ सकती है। इसलिए वर्षा और जाड़े में यह इलाका बिलकुल अलग-थलग पड़ जाता है। इस इलाके में तार, टेलीफोन आदि की कोई सुविधा नहीं है। संचार व आवागमन के साधनों के अभाव के कारण जिले के प्रगति सम्पन्न हिस्सो से इसका होड लेना असम्भव है। इसी से इलाके के पिछड़ेपन का पता चल जाता है। इस कमियों के अतिरिक्त यहां के लोगों को आधुनिक औषधी सम्बन्धी सुविधायें भी नहीं हैं।

11. सन् 1953 के भारत सरकार के अनुसूचित जन-जाति सम्बन्धी कमीशन की रिपोर्ट में पृष्ठ 224 पर जन-जातियों के निम्नलिखित लक्षण बताए गये हैं :--

12. जनजातियों के विषय में इस तथ्य से ही जानकारी हासिल की जा सकती है कि वे पहाड़ों के दूर-दराज इलाको में रहते हैं और जहां वे मैदानों में भी रहते हैं, वहां भी उनका जीवन अलग-थलग तथा कटा हुआ होता है। उनका अस्तित्व समाज की मुख्य धारा से अलग रहता है। जन-जातियों के लोग किसी भी धर्म के हो सकते हैं। उनकी जीवन-विधि के अनुसार ही उन्हें अनुसूचित जाति में गिना जाता है। सिरमौर का गिरीपार का इलाका अनुसूचित जनजाति के रूप में घोषित करने की सभी शर्तों को पूरा करता है, जिन कारणो से जौनसार बाबर का इलाका अपने भिन्न स्वभाव के कारण ही जनजाति के रूप में घोषित किया गया है। डा० यशवन्त सिंह परमार की पुस्तक "पोलेन्ड्री इन हिमालयाज" में पृष्ठ 86 पर लिखा है (कि सामाजिक, आर्थिक और सांस्कृतिक मामले में जौनसार बाबर के लोग सिरमौर के लोगों के समान हैं। उनके वे ही रीति-रिवाज हैं, वे ही तौर तरीके हैं, वे ही उत्सव है, वही धर्म है तथा वही शौक हैं। इन दोनों इलाको के बीच वैवाहिक सम्बन्ध अभी भी प्रचलित है। जौन-सार-बाबर की तरह गिरीपार में आज भी बहुपति प्रथा पाई जाती है।)

13. इन तथ्यों से यह स्पष्ट है कि सामाजिक, आर्थिक, शिक्षा सम्ब[illegible] तथा भौगोलिक मामलों में गिरीपार के लोगो की हालत देहरादून जिले क जौनसार-बाबर के लोगो जैसी ही है।

14. अब जौनसार-बाबर को तो अनुसूचित जनजाति क्षेत्र घोषित कर दिया गया है परन्तु इसके साथ लगे हुए गिरीपार के इलाके को जनजाति क्षेत्र घोषित न करना वहां के निवासियों के प्रति सौतेला जसा व्यवहार ही कहा जाएगा।

15. अपने सामाजिक, आर्थिक और सांस्कृतिक पिछड़ेपन के कारण इस इलाके के लोग जीवन के सभी तरह के विकास से पिछड़े गए हैं। इसलिए देश के प्रगति सम्पन्न लोगों के साथ प्रतियोगिता में जाने योग्य वे नहीं है।

16. अतः अनुसूचित जाति जन-जाति के लोगों को जो संवैधानिक सुरक्षायें प्राप्त हैं, उन्हीं के अनुसार इस इलाके को भी अनुसूचित जनजाति क्षेत्र घोषित किया जाना चाहिये है। ताकि इस क्षेत्र के हाटियों को भी विकसित क्षेत्रों के लोगो से मुकाबला करने का समय मिल सके तथा साथ जुड़े हुए जौनसार-बाबर के लोगों के समान सब अधिकार प्राप्त कर सकें। सदियों पुराने आचार-विचारो से दबे कुचले लोगो को बेहतर जीवन प्रदान करने के लिये तथा देश की सर्वांगीण प्रगति के लिये यह न्याय संगत है कि अब भी इस इलाके को अनुसूचित जाति-जनजाति क्षेत्र घोषित कर दिया जाए।

धन्यवाद।

(4) *Tour Note of the Commission for Scheduled Castes and Scheduled Tribes, relating to tour of West Bengal during October,* 1979 *and January,* 1981.

14.91 Shri Bhola Paswan Shastri, M.P. (Chairman), Shri S. K. Mallick ICS Retired (Member) and Shri R. P. Khanna, IAS (Secretary) Commission for Scheduled Castes and Scheduled Tribes toured West Bengal during 1979 from October 23rd to October 27th and during 1981 from January 7th to January 11th for an indepth study of the "Operation Barga" and its progress in particular and for study of land reform measures and other schemes in general. During the course of their tour, the Commission met the Chief Minister and a number of other Ministers and various Heads of Departments concerned with the implementation of Land Reforms and the welfare of Scheduled Castes and Scheduled Tribes.

14.92 With a view to making an on the spot study of the "Operation Barga" and other welfare programmes, the Commission undertook a tour of the District of 24 Parganas, Hooghly, Howrah, Vardhman and Bankura. The tour note has been divided into two parts : Part I relates to general policy matters relating to land reforms in general and operation Barga in particular, while Part II gives the tour impressions and observations of the Commission with regard to the working of operation barga, land reform measures, institutional finance and other schemes inspected/seen and discussed by them with officials and non-officials during their tour of various places.

14.93 The particulars of ministers & important official met during the tour are given below :

S. No.	Designation of person met	Date of meeting
1	The Chief Minister, West Bengal .	24-10-79
2	Land Reforms and land Revenue Minister	24-10-19 & 10-1-81
3	Minister of State for Scheduled Castes/ Scheduled Tribes Welfare.	Do.
4	Minister of State for Social Welfare .	24-10-79
5	Land Reforms Commissioner . .	24-10-79 & 10-1-81
6	Secretary, Scheduled Castes & Scheduled Tribes Welfare Department.	Do.
7	The Development Commissioner .	10-1-81
8	Director Land Records and Surveys	24-10-79 & 10-1-81
9	District Magistrate, Howrah . .	26-10-79
10	District Magistrate, Hooghly . .	26-10-79
11	District Magistrate, Vardhman .	8-1-81
12	District Magistrate, Bankura . .	9-1-81

14.94 In addition, the Commission met a number of other officers entrusted with Land Reforms work in the Districts visited and the Heads of the Zila Parishads, Sabhapatis of Panchayat Samities, Pradhans of Gram Panchayats, MLAs, allottees of ceiling surplus land, recorded and unrecorded bargadars and landless marginal and small farmers belonging to the Scheduled Castes and Scheduled Tribes etc.

14.95 In a land scarce and labour abundant economy like West Bengal where there is a high degree of skewed pattern of land distribution the only way to ensure equitable distribution of productive assets is by way of radical land reforms measures. It is also well known that basically most of the problems of law and order in the country-side of West Bengal had their origin in the incidents due to landlessness which result in innumerable land disputes. These land disputes mostly related to alienation of land of the weaker sections in distress during lean periods and their dependence on the usurious money lenders and Jotedars. Therefore, land Reforms has been rightly considered as the corner-stone of the entire rural development strategy in West Bengal. This has been ensured through land legislations like the West Bengal Estates Acquisition Act, 1953, the West Bengal Land Reforms Act, 1955, West Bengal Restoration of Alienated Lands Act, 1973, the West Bengal Acquisition of Homestead land for Agricultural Labourers, Artisans and Fishermen Act, 1975 & West Bengal Holdings Revenue Act, 1979. These Acts have been amended from time to time with a view to making these legislations more progressive.

14.96 The main features of the programme of Land Reforms are given below :

(i) Distribution of available ceiling surplus and vested lands among the landless.

(ii) Special drives to detect and vest more ceiling surplus lands through quasi-judicial legislative machinery with the help of the rural workers organisations and Panchayati Raj institutions.

(iii) Recording of the names of the Share-croppers (bargadars) through "Operation Barga" in order to secure to them the legal rights through security of tenure. The "Operation Barga" being a subject of detailed examination has been discussed in detail in this tour note separately.

(iv) Exemption of small and marginal farmers from payment of land revenue by abrogation of the old revenue system and substituting it by a new measure under which revenue is assessed on land holding above a certain valuation on progressive rate.

(v) Restoration of land alienated by poor and marginal farmers through distress sale provided the purchaser himself is not a poor peasant having land holding less than one acre.

(vi) Assigning permanent title for homestead purpose for all the landless workers including the recorded *bargadars,* artisans and fishermen upto 0.08 acres who are in permissive possession of lands belonging to others.

(vii) Giving coverage of institutional finance through Nationalised and Cooperative Banks and the Scheduled Castes/Scheduled Tribes Development and Finance Corporation etc. to the *bargadars* and the assignees of vested land with a view to completely liberating them from the usurious money lenders and *jotedars.*

(viii) Disbursement of financial assistance to the assignees of vested land for development of their land.

(ix) Providing tiny sources of irrigation to the assignees of vested land through tube wells and dug-wells with a view to motivating them to go in for high value multiple cropping to improve their economic status.

(x) Development of rural infrastructure through Food for Work Programme. The aim is to benefit the assignees of vested land and marginal farmers with a view to make them self-supporting particularly during lean period when there is possibility of distress sale of land in their ownership. This would thus prevent retransfer of their land to the affluent farmers and middle level peasantry.

14.97 The progress of the land reform measures enumerated above is given below :

Distribution of ceiling surplus vested land among the landless-drives to detect more land

(i) While the West Bengal Estate Acquisition Act, 1953, aimed at the abolition of intermediary rights creation of the tenancies by raiyats, vesting of surplus agricultural and non-agricultural land in the State, uniformity in rent structure and payment of compensation to the intermediaries whose land has been acquired, the West Bengal and Reforms Act deals exclusively with agricultural land, ceiling on land holdings, imposes limitations on transfer and ceilings on land holdings, regulates the rights of share croppers and provides for distribution of surplus land, spells out the rights, obligations and incidence in respect of holdings of raiyats, assessment of land holding and continuous maintenance and revision of record-of-rights.

14.98 According to the provision contained in Sec. 49 of the West Bengal Land Reforms Act read with the condition already fixed by the Board of Revenue the following priority principles have been laid down for distribution of vested agricultural land :—

A. *Priority :*

14.99 (i) A landless person found to be in uninterrupted possession for a minimum period of 3 years.

(ii) Landless agricultural workers who belong to Scheduled Tribes.

(iii) Landless agricultural workers who belong to the Scheduled Castes.

(iv) Landless agricultural workers other than the above.

(v) Landless *bargadars* who belong to the Scheduled Tribes.

(vi) Landless *bargadars* who belong to Scheduled Castes.

(vii) Landless *bargadars* other than the above.

(viii) Landless persons who used to cultivate the lands in question as *bargadars* or agricultural workers under the previous owners.

(ix) *Raiyats* who belong to the Scheduled Tribes and cultivate themselves.

(x) *Raiyats* who belong to Scheduled Castes and cultivate themselves.

(xi) *Raiyats* who do not belong to Scheduled Tribes or Scheduled Castes and cultivate themselves.

(xii) Ex-service personnel who are eligible under Section 49 of W.B.L.R. Act that are not considered for allotment of land from the earmarked quota.

B. *Conditions*

14.100 (i) *Raiyat* or *bargadar* who owns as a *raiyat* one acre or more of agricultural land shall not be ordinarily eligible for any further land.

(ii) A person who is not a national of India shall not be entitled to any land.

14.101 Thus it will be seen that the Scheduled Tribes and Scheduled Castes landless agricultural workers as well as landless *bargadars* get overriding priority in the allotment of agricultural land.

14.102 Initially the ceiling of agricultural land was fixed at 25 acres in 1971 but it was amended to introduce the ceiling on family basis under Section 14 of the said Act. This also contains elaborate provisions regarding restrictions on alienation of land by the Scheduled Tribes.

14.103 Total number of holdings in the State is 52,66,367 and cultivated area is 138 lakh acres according to 1976-77 agricultural census. For the State as a whole the average size of the operational holding has decreased from 1.2 hectares in 1970-71 to 0.99 hectares in 1976-77. Holdings of sizes below 1 hectare have increased from 25.28 lakhs in 1971 to 35.02 lakhs in 1976-77. This unusual increase in the number of marginal holdings may be due to distribution of surplus land among large number

of agricultural labourers, division of holding due to inheritence and other allied factors. However the State Govt. have not made any analysis indicating as to what extent skewed distribution of land has been changed. The Commission, therefore, recommend that the State Govt. should make a detailed analysis of the size of holdings before coming into force of various land legislations and the position that has emerged as the result of the enforcement of the land legislations. This would enable the formulation of further policy measures and would also enable the enforcement machinery to initiate corrective measures wherever considered necessary.

14.104 The State Govt. has so far acquired 11.97 lakh acres of surplus land out of which 6,50,803.11 acres have been distributed till June 1980 and 3,68,326.11 acres of land is still available for distribution. The break-up of beneficiaries belonging to the Scheduled Castes and Scheduled Tribes and others allotted surplus land taken over under E.A. Act and L.R. till June 1980 is given below :—

Category	Under E.A. Act	Under L.R. Act	Total
S.C. (No.). . .	3,68,574	52,225	4,20,799
S.T. (No.) .	1,97,272	22,985	2,20,257
Others (No.) .	4,46,473	41,158	4,87,631
TOTAL .	10,12,319	1,16,368	11,28,687

14.105 The Scheduled Castes and Scheduled Tribes form 19% and 5% of the total population of the State, while 37.28% and 19.51% of the Patta holders belong to Scheduled Castes and Scheduled Tribes respectively.

14.106 Another 1,78,343.54 acres of vested agricultural land has been hit by injunction orders of High Courts and Civil Courts in as many as 20,000 Civil Suites in the former court and 27,000 civil suites in the latter courts are pending. It is understood that in spite of the political will of the party in power and the commitment of the bureaucracy and the support of the rural workers organisations and the Panchayati Raj Institutions the State Govt. is finding it increasingly difficult to keep track of these cases even with a special panel of State Lawyers and a separate legal cell in the department. The State Government has indicated that "it becomes easy for the affected propertied classes to draw judicial sympathy with a plea of injured innocence on any anti-property Legal measure". In spite of the hurdles the State Government is taking the following steps to overcome the resistance of the affluent farmers :

(a) The affected Panchayat Samities at the Block level have been empowered to detect land in excess of ceiling from Jotedars and recommend names for assignment of vested land not exceeding one acre per household. The State Government feels that with their active support it would be possible to overcome the inbuilt inertia of the administrative machinery which often coalesces with the land-owning classes in the rural areas. Moreover, these local rural organisations have full knowledge of both real and nominal owners of agricultural land. The State Government, therefore, estimates that 3.5 lakh destitute households would be partially rehabilitated by this programme.

(b) The Land Reforms Act is being amended with a view to including land other than agricultural land lime tanks etc. to be brought within the purview of the said Act.

(c) Another important amendment is to identify such families who are suspected to have land above the ceiling. This would be done by plugging Benami or clandestine transfer of property, made to friends, relatives or other persons real or imaginary through fictitious or collusive transactions. The proposed amendment of the Act would bring Benami transactions within the ambit of law notwithstanding any judicial or quasi-judicial orders passed earlier in respect of such land.

Homestead land to the homesteadless persons

14.107 The State Panchayat and Community Development Department had conducted a survey of Homsteadless persons in the rural areas during 1973-74 and it was estimated that about 3.50 lakh families required house sites. The scheme for providing house sites is being implemented by the Land Revenue and Land Reforms Department and the Panchayat and Community Development Department. According to the latter Deptt. 3,55,542 house sites had been distributed to the various categories of people in the following manner :—

Scheduled Castes . .	1,56,450	(Nos.)
Scheduled Tribes . .	51,431	(Nos.)
Others	1,47,661	(Nos.)

14.108 The figures of beneficiaries include 72,577 landless agricultural labourers, artisans & fishermen. Out of these only 54,112 beneficiaries have been recorded and parchas given to them till July, 1980 under the Acquisition of Homestead Land for Agricultural Labourers, Artisans and Fishermen, Act, 1975. It is further understood that the estimate of 3.50 lakh homesteadless persons was not made in a scientific manner. The Commission, therefore, recommend that the State Government should make a systematic assessment of total number of homesteadless rural household and also out of them the number of the Scheduled Castes and Scheduled Tribes families so that arrangements are made to record them and give them *parchas* on a priority basis. The scheme of allotment of agricultural land and homestead land should go hand in hand. It has also been observed that 40% of the homesteadless persons allotted land

are from Vardhman District. The Commission feel that the progress of the scheme in the other district is rather slow and needs to be accelerated.

Housing subsidy

14.109 Till 1973-74 the rate of subsidy per beneficiary was Rs. 500 which was raised to Rs. 1000 for plain areas and Rs. 1500 for hilly areas subsequently. Due to overall increase in the cost of building material the State Government should consider raising the rates of subsidy for construction of houses in plain and hilly areas. The subsidy and loan component should be 75 and 25 per cents respectively.

Operation barga

14.110 According to the Land Revenue Commission Bengal (1940) approximately one-fifth of land in Bengal is believed to be cultivated under Barga system. The State Govt. feels that the estimate made by the above Commission for the Presidency of Bengal would also be largely applicable to the present State of West Bengal as the mode of cultivation in this State has remained the same. Thus out of 138 lakh acres of land about 101 lakh acres is estimated to be under traditional agriculture. Assuming that 25% out of 101 acres of land is under barga cultivation, the net area under barga cultivation would come to about 25 lakh acres. The average size of the barga holding according to records is 0.97 acre but due to his traditional ties with Jotedar even after recording of his right he may not and in fact he does not in many cases disclose total land operated by him under barga. Therefore, the State Government has estimated that the average size of the barga holding would be about 1.25 acres. Hence the total area under barga cultivation may be about 25 lakh acres. The succeeding State Governments in West Bengal have, therefore, been faced with the baffling problem of sporadic disputes, many times of volcanic nature between the share croppers and the Jotedars, particularly, at the time of harvesting of crops. The conflicts also relate to rights of bargadars to cultivate barga land with security of tenacy, harvesting of crops, sharing of crops between the jotedars and bargadars. In short, the problem can have the following manifestations :—

(i) Sharing of produce by the bargadar on his providing inputs and bullocks.

(ii) Definition of the term 'self cultivation' by the Jotedars with a view to stopping eviction of bargadars.

(iii) The rights of bargadar on the irrigated land.

(iv) Harvesting disputes.

14.111 The abolition of intermediary interests as a result of land reform measures did not bring the large body of share croppers into direct contact with the State. Thus attempts were made by the successive Governments after Independence to source rights to bargadars by the Bargadar Act, 1948 which were formally codified in the Land Reforms Act, 1955. By several amendments to the Land Reforms Act from time to time attempts were made for safeguarding the interests of the bargadars against termination of barga cultivation, enforcement of delivery of share of produce and restoration of land to the bargadars. During the revisional settlement under the Estate Acquisition Act and Land Reforms Act, a sizeable percentage of bargadars was left unrecorded. It would be interesting to note that only about 3.00 lakh bargadars could be recorded from 1948 to August 1977. Thus with a view to get th names recorded in the settlement records workshop was held in June, 1977 by the present State Government and "Operation Barga" is the culmination of a decision of this workshop. Thus "Operation Barga" is a special drive started in September 1977 with a view to recording of rights of the share croppers who are styled as bargadars. This programme is being implemented by the same staff that implements settlement operations and there is, therefore, no conflict between the two programmes of overlapping of functions. In fact the "Operation Barga" is an essential adjunct of the settlement or land reforms Wings at the sub-divisional level which function under the immediate control of the ADMs (CR) and overall control of the District Magistrate. At the sub-divisional level, block level and village level the revenue functionaries are SDO(C) and SLRO, JLRO and Tahsildar respectively.

14.112 It is estimated that there would be between 2 millron to 3.6 million bargadars in the State but operational estimate followed by the State Government indicates that there are about 2 millions bargadars. With a view to achieving cent per cent recording of rights of bargadars the State Government have been laying down target dates for recording of bargadars. Till October, 1980 the State Government had recorded 9,80,033 bargadars. The district-wise break up of bargadars belonging to Scheduled Castes and Scheduled Tribes and others is given in the statement at annexure I. This statement reveals that 40% and 18% of the recorded bargadars belong to Scheduled Castes & Scheduled Tribes respectively. In other words, 58% of the recorded bargadars belong to the Scheduled Castes and Scheduled Tribes who together form 24% the total population of the State as per 1971 census. According to available reports the "Operation Barga" was originally to come to end on 30-6-1979 but its life has been further extended to 31-8-1980 and 31-3-1981. The State Government hopes to record about 13 lakhs bargadars. They are also of the view that it would not be necessary any further to continue the drive as the movement would become self-propelling. That is to say, the momentum created by the "Operation Barga" till March 1981 would take care of itself in the years to come. The Commission are all praise for and commend the State Govt.

for the determination with which they have been able to record about 7.00 lakh bargadars in a short period of about 2 years and one month till October, 1980 as compared with only 3.00 lakh bargadars having been recorded from 1948 to August, 1977 and recommend that the drive to record bargadars would continue unabated till the last unrecorded bargadar is recorded and assured security of tenure. The drive should not be closed down at the end of March 1981 but should be extended until all the bargadars have been duly recorded.

Methodology adopted for "Operation Barga"

14.113 It would be worthwhile giving in brief the way the "Operation Barga" is being implemented.

According to the mechanism arranged by the State Government not only the recording of bargadars is facilitated but it becomes difficult for the jotedars to take the law into their own hands. Further the definition of resumption of 'Personal Cultivation' clause in the law has been changed with a view to helping the process of recording of bargadars by providing the following safeguards in support of personal cultivation by the jotedars :—

(i) The land owner lives within 8 kilometers of the area of the land under question for a major part of the year.

(ii) His major source of income is from agriculture.

(iii) He has to cultivate the land himself.

The following operations are involved in the recording of bargadars under 'Operation Barga'.

(i) Identification of priority pocket, with large concentration of bargadars.

(ii) Formation of squads of functionaries like local JLRO, Kanungos and Amins and Kanungos of the Scheduled Castes and Tribes Welfare Department in case there is a large concentration of tribal bargadars in the propriety pocket. The Settlement Officers and ADMs (LR) jointly decide about the formation of such squads or their movement in the different priority areas.

(iii) Meetings with the bargadars are arranged in the evenings and near the places of their residence with a view to explain to them the objectives of the special drive of "Operation Barga" and advantages flowing from the recording. The officials have also to tell them to overcome the fear psychosis from which they have been suffering. The guidelines also provide that the officials who will be required to arrange such meetings should be properly "briefed". During the meetings applications for recording of unrecorded bargadars are received for recording.

(iv) Reconnaisance and field verification and actual recording is done to assess the incidence of bargadars in a particular target area. This verification is very important as the recording of bargadars will be based primarily on this verification. After the field verification, a provisional list is hung up in all important places in the cluster of villages where the operation is going on. The land owners are given opportunity to file objections which are heard and verified in the field in public. Thereafter, certificates of share cropping are distributed among the beneficiaries under Sections 50 or 51 of the Land Reforms Act as the case may be.

14.114 For doing the work of recording of bargadars the officials depend very heavily on the group action of the share croppers and their organisations like Kisan Sabhas and Panchayati Raj Institutions. The International Labour Organisation, Manila has also very much commended the programme in its Paper on "Problems of Rural Works in Asia and the Pacific" December 1980.

Institutional Finance :

14.115 Recording of bargadars is not an end in itself. It is, however, the beginning of a gigantic task of total rehabilitation of the hitherto neglected sections of society. Happily the State Government have proceeded from this very assumption. The State Government have worked out that the estimated cost for cultivation of one acre of land varies between Rs. 350—750 per acre depending on the topography of the soil. So far the source of credit of the bargadars and pattaholders of vested lands are jotedars and money lenders who are very much entrenched in the village set up as well as in the village co-operative societies. It was understood by the Commission during tours that the jotedars and moneylenders charge interest rates ranging from 150 to 300 per cent per annum. The usual practice for the bargadars is to take a bag of rice during the lean season and return a bag and a half immediately after harvest. Duration of the loan is 3 to 4 months. Sometimes the needy bargadars borrow with the stipulation to return double the amount. The State Government have received reports that after the launching of the "Operation Barga" the jotedars stopped giving consumption loans to the bargadars. The co-operative institutions which are allegedly controlled by the vested interests also did not fill in the gap. The State Government have, therefore, prepared the lists of recorded bargadars and assignees of vested land duly certified by the revenue official and sent to the participating banks. Consumption loan is built into the bank loan on the basis of the imputed cost of labour at the minimum rates of wages multiplied by the average mandays required to raise a particular crop. About 60,000 loan applications were sponsored to the

banks in 1979 while during 1980 total number of cases sponsored being only 55,701 is far short of the target of 1,59,674 for the year.

14.116 The banks are very much concerned with prompt recovery of loans. The State Government have taken steps to induce prompt payment by introducing full interest subsidy scheme for those who pay the loan within the prescribed dates of recovery. The State Government have also instructed the Panchayat and Development Departments to join the campaign for recovery of bank loans.

14.117 There has been a spate of harvesting disputes on account of the sharing of the produce and the reaction of the jotedars on account of the protection given by the Government to the bargadars and assignees of the Government vested land.

14.118 The Commission was informed during their visit to Damjur Land Reforms Circle, (Howrah Distt.) and in Burdwan Distt. that some jotedars had been trying to change the bargadars during different crop seasons with a view to depriving the latter of the security of tenure. Such reports are not uncommon from other parts of the State. The Commission hopes that the State Government will find out the truth of the matter by independent enquiries and ensure justice and protection to the bargadars wherever necessary. With a view to overcome such disputes, the State Government have laid down standing guidelines for settlement of disputes relating to cultivation and harvesting which are mainly based on the principles laid down in Sec. 21-B of the Land Reforms Act. In short a person who lawfully cultivates the land belonging to another person is a bargadar. The onus for proving that such bargadar is not the lawful bargadar and is not entitled to the share of the produce lies on the person who alleges that such and such person is not a bargadar in respect of that land. Thus an illegally evicted bargadar and the bargadar who has been engaged in his place by the owner will be entitled to harvest the crop and share the produce and the land owner in such cases will not get anything under Sec.19(B)(I)(b) of the Land Reforms Act. Further it is also provided that the land of the illegally evicted bargadar will be restored to him at the end of the cultivation season by an officer specially empowered by the State Government under the said section. The sharing of the produce is 25 : 75 between the land owner and the bargadar when the input expenses are met by the latter and is 50:50 when the former meets the input costs. Other disputes relating to illegal cultivation of land by a person other than the allottee are decided through the assistance and good offices of the elected Panchayat Bodies. The guidelines also provide that as far as possible the disputes should be settled amicably through the good offices of the elected representatives of the Panchayati Raj Institutions.

COMMISSION'S TOUR IMPRESSIONS ON SPECIFIC PROGRAMMES

14.119 The Commission toured a number of areas in the State with a view to have face to face discussion with the lower level officials, recorded/unrecorded bargadars, assignees of vested land, landless agricultural labourers, Pradhans of Gram Panchayats, Sabhapatis of Panchayat Samities and Members of rural workers organisations. The objectives was to understand the ethos of "Operation Barga" and difficulties faced at various levels with respect to recording of bargadars and their coverage by institutional finance and other related matters.

14.120 The particulars of places visited during the tours are given below :—

S. No.	Place visited and when	District	Purpose of Visit
1	2	3	4
1	Sonarpur Panchayat Samiti and Land Reforms Circle (25-10-79)	24 Parganas	Study of Operation Barga and other land reforms.
2	Bagdah Panchayat Samiti (25-10-79)	24 Parganas	Do.
3	Salap Halks Camp and Damjur, L. R. Circle (26-10-79)	Howrah	Do.
4	Bakulia village (26-10-79)	Hooghly	Do.
5	JLROS Office Kankasha (8-1-81)	Vardhman	Do.
6	Malandighi Camp Kankasa Block (8-1-81)	Do.	Barga meeting
7	Patrosayer Panchayat Samiti Office (9-1-81)	Bakura	Rabi lending programme and Barga study.
8	Chandi Bengla Danga	Do.	Distribution of Pattas.
9	Alo Chalerdanga I.R.D.P. (9-1-81)	Do.	Sericulture Scheme.
10	Khatra II (9-1-81)	Do.	Barga meeting.
11	Barrackpur (27-10-79)	14 Parganas	Inspection of R. K. Vivekananda Mission
12	Calcutta (24-10-79 to 10-1-81)	Calcutta	Discussions with Ministers/ Officials

Assignment of vested land to landless persons

14.121 The Chairman, Commission for Scheduled Castes and Scheduled Tribes distributed Parchas of assignment of Government vested land to the landless persons mostly belonging to Scheduled Castes and Scheduled Tribes at Kanksha and Chandi Bengla as per particulars given below :

	Name of Place	No. of persons allotted land	Total acreage of land allotted
1	Kanksha Panchayat Samiti Office	41	13·02 Acres
2	Chandi Bangla Danga, Bankura District . . .	37	5·33 Acres

14.122 Thus it would be seen that the average size of the land allotted to each person comes to about 32 cents and 14-41 cents respectively. The Chairman advised all the allottees of these lands to make the best use of the same by growing paddy or some other cash crops so that they could raise their heads and economic status.

Meeting with the Chief Minister and Minister of Land Reforms and Land Revenue (24-10-79).

14.123 It was reported to the Commission on behalf of the State Government that the initial shyness of bargadars in coming forward for recording of their names has been successfully overcome on account of association of the Gram Panchayats and Kisan Sabhas, issue of suitable instructions to the officials for recording of bargadars and involving the Police to help in the event of victimisation of the bargadars by the land owners. But the Commission heard some different versions from different individuals during tours in the inferior areas of the State. For instance, the Pradhans of Panchayat Samiti, Sonarpur informed that the Police was not helping the bargadars at glance where the Kisan Sabha was weak. The Officers present informed the Commission that the Police Stations in the sensitive areas had not been strengthened. The District level officials including the District Magistrate and ADM(LR) Vardhman informed the Commission that there was lack of enthusiasm among the Pradhans of the Gram Panchayats. It was also understood that outwardly the Pradhans paid lip service to the problem of recording of bargadars. Inwardly they had sympathies with the jotedars as they themselves belonged to middle level peasantry. The Commission were informed on enquiry that Vardhman had returned MLAs and MPs from the C.P.I.(M) Party and even then it appeared that there was sporadic resistance to the programme. ADM (LR) Vardhman has mentioned in the proceedings of the land reforms conference held at Vardhman (Burdwan) on 30-7-80 that some of the Pradhans of Gram Panchayats were not cooperating in the matter of recording of bargadars. The Chairman was told by Shri D. Mandal Sabhapathi on Kanksha Panchayat Samiti that out of 113 Gram Panchayat members, 102 belonged to the C.P.I.(M). Similarly out of 40 members of Patrasavar Panchayat Samiti 39 have been returned on CPI(N) ticket while only one belongs to Cong.(I). In spite of that not all bargadars out of potential number of bargadars had been recorded in these two Panchayat Samities. However, in Maladighi all the 1844 (includes 80 SC, 426 ST) recordable bargadars have been recorded. In order to keep a track of the unrecorded bargadars the Pradhans of Panchayat Samities are not keeping a register indicating the total number of identified bargadars recorded and to be recorded. It was also understood from the Director of Land Records and Surveys that out of 9.80 lakhs recorded bargadars, there are 40,000 cases involving bargadars in the courts of law, 100 out of 200 cases of persons evicted from land by the jotedars in 24 Parganas Distt. are from Sonarpur Panchayat Samiti and all these cases are pending in the High Court according to ADM(LR) 24-Parganas. Further Land Reform Act provides that the cases involving bargadars will be referred to the Land Tribunals where the bargadars always come out successful but in order to undo this privilege in favour of the bargadars, the jotedars have now started taking the cases to the courts under Article 226 of the Constitution. The Government cannot do anything in the matter except involving the share croppers individually as well as collectively through their organisations and Panchayati Raj Institutions so that the matters are sorted out between the landlords and the sharecroppers amicably and the cases not allowed to be dragged to the courts of law. The Government also tries to convince the bargadars to get rid of the fear complex created by Court cases. However, the L.R.C. explained to the Commission that the impact of a single adverse decision given by the court relating to recording of bargadars has a snowballing effect on the entire psychology of the unrecorded bargadars and that is the reason why they are shy sometimes to get their names recorded.

14.124 The Commission, therefore, recommend that all cases involving "Operation Barga" should be brought out of the purview of the courts.

14.125 The Commission recommend that the Pradhans of all Gram Panchayats should maintain registers of genuine bargadars both recorded and unrecorded. The Pradhans should also maintain a list of recorded bargadars who have and who have not been provided with input assistance for cultivating land and the State Government should take requisite steps to ensure that those bargadars who have not been provided with input assistance are duly covered by providing them with requisite assistance so that these bargadars do not fall into the clutches of the landlords.

14.126 The Commission further recommend that the police stations in the sensitive areas/ villages where the jotedars are strong and abstract recording of bargadars should be strengthened and suitable instructions issued to the entire police staff to support the process of recording of bargadars in a committee manner. Their performance of work should also be reflected in their annual confidential reports.

14.127 The Commission observed that the slackness in recording of bargadars was partly due to the slackness of the officers in the field who often hobnobbed with the middle land peasantry. The Commission feel that when the Government is behind the movement, the officers should implement the movement honestly. Those officers who produce good results in the form of creating the required confidence among the bargadars as well as convincing the jotedars of the advantages of recording of bargadars should be rewarded by grant of suitable incentives, both in terms of monetary incentive and out of turn promotion.

14.128 The Commission further note that the middle level peasantry have managed to influence the rural organisation named as Kisan Sabha as well as the Panchayati Raj Institutions in the State. The Commission, therefore, apprehend that on account of political barriers from the middle level peasantry who controls the reigns of local bodies at the grass root level it may not be possible to push through the drive for the recording of bargadars in the same manner as it was initially envisaged by the State Government. . Therefore, the Commission recommend that a multi-pronged approach has to be adopted to break the political barriers which slacken the drive to record bargadars. The Commission are of the opinion that gradually when the recorded bargadars are able to stand up on their own, the composition of the rural leadership is bound to change for the better. The Commission feel that this may happen but it may be time-consuming.

14.129 The Chairman observed during tour on 10-1-1981 that in view of opposition from the middle level peasantry the leaders of the bargadars must emerge from the bargadars and the honest burgeoies in the Government as well as in the rural workers organisation and the Panchayati Raj Institutions should help in the process of recording and rehabilitation of the bargadars.

14.130 The Commission also feel that one important way to overcome the reluctance of many bargadars not getting themselves recorded so far in spite of the special drive may be through motivation and by imparting of special training to the workers involved in the process of recording.

Institutional Finance

14.131 At Patrasayer. the Chairman distributed Rabi loans to 24 assignees of vested land and recorded bargadars through the Gram[illegible] Bank (Under U.C.O. Bank) and the District Cooperative Bank on 9-1-1981 in Patrasayer Panchayat Samiti. According to the B.D.O. the rate of recovery has been 60 per cent of the Kharif loans advanced. The poor assignees of vested land and bargadars are not required to pay any interest in case of timely [illegible]yment. The Govt. meets the interest in [illegible] of timely payment but due to the dearth of institutional finance the coverage of loanees is very poor. Therefore the local Mahajan comes in. The local Mahajan gives cash loan at 5 paise per rupee per month which comes to an annual interest rate of 60% but generally he gives loan in kind and takes back in kind at 1½ times the rice advanced. In many cases bargadar has intimate relationship with the jotedar who is also the money lender.

14.132 The Commission have observed that the performance of the Banks in providing financial assistance to the recorded bargadars is not at all satisfactory. The Commission had, therefore, suggested that assuming the cost of cultivation of one acre of land towards purchase of input, hiring of bullocks etc. is Rs. 500/- and almost 10 lakh bargadars have been recorded till October, 1980 the total requirement of funds would be about Rs. 50 crores. It would not be difficult for the State Government with an annual budget of about Rs. 1100/- crores to manage Rs. 50 crores. The Commission, therefore, repeated this suggestion before the Minister of Land Reforms on 10-1-81 and suggested that a revolving fund may be created for giving financial coverage to all the recorded bargadars. If this is not done, the bargadars are most likely to fall a pray to the clutches of the money lenders. The present coverage of the recorded bargadars by the existing arrangements like Scheduled Castes Financial Corporation etc. hardly touches the fringe of the problem. Hence the State Government should seriously consider this suggestion to break the financial barriers.

14.133 It was reported to the Commission that by and large the recorded bargadars are in possession of the land under question. The Commission suggests that regular monitoring should be done to see whether the land of the recorded bargadars continues to be in their

actual possession as per records of rights or they are being surreptiously evicted from their barga rights.

Food for Work Programme

14.134 It was also understood from the Government side that the Food for work Programme provided succour to the helpless marginal farmers and landless labourers during lean period of the year. The workers who are engaged under the programme are paid wages in cash and kind according to the rates of minimum wages fixed by the State Government. The available information shows that the existing rate of minimum wages in West Bengal is Rs. 9.01/- per day. The minimum wage includes a variable dearness allowance linked to consumer price index for agricultural labour, West Bengal (Base 1960=100) to be adjusted once a year. The enforcement of minimum wage is done by 235 Inspectors in most of the blocks and Assistant Labour Commissioners in most of the Sub-Divisions. The BDOs have also been declared as Inspectors for the purpose of payment of minimum wage. The Commission feel that the Food for Work Programme should continue with added vigour as the implementation of this programme keeps the usurious moneylenders at bay from the marginal farmers and agricultural labourers who mostly belong to the weaker sections of the society.

14.135 The Commission interviewed many bargadars at different places visited by them on 25-26 October, 1979. An analysis of those cases reveals that only 16 cases of bargadars appeared to be of serious nature and required redress by the competent authorities. The details of these cases are given in Annexure-II.

Meeting with the Minister of State for Scheduled Castes and Tribes Welfare at Calcutta

14.136 The Commission met the Minister of State for Scheduled Castes and Tribes Welfare on 24-10-79. The Secretary, Scheduled Castes and Tribes Welfare and other officers of the Department were also present. The following important points came up for discussion :—

(i) As regards Special Component Plan for Scheduled Castes the Commission was informed on enquiry that the Ministry of Home Affairs had already been moved by the State Government to get a separate Budget Head allotted for the Component Plan. The Commission also wrote to the Home Ministry, Government of India to take up the matter with the Comptroller and Auditor General of India so that appropriate instructions could be issued at All India level for the opening of the budget subhead for the Special Component Plan in all the States. The Commission understood from the State Government that the matter was still pending with the Comptroller and Auditor General. The matter should be pursued by the Government of India as well as the State Government.

(ii) The Commission further enquired from the Minister whether hamlets have been identified for providing drinking water wells to the tribals. It was understood that the schemes of installation of tube wells in the State served the dual purpose of irrigation and drinking water. Under D.P.A.P., there is a scheme for supply of drinking water. The State Government are requested to indicate to the Commission the total number of villages/hamlets/*tolas* in the State yet to be provided with safe drinking water. The Commission recommend that there should be a provision for safe drinking water supply so that the facility of potable water is extended to all such villages/hamlets/*tolas* by the end of the Sixth Five Year Plan.

The Scheduled Castes and Scheduled Tribes Financial Development Corporation, West Bengal was set up in the year 1976, but till June 1980 no Managing Director had been appointed. The State Government have appointed a Managing Director and skeleton staff from July, 1980. As the Corporation is to play a very important part in the economic development of Scheduled Castes and Scheduled Tribes the Commission suggest that the State Government should strengthen the administrative set up of the Corporation at the Headquarters level and at the District level so that the workers of the Corporation are able to establish live-rapport with the Scheduled Castes and Scheduled Tribes requiring financial coverage.

The Secretary, Scheduled Castes and Scheduled Tribes Welfare Department promised to send a note on Helas (Scheduled Castes in West Bengal) to the Commission. This note should be expedited.

Meeting with the Minister of State for Social Welfare (24-10-79).

14.137 The Commission met the Minister of State for Social Welfare on 24-10-79.

The following is the gist of the discussion :—

(i) The State Government are not implementing the Antyodaya Programme as it was understood that the programme did not conform with the political philosophy of the Government.

(ii) The Commission suggest that the State Government should pay old age pension@ Rs. 60/- p.m. as per Planning Commission estimates.

(iii) The Tailoring Scheme for women being implemented in 30 Blocks and Batik print Centre programme should be made meaningful by starting follow-up programmes.

Other Schemes

14.138 During the course of their tour, the Commission discussed with the local people at various places about the working of different

schemes. The gist of discussions is given below :—

(i) *Health Schemes*

The Scheduled Caste and Scheduled Tribe people of Maladighi village, Kanksha Panchayat Samiti complained that the health centre, Purborakhur was not functioning properly as it was under staffed and without medicines. Even simple tablets for most common diseases were out of stock. The matter was discussed in the orientation camp held about two years back, but nothing has come out of that. Only one vaccinator is working in the Centre at present. The Director of Health Services has not visited the Centre to see the present state of affairs in the Centre. The Commission suggest that the State Health Department should take immediate steps to post suitable staff and provide medicines in the Centre. Further, the regional officer of the Directorate of Health should make periodical visits to the centre with a view to improving its performance and creating the desired confidence amongst the local people.

(ii) *Irrigation Schemes :*

The Scheduled Castes and Tribes of Maladighi village, Kanksha Panchayat Samiti of Burdwan district made a number of suggestions for starting minor irrigation schemes with a view to tapping the standing rain water both in the forest and non-forest area for irrigation purposes. The officers present in the village stated that due to laterite soil, the digging of wells was not possible, but they promised to see the technical feasibility of the proposals made by the villagers and do the needful so that the hardships of the people are mitigated. The villagers also suggested that an estimate of Rs. 22,000/- had been prepared for completion of the Bakhitpur bund, but only Rs. 5,000/- has been spent so far. The Chairman and Member Shri S. K. Mallick suggested that since the area falls in ITDP No. 31, the money should come from the ITDP. The L.R.C. who was present at the time of visit of the Commission to the village promised to do the needful.

(iii) *Cottage industries :*

One Scheduled Caste person from Malidighi village, Kanksha Panchayat Samiti complained that the Hand Gloves Unit started by him had closed down as the Durgapur Steel Plan had failed to place orders for supply of hand gloves. Member Shri S. K. Mallick suggested to the L.R.C. to approach the West Bengal State Leather Corporation for getting orders for hand gloves to the Unit. The L.R.C. promised to examine the matter.

At the time of distributing Rabi loans to the Scheduled Tribe and Scheduled Caste assignees of vested land newly recorded bargadars in Patrasayar Panchayat Samiti Office on 9-1-1981, the Commission was told that the cottage industries like weaving, rope making, bidi making, manufacture of bamboo and cane products, etc. were being assisted in the block under IRD programme. The objective is to provide supplementary income to the families of the Scheduled Caste and Scheduled Tribe marginal farmers and landless labourers. The beneficiaries are also assured of marketing of their ready made products. This is an important programme as about 45% of the Scheduled Castes and Scheduled Tribes of the block are marginal farmers and they are able to get employment during lean period. 89 various types of schemes for Scheduled Castes and Scheduled Tribes have already been sanctioned. 192 more schemes are pending with the banks sanction of loans.

(iv) *Inspection of sericulture scheme :*

The Commission visited the sericulture [illegible] Alochalar Danga on 9-1-1981. The Scheme covering an area of 28 acres of vested land allotted to 25 Scheduled Castes and 7 Scheduled Tribes and 16 other persons was commenced on 11-9-80 to cover 15 acres of land initially. It is proposed to take up another 12 acres of land under plantation during next ra[illegible] Mulberry cuttings were supplied to the beneficiaries. A total investment of Rs. 6,990/- is required towards rearing house (Rs. 3,500/-) cultivation and plantation (Rs. 2,500/-) and purchase of implements for rearing house (Rs. 990/-). 50% of the contribution comes from the bank as loan and the balance 50% is provided as subsidy by IRDP.

14.139 In addition 8 dug wells of 8' diameter have also been provided @Rs. 8900/- per well. 75% of the expenditure towards dug wells will be provided as subsidy out of which 33 1/3% is towards project cost to be met from IRDP funds and 41 2/3% of the project cost to be met out of crash dug well scheme fund. The beneficiaries will have to contribute 25% in the form of labour etc. The Chairman suggested to the Officer-in-Charge of the scheme that the beneficiaries being marginal farmers and new allottees of vested land should be paid wages for labour and no contribution should be charged from them as in the present case, even if the Government pay them training allowance @ Rs. 50/- per farmer for 6 months. The State Government should reconsider the matter as the farmers will have to wait for two years without any means before the scheme comes to fruition.

14.140 The Commission was informed that approximately Rs. 3,500/- would be the net income per year from each area under sericulture. The entire programme is being overseen by the Deputy Director, Sericulture and one Instructor.

Ram Krishna Vivekananda Mission

14.141 On 27-10-79 the Chairman accompanied by the Deputy Director for Scheduled Castes and Scheduled Tribes, Bhubaneswar visited Ramakrishna Vivekananda Mission at Barrackpore and inspected the working of the various activities of the Mission. The Secretary of the Mission submitted a scheme costing

about Rs. 38 lakhs setting up of a residential institution for 1000 Scheduled Castes & Scheduled Tribes children. As per instructions of the Chairman, the proposal was examined by the Deputy Director for Scheduled Castes & Scheduled Tribes, Bhubaneswar and comments were sent to the Commission through the Director for Scheduled Castes & Scheduled Tribes, Patna vide letter No. 34/21/80-WB; dated 1-5-1980 for further necessary action. The Commission have already requested the Secretary of the Mission vide letter No. 17/5/SCTC/79-RU, dated 25-9-1980 to indicate as to how much the Mission would invest from its own funds in creating the capital assets for the setting up of the said institution.

ANNEXURE—I

Number of Scheduled Castes and Scheduled Tribes Land Reforms (Beneficiaries Bargadars and Pattaholders) in West Bengal.

DISTRICT	Total No. of Bargadars recorded upto October, 1980	Approximate No. of Bargadars		Total No. of Patta-holders up to June, 1980	No. of Patta-holders belonging to Scheduled Caste	No. of Pattaholders belonging to the Scheduled Tribes
		Scheduled Castes	Scheduled Tribes			
	1(a)	1(b)	1(c)	2(a)	(b)	(c)
24 -Parganas	1,28,949	51,580	23,211	1,15,279	44,415	1
Howrah	30,629	12,252	5,513	12,686	2,607	6
Nadia	38,273	15,309	6,889	37,459	11,942	3,063
Murshidabad	46,485	18,594	8,367	55,736	11,674	3,213
Burdwan	77,633	31,053	13,974	79,533	34,564	15,510
Birbhum	59,048	23,619	10,629	41,221	21,052	9,096
Bankura	76,027	30,411	13,685	60,567	31,917	
Midnapore	2,08,212	83,285	37,478	3,12,583	90,816	73,679
Hooghly	65,352	26,141	11,763	28,400	12,130	4,257
Malda	59,159	23,664	10,649	82,385	23,521	15,633
West Dinajpore	83,656	33,462	15,058	1,26,024	44,118	35,309
Cooch Bihar	54,069	21,628	9,732	62,439	43,630	573
Jalpaiguri	43,219	17,288	7,779	63,328	31,384	15,139
Darjeeling	9,322	3,729	1,678	13,834	5,600	4,535
Burulia	..	..	..	37,318	11,429	11,403
	9,80,033	3,92,015	1,76,405	11,28,795	4,20,799	2,20,257

STATE TOTAL

1. Total No. of beneficiaries in the State : (a) Bargadars 9,80,033 + (b) Pattaholders 11,28,795=21,08,828
2. Total No. of Scheduled Caste beneficiaries in the State : (a) Bargadars 3,92,015 + (b) Pattaholders 4,20,799=8,12,814
3. Total No. of Scheduled Tribe beneficiaries in the State : (a) Bargadars 1,76,405 + (b) Pattaholders 2,20,257=3,96,662

ANNEXURE II

Details of grievances of bargadars interviewed by the Commission for Scheduled Castes and Scheduled Tribes on 25-26 October, 1979.

(i) Shri Gopal Ray (Sunri-Scheduled Castes) of village Jatnarayan in Belagarh Block of Hooghly District has got 5 Bighas of Barga land originally belonging to Shri H. N. Mukherjee of the village. The latter sold away the land to Shri Anup Bhattacharya at the time of recording of barga. But Shri Ray continued to be the Bargadar of the new landlord. The erstwhile landowner used to give him 25 per cent as share of the produce but now Shri Ray is getting 75 per cent of the share of produce as he is paying for the input charges. He complained that he had not been given any share during 1977 not had he received the certificate of recording of his Barga under the normal settlement programme from the Settlement Office. Due to this, the present landowner had been trying to harass Shri Ray by stopping supply of water to him from the deep tube well resulting in failure of his crops. He also alleged that the operator of the tube well had demanded Rs. 100/- from him as illegal gratification for releasing the water but due to his inability to do so he had to suffer. The Chairman observed that it was a case of harassment of a bargadar. The District Magistrate, was requested to hold an enquiry into the matter and take appropriate action in the matter and thereafter send a report to the Commission.

(ii) Shri Gokul Murmu (ST) of Rudapada (Hooghly District) has got 4 Bighas of land. He had applied for subsidy for shallow tube-well 4 months back but the Scheduled Castes & Scheduled Tribes Welfare Department had not intimated the results to him. The Commission requested the District Magistrate to pursue the matter and report the progress of the case.

(iii) Shri N. N. Hajra (Scheduled Tribes) of village Tamduda (Hooghly District) has got 4 Bighas of land which had not yet been recorded under the normal settlement. He wanted irrigation facility by construction of a personal tank. He did not have home stead land. The Commission requested the authorities to find out why recording of Barga land and homestead land had not been done in favour of Shri Hajra so far.

(iv) Shri Babu Singh Bhumij (Scheduled Tribe) of Ditirpur village (Hooghly District) had got 6 Bighas of waste land which had not been recorded in his name. The Commission requested the authorities that his rights on land be recorded. The District Magistrate assured that it would be done.

(v) Shri Balram Soran (Senthal) of Insura village, Belagarh Block, District Hooghly has been cultivating the land of Shri Gyanandranath Syal (9 Bighas), and his younger brother (5 Bighas) for the last 20 years. Only 9 Bighas of land belonging to Shri Syal have been recorded in the year 1977 while the remaining 5 Bighas of land have not yet been recorded. Shri Soran has already submitted an application for registration to the D.L.R.G, who has since forwarded the application to the Settlement Officer where it was reported to be pending. This should be expedited.

(vi) Smt. Lakhi Singh, residing near Bakulia village, District Hooghly cultivates 6 Bighas of barga land. Her father had recorded the rights on land last year but the certificate of Barga had not been given so far. This should be issued immediately.

(vii) Shri Nirmal Ghosh of Insura village of Hooghly District is cultivating 11 Bighas of land belonging to Shri Ajath Mukrjee. He had applied for recording of his rights on Barga land in January, 1979 but without any result. This should be disposed of immediately.

(viii) Shri Santosh Kumar Nayak (SC), village Bakulia, District Hooghly, has been cultivating 12 Bighas of land on Barga basis and has requested the Administration to record his as Bargadar. This case should also be disposed of immediately.

(ix) Shri Baledur Sardar of Chenpur Moura (District 24-Parganas) cultivates some Bighas of land belonging to Shri Ramesh Babu who owns 100 Bighas of land in different names. Though he is giving 50% share of the crop to the land owner, the latter issues no receipt in token of that. His name has not been recorded as Bargadar. This case should be looked into and disposed of immediately.

(x) Shri Rakhal Bhuia of Bagha Panchayat Samiti, District 24-Parganas was cultivating 6 Bighas of land of Shri Ramesh Babu. He wanted his rights on Barga land to be recorded, but he was evicted from the land by the land owner. This case should be looked into. His right should be recorded and the possession restored to him immediately.

(xi) Shri Shibupada Das, Bargadar of Chenpur Moure, 24-Parganas District has been cultivating 4½ Bighas of land for the last 12 years and paying 50% of the produce to the land owner. He wanted to record his rights on the land but the kanoongo did not record these rights under the influence of the land owner and some other officials. This case should be enquired into and his right duly recorded.

(xii) Shri Balai Das, Bargadar of Shri Aurbinda Mallick from Bagada Panchayat Samiti, 24-Parganas District, has been cultivating a piece of land but he had not been recorded as a Bargadar. The land owner has been asking him to release the land in question to him. This case should also be enquired into and disposed of immediately.

(xiii) Shri Govinda Mandal of Katalia Moura, District 24-Parganas had been cultivating 11 Bighas of land on Barga basic, but he has now been evicted from the land. This case should also be looked into and appropriate action be taken immediately.

(xiv) Shri Golak Mandal of Chandapara Moura, Pared, District 24-Parganas has been cultivating 1½ Bighas of land belonging to Shri Jitan Mandal for the last 30 years. His Barga has not been recorded. He has applied for recording. This case should be disposed of immediately.

(xv) Shri Panchanan Pal of Mouze Tatgar village Harapper, District 24-Parganas has been cultivating 36 decimals of land belonging to Shri Jugal Nasker of Sonarpur. Though he has no dispute with the landlord, his rights on Barga land have not been recorded. Similarly the Barga rights of Shri Kasinath Mandal and Shri Nitya Gopal Munde who are cultivating one Bigha each of land belonging to the same land owner have not been able to get the rights recorded. These cases should be enquired into and appropriate action be taken immediately.

(xvi) Shri Sales Membrum, District 24-Parganas is in possession of 3 Bighas of Barga land but his rights have not yet been recorded. This case should also be enquired into and appropriate action be taken immediately.

56—256 HA/ND/81

(5) *Note on the visit of the Commission for Scheduled Castes and Scheduled Tribes to Kerala in November, 1979 and January 1981 to study the working of land reforms measures.*

Introduction

14.142 According to 1971 Census, Kerala has a total population of 21,347,375. With a popuplation of 17.72 lakhs, the Scheduled Castes constitute 8.3% of the total populahtion of the State and are found in all the districts at varying proportions. Palghat district has the highest concentration of Scheduled Castes, i.e. 12.5% followed by Quilon (11.63%), Trichur (10.16%), Trivendrum (9.72%) and Alleppey (9.44%) districts. The Scheduled Tribes have a population of 2.69 lakhs which accounts for 1.26% of the total population of the State. They are found mainly in Kozhikode (4.03%, Cannanore (3.82%), Palghat (1.52%) and Kottayam (1.11%) districts. Kerala is one of the most progressive States on the educational front. The State enjoys a high literacy percentage of 60.42 and the percentage of literacy among Scheduled Castes and Scheduled Tribes is 40.21 and 25.72, respectively.

14.143 Of all the States in the country, it is this State which has been most successful in the implementation of its progressive land reforms measures. With a view to studying the land reforms measures and the factors responsible for its successful implementation, the Commission for Scheduled Castes and Scheduled Tribes made two visists to this State, one in November 1979 and the other in January, 1981. The Commission during the course of these visists, contacted the Scheduled Castes and Scheduled Tribes in their villages and also had detailed discussions with the Chief Minister, his cabinet colleagues and the concerned officials. The main observations of the Commission during these visits as also the issues raised during the above discussions are given in the following paragraphs. Villagewise data regarding the case studies during the above two visits are given in the annexure.

Salient features of the Kerala Land Reforms Act

14.144 The Kerala Land Roferms Act, 1963 (Act I of 1964) as amended by Acts 35 of 1969, 25 of 1971 and 17 of 1972 is a stepping stone to give fixity of tenure to the tiller of the land. The Act, which came into force on 1-1-1964 envisages the following three main schemes :

(i) Conferment of full ownership of the land on the cultivating tenant, thus aiming at abolition of landlordism and elimination of intermediaries;

(ii) Fixity of occupation to the Kudikidappukaran and allowing him the right to purchase small extent of land in and around his hutment at concessional rate; and

(iii) Ceiling on land holdings and take over of excess land and distribution of such land among landless labourers including Scheduled Castes and Scheduled Tribes.

Scheme-I (Conferment of ownership right to the tenant).

14.145 According to the Scheme I, as envisaged under Section 72 of the Kerala Land Reforms Act, title and interest of the landlords and intermediaries in respect of holdings held by the cultivating tenant entitled to fixity of tenure have vested in the Government free of all encumbrances with effect from 1-1-1970 The land is assigned to the cultivating tenants who get ownership over the land from 1-1-70. The Government take entire responsibility of assigning the rights vested in them to the cultivating tenants. With effect from the date of vesting of ownership of land with the cultivating tenants, they are not required to pay any rent either to the ex-landlords or to the Government but are, instead, required to pay basic tax at Rs. 2/- per acre per annum to the Government.

Under Section 72 'MM' assignement by mutual agreement is permitted and in such case, the cultivating tenant and the land owner may apply jointly to the Land Tribunal for assignment of the right, title and interest of the landowner to the cultivating tenant. The tenant has to pay to the Government 12 times the fair rent if he chooses to pay the amount in one lump or 16 times the fair rent if he prefers to pay in 16 equal instalments. A distinguishing feature of the scheme is that the Land Tribunal is bound to initiate *suo-moto* proceedings in cases in which the tenants have not applied for assignment of ownership right. The cultivating tenant is entitled to get the certificate of purchase from the Land Tribunal as soon as the order of the Land Tribunal becomes final. Under Section 72A the land owners and intermediaries are entitled compensation equal to sixteen times of the fair rent. They are also entitled to get the value of structures, wells and embankments of a permanent nature belonging to them and one half of the value of timber trees belonging to them subject to a miximum of 16 times of the fair rent.

Progress made

14.146 Till 31-12-1980 as many as 36,44,187 applications were received for conferment of ownership right out of which 24,54,492 were allowed and 11,76,764 were rejected. Out of 24,54,492 valied cases mentioned above all but 12,931 had been disposed of. The Commission recommend that the State Government of Kerala should furnish the break-up of Scheduled Castes/Scheduled Tribes conferred with tenancy rights out of 24,54,492 beneficiaries along with acreage of

land involved separately for Scheduled Castes and Scheduled Tribes.

Scheme — II (Fixity of occupation to the Kudikidappukaran)

14.147 (a) Kudikipappu means the land and the homestead, and a 'Kudikidappukaran' is a person who has neither a homestead nor any land exceeding 3 cents in any city of major municipality; or 5 cents in other municipality or 10 cents in any panchayat area or township in his possession either as owner or as tenant. Section 80A to 80-G enable a Kudikidappukaran to buy not merely the site of his hut but also the surrounding land upto the extent mentioned above. The price is to be paid to the landowner in 12 annual instalments, half by the Kudikidappukaran and the other half by the Government from the Kudikidappukaran Benefit Fund, constituted by the Government under section 109 of the K.L.R. Act.

(b) Section 75 prevents Kudikidappukaran from being thrown out without good reasons which are specified in the Section (like if he has alienated his right of Kudikidappu to another person, rented or leased out his kudikidappu to another person, he ceased to reside in kudikidappu continuously for a period of two years or he has another kudikidappu or has obtained ownership and possession of land fit for homestead).

(c) *Progress made:* Out of 4,38,745 applications received till 31-12-1980, 2,68,323 applications were allowed and 1,66,207 were rejected/otherwise disposed of leaving a balance of only 4,215 cases which are pending for disposal. The State Govt. should furnish the number of Scheduled Caste/Scheduled Tribe homesteadless persons out of 2,68,323 homesteadless persons allotted homestead land.

(d) *Financial Assistance for House:* With a view to helping the kudikidappukars constructing dwelling on the land purchased by them, the Government of Kerala, vide G.O.(P) 1311/78/RD dated 19-9-78 have sanctioned a Housing scheme for those who have been granted certificate of purchase of the homestead land and house-site. As envisaged in the scheme, each beneficiary gets a grant of Rs. 500/- and loan of Rs. 300/-. At present, the scheme is implemented only in the Taluks of Quilon, Shertallai and Ambalapuzha. The State Government are, however, considering to extend the scheme throughout the State.

Bar of jurisdiction of Civil Courts

14.148 The authority competent to decide the question of tenancy or kudikidappu, on or after 1-1-1970 is the land Tribunal of the area. If any suit or other proceedings arise regarding rights of a tenant or a kudikidappukaran, the Civil Court shall stay the suit or proceedings and refer such question to the concerned Land Tribunal along with relevant records for decision of that question. The Land Tribunal thereupon shall decide the question and return the records together with its decision to the Civil Court.

Dispute regarding right to cultivate land

14.149 When the K.L.R. Act was implemented, there were obvious attempts on the part of the land owners to evict the actual tillers of the soil and to resume the land from their possession. To forestall such attempts, powers for summary adjudication of such disputes have been given to the Taluk Tahsildars. The Courts have also been prevented from granting injunction in such cases. There is also no provision for appeal against the decision of Tahsildar.

Preparation of Record of Rights

14.150 Although in 1968, the Kerala Record of Rights Act was enacted and Rules thereof issued on 1-3-69 to prepare record of rights, such action became irrelevant in view of Section 72 of the K.L.R. Act which was brought into force with effect from 1-1-70 because this law provides for *suo moto* action and the right, title etc, of the land owners and intermediaries in respect of holdings held by tenants vested with the Government free from all encumbrances and the cultivating tenants became entitled for the certificates of purchase and their names were registered as holders of the land.

Scheme — III (Ceiling on land holdings)

14.151 According to Scheme-III, the surplus land taken over by the Government is distributed to landless agricultural labourers. Compared to other States, the land ceiling prescribed by the Government of Kerala is the lowest in the country. Under the State law, no family is entitled to hold more than 20 acres of land in any circumstance while as per the Government of India guidelines, as much as 54 acres are permissible for a family. The ceiling area prescribed under the Act is 5 standard acres (subject to a minimum of 7½ ordinary acres) for an adult unmarried person or a family consisting of a sole surviving member, 10 standard acres (subject to a maximum of 12 and maximum of 15 ordinary acres) for a family consisting of two or more but not more than 5 members with one standard acre each extra for every additional member in excess of five, the total not exceeding 20 acres.

14.152 Specific provision has been made in the K.L.R. Act to distribute 50% of the land to landless agricultural labourers belonging to Scheduled Castes and Scheduled Tribes. To check alienation of such land and to ensure that the allottees enjoy the benefits of the land, a legal prohibition of alienation of the allotted land by the assignees for a minimum period of 12 years has also been provided in the law.

14.153 In order to facilitate quick disposal of the ceiling returns, the Government have constituted 57 Taluk Land Boards at the rate of one for each Taluk.

14.154 The total extent of surplus land in the State is estimated to be 1.5 lakhs acres, and the extent of land ordered to be surrendered is 1,14,417 acres out of which 75,998 acres have already been acquired and 50,150 acres have so far been assigned to agricultural labourers, comprising 30,906 Scheduled Castes, 5,268 Scheduled Tribes and 42,966 other persons and 2 institutions.

14.155 The KLR Act is included in the 9th Schedule of the Constitution and is immune from attack on constitutional grounds, though there is provision for revision in the High Court against the order of the Taluk Land Boards. So far, 2,875 acres of land have not been allotted on account of the stay orders of the Hight Court till final decision by that Court. The extent of land assigned varies from 5 cents to 1 acre per allottee.

14.156 The allottees of surplus land are given physical possession of the land without waiting for mutation being effected, and periodical inspections are made with a view to ensuring that there is no dispossession.

14.157 The allottees being poor and unable to provide agricultural inputs for the development and cultivation of land during initial years, financial assistance is given through Cooperative Societies, Nationalised Banks and Commercial Banks. There is also a Central Sector Scheme to give financial assistance to the allottees of such land in the areas not covered under SFDA, MFAL, etc.

14.158 The K.L.R. Act confers the following privileges to the persons belonging to Scheduled Castes and Scheduled Tribes :

(a) No land in the possession of Scheduled Caste/Scheduled Tribe tenant shall be resumed (sub-Section (4) of Section 18 of the KLR Act) by the landlord;

(b) Scheduled Caste/Scheduled Tribe allottees are exempted from the payment of fees payable in respect of any document presented by them (Rule 127 of the KLR(T) Rules, 1970);

(c) 50% of the 87½% of the surplus land available for assignment shall be assigned to Scheduled Castes/Scheduled Tribes (including Scheduled Caste converts) (under proviso to Sub-Section (1) (i) of Section 96).

14.159 The machinery to deal with the implementation of the K.L.R. Act include Land Tribunals, Taluk Land Boards and Appellate Authorities. Tenancy and kudikidappu applications are heard and decided by Land Tribunals. To deal with the ceiling returns, Taluk Land Boards each with a Chairman of the rank of Deputy Collector and not more than six non-official members have been set up, and Appellate Authorities are entrusted with the disposal of appeals on the orders of the land Tribunals. At present, there are 66 Land Tribunals, 57 Taluk Land Boards and 5 Appellate Authorities to look into the implementation of the KLR Act.

Observation during the first visit (November 1979)

14.160 The Commission *inter alia* were taken around Thonnakkal Harijan Colonisation Scheme.

During the visit it was explained to the Commission that about 180 Harijan families including some of the families brought from outside the village had been settled in the above noted colonisation scheme in Thonnakkal. The Commission were informed that 50 cents of land per family had been settled with the Harijan families for homestead purposes and two acres of land allotted to each family for cultivation purposes through a Cooperative Farming Society. The Society had been set up about seven or eight years ago and had undertaken rubber plantation in the culturable area allotted to Harijans. The project of rubber plantation also included execution of an irrigation scheme by putting dam on a stream a little distance away from the village. However, on account of the heavy cast involved in the irrigation scheme it was not sanctioned with the result that the rubber plantation totally failed, causing heavy loss to the Society. Recently it was followed up by another scheme of plantation of cocoanut trees but it was brought to the notice of the Commission that for lack of fencing to protect the cocoanut saplings and because no irrigation scheme had been sanctioned for irrigating the cultivated land, about 80% of the cocoanut trees had already been destroyed. Therefore, even the second attempt of using the culturable land had more or less failed. The Commission met a number of beneficiaries who were of the opinion that in view of the continuous failure of the scheme of cooperative farming, the land should be individually allotted to each of the families @2 acres per family as was envisaged by the Government earlier and that the families concerned should be allowed to cultivate the land on their own. They would, however, need inputs for the cultivation of the land - and for fencing and since they did not have resources of their own, the Government would have to supply them with the requisite inputs to enable them for cultivation of the land allotted to them. The Commission feel that in the first round the inputs should be supplied to the Harijan families free of charge as they do not have resources of their own to fall back upon and that the subsequent inputs, as and when required, might be supplied partly on a subsidised basis and partly on a loan basis. The loan should subsequently be realised in easy instalments at a differential rate of interest, i.e. 4%.

14.161 Some of the local Harijans interviewed by the Commission had indicated that in the homestead land allotted to them they had grown some crops like tapioca, cocoanut,

etc. on their own and the Commission after visiting a few houses noted that the local Harijans had taken pains to develop the kitchen gardens attached to their houses, which had been built up mainly with the Government assistance and with the participation of the beneficiary families. This is an added reason why the Commission feel that instead of further pursuing the scheme of cooperative farming, the local Scheduled Caste families should be allotted the land individually as they would be able to take personal interest in such land and cultivate it just as they had done in the case of the kitchen gardens attached to houses.

14.162 There is another aspect which the local Harijan beneficiaries brought to the notice of the Commission. It appears that some years ago a few acres of land, carved out of the land earmarked for the Scheduled Castes, were settled with the local Mohammedans for setting up a mosque and a burial ground. The local Scheduled Caste beneficiaries had gone to Court and obtained an injunction against this order. Ultimately, the allotment order in favour of the Muslims was cancelled by the Government in 1974. However, it was brought to the notice of the Commission that the old order had been recently revived and two acres of land allotted for the Scheduled Caste beneficiaries had once again been allotted to the Muslims for setting up a mosque, a madarsa and a burial ground. The Scheduled Caste beneficiaries had again filed a case in Court and obtained an injunction. This matter is, therefore, sub-judice. The Scheduled Caste beneficiaries, however, complained that in spite of injunction the local Muslims had not merely cultivated the land with tapioca, etc., but had actually taken possession of land measuring about 3 to 4 acres. The Commission noted an under-current of tension in the area over this matter.

14.163 As this is a highly sensitive subject, the Commission are taking this opportunity of drawing the attention of the State Government to this matter without going into the merits of the case as it is sub-judice. The Commission had taken up these issues with the Government of Kerala vide their d.o. letter No. 25/5/ 0 TC/79-RU dated 10-12-79 but action taken by the State Government in this regard has not been intimated to this Commission so far.

14.164 It was also pointed out to the Commission that electricity had not been provided in the colony. There was also a general complaint that the houses were leaking during the rains. The State Government may kindly take appropriate action for the electrification of the colony and the repairs of the houses.

14.165 One Shri M. Krishnan of the colony represented to the Commission that he had applied for a loan of Rs. 5000/- to the State Bank of India as also to the District Industrial Development Board for electroplating work but was not able to get the loan. This case may be got settled by the authorities immediately.

14.166 In the course of the visits, the Commission also came to know that there was no provision of legal aid to the Scheduled Caste families even in cases where the State Government had recorded their rights as owners of the land and original owners had filed court cases. The Scheduled Caste families had been left to themselves to fight out the cases with the landlords. The Commission recommend that the State Government should provide free legal aid to the Scheduled Caste families in all such cases.

14.167 The Commission also visited the One Lakh Housing Colony, Cheruvakkal, Ulloor Panchayat, Trivandrum Taluk under the "One Lakh Housing Scheme". 40 houses have been constructed in this place six years ago out of which 16 have been allotted to Harijans. Each house is reported to have cost Rs. 4000/- and constructed on a plot of 0.75 cents. 1.75 cents are utilised for raising the kitchen garden. The houses are constructed of sundried bricks with tiled roofing. Patta has not been issued to anybody so far. Electricity has not yet been provided to the colony. All the beneficiaries are local people. There is a general complaint that all the houses are leaking under rains. The Commission recommend that : (i) Pattas should be issued immediately (ii) The colony should be electrified and (iii) The houses should be repaired immediately.

14.168 The above issues were later taken up with the State Government by the concerned field office of the Commission.

Observations during the second visit (January 1981)

14.169 The Commission visited Palghat and Allepey Districts of Kerala from 29-1-81 to 1-2-81. Palghat was selected for the study as it has the highest percentage of Scheduled Castes population in the State, and Kuttanad area of Alleppey district being the rice bowl of Kerala, the Chairman toured in the district to acquaint himself with the problems faced by the Scheduled Caste/Scheduled Tribe tenants who have been allotted agricultural land under the K.L.R. Act. During their visit, the Commission interviewed the Scheduled Caste beneficiaries, the districts officials connected with the implementation of the land Reforms Programmes, and held discussion with the Chief Minister, Minister for Harijan Welfare and Officers of the State Government at Trivandrum on 31-1-81. The case details are given in the annexure. After the visits, the Commission raised the following issues in the above meeting with the Chief Minister, Minister for Harijan Welfare and Officers of the State Government on 31-1-1981.

14.170 In his opening remarks, the Chairman indicated that land problems are the root cause of atrocities and the Scheduled Castes/ Scheduled Tribes are falling victims to atrocities and numerous social disabilities on account of their poor economic conditions and dependence on the landlords for their living. Welcoming the measures taken by the Government of Kerala in implementation of Land Reforms the Chairman indicated that Kerala and West Bengal had taken effective steps in implementing the Land Reforms Act benefiting the poor and weaker sections of the society. In fact he appreciated that the achievement of the Kerala Government in this regard was better than West Bengal. He was happy about the administrative set up in Kerala to deal with the welfare of Scheduled Castes and Tribal Welfare as two separate Directorates were attending to the welfare of Scheduled Castes and Scheduled Tribes.

14.171 The Chairman desired to know whether there were any intermediaries between the landlords and the tenants. The Chief Minister indicated that the system of intermediaries was abolished in Kerala. *De facto* they have disappeared, although their *de jure* existence was still there as they are entitled to a part of the compensation amount under the K.L.R. Act. The Secretary, Revenue, however, stated that the number of such intermediaries is very small.

14.172 Referring to Sections 125 and 72 of the K.L.R. Act, the Secretary, Revenue stated that the Land Tribunal decides the rights of ownership of the tenant and the Civil Court has no say over this issue. The K.L.R. Act has also been included in the Ninth Schedule of the Constitution and is immune from attachment on constitutional grounds. However, there is provision for revision in the High Court against the order of the Taluk Land Boards. Civil Revision Petitions have been filed in the Court against the decision of the Taluk Land Boards and delay in disposal of these Civil Revision Petitions has also resulted in delay in quick disposal of pending cases of land distribution. The Government, however, were aware of the situation and were finding out ways and means to accelerate disposal of such cases. The Advocate General has been moved to explore possibilities of strengthening the existing arrangements in the High Court to speed up disposal of the Civil Revision Petitions relating to the K.L.R. Act.

14.173 Prior to the implementation of K.L.R. Act, some of the landlords had private irrigation channels maintained by them. Consequent upon taking over of such surplus land by the Government these canals are no longer to be maintained by the landlords and the Scheduled Castes allottees being poor would also not be in a position to maintain those. The Chairman desired to know whether Gram Panchayats would be able to finance for maintenance of these irrigation sources utilised by the Scheduled Castes/Scheduled tribes and other poor agriculturists allotted with surplus land. The Special Secretary, Development, indicated that no canals are now owned by any private party. These have been taken over by the Government and are maintained by the Minor Irrigation Department. He also informed that the Government of Kerala have sanctioned a scheme to give financial assistance to the allottees of surplus land at the rate of Rs. 10/ per acre to maintain irrigation sources. However, the details of the scheme were to be furnished by the State Government.

14.174 Upto 1975, water tax was paid [illegible] the rate of Rs. 7/- per acre, but this has [illegible] increased to Rs. 25/- thereafter causing [illegible] cial hardship for the poor Scheduled C[illegible] Scheduled Tribe farmers. The Chairman [illegible] pressed upon the State Government that the Scheduled Castes/Scheduled Tribes who have been allotted agricultural land in the recent past may be exempted from paying water tax at least for an initial period of five years. The Chief Minister assured that the Government would examine the issue for giving concession to Scheduled Caste/Scheduled Tribe beneficiaries in respect of payment of water tax. The Revenue Secretary explained that before the K.L.R. Act came into being, the tenants were paying rent to the landlords who in turn used to pay water tax. After the enforcement of the K.L.R. Act, the allottees no longer pay rent to the landlords and are only paying water tax. However, as the Scheduled Caste/Scheduled Tribe tenants are poor and are also negligible in number, these cases would be considered by the State Government for giving concession on payment of water tax.

The Commission came across cases where Scheduled Caste allottees who were marginal farmers and had to incur loan for inputs from the Cooperative Banks at a high rate of interest (15%). The Chairman felt that there should be a programme for supply of these inputs to the needy Scheduled Caste/Scheduled Tribe agriculturists on subsidised rate of interest. It was learnt from the Director, Harijan Welfare that such a scheme was being implemented from this year. The Chairman however wanted to know if the programme is time-bound and whether adequate funds hav[illegible] been provided to cover all deserving cases. [illegible]ve

14.175 The Chairman expressed anxi[illegible] over the problem of land alienation and desired to know whether there is any legislation to check land alienation in the State. Referring to a survey conducted by the Bureau of Economics and Statistics in 1976-78, the Joint Secretary to the Commission for Scheduled Castes and Scheduled Tribes indicated that sizeable portion of land owned by the tribals in Idukki, Palghat, Kozhikode and Kottayam districts have been alienated to non-tribal settlers. The Chief Minister explained that in Attapadi (Palghat district) and also in Wynad area, there are three classes of land-owners, i.e.

small peasantry, middle peasantry and tribal peasantry. The land of the tribals has also been acquired by small farmers and middle peasantry, and it has now become difficult for the Government to dispossess the poor and middle peasantries of the land acquired by them from the tribals since long past, as such dispossession will make them landless and economically weaker. The problem has thus become a class struggle and the matter has been more complicated as the land is cultivated for raising cash crops like coffee, cardamom etc. However, the Government are fully aware of the situation and trying to find out an acceptable solution.

14.176 The Director for Scheduled Castes and Scheduled Tribes, Madras clarified that there may be problem for restoration of land already alienated, but wanted to know if any legislation was there to check further alienation of the land owned by Scheduled Castes/Scheduled Tribes. The Chief Minister affirmed that the law was already there. It was, however, gathered from the Secretary, Development that although the law has been assented to by the President of India, but it has not yet been given effect to.

14.177 Citing the case of Shri K. Viswan, a Harijan of Alleppey village, the Chairman indicated that although Shri Viswan is cultivating Ac. 0.50 of land given to him as a gift by the landlord, no record of rights has so far been issued to him. The Chairman was afraid that unless ownership is recorded on his behalf, the landlord or his intermediaries may dispossess him of the land at any time.

14.178 The Chief Minister, however, asserted that the interest of the tenant is protected under the Agricultural Workers Act. In case of Shri Viswan if the land cultivated by him is within the ceiling limit, he will have claims for the legal ownership. In case the land is found to be surplus, under the K.L.R. Act, it will vest with the Government and then distributed to the landless agricultural labourers. He apprehended that in this case, the land given to Shri Viswan might be surplus under the Ceiling Act and to avoid surrendering the land to the Government the owner might have promised the tenant to donate it to him. However, he assured that the Government would enquire into such cases and do the needful to protect the interest of the tenants.

ANNEXURE

Ist Visit

Thonnakkal Harijan Colony, Vengoda, Kudavoor P.O. Trivendrum Taluk, Trivendrum district

1. The Commission for Scheduled Castes and Scheduled Tribes, accompanied by Shri G. Krishnan, Zonal Director for Scheduled Castes/Scheduled Tribes, Southern Zone, Madras and the Officers of the Govt. of Kerala,, visited the Thonnakkal Harijan Colony, Vengode, Kudevoor P.O. (situated at a distance of 33 kms. from Trivendrum) on 22-11-1979.

2. The Colony consists of a total area of 512 acres of forest land. 180 families of Scheduled Castes belonging to Pulaya, Thandan, Paraya, Kureva and Parava communities from Thonnakkal and nearby villages in Trivendrum district have been rehabilitated in this colony. Each family has been allotted 2½ acres of land (50 cents for construction of house and kichen garden, and 2 acres for cultivation). For providing common amenities like Nursery school, Cooperative society, Office, Dispensary, Community Hall and Administrative Block etc., 20.00 acres of land were set aside from the total area of 512 acres. Subsequently a joint Cooperative Farming Society was formed by the residents of the colony for cultivation of the agricultural land. The society was sanctioned Rs. 60,000 by the Government and each beneficiary had contributed Rs. 10/- as membership fee.

3. On a feasibility report of the Rubber Board it was decided to have rubber plantation on the entire plot of 360 acres. Actual cultivation was taken up only in 60 acres and about Rs. 45,000 was spent on this. But, the crop failed due to lack of irrigational facilities.

4. Subsequently, the Forest Department reported to have opined that rubber plantation would not be economical and the Government should take up coconut plantation. 10% of the General Sector furds from the Forest Department was sanctioned for this purpose and 10,000 coconut sapplings were supplied free during 1978-79 and Rs. 100 were given to each of the 180 families for coconut plantation.

5. During their visit to the site, the Commission observed that about 80% of the coconut sapplings had withered away due to lack of irrigation. The survivings plants were also not being protected from the cattle. Though envisaged in the original scheme, no steps had been taken by the State Government to lay pipe lines for irrigation of this plot of land. Both the rubber and coconut plantations thus failed due to faulty planning and unimaginative implementation.

6. 180 tilled houses were constructed, out of the funds provided by the Government, by the Cooperative Society formed by the colonists and handed over to the beneficiaries. Each house costs approximately Rs. 3200/- plus contribution of labour by the beneficiary amounting from Rs. 600/- to Rs. 700/-. The main occupationof the colonists is agricultural labour. Pattas have been issued to all the families for the homestead land of ½ acre and the land for cultivation of 2 acres.

7. There is a Special Officer to look after the entire scheme.

During the visit of the Commission, the settlers of the colony represented that out of the 20 acres of land set apart for common purposes, 2 acres were allotted by the then Government during 1974 for construction of a mosue and burial ground. On an appeal made by the colonists, the assignment order was cancelled by the Government. It was reported that subsequently land had been settled for the construction of a Madrasa. The Society of the colony had filed a suit against this settlement order and the court had issued a stay order. The Commission noted that construction had been started for a Madrasa on the plot of land earlier allotted to the colony.

8. The Commission interviewed the following residents of the colony.

(1) *Shri Prabhakaran* :—His family consisted of 5 members including his wife and 3 small children. He belongs to Pulaya (Scheduled Caste) community and is an agricultural labour. He got agricultural work for about 10 days in a month and earned Rs. 10/- per day without food. At the time of harvest he got 1/10th of the crop harvested as wages. He was trained in rattan work and occasionally did rattan work whenever he got any order for which he got Rs. 10/- to Rs. 12/- per day. On further questioning, he told that he got rattan work for 2 days in a month on an average and got Rs. 8/- to Rs. 10/- per day. His wife also worked as agricultural labour during transplantation season and got Rs. 7/- per day. She got this work only for about 15 days in a year.

9. He owned 50 cents of house-site land out of which 5 cents were taken for the house and 45 cents used as kitchen garden where he had cultivated tapioca, plantain, vegetables etc. mainly for his consumption. He had also planted 15 coconut trees which had not started giving any yield. He was investing about Rs. 300/- per year for the kitchen garden. He stated that he had not been given any fertilizer so far.

10. He said that 2 acres of land allotted to him for agricultural purpose was lying fallows since last 8 years. He had no means to invest on this land. He claimed that if he got Rs. 5,000/- as loan and invested it for growing coconut, tapioca, pulses etc., he could be self-sufficient.

11. He had to maintain a family of 5 members and his daily expenses were Rs. 8/- per day excluding the products he got from the kitchen garden. Thus his annual expenses came to Rs. 2920/-. His income being to meagre, he had to take loans. His loans stood at Rs. 2200/- taken at the rate of 120% interest per annuam. Out of this, a loan of Rs. 1200 had been obtained by pledging his wife's jewels. He said that he remained under-fed for about 100-days in a year His children were provided with mid-day meals under the Applied Nutrition Programme.

12. He said that he had been issued patta for the homestead as well as the agricultural land, and was paying Rs. 5/- per annum as land tax for 2½ acres of land under his possession at the rate of Rs. 2/- per acre per year.

(2) *Shri Sadasivan*—(Thandan—SC)

13. He originally belongs to a village 20 miles away from this colony. He was earning about Rs. 20/- to Rs. 25/- per day as document (deed) writer for about 60 days in a year. When questioned by the Secretary of the Commission Shri R. P. Khanna as to why he left that place and came here, he replied that he came to this colony expection better prosrects as he would be getting 2½ acres of land in his possession. In his former place of residence, he was having only 15 cents of land. After coming to this colony, he was not able to earn anything as document writer and was mainly depending on agricultural labour for maintaining his family.

14. In his kitchen garden, he had planted 25 coconut trees and had cultivated tapioca, vegetables, plantain etc. He sold plantain worth about Rs. 7/- per month. His wife did not go for agricultural labour. She knew weaving and had applied for a loan of Rs. 1000/- from the State Bank of India 4 years ago for purchasing a weaving machine, but the loan was not sanctioned as she could not provide any surety.

15. Secretary desired to know as to how much the coconut trees would yield when they start bearing fruits to which he replied that each tree would yield 4 coconut on an average per month. Thus he would get about 100 coconuts per month which would fetch him about Rs. 150/- at the prevailing market rate. He was not in favour of cooperative farming because he would not have his personal choice of cultivation if the land was cultivated by the society.

16. He had to maintain a family of 7 members consisting of his wife, mother and 4 children. He earned about Rs. 10/- per day for about 100 to 120 days in a year. He told that he did not want to go back to his original village where he owned only 15 cents of land.

17. He hoped that if necessary financial assistance is provided to him for cultivation, he would get a net income of about 5000/- per annum from the land.

(3) *Shri N. Krishnan*—(Pulaya—Schedulded Castes)

18. He originally belongs to Thiruvallam, a village 16 miles away from Trivendrum, where his father was having 16 cents of land. His brother was in the army at Jamalpur and he spent some years with his brother. He was a football player who used to play for different teams occasionally and for one game he used to get about Rs. 200/- to Rs. 300/-. He had been trained as a motor mechanic. He was a portrait painter also. He came to this colony because of the 2½ acre of land.

19. He had to depend mainly on agricultural labour to maintain his family consisting of 4 members including his wife and two daughters. As a motor mechanic, he earned Rs. 12/- per day and his average income from this source was about Rs. 100/- per month. For this purpose, he had to go to Trivendrum city in search of work from workshop to workshop. From painting work (as an artist) he earned about Rs. 200/- per annum. In the year 1961 he had a fracture on his left leg and since then, he left playing football.

20. He cultivated tapioca, vegetables, plantain trees etc. in his kitchen garden for his consumption and planted 22 coconut trees also which had not yet started giving any yield. When they start giving yields, he expected to get a stable income of about Rs. 100/- per month. The life of a coconut tree is reported to be 30 to 40 years. He told that while constructing the road, the sub-soil had been dumped on about 20 cents of his land, thus making the land un-cultivable.

21. With his above income and the produce from the kitchen garden, he said he was able to manage for about 6 months in a year and for the remaining period, he had to purchase provisions from the market by raising loans from private persons. He had a loan of Rs. 700/- which he had taken by pledging the ornaments of his wife. For the above loan, he was paying interest at the rate of 10 paise per rupee per month. He said that he was managing the family with one meal a day in most of the days in the year.

22. His wife belongs to Ezhava community and for this inter-caste marriage he could have got Rs. 2000/- from the Government for which he had not yet applied.

23. He had applied for a loan of Rs. 5,000 from the State Bank of India for electroplating work and approached the District Industries Development Board also for the loan but did not get the loan from any source as he could not furnish security from a Government servant. If given a loan of Rs. 11,000 to open a motor workshop, he expected to make a profit of Rs. 200 per month after paying the interest for the loan.

24. He also told the Commission that he had approached the Harijan Development Corporation also for loan where he was informed that he was to furnish surety (group guarantee) from another Harijan who is also technically qualified.

25. He deserves loan for starting a trade in which he is qualified and has experience. The Managing Director, Harijan Development Corporation or the concerned Department may consider his case for granting necessary loan to him.

Organisation of agricultural labour

26. It was reported that agricultural labour was not organised in the colony. However, there was a Marxist Agricultural Labour Union in the nearby locality and about 5 to 6 members of this colony were members of this Union.

The Commission was informed that the minimum wages fixed by the Government was paid to all the agricultural labourers.

Distribution of surplus land at Valur, Thonnakkal village, Trivendrum district

27. 6 acres of surplus land were acquired at Velur and distributed to 60 landless families at the rate of 10 cents each. Out of these 60 families, 3 belong to Scheduled Caste (Pulaya Community). 36 beneficiaries are from this village and the rest of the families are from the neighbouring villages. All the allottees have been issued patta and are paying land tax of 20 paise per acre per annum. It is reported that about 40 beneficiaries have sold their lands and left the place in search of employment. Under the scheme, no financial assistance is provided for construction of houses. About 27 persons have constructed huts/houses on about ½ cent they have cultivated tapioca, plantain trees, vegetables etc., on the remaining 9½ cents.

28. Shri Madhavan, husband of Smt. Narayani and one of the beneficiaries of this scheme, reported that he could not construct any pucca house as no financial assistance was given to him. He was a labourer earning about Rs. 12 per day for 10 to 15 days in a month. With this meagre income he was unable to maintain his family consisting of 3 members and on most of the days had one meal a day.

One Lakh Housing Scheme

29. Under the One Lakh Housing Scheme, the Government of Kerala are reported to have completed 69,000 houses, out of which 29,000 were allotted to Harijans. Details of the scheme were not readily available. The Joint Director of Harijan Welfare was requested to obtain the details of this scheme from the Secretary, Local Administration Department and furnish the same to the Commission Headquarters.

30. On their return from Thonnakkal village, the Commission visited the One Lakh Housing Colony, Cheruvakkal, Ullor Panchayat in Trivendrum Taluk. 40 houses have been constructed in this place six years ago out of which 16 have been allotted to Harijans. Each house is reported to have cost Rs. 4,000 and constructed on a plot of 0.75 cents. 1.75 cents are utilised for raising kitchen garden. The houses are constructed of sundried bricks with tiled roofing. Patta had not been issued to anybody and electricity had not been provided to the colony. There was a general complaint that all the houses were leaking during rains which may be attended to by the authorities.

31. The Commission paid a visit to the house of Shri K. Kochappy who belongs to Pulaya community (SC). He told that he got possession of the house 4 years back. He is a manual labourer and gets Rs. 10 per day for about 10 days in a month. During

transplantation season, his wife gets Rs. 9 per day for about 1½ months in a year. His family consists of himself, his wife and two sons both of whom failed in the matric examination. Both the sons were ambitious of getting some job out of the reservation quota and they did not go in for manual labour. In his kitchen garden he had cultivated coconut, plantain, jackfruit, drumstick tree etc., for his consumption. From his meagre income as a labourer, he finds it very difficult to maintain his family and has to raise loans from private persons at high rate of interest.

32. The houses are of twin-house pattern with a common wall in the middle. The resident on the other portion of Shri Kochappy's house is one Shri Sundaran belonging to Ezhava community (BC). Some of the residents of the colony also belong to Nair community. Thus, it may be seen that untouchability is not practiced in the colony between the Scheduled Castes and the other Castes.

Nemom villages. Trivandrum Taluk. Trivandrum District

33. The Commission visited the above village situated at a distance of about 13 kms. from Trivandrum on 23-11-79. The village had a total population of about 75,000 spread over an area of 12.5 sq. miles. Out of 17,000 households, nearly 3,000 are said to be 'Janmis' (Land owners).

34. During 1971, a Scheduled Caste family of this village was conferred ownership right on 3.5 acres of land which was cultivated by the family for more than 100 years. Patta conferring the ownership right on the said land was issued during 1976 to one Mr. Jovel and his two brothers. Jovel had a joint family of about 40 members including two brothers who are no more. The family had split up into 5 households and the land had been subdivided among themselves. They never paid any amount to the landlord and are paying only land tax at the rate of Rs. 2 per acre to the Government. It was reported that Shri Kali Madhavan Pillai, one of the legal heirs of the Janmi had filed a suit in the Munsiff's court, Trivendrum, claiming ownership on this land, but this was rejected by the court. The present owners of the land have been fighting the case for the last 3 years spending nearly Rs. 8,000. Though they had won the case in the Munsiff's court, the landlord had filed an appeal in the Session's Court, the case is still pending. Jovel and family did not get any financial assistance to fight the case since there was no scheme for giving legal aid to the Scheduled Castes. But for the legal proceedings pending in the court, no harassment had been caused to the present settlers by the landowners. When questioned, the village Patwari said that he was not aware of the case filed by the Janmi (land owner).

35. Jovel had 4 sons and one daughter. One son was a teacher in the local primary school and got a salary of about Rs. 400 per month. Another son was employed as a part-time sweeper in the Animal Husbandry Department and got about Rs. 122 per month. Two other sons were agricultural labourers and they are paid wage of Rs. 8 per day for about 100 days in a year. The womenfolk also went for agricultural work during the transplantation period and got a daily wage of Rs. 6 for about two months in a year. One member of the family was a retired Transport Checking Inspector and had purchased a cow which gave 3 seers of milk a day which was sold for Rs. 7. Three of the family members had taken a loan of Rs. 200 each from the Block for poultry to be repaid in 10 months. (The Rev. Father of the nearby Church had given surety for this). They got about 10 to 50 eggs a day, each egg costing 35 paise. Jovel also got Rs. 2 plus meals per day for looking after the cattle of a local landowner. On the 3.5 acres of land they cultivated tapioca, plantain and vegetables. There were about 100 coconut trees, out of which only one was yielding fruits. There were also few jackfruit, tamarind and mango trees The total yield from this land was of the value of Rs. 1,000 to 1,200/- per annum and used for domestic consumption.

36. There was a Union of the Marxist Party in the village to organise the agricultural labourers. It was given to understand that 90% of the agricultural labourers in the village were members of the Marxist Union (CITU).

37. The Commission visited 2 more Scheduled Caste families of the same village.

Shri Karunan (Pulaya—SC) was an Overseer in the Electricity Board and was having ten cents of land. It was claimed that one Nadar (Backward Caste) had grabbed 70 cents of land in collusion with the landowner (Janmi). Pattas were assigned six years ago. But Shri Karunan had not taken delivery of his patta from the village office as a protest against the assignment of 70 cents of land to the Nadar by the Land Tribunal and he was planning to file a suit against the decision of the Land Tribunal for taking possession of the entire 80 cents.

38. He had got a family of 8 members including his wife, mother, younger brother and 4 children. He got a salary of about Rs. 700 per month. His brother Shri Sankaran, has passed ITI with training in Carpentry and was expecting to get a job. He had applied to the Cochin Shipyard. At present, he was living with the help of his brother. Shri Karunan had constructed a pucca tiled house on his plot of land.

39. Adjacent to Shri Karunan's house, his maternal uncle, Shri Raghavan was living on 6½ cents of land given to him by the Nadar from the 70 cents. He had constructed a thatched house on this plot of land. No separate patta had been issued to Shri Raghavan. He was an asthmatic patient and did not go to work. His family consisted of 6 members including his wife, two adult sons and two minor daughters. Both the sons were agricultural labourers earning about Rs. 200 per month. His wife also worked during the transplantation season and earned about Rs. 200 per annum He does not possess any other land except this house-site. The Overseer, Shri Karunan, who is his sister's son, helped him financially occasionally. He was not a member of any union or political party.

Kulathur village. Kulathur Panchayat. Nallurvattom Desom Neyyattinkara Taluk, Trivandrum district.

40. This village is situated 22 miles away from Trivendrum. 4 house-sites in this village had been allotted to the following 4 Scheduled Castes (Pulaya) families under the provisions of Kudikidappu (Homestead) Act:

(1) Shri Appu . .	3·75 cents
(2) Shri Kuttan . .	6 cents
(3) Mrs. Maria (Widow)	5·50 cents
(4) Jovan Maiyal . .	3·75 cents

Pattas were issued to all the beneficiaries. Shri Appu was not available at the time of visit.

41. Shri Kuttan said that he was paying land tax at the rate of 2 paise per cent. The original owner of the land reported to have voluntarily conferred the ownership right of the land to him for which he did not pay any compensation. He was an agricultural labourer and got Rs. 6 plus two meals a day towards wages. His family consisted of 5 members including his wife, an adult son and two children. His son was a failed matriculate, but worked for the same wages as an agricultural labourer for about 100 to 120 days in a year. He had 3 coconut trees which he had mortgaged for Rs. 600 on verbal contract. The yield from these 3 coconut trees amounts to Rs. 500 to Rs. 600 per annum, but until he was able to repay the loan, the coconuts were taken away by the money-lender.

42. Agricultural labour was not organised in this area.

Smt. Mariya had got two sons who were studying in Pre-degree Course. Both the sons were getting Rs. 190 per month as post-matric scholarship. But now only one son is getting 90 Rs. p.m. The other son was preparing to appear for the examination through a tutorial college for which he had to pay Rs. 250 to the college. Smt. Mariya took a loan of Rs. 200 from the IRDP by mortgaging her patta for purchase of goats. She earned about 50 paise per day by selling goat milk. During the transplantation season, she earned Rs. 4 per day besides two meals for about 45 days in a year. She had 3 coconut trees which fetched her about Rs. 150 per annum. She also supplemented her earnings by thatching coconut leaves. From this she earned about Rs. 2 to Rs. 2.50 per day. The rate for weaving (thatching) coconut leaves was said to be Rs. 6 for 100 leaves and one could weave 40 to 50 leaves a day.

43. Shri Jovan Maiyal is an agricultural labourer and he got Rs. 5 to Rs. 6 per day plus meals. He worked for about 100 to 120 days in a year. He had 5 coconut trees which he had mortgaged for Rs. 1,000 to meet the expenses towards his treatment. If he had not mortgaged the above trees, he would have got about Rs. 300 per year from the yield. He told that he maintained his family with 2 meals a day and sometimes he had to miss one meal.

Distribution of surplus land in Kulathur village, Kulathur Panchayat, Neyyattinkara Taluk, Trivandrum district.

44. Visited the site where 4.04 acres of surplus land had been distributed to 40 landless people at the rate of 10 cents each. 20 beneficiaries belonged to Scheduled Castes and the remaining 20 to backward and forward communities. Pattas had been issued to all the 40 beneficiaries. Some of them were constructing houses while some had already constructed houses and started living. Most of the beneficiaries were agricultural labourers.

45. Shri Jayachandran, one of the beneficiaries had 4 daughters and 3 sons. He had cultivated tapioca, plantain etc. on his plot of land. One of his sons had also got allotment of 10 cents of land, but he had sold it out to an outsider for Rs. 4,250 (at the rate of Rs. 425 per cent. The purchase value of the land by the Government is said to be Rs. 20 per cent) and with this amount he had purchased 15 cents of agricultural land in the neighbouring village. Mrs. Radha, wife of George, who had purchased the above plot had not constructed a house.

Karunquitti Hamlet, Parassala village, Neyyattinkara taluk Trivandrum district.

46. Record of right had been conferred on 4 Scheduled Caste families belonging to Pulaya community for 1 acre and 56 cents of land which they had been enjoying for a number of years. This land was said to have been mortgaged by the land owner to the forefathers of the present allottees for making improvement on the land. The land owner had not lodged any complaint so far against the allotment to the tenants.

47. No legal aid was being given to the Scheduled Castes. In cases of disputes under the Tenancy Act, the tenant was left to his fate. He had to file the suit on his own expense or drop it.

48. The beneficiaries had cultivated tapioca, vegetables, plantain, coconut and jackfruit trees on their land. Their main occupation was agricultural labour.

49. Smt. Denna Rajamma (widow), one of the beneficiaries, had taken a loan of Rs. 3,500 from the Neyyattinkara Land Mortgage Bank for digging a well and cultivating tapioca. The loan was to be repaid within one year. She requested for extension of time for repayment of the loan. Secretary told the Director of Harijan Welfare to contact the Managing Director of the Bank and get her extension of time for repayment of the loan as desired by her and intimate the action taken by him and the result to the Secretary at the Commission Headquarters, New Delhi, in due course.

Second Visit

Palghat district

50. According to 1971 Census, the total population of Palghat district is 16,85,342 out of which the Scheduled Castes number 2,10,765 and 25,594 are Scheduled Tribes. The percentage of Scheduled Caste population is highest in this district which is 12.51%. The Scheduled Tribes account for 1.52% of the total population of the district. The north-ceastern part of the district is hilly and is inhabited by the Scheduled Tribes. The hill areas are famous for cultivation of cash crops like cardamom and coffee the local tribals have been victims of land alienation on account of influx of outsiders for plantation of coffee and cardamom. According to a survey conducted by the Bureau of Economics and Statistics, Government of Kerala in 1976-78, about 24.6% of the land of the tribals have been alienated to non-tribal settlers.

51. Under Section 86 of the K.L.R. Act, 9,452 acres of surplus lands had been assigned in the district upto the end of December, 1980. Out of this 4097 acres had been assigned to Scheduled Castes and 769 acres to Scheduled Tribes. Taken together 50.5% of the total surplus land had been assigned to Scheduled Caste/Scheduled Tribe members benefiting 5276 Scheduled Castes and 895 Scheduled Tribes. The average extent of land per beneficiary works out to 0.78 acres. As envisaged under section 80(B) of the K.L.R. Act for purchase of Kudikidappu by the Kudikidappukaran, 236 persons had been benefited in the district.

52. Under the Central Sector Scheme for providing financial assistance to the assignees of surplus land, Rs. 1,000 is paid per hectare to each allottee as a form of grant. Rs. 13,87,477.25 has been spent to benefit 9,428 persons out of whom 4,393 were Scheduled Castes and 787 Scheduled Tribes.

53. Consequent upon the taking over of the Private Forests by the Government of Kerala from 10-5-1971 (as per the Kerala Private Forest (vesting and assignment) Act 1971), forest lands fit for assignment were distributed to the eligible persons. Under this rule, 50% of the land are to be assigned to the members of Scheduled Tribes who are willing to take up agriculture and out of the balance, 20% is to be distributed to Scheduled Castes. The maximum extent of land to be assigned is 2 hectares. So far an extent of 1,293.2533 hectares of vested forest land had been assigned to 409 persons in Palghat district. The beneficiaries included 340 Scheduled Tribes (1,193.5000 hectares) and 15 Scheduled Castes (20.6868 hectares).

Elappully Village

54. The Chairman visited Elapully village on 29-1-81. The village is situated at a distance of 13 kms from Palghat, the district headquarters. An extent of 42.10 acres of surplus agricultural land was acquired by the Government in this village and distributed to 70 families during 1975. Out of the 70 beneficiaries, the Scheduled Caste beneficiaries numbered 44, who were assigned agricultural land. Two families got Ac. 0.20 and Ac. 0.19 each while the extent of land distributed to each of the other 42 families varied from Ac. 0.55 to Ac. 0.70. All the allottees have been issued record of rights. The land assigned to the beneficiaries is irrigated double-cropped paddy land situated near an irrigation canal. During the visit of the Chairman, some of the Harijan allottees were busy in harvesting paddy from their land.

55. One Shri Nayyadi (a Cheruman Scheduled Caste) indicated that he got Ac. 0.60 agricultural land in 1975 and received the patta. He is an agricultural

labourer and got about 20 para (30 paras make one quintal) of paddy from this land in each crop.

56. Shri Iddumban from Cheruman community got Ac. 0.62 of land and had been issued patta. In the initial stage he took a loan of Rs. 200 from the Elappully Service Cooperative Bank and the Government paid financial assistance at the rate of Rs. 150 per acre for development of land.

57. On the first year he could not raise the second crop due to lack of agricultural inputs, and in the second year, the second crop failed on account of severe drought. This year he has got the full benefit of having raised both the crops. Each crop yielded about 45 paras of paddy. He sells a portion of the yield and get about Rs. 250 and keeps the rest for his family consumption. His family consisted of himself, his wife and two small children. He supplemented his earning by doing agricultural labour, and his wife also went for agricultural labour. They got daily wages at the rate of Rs. 8 (per man) and Rs. 7 (per woman).

58. He had been allotted a house by the Government under the One Lakh Housing Scheme.

Shri K. Kuttai, a Cheruman received Ac. 0.60 during 1975. He got a financial assistance of Rs. 90 (Rs. 150 per acre) for purchase of agricultural inputs during the initial period of cultivation. In addition to this he brought a loan of Rs. 300 from the Elappully Service Cooperative Bank at the rate of 15% per annum as interest. He had been very regular in repaying the loan and therefore was able to seek fresh loans.

59. He did not have plough bullocks for ploughing his fields. He engaged bullocks on hire paying Rs. 25 per day per pair for 3 days or engages tractor by paying Rs. 35 per hour. His other investments on land included manure, seed, basic land tax at the rate of Rs. 2.00 per acre and Rs. 25 as water tax per acre. He had a family of 5 members and did not go for wages. He attended to his land and got a yield of 84 paras of paddy in each crop (as compared to 20 paras received by Nayyadi). None of his children went to school.

60. Kali, widow of late Kunjan got Ac. 0.60 of land. Her family had 6 members including her daughter, son, son's wife and their two children. She got small buffaloes, but no plough bullocks. She had constructed a house on her own after purchasing house site. The land fetched her 90 paras of paddy in the first crop, but she got 60 paras in the second harvest. Besides working on own land, her son, son's wife and daughter also went for wages.

Kudikidappukara (owners of house-sites)

61. The Chairman visited the Harijan tola of Elappully village and met two Harijans, who had been conferred ownership right on house-sites and homestead land. Under Section 72 of the K.L.R. Act, the Kudiyiruppu on which the Harijans were living had been assigned in their names.

62. Kittu, a Parayan (Scheduled Caste) indicated that he got 10 cents of house site and constructed a house with a loan of Rs. 100 twenty five years ago. He affirmed that there had not been any harassment from the landlord regarding the dwelling site, since they cannot make use of this land.

63. Vijay Das, a young Cheruman had house-site and homestead land of one acre. His father's father got this land and was alive, though Vijay's father was dead. He had Ac. 4.00 of agricultural land and a pair of plough bullocks. He had read upto S.S.L.C. but engaged himself on cultivation of land. His younger brother was studying in Pre-Degree classes. He expressed that the cost of fertilizer had gone up causing much hardship to the small and poor farmers. For his land he had to purchase about 30 bags of fertiliser worth Rs. 3,000 per annum. Besides the water tax which was Rs. 7 per acre before 1975 was increased to Rs. 25. The fertiliser loans were taken from the Cooperative Bank at the rate of 15% interest per annum.

64. He expressed that the poor Harijan agriculturists would be much benefited if fertilizer loans could be available to them at D.R.I. and the water tax is minimised to help them.

Alleppey District (30-1-1981)

65. Alleppey district has an area of 1,884 sq. kms. Out of a total population (1971 Census) of 21.25 lakhs, the Scheduled Castes numbering 2,00,770 constitute 9.44% of the total population of the district. There were only 435 Scheduled Tribes in the district.

66. Kuttanad area comprising seven taluks of Alleppey district and three taluks of Kottayam district forms into the deltaic region and is considered to be the rice bowl of Kerala. The general level of paddy lands in the area is below mean sea-level. These were part of the lakes, but were turned to cultivable land by drying up the water and filling the area with soil. Alleppey town is situated on the western tip of the Kuttanad area, one of the main paddy producing centres in the State.

Working of K.L.R. Act.

67. Acs. 7,583.30 of Kudikidappu (dwelling house and the homestead land) had been purchased and given to 77,516 beneficiaries in Alleppey district, and 1508 applications were pending decision before the Tribunals as on 31-12-80. Rs. 29,38,792 was paid from the Kudikidappukars Benefit Fund to meet the 50% share of the cost price of the land. The Scheduled Caste beneficiaries numbering 13.105 account for 16.6% of the total beneficiaries.

68. In case of assignment of tenancy land, Acs. 34,784-40 were assigned to 34,784 persons out of whom 4,095 were Scheduled Castes having distributed Acs. 819.00 land. The Scheduled Caste beneficiaries constituted 2.3% of the total beneficiaries in assignment of tenancy rights.

69. Out of Acs. 3434.21.648 surplus land distributed to 4944 persons in the district Acs. 1663.36.00 were distributed to 2557 Scheduled Castes. The Scheduled Caste beneficiaries constituted 51.7% of the total beneficiaries.

Visit to Alleppey (Ponnamazha) village

70. Shri K. Vishwan, a Pulaya (SC) was assigned Ac. 0.05 cent of homestead land and Rs. 3,500 (Rs. 500 grants and Rs. 3,000 loan at DRI) to construct a house on the land allotted to him. The beneficiary constructed a two roomed house with brick walls and thatched roof. He was an agricultural labourer and engaged himself in removing mud from the paddy fields for reclamation and selling it to others for coconut plantation. His family had 5 members including himself, his wife and three children. The eldest son, aged 15 years was not interested in studies. The second and third sons were studying in classes VI and IV.

71. He indicated that three months ago his landlord with whom he was working for years had donated Ac. 0.50 agricultural land to him for his personal cultivation. On enquiry it was found that he had not so far been issued record of rights over this land, although the landlord had promised him to transfer the ownership rights on the name of the tenant. The Chairman was apprehensive that in the absence of record of rights the tenant might be dispossessed of his share of land at any time by the landlord of his relatives. He felt that without any legal documents the tenant would not be able to defend his claims. Besides, if the land given to the Harijan would be coming under the category of surplus land under Land

Ceiling Act, if would fall into the ownership of Government and allotted in the prescribed priority pattern. The Chairman, therefore, desired that the District Harijan Welfare Officer may take immediate steps for conferring record of rights of this land to the cultivating tenant and inform the Deputy Director of the Commission's Trivendrum office. He also hoped that the District authorities may take suitable steps in identifying similar cases and arrange for issue of record of rights to the eligible persons.

72. Ac. 13.20 of surplus agricultural land in this village was acquired and distributed to 27 families out of which 14 were Scheduled Castes. All the allottees were issued ownership rights.

73. One Shri Thankappan, a Pulaya (SC), informed that his deceased father had got Ac. 0.90 agricultural land 6 years ago. The deceased had three sons, but the land was cultivated by Thankappan, who looked after the widow mother, widow sister and his sick younger brother. His elder brother lived 10 kms away and did not come to cultivate the land in this village. He had his wife, one daughter and 3 sons all of whom were going to school. He got about 18 quintals of paddy from the land in both the crops and sold about 8 quintals for Rs. 100 to meet the expenses of agriculture, which included fields during the time of accumulation of excess water and the expenditure on seed and manure. He had to bring loans from private parties at a high rate of interest of 60% per annum to meet part of the expenditure on agriculture, as he could not seek loans from the Cooperative Bank since the land continued to be in the name of his father who was dead. He was also not very keen in transferring the record of rights in his name since the other two brothers would also demand a share.

(6) *Tour Note of Shri Bhola Paswan Shastri, Chairman, Commission for Scheduled Castes and Scheduled Tribes, Government of India, New Delhi to Birhor Tribal Colonies in Bihar during February,* 1980.

14.179 In February, 1980 the Chairman of the Commission paid a visit to Amanvudy, Jahangutua and Veti Birhor Colonies in Bihar. He was accompanied by Shri K. B. Saxena, Tribal Welfare Commissioner, Bihar, Ranchi.

Amanvudy Basti, P. S. Gundu

14.180 The Birhor Village is divided into 2 wards and is inhabited by about 32 Birhor families. 3 Birhors namely, Kapil Birhor, Birsa Birhor and Jayaram Birhor are landless. Other Birhor families own some land though considerable part of it is Tand land. Five Birhor families have recently been given bullocks by the Tribal Welfare Department, the others do not own any bullocks. Most of the Birhors families have no agricultural tools and implements. None of them have any goats and pigs and only one or two families have a few fowls.

14.181 Sometime ago a drinking water well has been dug by the Government, but its water was unfit for drinking and therefore it is not in use. The Birhors fetch their drinking water from a dandi which they want to be broadened and made pacca. In this village there is a kacha well also. Though it has a large quantity of water, it is dirty. If this well is duly cleaned and made pacca, its water could well be used for drinking purposes. There is a small pond also near this village and, if this pond is dug up under the food for work programme, its water can be used for bathing, cattle drinking, irrigation and other purposes. In the village there are some Ber trees which can be used for the development of lac. The Birhors are prepared to grow more Ber trees.

14.182 The Birhor families are quite poor and their agriculture gives them subsistance only for 3 or 4 months. For the rest of the year they work as labourers. The Birhor women mostly make ropes, but for this purpose they are unable to secure Bark from the local forests. They have to purchase jute fibre (sanpat) from Ranchi at the rate of Rs. 2.50 to Rs. 3 per 1½ Kg. This quantity is enough to make one rope which they usually make in two days. In the market it may sell for Rs. 6 thus the income from rope making may be Rs. 1.50 to Rs. 2 per day.

14.183 Some children go to the neighbouring school but lack of clothes makes them shy and hesitant. In this village there is a nutrition centre also. This is being run by Jangal Birhor who is assisted in this work by his wife working as an assistant. In place of the wife of Shri Jangal Birhor, Orders were issued in favour of a Birhor widow of the same village for appointment as an assistant since she has no means of livelihood.

14.184 10 Birhor families have gone to Mirzapur in search of work. The Chairman was told how some contractors from Mirzapur go to Birhor's and other tribal villages and persuade the innocent tribals by making false promises of giving them higher wages, and take them to Mirzapur. There, the tribal people are exploited and they are not allowed to return to their homes. So, the Chairman requested the Commissioner, Tribal Welfare to give him full information in the matter and also send a copy to the Secretary of the Commission in New Delhi and the Director for Scheduled Castes and Scheduled Tribes, Patna.

14.185 During the visit, another important fact was brought to the notice of the Chirman. Some years ago the wife of Shri Jayaram Singh Munda, who lives in Hungato and is an old chief of this area was killed by dacoits. In this dacoity case Shri Jayaram Singh Munda is alleged to have falsely implicated Shri Jagarnath Birhor, Sri Bikram Birhor, Kristo and Doman Birhor of Amanvudy village. Doman Birhor died in the jail and the remaining 3 persons were recently returned from jail on bail after being kept in jail for a little less than 3 years. The reason to falsely implicate these persons by Sri Munda was that, about 2 years before the incident, these Birhors had filed a suit for return of their land which has been forcibly occupied by Shri Munda. The police is said to have helped Shri Munda in this case. Uptil now the case has not been sent to the Sessions Court. Hence the Chairman requested the Commissioner, Tribal Welfare, Shri Saxena, to send him full facts of the case. The land belonging to Tira Jagarnath and Bikram Birhors have been forcibly taken by Neelu Singh Munda who is a nephew of Shri Jayaram Singh. The land has so for not been returned to them.

14.186 In this village there are the following old poor women and the Chairman recommended that they may be given old-age pension. They are: Nolamji, Teera, Bistu, Jitni, Sabi, Nanki and Etwari.

14.187 The Birhor are willing to take up bee-keeping, spinning on charkha and weaving. The Chairman desired the State Government to take the following action:

(1) A study should be undertaken by the Tribal Research Institute to find out as to from where originally these Birhor families had come, and how long they had been living there.

(2) The landless Birhors and those who have little land must be given land by the Government for cultivation on priority basis.

(3) The Dandi from where the Birhors take their drinking water should be widened and made pucca.

(4) The Kacha well should be thoroughly cleaned and made pucca.

(5) The pond should be dug up, developed and renovated under the food for work programme.

(6) The development of lac should be taken up with the help of the Forest Department and the Kraya Vikraya Sangh.

(7) The scheme of bee-keeping, planting of fruit trees, arrangement of clothes and school bags for children may be undertaken for this (Amanvudy) village. Under the light Manual Scheme, spinning on Charkha and weaving may also be started.

(8) A high level enquiry may be made again in the case in which Jagarnath, Bikram and Christo have been falsely implicated. Necessary action should also be taken in the direction of withdrawing these cases. These Birhors should be given the necessary legal assistance. The land belonging to Tira Birhor, Bikram Birhor and Jagarnath Birhor which has been forcibly taken by the nephew of Shri Jayaram Singh Munda should be restored to them.

(9) Under old age pension, old men and women from among the Birhors should be given old age pension by the State Government.

(10) Information relating to dacoity case and also full facts relating to Birhors and other tribals being taken to Mirzapur where they are exploited, may be sent to the Chairman and to the Secretary to the Commission with a copy to the Director for Scheduled Castes and Scheduled Tribes, Patna.

(11) Sri Jangal Birhor who is an educated person and who is doing good social work should be employed in the developmental scheme of this village. Efforts should be made to rehabilitate those Birhors in this village, or in the neighbourhood of the village, who are living a Nomadic life so that an integrated development of all these Birhors could be possible.

(12) Agricultural implements, bullocks, seeds etc. should be given under this scheme to the Birhors without delay.

14.188 The State Government ought to take action on all the above points for the development of this Birhor colony and keep the Commission for Scheduled Castes and Scheduled Tribes informed of the progress.

Jahangutua Birhor Colony

14.189 In this colony 16 families of Birhors were settled but seven of them had left because they could not secure means of livelihood on a permanent basis. Each family was given 5 acres of land but the parcha given to them is only for 2 acres each, and this parcha also has been given only recently. The roofs of many houses have been blown off by wind; some houses have collapsed; and the Birhors have no means to reconstruct them. The Chairman requested the Commissioner, Tribal Welfare to help them with money and material so that they may be able to repair their houses. Some houses had small poultry sheds but no fowls. The fowls that had been given to them had died. When this colony was established there was a centre for rope making, but it was closed down and it stands roofless. The tools have been kept somewhere. Some years ago the women of this Birhor colony were trained in spinning on charkha and also weaving, but this was also closed down because the Birhors have no money to buy cotton and means to spin. Three Birhor families have no bullocks. Whatever agricultural assistance had been given to Birhors had already become infructuous. In this colony there is a sewing machine. But no thread, scissors and cloth have been given so that the Centre is not in a position to make a beginning. This is inspite of the fact that a lady social worker has specially been posted here.

14.190 There is a primary school in the colony and a teacher Shri Soma Uraon has specially been appointed to run it. There is no middle school and the children who pass the primary, hesitate to go to Pat residential school because they are not given clothes there.

14.191 Near the Birhor colony there is nalla and if a bund is erected across it under the food for work programme, it would become a source of irrigation. A large part of whatever land has been assigned to the Scheduled Castes/Scheduled Tribes is Tand land and the Birhors have no means to reclaim it.

14.192 The Birhor women are ready to spin on Charkha but a month's training to them would be necessary. Moreover, each family would have to be given some money as a revolving fund with which to purchase cotton. Only then they can spin, weave cloth and sell it to Khadi Gramodyog. The Manager of the Khadi Gramodyog has informed that there would be an expenditure of Rs. 200/- per trainee for the duration of one month's training and a further provision of Rs. 200 would have to be made for each trainee. The Khadi Gramodyog can be given Charkha on loan to these families. Later, if the families so desire arrangements can be made to make available charkha to them at a cost of Rs. 630/- per charkha.

14.193 With whatever land the Birhors have, they are able to make a living for 3 to 4 months. In the remaining months they make ropes and pestle and mortars. But for this they find to difficult to secure wood. If they go far agriculture work in the fields of those living in the neighbourhood they get only a rupee as daily wage which is extremely low. They usually do not get work of cutting earth.

14.194 The wife of Budha Birhor was found to be very ill. The doctor of the block was called and informed that she was suffering from T.B. Orders were given to the Block Development Officer to arrange for her treatment and incur expenditure under the grant given under the head 'Medical'.

14.195 In the Sambhi Pat Residential school there is difficulty in getting drinking water, because it is not possible to dig well there. The Chairman has, therefore, suggested that a well may be drilled with the help of a rig.

14.196 Dhatarpal Birhor gave a representation that he should be given a job under the Government. The Anumandal officer assured that he would be taken in as a cook in the Bishunpur tribal hostel. Another Birhor who had left job due to a quarrel would also get the job of a mali in a school in the neighbourhood of the colony.

14.197 Birhor children complained to the Chairman that one Shri Dwivedi, teacher in the Pat Residential school, collected some donation on the occasion of Saraswati Puja and that the Birhors find it very difficult to give any donation. The Chairman had, therefore, requested the Commissioner, Tribal Welfare to remove such teachers from this area. The Chairman desired the State Government to take action on the following points :

(1) The whereabouts of these Birhor families which have left the colony may be found out so that they may be brought back to the colony.

(2) If there are any nomadic Birhors around the colony they too, should be settled so that alround development of the colony could be made.

(3) Those Birhors whose houses have fallen down or are in the state of disrepair, may be helped with money and material to repair and reconstruct them.

(4) Necessary assistance should be given for the schemes of poultry, bee-keeping, piggery and for goat rearing.

(5) All Birhor families should be given parcha for 5 acres of land per family along with actual possession thereof immediately.

(6) Arrangements be made for the treatment of Budhu Birhor's wife.

(7) The assurance given by the Anumandal in respect of Chhatarpal Birhor and Budhu Birhor that they would be provided with jobs should be fulfilled.

(8) The Headmasters of Jemipat and Sakhuapani schools against whom certain allegations have been made regarding collection of funds during Saraswathi Puja should be investigated. The funds collection for Puja etc. should be totally stopped.

(9) Chhatarpal Birhor has now started living apart from his parents, with his family, Therefore, there should be separate allotment of land for him.

(10) Rope making Centre should be repaired and training facilities introduced in it for spinning on the charkha, sewing and other cottage industries; thread, cloth etc. should be provided in the sewing centre.

(11) A bund may be erected under the food for work programme on the nalla.

(12) Funds should be sanctioned for the reclamation of the waste land.

(13) Money should be sanctioned for giving training to women in spinning on charkha.

(14) Dresses should be arranged for the Birhor school going children.

14.198 Action on all the above points may be taken for an alround development of the colony and the progress communicated to the Chairman, Secretary of the Commission, and also to the Director for Scheduled Castes and Scheduled Tribes, Patna.

Vite Birhor Colony

14.199 This colony was established some 20 years ago during the time when the Chairman was Welfare Minister and he felt deeply sorry that during this long period nothing has been done to improve the economic conditions of these poor Birhors, and as a result their condition has become worse. Out of 30 Birhor families, 13 families have left the colony to live elsewhere. The houses were in very poor conditions : some had fallen down, other were in disrepair and likely to collapse. Due to lack of resources, the Birhors are living in them with leaf thatches. Those who left the colony did so because they did not have any means of livelihood. No parchas were given to them to date for whatever land was allotted to them. The present sub-Divisional Officer distribute the parchas during the time of the Chairman's visit.

14.200 Mangya Uraon has occupied the lands belonging to Sudu Birhor and Chikani Birhor. The fowls and pigs given at the time of settling the colony have all died. The existing settlers have no concrete means of livelihood. Near this colony there is a nala which is a tributary of Koyal river. If a scheme of lift irrigation is introduced on this nala the Birhors can make a living. The Chairman stressed upon the need to introduce this scheme. Some of the land that was allotted to Birhors need reclamation and this, too, should receive full attention and necessary funds for this purpose sanctioned under the Birhor's development scheme.

14.201 In 1978 some one had set fire to the house of Gopal Birhor. No compensation has been given to him so far. Near the Veti

Colony, another conoly was also established in Katarya Manja and all the Birhors there have deserted the colony due to lack of any means for subsistence. The Chairman was informed that these Birhors have gone to a place near Sarju Bazar, Garu Ps. The Chairman had requested the Commissioner, Tribal Welfare that they may be contacted and persuaded to return to the colony and that necessary assistance should be given to them under the Birhor Development Scheme to the extent that they become economically independent.

14.202 Six families of Veti colony which have gone to Katarya may also be persuaded to return to Veti colony and those Birhors who have gone elsewhere may also be contacted and brought back and rehabilitated in the colony. The Birhors should be helped with the house building materials so that they repair and reconstruct the houses.

14.203 In this colony there is a Nutrition Centre also but unfortunately the person who runs the programme (Ram Autar Sahu) who is a non-tribal and the articles of food are also kept in his house only. Orders were, however, issued to the Block Development Officer in the presence of the Chairman that a Birhor should be appointed as Sanchalak of the Centre and another Birhor as an Assistant. Smt. Katherina Toppo, Gram Sevika who has this colony under her charge can also look after the work.

14.204 The Chairman finally stressed again that under the Development of Scheduled Tribes, all the colonies that have been established earlier must receive the attention of the Government on priority basis. All the tribals who have left these colonies should be persuaded, brought back and rehabilitated in their colonies and all efforts should be made to ensure that they become economically independent.

(7) *Tour note of Shri T. S. Negi, Member in Bihar from* 24-2-1980 *to* 29-2-1980.

14.205 Shri T. S. Negi, Member of the Commission for Scheduled Castes and Scheduled Tribes visited Girls Residential School, Khunti on 24-2-1980 during his tour to Bihar from 24-2-1980 to 29-2-1980. He was accompanied by Shri B. Kapthuama, Director (Scheduled Castes and Scheduled Tribes Commission), Patna and the following officers of the Bihar State Government :—

(1) Shri J. B. Hemrom, Deputy Director (Welfare)

(2) Shri C. Karketta, District Development Officer Ranchi.

(3) Shri R. Y. Singh, District Welfare Officer.

Girls residential School, Khunti

14.206 The Member was received at the School by some tribal leaders including Shri Karia Munda, ex-MP and former State Minister for Steel and Mines, Government of India. According to the official note handed over to the Member, this "Girls Residential School Khunti (Khunti Sub-Division)" is being run by the Welfare Department from 1962-63. At present education upto "Middle" standard is imparted to 88 Scheduled Tribe Girls. Government bears the total cost of maintenance of this School i.e. free board and lodging and free clothes, reading and writing materials and cosmetics are provided to the inmates. Rs.60/- per month is spent over the food of each girl and clothes worth Rs. 50/- are supplied to each inmate per year. Besides, a sum of Rs. 5/- per month/inmate is sanctioned for cosmetics.

14.207 All girls live in the School premises alongwith the teachers. Teachers keep close contact with each and every girl and take care of their all-round development.

14.208 As the girls of today are the women of tomorrow, they are not only educated in academical subjects, rather they are trained in knitting, embroidery, cooking and sewing.

The following demands were made :

1. Upgradation of this School to a high school.
2. Increase in the number of seats.
3. Extension and improvement of the existing accommodation.

Regarding (1), tribal girls are still too far from an apptitude for co-education. Therefore, a High School exclusively for girls is essential for school education above the middle standard. For reasons of distances, difficulties of conveyance, etc. etc., residential schools are necessary if females are to be encouraged into schools. Poverty of the people necessitates the kind of Government assistance which is granted to this middle school. This is the only school of its kind in the entire area.

For all these reasons, upgradation to the high school level with the existing pattern of Government grants seems to be fully justified. This demand appears to have been made many a time earlier also.

Regarding (2), upgradation to the high school standard will automatically lead to some increase in the number of seats. The Member was told that this year a number of seats were available. The question of ceiling arises because a seat in the school means totally free of almost totally free education in the full sense of the word 'free' practically all the expenses being borne by the Government. While this eagerness for education among the tribal girls is to be whole heartedly welcomed and encouraged, the hard realities of financial constraints cannot be ignored altogether. Subject of these contraints, the maximum possible increase in the number of seats is obviously called for. One way of easing the financial strain might be to see if there are

families really well to do enough to afford independence of any particular item or items of the Government aid. In other words whether there are families strong enough financially to partially bear the expenses on their own of their daughters, depending upon the Government aid for the remaining expenses only. Another way might be the elimination of the undeserving after trial, in terms of her showing in merit and performance as a student.

Regarding (3), this demand needs the earliest possible attention and action to remove the grievance. At present the school has two premises at quite a distance from each other so far as the residential arrangements go. Teaching accommodation is so inadequate even for the middle school that classes have to be held under trees out in the open. If the food for work programme were applied to the construction of or repairs to such school building with the necessary cash component added by the Government to the food supplied, it is expected that the tribal beneficiaries contribute their share of labour by providing man-power on food for work basis.

14.209 Condensed Course Centre at Khunti : The Member was received at Centre by some tribal leaders including Shri Bhaiya Ram Munda, ex-MP. According to the official note handed over to him, this Centre is run by the Adimjati Sewa Mandal out of grants received from the Central Social Welfare Board. Adult females who discontinued their education due to economic reasons and could not reach Metric stage are picked up and coached for taking up the Secondary Board Examination. At present 22 girls are being coached, out of whom 17 come from Scheduled Tribes Communities and 5 from other communities. The sanctioned strength is 25. Thus there are 3 vacancies. The centre has certain problems as put forth by Shri B. R. Munda, ex-MP, who is the General Secretary of the Adimjati Sewa Mandal, Ranchi. Shri Munda desire, that the Member should endorse (which he did) Shri Munda's desire, that the Central Social Welfare Board, may expedite favourable consideration of Shri Mundas, requests contained in his letter No. 775/79-80 dated 5-12-1979 and No. 758-760/79 dated 23-11-1979 addressed to the Central Social Welfare Board, New Delhi.

14.210 This condensed course appears to have been much appreciated by the people who strongly requested me that the course should be continued even after the present batch has passed out because there is still adequate potential for some more batches of candidates coming forward to take benefit of the course at this very centre. It is obviously sensible to suggest that the introduction of this system of condensed courses at any place should not end up in just one batch, rather the course should be continued till the area served by such school or centre gets saturated.

14.211 Another *prima facie* logical and reasonable demand made was that the pay scales of the teachers including the Headmistress should be the same as in the normal schools provided the qualifications were also comparable. There are 3 teachers at present including the Headmistress who is M.A. B.Ed. The total amount paid monthly to all three of them was stated to be Rs. 600/- only. This is indeed a very surprising position. When the students of the Condensed Course imparted at this Centre have to pass the standard examination and thereafter treated as qualified as their counterparts who have passed the same examination from regular schools, there is no reason why the teachers of this Centre should not be paid the same emoluments as those in the normal schools commending similar educational qualifications. In any case Rs. 600/- per month for 3 teachers working whole-time on a job like this is much too obviously inadequate.

14.212 There was a demand for a cook and a peon also for the Centre, but the Member did not have the time to examine the justification for this demand. The authorities concerned might like to examine it.

Primary Teachers' Training College, Dumaroada on Khunti-Karva Road

14.213 According to the official note about this institution, "Training is imparted to matriculates and above for teaching in primary and middle schools, The trained persons on completion of their training seek jobs as school teachers. All the trainees who belong to Scheduled Tribes and Scheduled Castes communities get stipends from the Welfare Department subject to the Government of India's regulations for post-matric scholarship". This institution is also run by the Adimjati Sewa Mandal, Ranchi, with Government aid.

14.214 This college is said to be recognised one in the sense that the primary teachers trained by it enjoy recognition as trained teachers for appointment under the Government. If this is the position than the institution deserved more governmental financial aid than more stipends to students, about which particular item of Government aid also, there is dissatisfaction.

14.215 The college is said to possess 8 acres of its own land with 2 or 3 acres more promised by Shri Kamal Nath Misra, a philanthropic land-lord, who has presented besides some 15 acres of Government land and an irrigational well attached, to this institution. Such being the assets and the scope of this training college, middle and high school classes i.e. from the 7th class to the 10th class, being run privately at present, deserves to be taken over by the Government.

14.216 The student strength is said to be 221. The nearest high school is about 7 miles away. There is no separate girls school. In short, there is justification for a regular Government High School at this place connected with this teacher's training college. This high school, with separate classes and a separate hostel for the girls, will not only serve the general need of the area but could also be

utilised for the upgradation of this training college, to a higher standard than that of a primary teachers, meaning, thereby that the teachers for higher classes also, say including the high school classes.

14.217 The Member reached Bishugarh Block Headquarters on 25-2-1980 and was received by Shri T. K. Das, District Welfare Officer, Hazaribagh Block Development Officer, Bishnugarh and other local officials. After general discussions he left for Burhachanch Birhor Tanda to see the working of the Birhor Development Scheme.

14.218 Four of the 13 students on the roll of the Primary School, Burhachanch, were absent and there was no satisfactory answer for their truancy. Schooling is new to these Birhor.

14.219. The settlers here want more land not only because the present allotments are inadequate, considering the size of their families, but also because the new land that they have in mind in more amenable and accessible to irrigation for the whole year or the best part of the year. This coveted piece of land, some distance away was shown to the Member from the colony and was described as devoid of any valuable trees. For shortage of time the Member could not go to the spot, but both officials and non-officials who knew the area assured him that this plot was indeed free from any such valuable forest growth as would really militate against its being added to the colony land. The only hitch, he was told, was departmental objection by the Forest Department which shall have to be taken up at high enough level for being settled once for all. The forests do certainly have their own place of high importance in the ecology, economy and exchequer of the country and the Government of the country. At the same time it had better be remembered that the common man's reaction is basically very sound. Often, when he comes up against the stone-wall of departmental 'no' the common man wants to know whether the trees are meant for the men or vice-versa. Nomadic tribes like Birhor, who have been gatherers and hunters and the best 'Jhoom' cultivators, would be far more damaging to the forests when at large and free and roaming in the forests than when pagged down to cultivation on permanent settlements even if such settlements cost some land formerly within the boundary mark of the Forest Department. To fail to see this would be astonishing short sightedness. Then there are the larger considerations connected with such objectives as the bringing into the main national stream of the tribal people.

14.220 When it comes to, deliberately and in a planned manner, settling nomadic, gathering and hunting tribes, like the Birhors, on land with agriculture as the main source of living, it would be a self-defeating measure to settle the tribal families on uneconomic land holdings. It is the impression of the Member that the holdings at Burhachanch are uneconomic and more land has to be allotted to them. The title conferred on the settlers was not clear to him. From the papers shown to him, which were described to him as excerpts from the land revenue records, the Member found that the ownership was recorded in the name of the Government where as the settlers were shown only as cultivators without defining their occupancy status. Whatever the status, decided by the Government as a matter of policy, to be conferred on the settlers, it should be one that would inspire in the settlers lasting in the land and its best possible cultivation and the revenue records should fully and clearly reflect the correct extent and nature of the holdings and the status of the holders. Rendering these simple strangers to agriculture and the land records, prey to the fancies and greeds of the petty land revenue officials will be a great pity and cause serious set-back to the whole idea of setting them on land.

14.221 Under the development scheme, good arrangements for irrigational, as well as drinking water seemed to be under way and, when completed, should be reasonably well for the lands already allotted. The settlers are themselves the labourers engaged for the development of the colony and part of their wages is compulsorily deposited into bank account in the name of the head of the family concerned. This is very good idea. There was some grievance over the insufficiency of the wage rate, but the Member has no personal opinion in the matter because he did not have the time to examine the issue at length. The distribution system at present is for the entire produce of all the lands in the colony to be gathered and stored together and then distributed in instalments not with reference to the landed shares as recorded in the papers but on the basis of the size of each family. So far the settlers have not objected to this system of distribution. Here is an occasion for experimentation in collective living. The Communist type of total regimentation involving the suffocating and stiffling of the individual personality, would, of course, be something repugnant to our genius, to our culture, to our civilisation, and to our concept of values. Short of any such regimentation, collective living by cooperation or otherwise to a certain extent in certain circumstances might be good social pattern even in our milieu.

14.222 In the Burhachanch colony this collective pattern of labour, production and distribution would seem to be an accidental and ad hoc feature, because, had this been a preplanned concept, the very title in the land would have been collectively recorded. Actually the title stands recorded family-wise in the name of the head of the family.

14.223 One Shri Aghana Birhor, 16 years old son of Shri Nago Birhor, seemingly a leading elder of the colony, wanted employment,

He claimed school education upto 3rd standard passed. His poor education and, as yet, minority in age were not helpful. Nevertheless the Member suggested his employment on daily wages to begin with, pending some suitable kind of a regular employment. Shri T. K. Das, District Welfare Officer, Hazaribagh was good enough to note down this youngman's name and particulars and to give the indication that he would move the Government for the establishment of a hostel for the tribal students at Bishnugarh and then employ Aghana Birhor in the hostel as a peon if nothing better could be done for the boy.

14.224 At Bishnugarh, the Member had earlier been given an application by a youngman belonging to the Bansda Tribe requesting the Government to open a residential high school for boys and girls, especially for the girls, in his area some distance away from Bishnugarh proper. After discussions with the local officers the way out that struck him was the establishment of hostels, one each for the boys and girls, separately, at Bishnugarh proper with financial aid to inmates of the hostels so that tribal boys and girls might join the high school, already functioning at Bishnugarh, with Government financed residential arrangements till such time as residential schools are established for the tribal students within the tribal area itself, which eventually seems likely to take pretty long.

14.225 The Birhors in this colony seemed still to be nursing some lingering nostalgia for the free, open and, in a sense carefree nomadic life of the wilds, although, in the net balance, they seemed to have taken a liking to the new settled life provided it secured them adequate economic stability. They are conscious of the dwindling state of living resources in the jungle, especially with the increasing interference by the forest department, and they are now alive to the advantages of modernity. Still, such colonies have for a long time to come to be handled with great care. What is most desirable is the modern ways of living minus its vices and plus whatever was wholesome in the old way of living.

14.226 At Gomia the Member came across Dr. P. R. Sircar, of the Gomia Explosive Factory, who is also Hony. Secretary of the Gomia Branch of the Family Planning Association of India. He struck me as a very dedicated and selfless social worker keenly wedded to the uplife of the tribal people. Such persons deserve effective and respectable places in any dispensation by the Governmental Departments or non-official agencies, whether in a body or in the shape of individuals. Dr. Sricar has already done impressive work with such funds as he has been able to scrape together from here and there, but finances continues to be his headache and so far no Government help would seem to have fallen his way. Late in the evening the Memebr found awaiting him at Gomia, under the auspices of Dr. Sricar, 9 to 10 kids to whom the Member was made to distribute some clothing to make them feel at home at school where, of course, the non-tribal students would be clad and not naked. These children had come from some fairly distant places in the interior. Dr. Sricar had made arrangements for their coming and going back and for their stay and food at Gomia. Each kid carried his bow and arrows.

Birhor Tanda, Tulbul, Gomia Block, Berno Sub-Division

14.227 The Member visited the Birhor Tanda at Tulbul, Gomia Block, Berno-Sub-Division, Giridih District, on 26-2-1980.

14.228 Originally 13 families were settled, each family having been provided with a Goverment built house. At present only 9 and their branches exist 4 of the 13 originally settled having left the place for reasons not clearly explained to the Member. One likely reason seems to be that the roofs of the original buildings had got blown away in the storm and some of the buildings had got damaged otherwise too. Not having the wherewithal to repair the buildings, the affected persons first tried to instal their traditional twig and leaf huts within the four walls of the damaged buildings but later decamped all together and probably reverted to jungle life or went to some other colony.

14.229 Goat rearing was mentioned the sole item of supplementary industry so far. Whether goat rearing is treated as an industry or as an item of the profession of agriculture which is the dominant profession of the colony, there will be no use supplying these people, the tribals, with goats of poor quality to which category the local breed belongs. These are well-known breeds, in India, some prolific and therefore, profitable for meat and others so milk yielding as to earn the name "poor man's cow". Here the land holdings are larger in size than at Burhachanch. Whether large enough to be economic or not, the Member cannot say. The Member could not examine the little deeds, but the Assistant Collector assured him that he had gone into this matter and was satisfied that the settlers enjoy occupancy tenancy as their status and the revenue records showed this status.

14.230 The Member was told that the cots on which the Member and other officers were seated and which numbered about half a dozen had been made by the tribal settlers after they had been taught a bit of carpentry. It was the general feeling that they (the Birhors) could be attracted to training in this trade which they could usefully extend to other items of furniture. Weaving of nets and making of ropes is the traditional handiwork of the Birhors and this inherent skill of theirs could be utilized to their greater advantage in the modern context.

14.231 In this colony also, feelings in respect of the settled life, as compared with the nomadic one, were more or less similar to those at Burhachanch. It was impressed upon the authority to ensure that proper drinking water facilities are made available in the Birhor settlements.

14.232 Dr. P. K. Sircar had brought quite an appreciable collection of clothes which were distributed by the Member to the school attending children on this nearby colonies. One father was loud in protestation against his child not getting anything. But his child was not there and it was explained that the child had not been attending school either for some time. The father was pacified by giving his child's share in his hands. Later, the Member was told, he brought the child also to the colony and promised to send him to the school in future. Here were signs of the traditional contentment of the tribal ruffled by attachment to a modern amenity.

14.233 On the same day, at the Circuit House at Ranchi, a discussion of general nature concerning the tribals was held and the following among others attended :—

1. Shri Budh Ram Bhagat, MLC (Gumla).
2. Shri S. R. Munda, ex-MP.
3. Mrs. Malhotra, Education Officer, Ranchi.
4. Shri K. B. Saxena, Tribal Commissioner.
5. Shri J. B. Hemrom, Deputy Director, Welfare.
6. Shri C. Karketta, District Development Officer.
7. Shri R. Y. Singh, District Welfare Officer.
8. About a dozen non-officials.

Some written representations were presented, the originals of which were handed over to Shri K. B. Saxena, Commissioner for Tribal Welfare, Bihar Government for initiating appropriate action.

14.234 The important issues raised orally and, in some cases both orally and in writing, are given below :

1. *Tribal languages :* The original suggestion was for the preservation, development and teaching of tribal dialects. Ultimately there was consensus around two specific lines of action. First, Government servants due to be posted to tribal areas involving language barriers should be made to gain a working knowledge of the main tribal mother tongues concerned. Normally, in primary schools, especially in the case of the lower classes which would be attended by children still ignorant of any language other than their mother tongue, the teachers should have a working knowledge of the mother tongue of their pupils.

2. *Tribal Research Institute, Ranchi :* It was pointed out that there are some vacancies including the vacancy of the post of the Director which should be filled without further delay in the best interests of the institution; and it was emphasised that these vacancies should be filled by tribal appointees. The Member was assured that fully qualified tribal candidates would be available, when he pointed out that, for jobs like this, it might go against the very tribal interests if unfit persons were appointed just to satisfy the urge in favour of tribal candidates. It does seem to be very appropriate demand, if definitely qualified tribal candidates, consistent with the desired level of efficiency are available for the institution.

3. *Language Broadcast :* It was demanded that the news programme of All India Radio at least from Ranchi and other stations commanding tribal areas, should be broadcast in important tribal mother tongues also.

4. *Hostels for High School/College Girls :* Female education among tribals will continue to suffer for quite some time to come, unless girls-hostels, are provided certainly at college level and, to the utmost possible, at the high school level also. At Ranchi proper, the existing hostel facilities for girls have unanimously been described as very inadequate. The matter certainly deserves being taken up with the State Government.

Timely disbursement of stipends/scholarships :

14.235 This is a chronic and, perhaps, a countrywide grievance. Some States would appear to have devised speedier methods. In the case of Bihar the representatives of the Welfare Department asserted that disbursements to the collegiates had of late been practicably prompt, the normal timing being once every 3 months, while, on their own showing, the case with reference to the school students has not been satisfactory. The Government representatives also pointed out that, at times, the very applications for stipends/scholarships were eiher made too late or, delayed too long in processing. It was argued that the disbursing authorities were helpless because action in the higher circles of the Government took too long. Meanwhile, the grievances of belated disbursements was aired to the Member during the tour 2 or 3 times and was repeated in these discussions also. Posting of IAS, IPS etc. officers belonging to Scheduled Castes and Scheduled Tribes in sensitive areas. The Member thinks this line of recommendation to the Government of India has already been in the mind of the Commission.

14.236 *Stipends to students of primary schools :* It seems that, in Bihar, as, to his knowledge, in at least some other States, if not in all the States of the country, stipends to all students belonging to the Scheduled Castes and the Scheduled Tribes are paid, subject to certain conditions including a ceiling of income only at the college level and, at best, in the high school classes, stipends to middle and primary classes having been given up for reasons of sheer

financial stringencies because the number of students in these lower classes is prohibitively too large. This position was explained to the gentleman who raised this issue. At best stipendiary benefit to these lower classes on a restricted basis limited to certain cases of indigence and to unusually high merit might be a practical proposition for consideration.

14.237 *Nighabani Samitis :* When some of the participants in the discussions complained loudly of mismanagement in primary schools including indifferences and relaxity on the part of the teachers at times amounting actually to absence without leave, etc. etc., the Government representatives pointed out that these exist "Nighabani Samitis" (Vigilance Committees) including public representatives on them, and it was weightily argued by them that it was upto these Committees to ensure regular and proper functioning of all concerned in the schools. The counter complaint was that these Committees themselves do not function satisfactorily. The Government representatives noted this and promised to ensure satisfactory functioning of these committees.

Emoluments of Balwadi teachers and stipends to students :

14.238 The present emolument of Rs. 150/- per month to those attending to the Balwadis was described as inadequate considering the high cost of present time which are not likely to fall and, if anything, might rise still higher. Likewise monthly stipend of Rs. 60/- to the inmates of various residential schools was suggested to be raised to Rs. 100/-. As mentioned elsewhere also in this note, a reasonable enhancement of these financial aids would seem to be ripe and is undoubtedly a general demand in the various States owing to the many rises in the price index since the amounts of emoluments and stipends were fixed last.

Certificates to prove origin from Scheduled Castes and Scheduled Tribes :

14.239 Certificates to substantiate a claim of belonging to a Scheduled Caste or a Scheduled Tribe are required to be produced on a number of occasions, in the schools, in the colleges, in other training institutions, every time an interview is held for appointment, etc. etc. It was pointed out with once voice by all the non-official participants in the discussions that the procedures were so dilatory, repetitive and inconvenient as to cause real hardship especially to those belonging to rural areas, there is a force in this grievance. One improvement suggested was that once a dependable, recognised and authentic certificate was produced in the school, an attested copy thereof authenticated by the headmaster should be taken to suffice for all future occasions.

14.240 In some cases a certificate from a Panchayat is accepted, in the others one from an MLA, but in certain cases from a magistrate is insisted on and the magistrate or a gazetted officer (where such an officer might be substituted for a magistrate) would not issue a certificate unless somebody known to him confirmed the claim, because, generally speaking, these Government officials are very poorly conversant with individual families and cannot, of their own knowledge, attest or refuse the claim of belonging to a Scheduled Caste or a Scheduled Tribe. Like-wise the system of issuing income certificate should also be so simplified as to avoid unnecessary delay in the admissions of students in schools and colleges and in the finalisation of award cases in respect of stipends and scholarship.

14.241 *Confusion in caste-names :* In Ranchi District, the Member was apprised of a problem stemming from a confusion in caste-names. Lohra is understood to be a Scheduled Caste but not Lohar. By Lohar is meant the profession of blacksmithy. The confusion, the Member was told, has arisen because some members of the Lohra Scheduled Caste have wrongly been recorded in the papers as Lohars just because their traditional family trade has for some time been Blacksmithy. The result has been that these Lohra families have been denied the benefits of a Scheduled Caste just because, by this confusion of profession and caste, they have been recorded as Lohars. It is possible that this confusion obtains in other districts also in the State of Bihar. The member judges this matter to be serious enough to deserve consideration by the State Government.

14.242 Incidentally, this reminds the Member of a like confusion in Himachal Pradesh. In this case the community concerned resents being treated as a Scheduled Caste and has been striving for being de-scheduled. The community claims to be high caste belonging to the Kohli sub-caste and the fact of their being Kohli (as stands) substantiated by original land records. At some stage, some functionary of the land revenue department is alleged, through over sight, to have dropped the 'h' and spelt the word simply as 'Koli'. Now Koli is a Scheduled Caste. The result has been these people have been treated as belonging to Scheduled Caste Koli.

Ranchi to Bishunpur :

14.243 On 27-3-1980, the Member visited Sonchippi Residential School.

Here, for the first time, the Member came to know of the Tana Bhagat Movement and the resultant Tana Bhagat Community, which seems to have played quite a good role in the political struggle for freedom and appears still to occupy quite a niche in the respectful memories of the people. This high school was actually described to him at the "Tana Bhagat Residential School" as has been mentioned in the Headmaster's report also.

The Headmaster's note is a comprehensive account of the background as well as of the problems of this school. The problems raised

therein deserve consideration by the State Government.

(1) *Student strength and accommodation :*

14.244 The present building was originally meant for a middle school which has since been raised to a high school without any addition to the accommodation. This in itself is a strong enough justification why the keenly felt need for expansion of accommodation should be met urgently. The insufficiency is felt both in the teaching accommodation and the hostel accommodation. Still more expansion will be necessary if the eagerness for the increase in the sanctioned strength (88) of students in the first six classes and 160 in the 7th and 10th Classes is satisfied. When it is a question of allowing a Tana Bhagat student entrance into the school and the hostel, the implication is full financial assistance by the Government. The demand for increase in numbers, in all the 10 classes, extends the non-Tana Bhagat students also.

(2) *Vocational training :*

14.245 Attached to this school there is a training-cum-production centre for weaving. The Member was assured that the production side is very encouragingly successful, there being still a ready market and good potential of demand for the products at reasonable prices. There is appreciably healthy demand for the expansion for not only this particular centre but also of the very vocational dimension to the teaching here. They want other appropriate trades added. Besides, the general concept of employment oriented education, the following special reasons were advanced in favour of vocational training in the context of this school: (i) Education among tribal communities being a rather new feature of their life, and the normal standard of teaching in these rural schools not being high enough, the tribal competitors for all-India Services and even for the Gazetted State Services do not, generally speaking, fair well against non-tribal and better educated candidates. (2) Many of the tribal students still get admission for education at a rather advanced age and they would get over-aged for competition for highly placed jobs by the time they acquire the necessary minimum qualifications.

14.246 (3) The average tribal family needs an earning hand at the earliest possible age of the rising generation so that vocational training, as a part of the school education would be welcomed any day and anywhere and this aspect of the teaching in this already well established school deserves favourable consideration at the hands of the State Government. By way of additional trades, typewriting, shorthand, book-keeping, carpentry, etc. were mentioned as examples. Commerce is already a subject approved by the Government of Bihar in the School curriculum. What is needed is more accommodation plus teaching and other facilities. Shortage of accommodation is being felt even by the present weaving centre.

14.247 *Educational trips :* There was expressed a salutary keenness, by the teachers as well as the taught, for educational trips outside Bihar or, at least, to other places within Bihar so that the students might enlarge their knowledge and vision. The idea itself is of course very commendable. However, the financial implications would have to be weighed.

Bishunpur Block Headquarters :

14.248 The Member was received as Bishunpur Block Headquarters by the Block Development Officer and his block level colleagues.

Lift irrigation schemes in this Block seem to be gaining momentum. There is still potential for more. If all goes well, the Member foresees quite a good economic future for agriculture and allied occupations for this Block.

14.249 *Primary School Jahangutua Village :* The Member visited Jahangutua Primary School for tribals and the nearby Birhor village. There was nothing remarkable about the school. The student strength was about 20, with a tribal component of nearly 1/3rd. Some students were without books and the explanation was that they were recent beginners and that, before books were supplied, the students has to be acquainted with alphabetic letters by other methods than reading books. A tribal youngman, Bodho Birhor, who was present there had quitted his job of the peon of the School a couple of months before although for a tribal in his conditions, it was positively a profitable employment for him who comes from the nearby Birhor Tanda. Questioned by the Member, as to why he had abandoned the job, he said something, not clearly. It was not convincing whether there was any genuine cause for his quitting the job or it was simple tribal incapacity yet to appreciate the power of the case nexus in a way of life so different basically from the earlier tribal economy of direct dependence on Nature with a bit of barter. Anyway, after the Member's talk with him he at once showed all the willingness to resume his job and an application taken from him was handed over to the District Welfare Officer, who promised to re-employ him.

Mahila Mandal (Birhor Tanda, Jahangutua village) :

14.250 The most mentionable feature of this Birhor Tanda was what seemed to be quite an organised Mahila Mandal. Bodho Birhor's wife was one of the young leading members of the Mandal. The Government lady staff incharge appeared to have made a good effort. Side by side with a sewing machine, a transistor was busy with a musical programme. The song sounded like one in some local dialect. Asked by the Member which of the 2 gadgets—the sewing machine or the transistor

was more important, Bodho Birhor's wife had no hesitation in answering that both were equally important—the one giving food and the other "music", and according to them both are necessary in life.

14.251 A couple of members of the Mandal, including Bodho Birhor's wife, tried their hand at the sewing machine. Both appeared to be recent beginners—Bodho Birhor's wife doing slightly better. Bodho Birhor and his wife deserve notice as a model of youthful reaction to the new way of life being ushered into these tribal communities, nomadic and solely dependent upon raw nature except a bit of shifting cultivation till a few years ago. A few eatables, such as are normally found in an Indian sweet-shop, had also been prepared by the members of the Mandal and were shown to the Member, though he did not have the time to accept the offer to taste these products of their newly acquired culinary skill.

14.252 The Member was told that the Mahila Mandal is being run by the Department of Welfare and that requests have been made to the District Industry Office for a regular trained Instructor in sewing etc. and to the Sub-Divisional Magistrate for providing cloth to the Mahila Mandal so that, in course of time, readymade garments prepared by the Mandal may be saleable in the market, fetching them reasonable income.

14.253 *Birhor Tanda :* The settlement started with 26 families, but now only 17 are left, 9 having deserted it for reasons and in conditions prevailing, more or less, at Tulbul. The houses still inhabitated are also in a rather bad shape. The Block Development Officer was said to have submitted to the Government a proposal for the sanction of Rs. 4000/- for each family for the reconstruction of substantial houses. The acreage of allotment, said ordinarily to be 5 acres of land per family, has been the largest brought to his notice in the Birhor Tandas visited by the Member, Tulbul being the next with 3 acres and Burhachanch the last with about 1.5 acres. The records shown to the Member by the settlers described them as "Ryot" which in the land revenue terminology of Birhor, the Member was assured, means occupancy tenancy. Not being conversant with the land tenure terminology of Birhor, the Member does not know what exactly this expression "Ryot" amounts to in terms of tenure status. The Patwari concerned did not seem to have done a good job, judging his performance by the records shown to the Member. Not every holding was recorded as comprising 5 acres.

14.254 In a couple of cases it was less, and a certain field number (if the Member remembers correctly it was field No. 149) appeared in 3 or 4 different holding records. Some one tried to explain away this anomaly by saying that this particular field number must be so large as to have been carved into parts of 3 different holdings. But, if the land revenue record system in Bihar is the same as elsewhere in the country and as left behind by the British, then in any such case, where the same field number is shared by different holdings, the number in each holding should be recorded as a portion only of the original. This is ordinarily done by either appending a sub-number to the main number or else by adding words to show only a portion. In Himachal Pradesh and the Punjab, for example, the word is "Min" which means "Portion".

14.255 As remarked by the Member earlier, these settlers have either to be made full proprietors or, if there is any legitimate obstacle in the way of doing so, they should at least enjoy the status of such occupancy as is protected by law against any arbitrary ejectment by executive action or without solid reasons even under law, the underlying principle being the imparting of enough security of tenure to render and sustain a wholehearted long range devotion to the land attractive enough.

14.256 *Netarhat :* On way to Netarhat from Jehangutua village via. Bishunpur, we stumbled upon, near the Rest House at Netarhat, a market in progress. These weekly trade markets appeared to be quite a feature in these parts. The merchandise of the non-tribal shop-keepers were far more numerous and valuable than what the tribal and other locals had to offer in the shape of their produce of the land. One of the typical stall holders with small quantities of vegetables, chillis and like, produce from his own land, told the Member that he expected to make, out of the whole show, about Rs. 5/- only. The idea of this market, is, of course, basically commendable. What needs to be done to make them more profitable to the sons of the soil is, of course, an improvement in the variety, quality and quantity of their produce.

14.257 As Netarhat, the Meso Project Officer of ITDP, Shri Latehar, met the Member and discussed with him the practical working difficulties of the Meso Project. There are 16 Meso Projects in Chotanagpur and Santhal Parganas of Bihar. The Project Officer, in brief, informed the Member that, in view of practical difficulties in the coordination of the technical heads of the project areas, the pace of development, in the project area, is very slow. In the light of the discussion the Member made the following suggestions :—

(i) The Project Officer should collect all the sanctioned Project Reports from Government/Head of the Department where the projects are sanctioned.

(ii) The Project Officer should collect the budget allocation itemwise and schemewise from the concerned district technical heads.

(iii) The Project Officer should periodically review the progress of schemes by making book entry, giving name of the scheme, amount sanctioned, expenditure, financial and physical achievement and the same should be reviewed every month with the technical heads of the Project area.

(iv) The project officer should conduct field inspections on the basis of the Project Report and Progress Reports in hand.

14.258 On 28-2-1980, enroute to Ranchi, the Member was shown a Training-*cum*-Production Centre in Carpentry at Kuru run by the Welfare Department. The items of furniture manufactured, viz., chairs, tables sofa-sets, black-boards etc. were said to be in good demand. When confronted with the deficit reflected by the income and expenditure statements contained in the report, the explanation given was that some unused raw material and some unsold products accounted for the deficit. It was suggested to them and they accepted the suggestions that in their statements, which would be taken by the visitors as a balance-sheet, they should show the value of these raw materials and unsold items of furniture on the credit side to give a more realistic picture that should, in strict terms, be the accurate final picture of the income and expenditure. While the raw materials can be valued at exactly the price plus the transportation charges, the unsold products could for the purpose of this balance-sheet, be evaluated at the cost price, including, of course, the labour charges, or such price plus normal profit if the Centre is to be treated as one for profit also. They said that, at present no profit is charged and that the sale prices, in each case are equal. The cost price which means cost of material plus wages paid for manufacturing. If a production centre can be made profitable there is no reason why it should not be. If a centre is merely a training centre, the question of profit need not arise. But when it is additionally a production centre, the profit motive need not be rejected.

14.259 The Member was assured by the Supreintendent of this Production-cum-Training Centre that most of the trainees, who have passed out from this Centre, have been able to get employment in the carpentry firms and Government agencies or have established their own business. The allotment for purchase of raw material was not sufficient for effecting improvement in the variety and quality for training. The concerned authorities may look into this aspect for increasing the allotment for the purchase of raw materials required by the Centre.

Tribal Research Institute, Ranchi :

14.260 The acting Director, Shri S. K. Lal, IAS is holding this charge additionally, his main post being that of Joint Secretary (Agri.) to the Government of Bihar. While the circumstance of a generalist having been pressed into this temporary and additional service has produced one advantage, the Institute should have a wholetime Director, the sooner the better. The advantage the Member has referred to is that he was given to understand by Shri Lal that he has taken action to give the research a utilisation turn in a reasonable measures. What is meant is that, while some items and lines of research might well continue to be academic or theoretical or purely scientific in nature and scope as before, some of the projects should be undertaken with the set purpose of producing results that would be helpful to the planner and the administrator and thus prove readily utilitarian.

14.261 The Memebr has already mentioned that there is a demand for a Director being a tribal provided a tribal candidate duly qualified is forthcoming. He has already mentioned the need to fill, preferably likewise, the 4 other vacancies that exist in the Institute.

14.262 The note submitted by the trainees of the institute to the Member contains a list of demands which include raising of stipend rate from Rs. 60/- to Rs. 100/- per month, increasing the number of seats, construction of a separate hostel for the trainees, appointment of more full time lecturers, etc. The Member, considers each and every demand reasonable and worthy of being considered by the State Government. The one difficulty which was stressed by the Director as well as the senior members of the staff is the lack of incentives by way of avenues of promotion to the staff employed at the Centre. Some of the scientists were said to have been exactly at the same post and position for the entire stretch of their employment ranging over several years, in some cases more than 12 years. The following 3 avenues could be considered by the State Government.

1. The creation of more higher posts;
2. Selection Grades, not in existence at present, in the same post;
3. Eligibility and, if possible, preference for better employment elsewhere.

14.263 This would, in a sense be at the cost of the Institution, because an experienced hand of the Centre, would be lost. The redeeming feature could be a system in which there is readily available within the Centre itself, another experienced hand ripe for promotion to take the place of the outgoing one. This would enable to set off and also mean an avenue of promotion not only to the outgoing but also to the succeeding one.

14.264 The valedictory function of the training course on "Tribal Development, Planning and Administration," at the Administrative Training Institute Campus, Ranchi :

The course was sponsored by the Training Division of the Department of Personnel and Administrative Reforms Government of India and conducted from 11th to the 29th Feb., 1980, by the Department of Anthropology, Ranchi University in conjunction with the Administrative Training Institute, under its director Dr. L. P. Vidyarthi, Professor of Anthropology, Ranchi University. The J. P. Institute of Economics was also associated.

14.265 The Member attended this valedictory function. While delivering the valedictory address, the Member stressed the need for the practical application of the training imparted on the trainees. He said that officers having genuine sympathy, understanding and love for the tribal people should only be posted by the Government and that officers without such quality should withdraw themselves on their own in the larger interest of these people.

Ramakrishna Mission Ashram, Morabadi, Ranchi :

14.266 The Diviyayan Krishi Vigyan Kendra, Ranchi an innovative institute for training of farmers and rural youths for self-employment was visited by the Members on 29-2-1980.

14.267 This Institute, being run by the Ramakrishna Mission, with financial aid from the Government is primarily devoted to agricultural training. One can feel the missionary zeal from the spirit of dedication in which the functionaries appear, prima facie, to be functioning of all the trainees, lined up for introduction, who numbered about 20, the majority belonged to Scheduled Tribes, Scheduled Castes and other "Backward Classes". The institution is open to all and this pre-ponderance of these communities seems to be the coincidental result of Ranchi itself being in the heart of tribal area where, in addition, there live some other backward sections also.

14.268 An ex-trainee, who happened to be on the premises, assured the Member, when questioned by him, that he has greatly profited from the training which he had received and which he was actually turning into practice back home in his village and also that there was appreciation among the villagers of the value of the training being imparted at the Institute.

14.269 Swami Suddhavratananda, Secretary, Ramakrishna Mission Ashrama, gave vent to the feeling quite strongly that follow up was not satisfactory. He meant this is a double sense. In one sense his grievance was that the Government assistance was not forthcoming adequately and satisfactorily to enable the ex-trainees to practise the training received at the Institute. In the other sense, he meant to suggest that bureaucratic delays were irksome. The Member got the impression that there was dissatisfaction over the quantum of financial aid being received from the Government, especially the Union Government, considering the capacity of the institution. Missions, whether the ones like the Ramakrishna Mission or those like the Christian Mission, have as a general rule, the great merit of what is aptly known in English as the missionary zeal and dedication and deserve the greatest possible utilisation of their services and cooperation by the Government agencies for public service and by implication, grants of commensurate financial assistance also, so long as these missions steer clear of controversial involvements, especially those tinged with politics.

14.270 Both connected officers, namely, Shri Saxena, Tribal Welfare Commissioner, Government of Bihar and Shri Kapthuama, the Zonal Director of the Commission, accompanied the Member here as well as the other institutions that he visited this day. He trusts them to have taken note of whatever concerned them, as the talks and discussions progressed in this and the other institutions.

14.271 The coverage of the subject related to agriculture and embraced in the scope of this institution impressed the Member as quite wide and still expanding. All together the institution deserves all encouragement.

Xavier Institute of Social Service, Ranchi :

14.272 Father Micheal V. D. Bogaert S. J. Director exudes bonhommie and enthusiasm. Here is another missionary body with an encouragingly wide and multi-farious coverage, under the general label of social service. Father Bogaert has had difficulties in obtaining recognitions of certain things e.g. the training courses being conducted and the certificates or diplomas, whatever the exact case, awarded at the end of the training. Then and there the Member asked S/Shri Saxena and Kapthuama to note down the grievances and to do their best to help the Director of the Institute. In a letter dated 6-3-1980 from the Director of Xavier Institute of Social Sciences, Ranchi addressed to Dr. M. S. Swaminathan Secretary, Rural Development, New Delhi a request was made for awarding recognition to certain courses conducted by the Institute. The Member had taken up the matter with Dr. Swaminathan for taking favourable action on the letter referred to above of the Director, Xavier, Institute of Social Sciences. The Director, Father Bogaert, offered the specific observations that he would not bother for funds and that all he wanted was these recognitions and other administrative helps as and when occasion arose. Be that, as it may, there would be no misplacement if even funds were placed at the disposal of an institution like this, subject to the precaution about non-involvement in controversial matters as observed by him earlier in the context of the Ramakrishna Mission.

Adimjati Sewa Mandal

14.273 The last visit of the day and particularly speaking, the last important activity of the tour was the Member's visit to this institu-

tion, Shri Bhaya Ram Munda, Ex-MP, seems told a devoted social worker, and to be in the midst of considerable constructive activities in the service of the tribal people in these parts.

14.274 Apart from the general demand for enhancement in grants owing to rise in prices and costs, especially on account of stipends, Shri Munda made the following further points which deserve consideration by the Government concerned.

(1) Delay in the payment of the sanctioned money.

(2) Finalisation of the procedural requirements about the utilisation certificate, involving more hands than one, generally takes much time. Therefore, every year, portions of the sanctioned grants on various accounts, enough to last the first 3 months or so of the financial year, should be paid straight way, leaving the remaining major portion to be paid on production of the utilisation certificates for the grants of the previous years.

14.275 Voluntary organisations like the Adimjati Sewa Mandal, which handle a number of projects, should be given outright grants of adequate sums to meet over-head charges including the managerial and administrative expenses relating to the essential administrative frame-work.

14.276 This Ashram, called the Nivaran Ashram after the name of the locality known as Nivaranpur in Ranchi, is meant for boys. A separate Ashram of the type is needed exclusively for girls also, because now female education is progressing a pace among the tribal people.

14.277 In these Ashrams, generally speaking, comparatively free from any regimented sort of patterns of activities and open to initiative, there is a good scope for including in the daily routine programmes of activities conducive to character building. Shri Munda appreciated this suggestion.

14.278 Incidentally the Member learnt of what was described to him as Mr. Kaul's family colony in some village near New Delhi where a genuinely devoted social worker of dignity was described to him as conducting a novel and original type of institution for bringing up orphans, destitutes to be ascertained and contact established with Mr. Kaul.

14.279. *General Comments/Observations/Suggestions/and Recommendations.*

1. There has been a general demand that, in all cases of Governmental financial aid to students and trainees and inmates of hostels the rates of stipends/scholarships/hostel expenses should be suitably raised in view of the all round enhancement in salaries, allowances, etc., owing to the rise in prices. This demand fully deserves examination.

2. The Member was told in this tour of Bihar that, throughout the state and alike for all including the Scheduled Castes and Scheduled Tribes, the condition precedent for opening any school of any grade by the Government is that, first, the public must start and run the school on its own and fulfil certain requirements prescribed by the Government and only then the Government recognise the school for taking over. If this information is correct, the State Government may consider providing relaxation of this condition in favour of the Scheduled Castes and Scheduled Tribes. Unless this relaxation is introduced, it will mean that the Scheduled Castes and the Scheduled Tribes are not getting any special consideration and, because these sections of the population will, in the present conditions, be finding it far more difficult than the others to fulfil this condition precedent and the accompanying requirements, the Government policy will amount to a direct discouragement of education among these handicapped sections of the society.

3. When in places like Tenughat, where there is a dam, Bishnugarh, near which a dam is coming up with irrigational objectives, and other like places, the tribal people made the Member feel strongly that the tribals get heavily dispossessed of their lands for such large projects. The tribals hark back to the days when the country belonged to them and to the time when the process of driving them into mountain fastnesses or jungle depths and to their present pitiable condition started. They feel that side by side with the admirable work that the Governments all over the country are doing for the good of the tribals, this dispossession of their lands continues. Vested interests of the tribal people in land and forest are a well known and well recognised feature of history. These interests cannot be allowed to stand in the way of the larger interest of the nation and the country, be the interests of industrial or irrigational or hydro-electrical or developmental in other ways or connected with national security. However, with just a will to do, it should be every time possible for the Government concerned to see to it that the affected tribal people are satisfactorily rehabilitated and compensated. For example, in every case of irrigational project dispossessing tribal people of their land, it should normally be possible for the dispossessed persons to be given land in exchange in the area which the irrigational project is intended to irrigate, if not elsewhere more conveniently to the affected tribals.

4. During the tour the Member had more than one occasion to feel that funds out of the tribal budget, not unoften, get surrendered or lapsed for want of utilisation within the financial year. The Member thinks that in some States there are procedural facilities for the continuance of the availability of such funds in the following financial years. The

whole matter deserves examination by the Government of India.

5. Apart from the big irrigational projects, so far, few and not likely to be many in the future, lift irrigation on a small scale but numerous and scattered all over depending upon resources of matter other than rivers and streams, have impressed the Member as very effective and useful in making the best of the bad bargain where land is plentiful, soil is quite good, but moisture is not commensurate. The present Zonal Director, Shri B. Kapthuama, Commission for Scheduled Castes and Scheduled Tribes at Patna, who, it seems, was a S.D.M. in one of the sub-divisions in this area, seems to have been quite an enthusiastic pioneer in this line.

6. The Member would take this opportunity to bracket, with Mr. B. Kapthuama, Shri J. B. Hemrom, Deputy Director, Welfare Department, Ranchi of the State Government for the good impression created upon him. Himself a tribal of the Munda Tribe, Mr. Hemrom commands, commendably good knowledge of men and matters in his line and quite a bit out of his line also.

7. The Member was throughout the tour struck pleasantly with the popularity of the 'food for work' scheme, the only grievance being that, at times, the food is either not enough or not forthcoming in time, though the work is there.

8. While on the subject of the timely and satisfactory disbursement of post-matric scholarships to Scheduled Caste and Scheduled Tribe students and all other monetary provisions for the benefit of these communities, it was brought to the notice of the Member that Shri K. L. Gupta the former Zonal Director of the Commission at Patna, is understood to have suggested to the State Government for the regular employment of half a dozen persons as clerks and welfare inspectors at each district headquarters to facilitate and ensure correct and speedy disbursement of such funds whether by the State Government or by the Central Government. It was further said that 4 hands on daily wages basis have actually already been engaged so far as the Ranchi district goes, but this is not enough. What is needed, the member thinks, is to engage regular employees and not merely daily-wage-hands and a larger number of them too. It is not known whether Shri Gupta had sent any copy of his suggestion or any like suggestion to the Commission or to the Commissioner or to the Ministry of Home Affairs direct. The Member has informed that Bihar alone receives about 100 crores of rupees every year for post-matric scholarship from the Government of India. According to his information lack of adequate establishment at the district level had, in some years in the past, actually led to either wrong payments or embezzelments of these funds from the Centre which were augmented by the State Government also.

9. The Member would like to add that the Zonal Director, who accompanied him throughout, as did the Deputy Director (Welfare), Bihar Government and wherever he was not present, the Commissioner for Tribal Welfare all these 3 officers were expected respectively to note down whatever of importance passed at his discussions, talks and inspections, for such action or initiation of action as they would find appropriate at their own respective ends.

10. The Welfare Inspector appears, in Bihar at any rate, to be a key functionary in the implementation of the numerous and vastly extended welfare programmes. However, this cadre of Government servants appears to be frustrated. Whatever the exact merits and demerits of the case, the Member recommends careful consideration of this matter by the State Government.

(Bhola Paswan Shastri)
Chairman

(Shishir Kumar)
Member

(T. S. Negi)
Member

(S. K. Mallick)
Member

NEW DELHI,
the 16th May, 1981

ANNEXURE I

CONFIDENTIAL

D.O. No. 25/5/SCTS/79-RU
Government of India

Commission for Scheduled Castes & Scheduled Tribes

R. P. Khanna,
Secretary

V Floor, Loknayak Bhavan, New Delhi.

10th December, 1979

Dear Shri Nair,

I am desired to say that the Commission are grateful to the State Government of Kerala for providing them with facilities for studying the land reforms measures undertaken by the State Government as well as some of the welfare projects for the Scheduled Castes and Scheduled Tribes. Unfortunately the Commission could not study in depth the land reform measures for lack of time and may have to visit Kerala again after some time. The Commission, *inter-alia*, were taken around Thonnackal Colonisation Scheme on the 22nd November, 1979, and would like to make the following observations for the consideration of the State Government.

2. During the visit it was explained to the Commission that about 180 Harijan families including some of the families brought from outside the village had been settled in the above noted colonisation scheme in Thonnackal. The Commission were informed that 50 cents of land per family had been settled with the Harijan families for homestead purposes and two acres of land allotted to each family for cultivation purposes through a Cooperative Farming Society. This Society had been set up about seven or eight years ago and had undertaken rubber plantation in the culturable area allotted to the Harijans. The project of rubber plantation also included execution of an irrigation scheme by putting a dam on a stream a little distance away from the village. However, on account of the heavy cost involved in the irrigation scheme it was not sanctioned with the result that even though the rubber plantation crop had been sown, it totally failed, causing heavy loss to the Society. Recently it was followed up by another scheme of plantation of coconut trees but it was brought to the notice of the Commission that partly for lack of fencing to protect the coconut saplings and partly because no irrigation scheme had been sanctioned for irrigating the cultivated land, about 80% of the coconut trees had already been destroyed. Therefore, even the second attempt at the use of the culturable land had more or less failed. The Commission met a number of beneficiaries who were of the opinion that in view of the continuous failure of the scheme of cooperative farming, the land should be individually allotted to each of the families @ 2 acres per family as was envisaged by the Government earlier and that the families concerned should be allowed to cultivate the land on their own. They would, however, need inputs for the cultivation of the land and for fencing and since they did not have any resources of their own, the Government would have to supply them with the requisite inputs to enable them to cultivate the land allotted to them. The Commission feel that in the first round the inputs should be supplied to the Harijan families free of charge as they do not have any resources of their own to fall back upon and that the subsequent inputs, as and when required, might be supplied partly on a subsidised basis and partly on a loan basis. The loan should subsequently be realised in easy instalments at a differential rate of interest i.e., 4%.

3. Some of the local Harijans examined by the Commission had indicated that in the homestead land allotted to them they had grown some crops like tapioca, coconut, etc., on their own and the Commission after visiting a few houses noted that the local Harijans had taken pains to develop the kitchen gardens attached to their houses, which had been built up mainly with the Government assistance and with the participation of the beneficiary families. This is an added reason why the Commission feel that instead of further pursuing the scheme of cooperative farming, the local Scheduled Caste families should be allotted the land individualy as they would be able to take personal interest in such land and cultivate it and look after it just as they had done in the case of the kitchen gardens attached to their houses.

4. There is another aspect which the local Harijan beneficiaries brought to the notice of the Commission. It appears that some years ago a few acres of land, carved out of the land earmarked for the Scheduled Castes, were settled with the local Mohammedans for setting up a mosque and a burial ground. The local Scheduled Cast beneficiaries had gone to Court and obtained an injunction against this order. Ultimately, the allotment order in favour of the Muslims was cancelled by the Government in 1974. However, it was brought to the notice of the Commission that the old order had been recently revived and two acres of land allotted for the Scheduled Caste beneficiaries had once again been allotted to the Muslims for setting up a mosque, a madrasa and a burial ground. The Scheduled Caste beneficiaries has again filed a case in Court and obtained an injunction. This matter is, therefore, *sub judice*. The Scheduled Caste beneficiaries, however, complained that in spite on the injunction the local Muslims had not merely cultivated the land with tapioca, etc., but had actually taken possession of land measuring about 3 to 4 acres, which even exceeded the land allotted by the Government. The Commission noted an under-current of tension in the area over this matter. As this is a highly sensitive subject, the Commission are taking this opportunity of drawing the attention of the State Government to this matter without going into the merits of the case as it is *sub-judice*. The Commission would, however, request that the State Government may kindly consider giving further thought to the subject and evolve an amicable solution which may not lead to animosity between the Scheduled Caste beneficiaries and the local Muslims in future.

5. We would be grateful if the Commission are apprised of the action taken by the State Government in due course.

With kind regards,

Yours sincerely,
Sd/-
(R. P. KHANNA)

Shri G. Bhaskaran Nair,
Chief Secretary to the
Government of Kerala,
Trivandrum.

CHAPTER XV

SUMMARY OF RECOMMENDATIONS

S. No.	Recommendation/Observation	Reference	
		Para No.	Page No.
1	2	3	4

CHAPTER I

ORGANISATIONAL SET UP AND FUNCTIONS OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

Conferring of Powers of Enquiry on the Commission

1 **In so far as investigation into cases of atrocities is concerned the Commission so far have no legal powers to summon witnesses and call for documents. Without these powers the investigation may often be incomplete ineffective or even fruitless. The Commission therefore reiterate the recommendation made by them in their first Annual Report that for the purpose of holding investigations they should have the status and powers of an Enquiry Commission under the Commission of Enquiries Act, 1952** . . . . . 1·5 2

Commission's Role in Planning, monitoring and evaluation of Programmes

2. **The Commission have not been associated by the Government of India and the Planning Commission in the plan discussions and other policy matters relating to socio-economic development of the Scheduled Castes and Scheduled Tribes with which the Commission are intimately concerned. In the Commission's view the main objective of the State policy should be to ensure vigorous measures for socio-economic development of the Scheduled Castes and Scheduled Tribes so that they attain a level which would make the special safeguards for or protection to them redundant. The Commission therefore recommend that they should be fully associated with the planning process and also given necessary powers to monitor and evaluate the progress of various programmes for the welfare of Scheduled Castes and Scheduled Tribes** . . . . . 1·7 2

1·8 2

1·10 2

Conferring of Constitutional Status and certain Powers on the Commission

3 **While setting up this Commission the intention of the Government of India was to vest this Commission with Constitutional Status and merge with it the Organisation of the Commissioner for Scheduled Castes and Scheduled Tribes. However the Bill called the Constitution (51st) Amendment Bill, 1979 which was introduced by the Government fell through due to lack of quorum. The Commission, therefore, recommend that an appropriate bill be brought before the Parliament for giving this Commission constitutional status by amending Article 338. The bill may, *inter-alia* incorporate with a view to give this Commission the following powers** . . .

(i) **to participate in and advice on the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes**

(ii) **to monitor and evaluate the progress of implementation of schemes both in respect of the Union and the States**

(iii) **to make it obligatory on the Union and State Governments to consult the Commission on all major policy matter affecting the Scheduled Castes and Scheduled Tribes and**

(iv) **status and powers of a Commission of enquiry under the Commission of enquiries Act, 1952** . . . . . 1·29 7

1·30 7

1·11 2-3

1	2	3	4
	Exclusion of Administrative staff of the Commission from Central Secretariat Service		
4	The Commission recommend that the staff on the Administration side may be excluded from the Central Secretariat Service as in the case of the Minorities Commission so that suitable recruitment of willing persons having specialized background for the work could be made through permissible channels	1.21	5-6
	Additional Field Offices and Staff		
5	The Commission reiterate that since the work relating to Scheduled Castes and Scheduled Tribes has increased considerably 23 field offices as suggested earlier may be sanctioned as against 17 which have so far been sanctioned	1.22	6
6	The Commission observe that one research unit provided to each field office is entirely inadequate and recommend that each field office should be provided with at least two research units	1.26	6-7
	Funds for Research by Independent Organisations		
7	The Commission recommend that they should be given adequate funds with full powers to sanction funds to various independent agencies and research scholars for work on the problems of Scheduled Castes and Scheduled Tribes	1.28	7
	Initiation of Proposals for Class I Posts		
8	It is recommended that all proposals relating to Class I posts should be initiated by this Commission and that the Commission should be declared as the Cadre Controlling Authority in respect of the entire staff working under their control	1.31	7-8
	Provision of vehicles		
9	The Commission recommend that provision of vehicles to the field organisation is an urgent necessity and the Government should convey their sanction in the matter without any further delay	1.32	8

CHAPTER II

CONSTITUTIONAL SAFEGUARDS FOR THE SCHEDULED CASTES AND SCHEDULED TRIBES : PROPOSALS FOR AMENDMENTS TO THE CONSTITUTION

	Protection of Scheduled Castes and Scheduled Tribes against commission of atrocities		
10	In so far as the protection of Scheduled Castes and Scheduled Tribes from the commission of atrocities against them is concerned it has been felt that for various reason the States by and large have not been able to take effective or prompt action for the prevention of such atrocities or have been inadequately pursuing the cases relating to atrocities against the Scheduled Castes and Scheduled Tribes in respect of detection investigation, prosecution and trial	2.19, 20, 21	18

The Commission recommend that a special provision may be added in the Constitution in the form of Article 46A which may read as follows :

"With a view to ensuring the protection of the Scheduled Castes and Scheduled Tribes from social injustice and all forms of exploitation and with a view to ensuring that adequate steps are taken for their protection against commission of offences including atrocities against them the executive power of the Union shall extend to the living of direction to States as to the taking of suitable steps specified in the direction to be essential for the protection of the Scheduled Castes and Scheduled Tribes from social injustice, all forms of exploitation and commission of offences including atrocities against them."

1	2	3	4
11	The Commission propose that to ensure that the provisions under Article 46 and the proposed Article 46A above are adequately enforced by the State, the Article 46 and this proposed Article 46A be appropriately included under Part III relating to Fundamental Rights by suitably renumbering them	2.22	18
	Grants from the Union to States for the Development and Welfare of Scheduled Castes		
12	The Central Government have to make appropriate grants-in-aid to the State Governments for the welfare of Scheduled Tribes in the States vide first proviso to Article 275(1) of the Constitution. There is no such provision for the Scheduled Castes. The Government of India have agreed in practice to make an appropriate provision of Central Assistance for the Special Component Plan for the Scheduled Castes. The Commission feel that it would be desirable to give statutory shape to this executive decision. The Commission, therefore, recommend that a suitable proviso as follows be added immediately after the first proviso to Article 275(1) of the Constitution	2.23, 24	18-19
	"Provided that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the costs of such schemes of developments as may be undertaken be the State with the approval of the Government of India for the purpose of promoting the welfare and development of the Scheduled Castes in that State."		
	Control of the Union over the Administration of Developmental and welfare schemes for Scheduled Castes		
13	A provision similar to the provision of Article 339(2) does not exist in respect of the welfare of the Scheduled Castes. Hence the Commission recommend that a similar provision in the form of Article 339(A) may be added as follows	2.25	19
	"The executive power of the Union shall extend to the giving of directions to a State as to the drawing up and execution of schemes specified in the direction to be essential for the development and welfare of the Scheduled Castes in the State."		
	Matters relating to Protection and Development of Scheduled Castes to be included in concurrent list		
14	In so far as the socio-economic standards of the Scheduled Castes and Scheduled Tribes are concerned, it is noted that there is hardly any positive significant impact on them over the years as majority of them are still below the poverty line. With a view to ensuring that the social, welfare and developmental measures for the Scheduled Castes and Scheduled Tribes as also their protection from exploitation and atrocities receive appropriate attention, it is necessary that there should be a suitable amendment in the Constitution to enable the Union Government to take appropriate measures in cases where the State Governments do not take effective steps. The Commission, therefore, recommend that the following items may be added under the Concurrent List in the Seventh Scheduled to the Constitution as item No. 42	2.27	19
	(a) Development and welfare of the Scheduled Castes and Scheduled Tribes and their social, educational and economic development		
	(b) Protection of the Scheduled Castes and Scheduled Tribes from social injustice and all forms of exploitation including untouchability		
	(c) Protection of the Scheduled Castes and Scheduled Tribes from commission of offences including atrocities against them		
	(d) Public order in so far as it relates to the Scheduled Castes and Scheduled Tribes		
	(e) Reservations for the Scheduled Castes and Scheduled Tribes in making appointments to services and posts in connection with the affairs of a State.		

1	2	3	4
	Conferring of Constitutional Status on the Commission for Scheduled Castes and Scheduled Tribes		
15	The Government of India has set up this Commission with the intention to making it a permanent high power body with Constitutional Status, replacing the Commissioner for Scheduled Castes and Scheduled Tribes. This Commission are firmly of the view that in order to make them effective, appropriate amendments in the Article 338 of the Constitution should be made immediately so as to confer Constitutional status on this Commission as has been intended by the Government of India. The Commission also reiterate that while amending Article 338 of the Constitution for conferment of statutory status on the Commission, the provisions relating to : (i) Participation of the Commission in the Planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and monitoring and evaluation of the progress of implementation thereof, both in respect of the Union and the States; (ii) Vesting the Commission with the status and powers of the Commission of Enquiry under the Commission of Enquiries Act, 1952; and (iii) Consultation with the Commission by the Union and the State Governments on major policy matters affecting the Scheduled Castes and Scheduled Tribes should also be appropriately incorporated in the proposed Constitutional amendment. The Commission consider that these provisions are very essential for imparting strength and credibility to the Commission	2.28	19
	CHAPTER III		
	LAND REFORMS		
	Implementation of tenancy legislation		
16	A special drive for recording the rights of share-croppers in a time bound programme is imperative. Share cropping should, therefore, be duly recorded in the landrecords	3.19	25
17	The law should be amended and the share croppers given the status of tenants directly under the Government	3.19	25
18	Categories of public services connected with land record e.g. village Patwaries, Karmachari, Amin or Mandals and survey officials should be strengthened and at least 50% of these posts should be manned by the Scheduled Castes and Scheduled Tribes and in sensitive areas majority of these posts (not merely 50%) should be held by them.	3.19	25
19	Ministry of Rural Reconstruction should ensure that tenancy legislations are enacted in States/Union Territories where it has not been done so .	3.19	25
20	Concealed tenancy should be detected at regular intervals and tenants should be recorded as occupancy tenants	3.19	25
21	The tenant should be helped to purchase ownership rights with credit arranged by the Government or by the Financial institutions . . .	3.19	25
22	Food for work programme should continue with added vigour as the implementation of this programme keeps the money-lenders away from the poor farmer and agricultural labourers	3.19	25
23	All States/UTs should enforce eixisting Tenancy legislations with more will and force	3.19	25

1	2	3	4
24	The Government of West Bengal should :		
	(i) Extend the 'Operation Barga, drive beyond March 1981 until all the bargadars have been duly recorded;		
	(ii) Bring all cases involving 'operation bargal' out of the pur view of the courts;		
	(iii) Ask Pradhans of all Gram Panchayats to maintain uptodate registers of potential bargadars;		
	(iv) Strengthen all police stations in the sensitive areas/village where the jotadars are strong and issue suitable instructions to the entire police staff to support the process of recording of bargadars in a committed manner;		
	Arrange regular monitoring to see whether the land of recorded bargadars continues to be in their actual possession as per records of rights or they are being surreptitiously evicted from their barga rights . . .	3.19	25-26
	Enactment and enforcement of ceiling laws		
25	It has been noticed that there is a lot of variation in the inter-state level of ceiling in the country and therefore the Commission recommend that efforts should be made to narrow down the range of land ceiling as far as possible .	3.23	26
26	The date of retrospective effect for the ceiling laws provided in the National Guidelines was 24-1-1971. While most of the States have accepted this date a few other States namely Kerala, Maharashtra, Orissa, Rajasthan, J&K, West Bengal have not followed this pattern. The Commission, therefore, recommend that the date of retrospective operation of this ceiling laws should be so fixed as to nullify the systematic attempts to circumvent the law	3.29	28
27	With regard to priorities in the distribution of land to Scheduled Castes and Scheduled Tribes persons most of the State/UTs have given first/highest priority to these Communities, whereas in States like Tamil Nadu and Uttar Pradesh they rank fourth. It is, therefore, recommended that such Government should reconsider the priority in the allotment of land to Scheduled Castes and Scheduled Tribes and consider placing them in first/highest category. Other States which have not formulated specific rules in this regard, should adopt similar provisions	3.31	28-29
28	The land ceiling laws should be strictly enforced within a time-bound programme, say two years as the maximum	3.31	29
	Consolidation of holdings		
29	It is reported that nearly one-fourth of the consolidable land in the country could be consolidated so far, therefore, the Commission recommend that the scheme for consolidation of holdings should be made compulsory in in all areas of country fit for consolidation	3.33	29
30	In the implementation of consolidation of land holding programme, priority should be given to irrigated areas and command areas of newly completed irrigation projects	3.33	29
31	In places of Civil or Revenue Courts consolidation courts may be set up for speedy disposal of cases	3.33	29
32	Since uncontrolled partition of joint holdings among the share-holders soon negates partially or wholly, all the good, aimed at through consolidation of holdings, the whole question of partition of landed property should be reviewed with a view to checking fragmentation of holdings consequent upon division of holdings by partition	3.33	29

1	2	3	4
	Homestead Tenancy		
33	It has been noticed that absence of titles to homestead lands has been used as an instrument of harassment and exploitation by the land owning class against the weaker sections of the society. The Commission, therefore recommend that these States which have not yet enacted a separate legislation for the conferment of ownership rights to the homestead tenants should enact appropriate legislation on the lines of Bihar Privileged Persons Homestead Tenancy Act, 1947 (amended in 1975) and it should be the responsibility of the State Government to meet the expenses in respect of conferring of ownership rights of the tenants	3.37	30
34	All States should keep an uptodate account of the number of tenants conferred ownership rights on their homestead lands. Information with regard to Scheduled Castes/Scheduled Tribes should be maintained properly	3.37	30
	Land Alienation		
35	Most of the States have adopted legislations to check alienation of lands belonging to Scheduled Tribes to non-Scheduled Tribes. Those States who have not yet done so should enact suitable legislation to this effect immediately	3.39	31
36	The States should also frame laws to check the alienation of land belonging to Scheduled Castes to non-Scheduled Castes	3.39	31
37	In the Presidential Order regarding Scheduling of Tribes names of all sub-Tribes have not been mentioned and sometimes illegal transfers of land have been effected by using the name of a sub-tribe or a synonym for a tribe not mentioned specifically in the Presidential order. It is, therefore, recommended that detailed list of sub-tribes and synonyms should also be circulated among the registering authorities and those incharge of enforcing such a legislation so that such instances do not recur . . .	3.39	31
38	It is reported that in some States the land alienation legislation is circumvented by collusive title status filed before civil courts. In Bihar in all civil suits involving tribal lands, the Deputy Commissioner is made a party and he can give evidence in rebuttal. Mere admission of the tribal is not considered adequate in respect of the land transaction and corroborative evidence is taken. It is recommended that adoption of such a provision as in Bihar may be considered by other States	3.39	31
39	It has been brought to notice that despite the instructions issued to the the registering authorities the registration is taking place in respect of tribal lands even in the absence of permission of the competant authority in respect of such transfer. It is, therefore, recommended that the registering authority should be asked to conduct an enquiry in cases relating to transfer of land and take evidence. While doing so, they should also satisfy themselves that the permission of the competent authority in respect of such transfers has been taken	3.39	3
40	In cases where transfer of land has been done illegally deterrent punishment is necessary. Besides, such illegal transfer should stand annulled irrespective of the date of transfer. Any person found to be in possession of illegally transferred land should be liable to eviction and the possession restored to the original owner	3.39	31
41	For ensuring prompt disposal of cases of alienation of their lands special courts with powers of summary disposal may be set up and in all such cases the Government may be a party. The Government may meet all the expenses on behalf of the Scheduled Castes/Scheduled Tribe litigant	3,39	31

1	2	3	4
42	In cases where in a land dispute a Scheduled Caste or a Scheduled Tribe person is killed the Government machinery must ensure that the land possession of the deceased Scheduled Castes/Scheduled Tribes passes on to the heirs of the deceased and in no circumstances whatsoever the persons who have committed aggression should be allowed to take over possession of the land	3.39	31
43	Land alienated from tribals to non-tribals should be got restored to the former in a concerted manner irrespective of the date of alienation. In all cases of informal alienation, money-lenders should be evicted from tribal lands. For this purpose suitable legislation may be enacted . . .	3.39	31
	Distribution of Surplus Land		
44	It has been noticed that there is a vast difference between the potential surplus land as projected by the National Sample Survey (215·10 lakh acres—26th Round, 1971-72) and as estimated by the States/Union Territories (49.97 lakh acres). The Commission attach fundamental importance to this subject and recommend that the Government of India may set up a High Power Committee which may go into this matter in detail and reconcile the vast difference between the potential surplus land as projected by the National Sample Survey and as estimated by the States/Union Territories so far. This High Power Committee should review the position in each State so that keeping in view the data brought out by National Sample Survey, steps are taken to declare further land surplus in each State/Union Territory and to arrange for its distribution among the Agricultural landless labourers, particularly those belonging to the Scheduled Castes and Scheduled Tribes	3.41	31-32
45	Even in respect of land taken into possession out of land declared surplus, the overall performance of States/Union Territories was unsatisfactory (24.91 lakhs acres out of 49.94 lakh acres). The performance of States/Union Territories with regard to distribution of land (17.393 lakh acres) out of land actually declared surplus (40.821 lakh acres) was also unsatisfactory. Some of the States/where the overall performance was unsatisfactory are Andhra Pradesh, Karnataka, Gujarat and Madhya Pradesh. In view of the above overall unsatisfactory performance of the States/Union Territories in regard to the taking over of land declared surplus into their possession and distribution of such land to the beneficiaries, the Commission recommend that the State Governments/Union Territory Administrations should gear up their Revenue machinery and take urgent steps for taking over possession of all the land declared surplus by them and for arranging its distribution among the agricultural landless labourers particularly belonging to Scheduled Castes and Scheduled Tribes. This should be done within a time bound programme of, say, 2 years	3.44	32-33
46	It is noted that out of land ceiling surplus lands as on 18-12-80, on and an average a person was distributed 1.43 acres of land as against 1.33 acres to a Scheduled Caste person and 1.92 acres to a Scheduled Tribe person. This shows that a Scheduled Castes person got lesser land as compared to others as well as tribals. As percentage of Scheduled Castes (31%) among agricultural workers in the country is three times more than the Scheduled Tribes (10%), therefore, the Commission recommend that agricultural workers belonging to Scheduled Castes may be further considered for additional weightage in the distribution of surplus land . .	3.50	35-36

1	2	3	4
	General assessment of Land Ceiling Laws with Special reference to Scheduled Castes and Scheduled Tribes		
47	**Taking into consideration the limited availability of land declared surplus due to implementation of ceiling laws and the large number of landless agricultural worker particularly those belonging to Scheduled Castes and Scheduled Tribes in the various States/Union Territories, it has been noticed that in States/Union Territories such as Punjab, Gujarat, Tripura, Bihar, Tamil Nadu, Kerala, Orissa, West Bengal, Haryana, Uttar Pradesh and Pondicherry etc., where there is heavy pressure on land and availability of culturable land per capita even on distribution of surplus land would be very low, and also in hill areas such as Himachal Pradesh and such other States/Union Territories where the incidence of rainfall is low and potential of irrigation is also low, it is necessary that : . . . . .**	**3.51**	**36**
	Subsidiary occupations for supplementing allotment of surplus ceiling land—		
	1. (a) Massive subsidiary programmes such as of dairying, poultry, sheep-breeding, goat rearing, trade in cattle and other village/cottage industries and allied programmes would have to be designed and launched in addition to distribution of land to supplement the income of Scheduled Caste and Scheduled Tribe settlees on surplus ceiling land.		
	(b) In all the schemes the following four aspects should be adequately taken care of :		
	(1) feed and fodder		
	(2) collection of produce		
	(3) marketing and		
	(4) on the spot payment for the produce.		
	(c) At least 75% subsidy should be provided for these schemes and remaining 25% should be met by loan at Differential Rate of Interest		
	(d) For successful implementation of these schemes adequate infrastructure in the form of road and marketing facilities has also to be provided		
48	*Facilities to be provided for settlement on surplus ceiling land*		
	2. (a) A Scheduled Caste/Scheduled Tribe family should be settled on developed land as far as possible.		
	(b) When this is not possible the family should be given grant for developing the land or, still better, the family should be engaged by the Government on wages for developing the land.		
	(c) Each such family should also be provided with an irrigation well either on 100% grant basis or with at least 75% subsidy and 25% loan at Differential Rate of Interest. The recovery of loan should be in easy instalments and it may not start until the land has yielded one or two crops.		
	3. Inputs such as seed, fertilizers, etc. should be also provided on a similar basis in kind but the first round of inputs should be provided free of charge. Until the allottees start getting income from the land they should be given consumption loan at Differential Rate of Interest for essential social purposes like marriage, funeral etc.		
	4. The possession of land allotted to the Scheduled Castes/Scheduled Tribes from surplus land or Government land should be protected. Land should be clearly demarcated. Person who dispossess them of their land should be summarily evicted and tried under law which should provide deterrent punishment.		
	5. Whenever land is settled with Scheduled Castes and Scheduled Tribe it should be entered in the record of rights and it should be ensured that it is properly demarcated and actual possession given to the allottees and proper protection ensured to maintain their continuous occupation.		
	6. The allottees of land belonging to Scheduled Castes and Scheduled Tribes should be assisted in securing financial assistance from the Institutional Finance Organisation operating in the field	**3.51**	**36**

2	3	4
General Recommendations relating to Land Reforms Measures		
49 The State Governments/Union Territories Administrations should formulate time bound programme with adequate legal and administrative apparatus to strengthen the organisation and streamline the procedures for proper implementation of land reform measures	3.52	36-37
50 Preparation and updating of land records should be given top most priority	3.52	37
51 The definition of 'personal cultivation' should be such as to prevent absentee land owners from exercising the right of resumption under that garb .	3.52	37
52 The funds meant for development of land allotted out of surplus land should be made available also for Government land allotted to the Sheduled Castes and Scheduled Tribes	3.52	37
53 The Government may acquire the lands of the Scheduled Castes and Scheduled Tribes only for public purpose and not for any other purpose. Simultaneously, the affected families may be provided with alternative lands. If these lands are undeveloped, the same may be developed at Government cost by engaging the members of the affected families on wages. If these families have been displaced for setting up any industrial/power/irrigation project, one of the clauses of the agreement should provide for obligatory employment of at least one member each of the affected Scheduled Caste/ Scheduled Tribe families in the project	3.52	37
54 As the existing District-Civil and Revenue Courts are over burdended with other kinds of litigation and these courts are far away from the villages, it is recommended that 'Special Courts' should be set up for dealing with land reform measures	3.52	37
55 Special Magistrates may be empowered for the trial of cases relating to forcible re-occupation of the lands in respect of which possession had been delivered to the original Scheduled Caste/Scheduled Tribe owners . .	3.52	37
56 Village Level Committees, if set up, can exercise sizeable influence and therefore, such committee should be vested with statutory powers particularly in regard to inspection of records and sites, collection of evidence, measurement of areas, etc., so as to facilitate the effective implementation of land reform legislation	3.52	37
CHAPTAR IV		
ECONOMIC DEVELOPMENT		
57 The Commission are deeply concerned to note that economic development programmes for the Scheduled Castes and the Scheduled Tribes did not receive adequate priority during the various plan periods. It is essential that during the VI Five Year Plan a radical approach, matched with adequate funds should be evolved so that the Scheduled Castes and Scheduled Tribes come to have a sound economic base which alone would enable them to cross the poverty line	4.5	66
58 While the schematic details of each of the economic development scheme and the target groups are being discussed in the subsequent paragraphs it is essential that with a view to having a comprehensive and coordinated picture of the development of the Scheduled Castes/Scheduled Tribes separate chapters may be brought out in the Central/State Plans (both Annual and Medium Term) indicating the financial and physical targets for these two groups. The benefits accruing to them should be quantified both in financial and physical terms. It will help in proper evaluation of the developmental programmes for these two disadvantaged groups	4.8	66-67

1	2	3	4
	Removal of poverty and Employment Generating Programmes		
59	The Scheduled Castes and Scheduled Tribe beneficiaries have formed only 1/3rd of the total number of beneficiaries under some of the special programmes directed towards eradication of poverty. Since the Sixth Plan target proposes to bring 50% of Scheduled Castes/Scheduled Tribes population above the poverty line, it would be essential to increase the coverage of Scheduled Castes and Scheduled Tribes progressively during the Sixth Plan period in all the schemes and programmes meant to uplift the economic standard of the people and only then will it be possible to bring significant proportion (at least 50%) of these categories of people above the poverty line	4.16	68
60	The occupations in which the Scheduled Castes/Scheduled Tribes are engaged have very limited economic returns as majority of them are engaged as agricultural labourers and their earnings are constantly fluctuating because of dependence on seasonality of work and various factors. It is, therefore, desirable that special attention must be given in all the programmes specially directed towards removal of poverty by earmarking a significant proportion of the outlay exclusively for Scheduled Castes and Scheduled Tribes which should not merely be proportionate to the population of Scheduled Castes & Scheduled Tribes in the target group but in view of their extreme backwardness it should have an added weightage so as to make up for the backlog	4.16	68
61	In the Sixth Plan, while the percentage of people below the poverty line is proposed to be reduced from 48% to 30%, i.e., by about 1/3rd, the percentage of Scheduled Castes/Scheduled Tribes population to be brought above the poverty line has been targetted at 50%. It is, therefore, necessary that the selection of beneficiaries under various programmes should be so designed that it gives more weightage to the persons belonging to Scheduled Castes and Scheduled Tribes communities. Their coverage under the poverty eradication programmes should be more than proportionate to the target group under the programmes concerned and should not be less than 50% of the total number of beneficiaries so that the maximum benefit flows to the Scheduled Castes and Scheduled Tribes to fulfil the target of raising atleast 50% of them above the poverty line. It calls for a conscious effort on the part of the officials implementing various programmes to bring more and more of these people within the purview of the programmes	4.17	68
62	It has been found that 42 percent of the agricultural labourers of the country are Scheduled Castes and Scheduled Tribes followed by 26.84% in Household industry and about 20% in mining and quarrying. It is, therefore, essential that the special programmes for employment should cover these occupational groups of Scheduled Castes and Scheduled Tribes to the maximum possible extent and as indicated earlier their coverage should be more than proportionate to their population in the target group .	4.26	69
63	The employment programmes undertaken should be in close proximity of the habitations of Scheduled Castes and Scheduled Tribes so that they do not have to travel beyond 5 kms. in search of a job	4.26	69
	Integrated Rural Development Programme		
64	The flow of benefits to the Scheduled Castes and Scheduled Tribes may be specifically earmarked in the Integrated Rural Development projects and at least 50% of the beneficiaries should be from the Scheduled Castes/ Scheduled Tribes	4.36	72

1	2	3	4
65	First preference should be given to the Scheduled Castes/Scheduled Tribes in taking up subsidiary occupations like animal husbandry, dairy development, poultry, piggery, fishery, etc. Atleast 75% subsidy should be provided for these schemes and the remaining 25% may be met by loan at Differential Rate of Interest. Even in these schemes preference should be given to the landless, marginal farmers and small farmers in that order . .	4.36	72
66	For successful implementation of the IRD schemes adequate infrastructure in the form of roads and marketing facilities has to be provided. . .	4.36	72
	Small Farmers Development Agency		
67	Under the Small Farmers Development Agency Programme the rate of subsidy for tribal and Scheduled Caste small farmers should be 50%. Similarly the subsidy provided for Tribal and Scheduled Caste marginal farmers and landless agricultural labourers should be raised to 75%. The Scheduled Castes beneficiaries should be given subsidy at par with Scheduled Tribes under the SFDA programmes	4.39	73
	Drought Prone Area Programme		
68	Special programmes like the Drought Prone Area programme should continue as per requirement in the area, as they are useful programmes .	4.41	73
	Desert Development Programme		
69	Special programmes like the Desert Development Programmes should continue as per requirements of the area. Adequate funds should be provided by the Ministry of Agriculture for raising afforestation and constructing water harvesting structures on a large scale at suitable sites to conserve moisture in desert areas	4.43	74
70	Details regarding the number of beneficiaries belonging to Scheduled Castes and Scheduled Tribes out of Desert Development Programme should also be maintained by State/Union Territories	4.43	74
	Self Employment		
71	The proportion of trainees belonging to Scheduled Castes/Scheduled Tribes in National Scheme for Training of Rural Youth for Self Employment (TRYSEM) programme should be according to the proportion of Scheduled Castes and Scheduled Tribes population in the Block	4.46	74
72	Training in those trades and occupations under TRYSEM may be imparted which have potentiality of employment generation, suited to the skills and aptitude of Scheduled Castes/Scheduled Tribes persons in the particular block	4.46	74
	Khadi and Village Industries Commission		
73	The scope of Khadi & Village Industries Commission should be enlarged because this Body has all the potentialities which could help the rural artisans. While selecting the beneficiaries all the interested and willing Scheduled Castes/Scheduled Tribes artisans should be covered first and thereafter others should be enrolled	4.48	75
	Industries		
74	The Commission reiterate the following recommendations made in their first Annual Report in respect of the medium and large scale industries/ programmes so that adequate employment opportunities could be provided to Scheduled Castes and Scheduled Tribe persons :		
	(a) The Ministry of Industrial Development may ensure that crafts like leather work and industries in which the Scheduled Castes and Scheduled Tribes participate in large numbers, priority attention would be given to such crafts and industries to develop these to their fullest potential in such a manner that the primary producers' share in the net sale proceeds is maximised. Adequate financial outlay should be provided for this.		

1	2	3	4
	(b) Lists of inputs for medium and large industries may be prepared to identify items which are or can be produced by the Scheduled Castes/ Scheduled Tribes after necessary training at Government cost and encouragement.		
	(c) It is recommended that the processing of raw material procured in tribal areas should be done in that area itself to ensure that the benefits flow to the primary workers. The Ministry of Industrial Development, should, therefore, law down a condition to this effect in their licensing policy while setting up industries in tribal areas.		
	(d) The Ministry of Industrial Development while considering the project reports should cover the following important aspects in the interests of the Scheduled Castes and Scheduled Tribes :		
	(i) The maximum possible purchase of raw material and other inputs is made in the immediate hinterland of the industry and while doing so first preference should be given to Scheduled Caste and Scheduled Tribe producers.		
	(ii) The benefits from such major industrial projects flow to a large extent to the inhabitants of the surrounding areas, including employment for the Scheduled Castes and Scheduled Tribes.		
	(iii) (a) The persons displaced by the projects are rehabilitated with the project itself.		
	(b) In the case of these displaced families, one of the clauses of the agreement while clearing the Project should provide for obligatory employment of at least one member each of the affected Scheduled Caste/Scheduled Tribe families in the Project.		
	(iv) The local people specially the Scheduled Castes and Scheduled Tribes are trained for identified job opportunities and the responsibilities for such training is taken up by the Ministry of Industrial Development itself.		
	(v) The control over the tertiary sector in the project area should as far as possible go to the local population, shops, commercial establishments, transport agencies, etc., with a reasonable proportion of the Scheduled Castes and Scheduled Tribes. In dealerships of goods produced by public sector bodies Scheduled Castes and Scheduled Tribes should also be given adequate share.	4.49	75-76
	Antyodaya Programme		
75	Antyodaya programme should be taken up by all the States/Union Territory Administrations for the benefit of the rural poor including Scheduled Castes and the Scheduled Tribes	4.52	77
76	Under Antyodaya programme for identifying the Antyodaya families survey should be undertaken by all the States/Union Territories which should inter alia, indicate as to how many identified families belong to Scheduled Castes and Scheduled Tribes. The survey should also reveal the type of assistance required by the identified families	4.52	77-78
77	Under the Antyodaya programme, in the first instance, it should be the endeavour of the State Governments/Union Territory Administrations to cover the 'Identified Families' through various economic programmes such as IRDP, DPAP, SFDA etc. and those families which are not covered under the criteria fixed under the said programmes should be given benefit under the 'Antyodaya programme'	4.52	77-78
78	In order to keep a record of the Assistance given to the identified families under the Antyodaya programme it is suggested that 'Family' card system should be introduced	4.52	78

1	2	3	4
79	It has been noticed from the information received from Bihar, Gujarat and Himachal Pradesh that statistical details regarding the number of beneficiaries belonging to Scheduled Castes and Scheduled Tribes and the benefits accrued to them out of various schemes of Antyodaya programme have not been maintained. The Commission, therefore, recommend that the details of Scheduled Caste/Scheduled Tribe beneficiaries as well as their coverage in various schemes should be monitored	4.52	78
	Employment Guarantee Scheme		
80	The Commission recommend that State/Union Territory Administrations (other than Maharashtra) should study the Maharashtra Employment Guarantee Scheme and adopt a suitable scheme for providing adequate employment opportunities to the rural poor	4.61	81
81	The Government of Maharashtra should regularly monitor the implementation of Employment Guarantee Scheme so as to know the Coverage of Scheme as well as the extent of benefit that has accrued to the Scheduled Castes and Scheduled Tribes persons	4.62	81
	Cultivators (Small and Marginal farmers)		
82	With a view to helping the Scheduled Caste and Scheduled Tribe farmers it is recommended that local manurial resources programme should be strengthened. Bio-fertilizer programme should be popularised by establishing centres in prominent tribal areas and areas predominantly inhabited by Scheduled Castes	4.65	81
83	Seed certification agencies may be set up in States like Maharashtra, Gujarat, West Bengal and Assam where population of Scheduled Castes and Scheduled Tribes is sizeable. Further, seeds suited to plateau areas like minor millets may also be developed. Requirements of tribal areas and those with sizeable Scheduled Caste population may be taken into Consideration separately and distribution of seeds accorded first priority in these areas	4.67	81
84	Seed distribution centres should be set up in all the weekly market places in tribal areas and blocks having 20 %+ Scheduled Caste population .	4.67	81
85	Agro-Industries Corporations, set up in a few States, should set up their branches in tribal areas and those predominantly inhabited by Scheduled Castes. The Agro-Service Centres should train Scheduled Caste and Scheduled Tribe persons in the technical skills besides imparting training to farmers	4.69	81
86	Crop Insurance Scheme should be introduced in all States/Union Territories (other than Gujarat, West Bengal and Tamil Nadu) specially in respect of small and marginal farmers so as to provide security to their crops. While doing so special care should be taken to ensure that all the Scheduled Castes/Scheduled Tribes small and marginal farmers are covered under the programme	4.71	82
87	Farmers Training and Educational Programmes that help in the development of Scheduled Castes and Scheduled Tribes in the agriculture sector may be launched in each Block under Tribal Sub-Plan Area and in Blocks having 20%+ Scheduled Caste population	4.73	82
88	The crop-oriented demonstration plots should be taken up in the lands of the Scheduled Castes and Scheduled Tribes to the extent of at least 50%, if not more	4.73	82
89	In respect of supply of inputs like seeds, fertilizers and pesticides the element of subsidy in respect of the Scheduled Castes and Scheduled Tribes should be increased from 50% to 75%	4.73	82

1	2	3	4
90	For evolving the right type of crops for the mostly rainfed tribal areas, adaptive research and experimentation should be taken by the Indian Council of Agricultural Research and other research organisations . . .	4.75	82
91	Adequate researches should be conducted for developing crops which could be grown in dry farming areas and which do not need irrigation facilities. This would be specially helpful in the plateau areas, such as Chotanagpur . .	4.75	82
92	Action should be taken to step up research for developing dry farming practices in tribal areas in order to augment income of tribals. . . .	4.75	82
	Improvement in the working conditions of Landless Agricultural Labourers including the rural poor		
93	Although the Government of India have formulated a number of employment generating schemes like the integrated Rural Development Programme, Food for Work Programme and Training for Rural youth for self employment etc., still the conditions of agricultural labourers call for further remedial measures. The Commission, therefore, recommend that the following further measures should be taken to improve the conditions of the Agricultural Labourers :—		
	1. The payment of minimum wages as fixed under the law should be ensured to the agricultural labourers.		
	2. The fixation of the minimum wages under the law should be periodically reviewed taking into consideration the prevailing market rates and the cost of living.		
	3. Similarly employment opportunities to agricultural labourers belonging to Scheduled Castes and Scheduled Tribes should be provided throughout the year including agricultural seasons through various schemes such as Food for work programme, National Rural Employment Programme, Employment Guarantee Scheme etc. as this would give them the requisite bargaining power and ensure the payment of minimum wages to them.		
	4. Other occupations in the rural areas such as poultry farming, dairy, pig rearing etc. should also be taken up on an extensive scale to provide them alternative/supplementary means of income by providing them 75% subsidy and 25% loan for carrying on these occupations.		
	5. The agricultural labourers should be trained in other subsidiary occupations. e.g. printing of textiles, weaving, etc.		
	6. Vocational Training/Craft Centres may be set up at Block level exclusively for the young agricultural labourers and they may be provided stipend to undergo each courses.		
	7. In cases where land is allotted to a Scheduled Castes/Scheduled Tribes agricultural labourer he should be settled on developed land, as far as possible. When this is not possible, he should be engaged by the Government on wages for the development of land. Each such family should also be provided with an irrigation well and inputs either on 100% grant basis or with at least 75% subsidy and 25% loan at DRI. Until the allottees start getting income from the land they should be given consumption loan at DRI for essential social purposes like marriage, funeral etc.		
	8. The organisation/unionisation of landless agricultural labourers should be taken up with a view to give them the necessary bargaining power and breaking the vicious circle of total dependance on the landlords .	4.78	83

1	2	3	4
	Implementation of Minimum Wages Act for Agricultural Labourers		
94	The Commission attach great importance to the payment of minimum wages fixed under the law to the agricultural labourers as this would ensure that they atleast get the requisite purchasing needs and for making their both ends meet. The Commission also reiterate that such minimum wages should be periodically reviewed keeping in view the prevailing market rates and the cost of living	4.79	83
95	The State Governments/U. T. Administrations should strengthen their administrative machinery at all levels, particularly at the field level, so as to ensure the implementation of the provisions relating to the payment of minimum wages to the agricultural labourers.	4.80	84
96	The State Governments/U. T. Administrations should also make adequate provisions in their budgets to ensure an effective implementation of Minimum Wages Act	4.80	84
97	There should be special cells under the charge of senior officers at the State, District and Block levels for monitoring the implementation of Minimum Wages fixed by the State Governments/U. T. Administrations for the agricultural labourers	4.81	84
98	With a view to solving the various problems of agricultural labourers the Government of Kerala enacted a legislation—Kerala Agricultural Workers Act, 1974. This Act was recommended to other States/U.Ts. also. The Sub-Committee on Central legislation for agricultural labourers appointed by the Central Standing Committee on Unorganised Labour has suggested that a Central Legislation in this regard may also be enacted. The Commission are of the view that the proposal for enactment of Central Legislation for agricultural workers is a welcome move and the requisite legislation should be enacted as early as possible. The salient features of this proposed legislation are as given below :	4.81	84
	1. There shall be an Agricultural Tribunal in each State/Union Territory.		
	2. For the effective implementation of this legislation there shall be Registering Officers, Conciliation Officers and Inspectors.		
	3. The employers shall give preference to those workers who had worked earlier.		
	4. Agricultural Workers Welfare Fund shall be established and contributions shall be made to this Fund by the State Government, Employees and the Agricultural workers. It will be supervised by Agricultural Workers Welfare Fund Board.		
	5. The State Governments/U.T. Administrations may set up an Employment Guarantee Board, tripartite in character, having representatives of the State Governments, employers and agricultural workers to supervise Employment Guarantee and Social Security Scheme.		
	6. Hours of work, extra wages for overtime, daily intervals for rest, wages payable to agricultural workers, enforcement of payment of wages, settlement of agricultural disputes shall be governed as per the legislation.		
	7. The Registering authority shall prepare a register of agricultural workers.		
	8. Civil Court shall have no jurisdiction under this legislation.		
	9. Any person who contravenes the provisions of this legislation shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500 or with both.	4.81	84

1	2	3	4
	Other Unorganised Rural Poor		
99	Appropriate measures should be taken for the unionisation of Unorganised rural poor. The Commission, therefore, recommend that trade unions/ co-operative societies, etc. particularly of Scheduled Castes and Scheduled Tribes artisans, marginal and small farmers, etc. should be formed so that they actively associate themselves in ecomonic programmes vitally concerning them such as land reforms, distribution of loan, supply of inputs, provision of irrigation schemes, supply and procuring of raw materials on regular basis, marketing of finished products at competitive rates, etc.. . .	4.83	84
	Bonded Labour		
100	The Gandhi Peace Foundation in collaboration with the National Labour Institute has estimated in their survey conducted during 1978 that nearly 22·4 lakhs persons were working as bonded labourers. From the position as reported by various State Governments on 30-11-80 it is noticed that their number was around 1·20 lakhs. As a majority of bonded labourers are Scheduled Castes/Scheduled Tribes, it is recommended that Labour Ministry should set up a High Power Working Group to go into this matter in depth and reconcile the difference in figures of bonded labourers as declared by the States and as brought out by the Gandhi Peace Foundation in their Survey. The Working Group should make this reveiw State/Union Territorywise so that the correct position about the existence of bonded labour in each State/Union Territory is brought out. Thereafter appropriate steps should be taken by each State/Union Territory to free the identified bonded labourers concerned and to fully rehabilitate them at Government cost . . .	4.88	86
101	After the enactment of the Bonded Labour System (Abolition) Act in February 1976 the number of bonded labourers identified in next four months i.e. by June, 1976 was 75,337 and thereafter over a period of four years (June, 1976 and November, 1980) 45,224 more could be identified. It shows that while there was a spurt in the identification of bonded labour during first two years the progress declined subsequently. It is, therefore, recommended that the attention of the District Magistrates should be drawn on Sec. 12 of the Bonded Labour System (Abolition) Act, 1976, wherein their duties have been specified to ascertain whether any bonded labour system is being enforced within the local limits of their jurisdiction	4.88	86-87
102	Bonded labourers in the country should be identified through Government, autonomous and voluntary agencies	4.88	86-87
103	Along with the programme of releasing the bonded labour a simultaneous crash programme of their rehabilitation preferably on land should be implemented. Rehabilitation programme for bonded labourers should be carried out as a Centrally Sponsored Programme on 100% basis . . .	4.88	87
104	Some State Governments (e.g. Tamil Nadu and Andhra Pradesh) have not set up vigilance committees as required under the Act, which should now be done. The representatives of released bonded labourers may also be nominated in such committees	4.88	87
105	A vast number of agricultural labourers are the potential recruits to the bonded labour system by incurring debt bondage, it is recommended that Debt Relief Acts should be strictly enforced and flow of credit channelised through financial institutions for both productive and consumption purposes .	4.88	87
106	Schemes like conferment of ownership rights in housesites, allotment of house-sites, housing facilities, employment on regular basis, formation of industrial cooperative societies, co-operative farming may be popularised among the released bonded labourers	4.88	87
107	One senior functionary under each District Magistrate should be made responsible exclusively for looking after the bonded labour and rural poor .	4.88	87

1	2	3	4
108	Section 22 of the Bonded Labour System (Abolition) Act, 1976 provides that every offence under this Act shall be cognisable. It is, therefore, recommended that Ministry of Labour should collect information on number of cases registered, number of persons against whom challans were put up, number of cases ended in acquittal/conviction etc.	4·88	87
109	A report on the working of the Bonded Labour System (Abolition) Act, 1976 should be placed annually on the tables of both Houses of Parliament. It should also be discussed in the Parliament. Similarly procedure should be followed in the State Legislatures also	4·88	87
	Specific Programmes for Professional Occupational Groups		
110	The State Governments/U.T. Administrations should ensure that the traditional artisans get regular supply of raw materials as per their requirements. For this, adequate organisational and infrastructural arrangements should be made by the State Governments/U. T. Administrations	4.91	87
111	The experience shows that it is difficult for the artisans to arrange for the marketing of their products on their own. It is, therefore, necessary that State Governments/U.T. Administrations should set up appropriate marketing organisations through cooperative/corporations/handloom board/ KVIC for taking over the task of marketing of the products of the artisans and for eusuring adequate prices to the artisans for their products	4.91	87-88
112	All Government agencies and other organisations which receive the support and assistance of Government, whether at the State or at the Centre, should be required to buy from the traditional artisan sector all items which they need and which are produced by the traditional artisans. Purchase of such items should be made from the modern sector only when the entire production (of those items) of the traditional artisans is fully and satisfactorily covered	4·91	88
113	The skills of Scheduled Castes/Scheduled Tribes traditional artisans should be upgraded with Government assistance. Raw materials should be made available to them at subsidised rates. Adequate marketing arrangements are necessary including on-the-spot payment to the artisans for their products	4·91	88
114	The Scheduled Castes/Scheduled Tribe artisans should also be assisted in taking to new skills as well as small and cottage industries	4·91	88
115	With a view to arranging adequate supply of raw material and ensuring marketing facilities to the traditional artisans it is suggested that the State Governments/U. T. Administrations should adopt such a policy that financial institutions are linked with this programme so that necessary financial support is available to the artisans	4·91	88
	Leather Workers		
116	For better carcass utilisation a model training-cum-production centre (Hides, leather and footwear) was set up at Lucknow. It is recommended that each State should have such centres on the lines set up at Lucknow	4·94	88
117	A definite and precise programme, covering all aspects of leather production namely flaying, tanning, manufacturing of footwear and other products needs to be drawn up with the focus on the primary leather workers	4·94	88
118	In every State, cluster of concentration of leather workers should be identified, the pattern of the existing trade understood and projects taken up and included in the special Component Plan	4·94	88
119	On the marketing side, valuable support to the leather workers should be extended by the Ministry of Supply, Ministries incharge of Public sector organisations and corresponding State Departments by taking a policy decision that all Governmental and public sector purchases, whether it be for internal use or for export purposes should be made directly from the producers without intervention of middlemen. A fair return to the primary producer should be ensured	4·94	88

1	2	3	4
120	Steps to improve the working and living conditions of leather workers should be taken and provided for in the Special Component Plans in appropriate sectors	4·94	89
121	A large number of traditional artisans engaged in leather work require upgrading of their skills for which training facilities should be provided by the Government	4·94	89
122	For the proper development of the leather industry and to protect the interests of these artisans a leather Development Corporation/Board should be set up at the Centre as well as the States	4·94	89
	Weavers		
123	Scheduled Caste weavers should be enabled to become members of weavers cooperatives and other organisations to secure their due share of benefits in full	4·96	89
124	House-cum-work places for the weavers should be further extended and made an integral part of the handloom development programme	4·96	89
125	The Ministry of Industrial Development may consider the following suggestions relating to handloom industry: (a) There is a large proportion of the Scheduled Castes and Scheduled Tribes among weavers. Their standards need improvement. Programmes of handloom development may cover them as a priority target group. (b) In the various other development programmes for existing handloom weavers including marketing, designs etc. intensive attention may be given to weavers belonging to the Scheduled Castes and Scheduled Tribes as priority target group. (c) If and to the extent the market permits newcomers to be admitted to the profession in an organised manner, a substantial proportion of such new admissions may be earmarked for the Scheduled Castes and Scheduled Tribes. (d) The Ministry and Development Commissioner, Handlooms may make efforts to get loans at DRI for Handloom Boards/Corporations to the extent they are intended for the Scheduled Caste/Scheduled Tribe weavers.	4.96	89
	Other Handicrafts Artisans		
126	A comprehensive programme for handicrafts artisans, arrangements for the supply of raw materials, technology inputs and training, common facility centres, marketing etc. needs to be taken up. The Ministry of Commerce and the All-India Handicrafts Boards and similarly the Ministry of Rural Reconstruction and KVIC should be primarily made responsible for this	4·98	90
127	At least 50% of the new entrants into the training centres organised by all India Handicrafts Board as well as State organisations should be from the Scheduled Castes and Scheduled Tribes	4·98	90
	Fishermen		
128	The States/Union Territories where fishing is an important occupation among the Scheduled Castes and Scheduled Tribes, should enact suitable legislations to safeguard the interests of traditional fishermen	4·99	90
129	The States/Union Territories having Scheduled Caste/Scheduled Tribe fishermen should also establish Fish Seed Development Corporations to produce fish seed of good quality	4·99	90
130	The fisheries development programmes should also be linked with the Institutional Finance system so that adequate financial support is available to the fishermen	4·99	90

1	2	3	4
	Rickshaw pullers		
131	Financial assistance may be provided to Scheduled Caste and Scheduled Tribe rickshaw pullers to own the rickshaws so that the middlemen are avoided and they become the owners of the Rickshaw	4.101	90
132	Rest shelters for rickshaw pullers should be constructed at different points in the town and cities extending facilities like toilet, benches and tea and subsidised meals stalls etc.	4.101	90
133	Wherever possible loans and grants on 25%—75% basis may be provided to Scheduled Caste and Scheduled Tribe persons to fit in the motors into cycle rickshaw	4.101	90
	Cart pullers		
134	The cart pullers should be made owners of the carts be providing them financial assistance	4.103	90
135	Rest shelters for cart pullers should be constructed with facilities like toilet, benches and subsidised meal stalls, etc.	4.103	90
136	Wherever possible the traditional wheels of the carts belonging to Scheduled Castes/Scheduled Tribes may be replaced by tyre wheels. . . .	4.103	90
137	Good quality of timber for preparing carts required by Scheduled Castes/ Scheduled Tribes cart pullers should be made available to carpenters on subsidised rates. It should be ensured that benefit of supply of timber at subsidised rates is ultimately passed on to the Scheduled Caste/Scheduled Tribe cart pullers	4.103	90
138	Facilities like 75% subsidy and 25% loan should be made available to Scheduled Caste/Scheduled Tribe owners of animal driven carts to purchase bullocks/horses/buffaloes	4.103	90
139	The Scheduled Caste/Scheduled Tribe cart pullers may be encouraged to form cooperatives and such cooperatives should be assisted to have few animals in reserve, so that when animal of one person falls sick he is not deprived of regular employment	4.103	91
	Head-load Workers		
140	Rest shelters for head-load workers near mandis, markets and commercial complexes etc. should be constructed	4.105	91
141	There is no uniform rate fixed to be paid to head-load workers as has been fixed in respect of 'Railway Coolies'. Rates of head-load workers should be fixed by the Local Administration and the rates should be displayed at prominent places like market places, commercial centres etc. . . .	4.105	91
142	Efforts should also be made to form the unions and cooperative societies for head-load workers	4.105	91
143	The cooperative societies should make the head-load workers available small loans on occasions when the labour is not in demand	4.105	91
144	The head-load workers should contribute part of their income to the co-operatives in a pool so that they get money on loan during illness, health hazard, etc.	4.105	91
	Construction Workers		
145	The construction workers belonging to Scheduled Castes/Scheduled Tribes should be helped to form cooperative societies and encouraged to take petty contracts in construction activity	4.108	91
146	The Scheduled Caste/Scheduled Tribe persons engaged in construction activity may also be helped to learn associated skills like masonary, plumbing, etc.	4.108	91

1	2	3	4
147	It is noticed that the participation of tribals in the occupation of construction is less as compared to Scheduled Castes. To cover them under the economic development programme it is recommended that the tribal labour cooperatives may be formed and encouraged to undertake works in adjoining areas. With a view to avoid exploitation of tribals their cooperatives may be supervised by responsible Government Officers.	4.108	91
	Bidi Workers		
148	A good number of members of Scheduled Castes are engaged in occupation of bidi making in many towns of the country. To cover them under the economic development programmes it is recommended that monopoly of collecting bidi leaves and preparing bidis should be given to the cooperatives of members of Scheduled Castes and Scheduled Tribes and other weaker sections of society.	4.110	91,92
149	Marketing of bidis generally goes by brand name. For marketing purposes, the bidis manufactured by the Scheduled Caste and Scheduled Tribe persons can be linked with reputed organisations enjoying good brand names	4.110	92
150	In each of the States which are known for bidi making a Bidi Corporation should be set up. This would arrest the monopolistic attitude of private persons. The societies of unorganised bidi workers may be formed and linked with this proposed Corporation.	4.110	92
	Traditional 'Dais'		
151	Improvement in the status of Scheduled Caste Dais will contribute a great deal towards the removal of social disabilities of Scheduled Castes and improving their economic status. To improve economic conditions of the Dais the Commission recommend that the services of the Dais should be organised under the aegis of the Panchayats, each Dai being paid adequate amount as fees for each delivery performed by them. This expenditure of the Panchayats should be reimbursed by the State on a hundred percent basis.	4.112	92
152	All Dais within the jurisdiction of a primary sub-centre should undergo intensive/refresher training periodically. Scientific instruments and first aid kits for pre-natal and post-natal services should also be provided.	4.112	92
153	Every 'Dai' in the village should be provided with a spacious house and pair of saris on Government cost so that she maintains neatness and imparts lessons in hygiene and environmental sanitation among the rural women. She may be so equipped that she takes the role of an agent of change so far as health is concerned.	4.112	92
	(*c*) *Need-based implementation of Economic Development Programmes*		
	Animal Husbandry		
154	In the Animal Husbandry sector the cattle development programmes should be implemented on priority basis in all the Blocks covered under Tribal Sub-Plan area and Blocks having 20%+Scheduled Caste population and Scheduled Caste and Scheduled Tribe persons be accorded priority.	4.114	92
155	Each Scheduled Caste/Scheduled Tribe family engaged in sheep rearing and desirous of taking up this pro fession should be encouraged. Intensive encouragement may be given to Scheduled Caste/Scheduled Tribe people in States like Jammu & Kashmir, Himachal Pradesh, Uttar Pradesh and Rajasthan. Adequate grazing facilities for summer as well as winter months should be provided even if the grazing problem has to be solved on an inter-State level. It should be treated as a National issue.	4.116	92

1	2	3	4
156	Under the Piggery development programmes liberal financial assistance and other package of inputs may be provided to Scheduled Caste/Scheduled Tribe persons to make pig rearing an economic proposition. The number of Regional pig breeding farms at present is 10 which may be raised. Number of State pig breeding farms may also be increased.	4·118	93
157	Under the poultry development programme more Central Poultry Breeding Farms (as in existence at Bangalore, Bombay and Bhubaneshwar) may be set up particularly in north-eastern one and in northern zone which are not covered by such Central Poultry Farms at present. . . .	4·120	93
158	Cattle insurance scheme should be extended to Tribal Sub-Plan Area and Blocks having 20%± Scheduled Caste population. The rate of premium may be fixed at 2·25% instead of 3·2% for Scheduled Caste/Scheduled Tribe persons. Arrangement for 75% subsidy for Scheduled Castes and Scheduled Tribes may be introduced in the premium under Cattle Insurance Scheme	4·122	93
159	Special Livestock Production Prorgramme is being implemented on subsidy-cum-loan basis. Loans are arranged through the nationalised and the co-operative banks. The Centrally Sponsored Scheme for cross-breed calf rearing provides feed subsidy at the rate of 50% to small and marginal farmers and 66-2/3% to agricultral labourers. It is recommended that the rates of subsidy may be raised to 75% for marginal farmers and agricultural labourers	4·124	93
160	Under the Central Sector Scheme of poultry, piggery and sheep production, the subsidy is given to the extent of 25% to small farmers and 33-1/2% to marginal farmers and agricultrural labourers and 50% to the members of the Scheduled Tribes. It is recommended that rates of subsidy for poultry, piggery and sheep rearing for small farmers belonging to both the Scheduled Tribes and the Scheduled Castes be raised to 50% and to marginal farmers and agricultural labourers belonging to Scheduled Castes and Scheduled Tribes to 75%	4·124	93
	Dairy Development		
161	Under dairy development programmes, Integrated Dairy Development projects may be set up (as in cases of Madhya Pradesh, Karnataka and Rajasthan) in States having sizeable Scheduled Caste & Scheduled Tribe population, namely Assam, Himachal Pradesh, Jammu & Kashmir, Kerala, Meghalaya and Orissa etc.	4·126	93
162	A National Milk Grid may be created in such a manner that all the class A, BI, BII and C cities are catered to by the areas predominantly inhabited by Scheduled Castes and Scheduled Tribes as far as feasible . .	4·126	93
163	The Scheduled Tribes and Scheduled Castes may be given adequate assistance to grow fodder grass and rear milch cattle	4·126	
164	To meet the increasing demand for dairy products in mining and industrial townships in the tribal areas, animal husbandry and dairying may be popularised among the tribals. The infra-structure such as roads, marketing, etc. will also have to be developed on a priority basis	4·126	93
165	Income flow from the Operation Flood-II programme to the Scheduled Castes and Scheduled Tribes may be ensured on top priority. Milk chilling plants may be set up at suitable centres near the village/hamlets inhabited by the Scheduled Castes/Scheduled Tribes, as far as possible . .	4·126	93
	Shifting Cultivation		
166	Tribals still practising shifting cultivation should be settled on Government land or acquired land, if available which may be reclaimed and developed by employing those tribals on wages. Inputs should also be made available to them on a highly subsidised basis (75% grant and 25% loan at DRI) .	4·128	94
167	The shifting cultivators may also be settled in non-land based occupations and cottage industries keeping in view their aptitudes	4·128	94

1	2	3	4
	Irrigation		
168	Irrigation should be given top priority in the programme of development of land	4·130	94
169	Irrigation wells should be dug at Government cost for Scheduled Caste/ Scheduled Tribe farmers or at least 75% subsidy and 25% loan at DRI may be made available by the Government to meet the cost	4·130	94
170	Wherever necessary tube wells may also be provided by the Government and irrigation water made available to Scheduled Caste/Schedued Tribe farmers particularly small and marginal farmers on concessional irrigation rate which should not be more than half the normal rates	4·130	94
171	In all major, medium and minor irrigation projects preference should be given to those areas where the majority population comprises the Scheduled Tribes and in the case of the Scheduled Castes and dispersed Scheduled Tribes, where their population is 20% or more	4·130	94
172	Lift irrigation projects, bunds and dams should be taken up in areas having preponderant Scheduled Caste and Scheduled Tribe population	4·130	94
173	In tribal areas minor irrigation schemes should be given a high priority to raise the low level of productivity	4·130	94
174	As the Scheduled Castes and even the majority of the Scheduled Tribes are very small holders of land, generally speaking individual irrigation wells would be more beneficial for them. There should be an element of subsidy to the extent of 75%, where in any area, schemes of minor irrigation are feasible in Scheduled Caste Bastis/Tribal villages/hamlets they should also be given preference over other minor irrigation schemes in case there are constraints of availability of finance. In the case of such minor irrigation schemes the Scheduled Castes Scheduled Tribes should be exempted from payment of any taxes until their farms become remunerative, *i.e.* for about three to five years and even thereafter the rate of levy should be half of the normal rate	4·130	94
175	To ensure the maximum coverage of holdings of the Scheduled Castes/ Scheduld Tribes by irrigation wells self-contained teams including ground water specialists revenue and agricultural officers, individuals from credit agencies etc. should be formed and these units should be adequate in number to exploit the entire ground water potential in areas where there is fair amount of landholdings of the Scheduled Castes/Scheduled Tribes in a time-bound programme say within five years. Such units should be provided with sufficient physical and financial resources including drilling machines etc.	4,130	94
176	In respect of surface water irrigation it should be ensured that the landholdings of the Scheduled Castes and Scheduled Tribes in the command areas are fully covered through channels and necessary physical and financial support is made available	4·130	94
177	As many minor irrigation schemes as feasible should be located in the tribal areas to raise the low levels of productivity. The Ministry of Agriculture may prepare a Master Plan based on State surveyes for the entire country and relate it to higher production. They may also provide resources to match the perspective plan	4·130	94
178	With view to ensuring adequate utilisation of electric pumpsets in tribal areas the Commission recommend that while selecting beneficiaries care should be taken to select only those persons whose wells have adequate ground water source as well as adequate land to ensure full utilisation of the pumpsets. To ensure adequate and regular irrigation facilities, suitable arrangements should be made for regular availability of power or diesel supply as the case may be for the operation of the pumps	4·132	95

1	2	3	4
	Soil Conservation		
179	Soil conservation schemes should be accorded top priority in plateau areas. The Scheduled Caste/Scheduled Tribe farmers may be given 100% grant for these schemes or atleast 75% grant and 25% loan at D.R.I. . .	4.133	95
	Sericulture		
180	With the increasing demand for silk cloth in the foreign market sericulture has gained considerable significance. As tribals are engaged in cocoon rearing this programme should be launched on intensive scale in selected blocks in the tribal areas by giving grants for the plantation of Assan and Arjun trees. This industry should be so developed that it has absolute impact not only as a subsidiary occupation but as a main occupation to a few families at least. The Scheduled Castes and Scheduled Tribes can be benefited out of this programme only when middlemen are completely eliminated. Besides, rearing of coocons, processing centres should also be set up in tribal areas and silk weaving popularised as a household industry. Forest Development Corporations should be actively associated in rearing of silk cocoons and Industries Department in processing and marketing etc. . . .	4.134	95
181	Sericulture (mullberry, tassar, eti, etc.) should be popularised among the Scheduled Castes/Schedule Tribes as there is great potential for this industry both for internal market and export market.	4.135	95
182	A suitable and comprehensive package programme of mullberry silk production should be worked out which would link up all stages from the supply of the leaf to marketing, covering also training and technical supervision with emphasis on the Scheduled Castes and Scheduled Tribes. . . .	4.135	96
183	The Ministry of Industrial Development may give due consideration to the following aspects of sericulture : (a) In actually reaching the primary workers both for the supply of raw material and for purchases, while infra-structure development is important, it is necessary to keep the ultimate objective in mind that the benefits have to flow to the primary workers. (b) The training of Scheduled Castes/Scheduled Tribes persons as weavers is important. The weavers' Service Centres started by the Ministry in the States had tried to tackle the problems but this perhaps could be pursued more effectively. In training programmes a large percentage of the trainees may be earmarked for members of the Scheduled Castes and Scheduled Tribes. (c) This is programme with enormous potential of development for landless agricultural workers among whom the Scheduled Castes and Scheduled Tribes predominate. Hence, the bulk of the benefits, atleast 50%, from this sector could be earmarked for them.	4.135	96
	Horticulture		
184	Horticulture schemes may be popularised in tribal areas and in areas predominantly inhabited by Scheduled Castse as a Centrally sponsored programme on the same lines as that of introducing pine-apple in Arunachal Pradesh and Andamans & Nicobar Islands and banana in Goa.	4.137	96
185	With a view to removing nutrition deficiency among the weaker sections of society importance of horticulture schemes cannot be under estimated therefore, lack of marketing facilities should not stand in the way if found feasible a separate Directorate of Horticulture should be set up for Scheduled Castes and Scheduled Tribes in major States and 50% schemes on 75% grant and 25% loan basis be taken up as a Centrally sponsored programme during the Sixth five Year Plan. This programme requires a massive support specially for weak and nutritionally deficient people, Investment of this programme will automatically reduce expenditure on health up-keep. .	4.137	96

1	2	3	4
186	Large areas are easily identifiable as a base for horticultural programmes in tribal areas including lands over which shifting cultivation is practised. Where the programme is taken upon lands owned by the Government the rights for usufruct can rest with the individual.	4.137	96
187	The Government of Orissa have taken up a major programme of plantations. The remaining State Governments may take similar action	4.137	96
	Forests		
188	Social Forestry should be done with popularisation of plantations of lemons, papaya, drumstick, etc. for the economic betterment of Scheduled Caste and Scheduled Tribe people. Edible and commercial fruits and oil seeds bearing trees and fodder species may be planted as mixtures in all plantation programmes in the vicinity of villages.	4.139	97
189	The rights of the tribal people on the forests adjoining their villages and their ownership rights, where traditionally recognised, over the forest lands should be restored and recognised so that their participation in raising and maintaining the forests can be ensured.	4.139	97
190	The traditional rights of the tribals over the forest produce should be preserved. In collection and marketing of MFP (Minor Forest Produce) contractors should be completely eliminated. The Tribal Cooperaive Development Corporations/LAMPS should have the sole right to procure minor forest produce directly from the tribal sellers. Further, the tribals who sell the minor forest produce to the Corporation/FAMPS should be given on the spot payment on the delivery of the minor forest produce by the tribal sellers.	4.139	97
191	Long lease of tree pattas over forest land for cultivation of fruit trees may be given.	4.139	97
192	The Forest Department should impart training to labourers in improved logging and plantations.	4.139	97
193	Forest Department should also implement some welfare schemes specially in the field of health care and providing basic necessities of life.	4.139	97
194	The role of Forester from that of policing duties in the protection of forests in tribal tracts may be widened to that of a Social Welfare worker also.	4·139	97
195	With a view to conserving forest wealth and managing its harvest properly the Commission suggest that traditional tribal leaders should also be associated in the management of forest policy at the village/block/forest range level	4·132	97
196	The areas of reserved forests may be so developed that primitive tribals are fully protected and developed.	4·139	97
197	There is need for bridging communication gap between the tribals on one hand and administration on the other over sensitive issues involving land and forest around which thier life revolves.	4·139	97
198	In the hills during the winter the grassland for cattle lies totally covered under snow and the flock owners have to move down to lower altitudes. They have to cross inter-state borders in search of grazing fields and face numerous difficulties from the Forest Department. Adequate grazing facilities for summer as well as winter months should be provided even if the grazing problem has to be solved on an inter-state level. It should be treated as national issue.	4·139	97
199	Social forestry should be encouraged and species which could be used for fuel may be grown. Fruit-bearing plants may be popularised and the tribals given assistance in kind free of charge	4·139	97

1	2	3	4
200	Privileges and concessions may be further liberalised to tribals so far as forest produce is concerned in the following manner : (i) free collection of firewood head loads, small timber and minor forest produce ; (ii) free grant of small timber and bamboos either for reconstruction of houses destroyed by fire or for periodic repairs of houses; (iii) to enable the tribals to have small timber and bamboos for manufacture of agricultural implements, 10% of the materials from the coupes worked by the Forest Labour Cooperative Societies as well as by the Department may be set apart and sold at society depots at a concessional rate; (iv) grant of occupancy rights to Scheduled Tribes over forest lands that are being cultivated by them; (v) cash compensation for domestic aminals killed by wild life; (vi) scheme for tree plantation in tribals own lands; (vii) forest works may also be given to the Scheduled Tribes through labour contract societies without middlemen.	4·139	97.98
	Minimum Needs Programme		
201	As regards the posting of community health workers in 1978—83 plan under Rural Health programme, it was one such worker for each village whereas in VI Plan in addition to one community Health Worker in each village, the villages having more than 1,000 population will also have additional community workers. Although the norms are suited to the plain and rural areas, tribals villages tend to remain unattended to as these are sparsely populated and settlements are spread over in several hamlets. It is, therefore, suggested that norms of population for tribal villages should be brought down from 1000 to 500 and instead of village as a unit it should be a group of hamlets in the tribal village. Such a provision will facilitate the ailing children and pregnant and lactating mothers to draw full advantage of the availability of community health workers	4·143	98.99
202	Under Rural Water Supply programme in difficult hilly and desert regions where Scheduled Castes and Scheduled Tribes inhabit in fair proportion, no target has been fixed. Efforts should be made to identify such villages and 100% of them should be covered in the VI Plan itself. Human population living in these difficult areas cannot wait for drinking water supply for the successive plants.	4·144	99
203	Under Rural Roads Programme 100 percent coverage may be ensured for the villages having population of 1,000 and more by the VI Plan period itself and priority given to linking of such villages in tribal areas with weekly market places and other adjoining places where community services are available. . .	4·145	99
204	It is estimated that assistance for construction of houses would be given to 25% house-holds which appears to be quite inadequate. It is recommended that it should be raised to atleast 50% incase of Scheduled Castes/ Scheduled Tribes	4·147	99
205	The problem of urban slums is very much related to development of sweepers and scavengers. The estimated coverage of 40% of the urban slums in the IV Plan is for short of requirements. It is, therefore, recommended that the coverage of Scheduled Castes/Tribes inhabited by the sweepers and scavengers should be raised to 100% and top priority given in the VI Plan period itself.	4·148	99
206	Under the nutrition programme the intention of the Government is to help Scheduled Caste/Scheduled Tribe families. As the number of blocks in the country is more than 5,000 it is recommended that the Nutrition Programmes should be introduced in atleast 50% of the Blocks in the Tribal sub-Plan areas and those Blocks which have 20%+ Scheduled Caste population. The estimated coverage of 17·4 million children in the Mid-day Meals programme is also too small considering the number of 86 million children in Classes I to VIII. The target in the Plan needs to be enhanced.	4·149	99

1	2	3	4
207	It is recommended that funds earmarked under the Minimum Needs Programme should be fully utilised by those States in which shortfall has been noticed .	4·149	99
208	Funds allocated under Minimum Needs Programme should be included in the hard core Plan.	4·151	99
209	In the various items of the Minimum Needs programme during the VI Plan the financial and physical targets should be earmarked for the Scheduled Castes/ Scheduled Tribes separately. Keeping in view the extreme backwardness of the Schedued Castes and Scheduled Tribes Communities the alocations should be more than proportionate to their population in the target group. . .	4·151	99
	Dealership/Distributive Agencies		
210	Fertilizer Corporation of India should reserve the Dealership/Distributive agencies to Scheduled Castes/Scheduled Tribes persons atleast in proportion to their population in each State. Fertiliser distribution centres should be set up in all the weekly market places in tribal areas and blocks having 20%+ Scheduled Castes population.	4.154	100
211	The Rashtriya Chemicals and Fertilizers Limited have been running a scheme exclusively drawn for the benefit of Scheduled Caste/Scheduled Tribe by appointing them as dealers for sale of chemicals and fertilizers. It is disheartening to note that some Scheduled Caste/Scheduled Tribe persons selected have not taken up this occupation. It is, therefore, recommended that dealership arrangements may be made more attractive so that the selected Scheduled Caste/Scheduled Tribe candidates may take to and continue this occupation.	4·155	100
212	Allotment of fair price shops to the persons belonging to Scheduled Caste/ Scheduled Tribe should be taken up by all States/Union Territory Administrations, at least in proporation of their population in the States/Union Territories.	4·157	101
213	The State Government/Union Territory Administrations should after making reservation ensure that regular returns are prescribed so that the participation of Scheduled Caste/Scheduled Tribe persons in this field can be watched. An officer of the Harijan and Social/Tribal Welfare Department, should keep liaison with the District Supply officers and other authorities in order to promote the interests of Scheduled Caste persons, in this field. . .	4·157	101
214	While giving small contracts such as trains-side vending and small stalls adequate reservations should be made for Scheduled Caste and Scheduled Tribes persons, by the Railways.	4·159	101
215	Reservations in the allotment/contract of book-stalls may also be provided to Scheduled Caste/Scheduled Tirbe persons.	4·159	101
	Financial Institutions		
216	In all the Schemes relating to land and agriculture, irrigation, horticulture cottage industries, etc., where financial assistance is provided by the Government, the element of subsidy should be at least 75% and that of loan 25% at DRI (Different Rate of Interest). The financial assistance should be in kind as far as possible.	4·161	102
217	Credit facilities to cultivators in kind and/or cash provided by some State Governments should be wholly reserved for the landless, marginal and small farmers.	4·161	102
218	Institutional finance through cooperatives should be exclusively available to landless labourers, marginal farmers and small farmers in that order in rural areas.	4·161	102
219	It is noted that DRI scheme has gained popularity now. Keeping in view the situation that Scheduled Castes and Scheduled Tribes put together form a majority of poverty stricken people the minimum limit of 40% of the credit should be raised to at least 50% for persons belonging to Scheduled Castes and Scheduled Tribes.	4·165	103

1	2	3	4
220	Branches of Rural Banks should be opened at each Block in tribal areas and in Blocks with 20%+ Scheduled Castes population . . .	4·168	103
221	There are various types of cooperative, namely Dairy, Fishery, Poultry, Coin, Sericulture, Lac, Handloom, Rikshaw and Rehra pullers, Rural Electric, Non-agricultural, Housing, etc. It is suggested that Schedueld Caste/Scheduled Tribe people may be encouraged to form similar Societies.	4•170	103.104
222	The National Agriculture Cooperative Marketing Federation of India Ltd. (NAFED) should strengthen its machinery in Tribal sub-plan areas of the country	4·171	104
223	Weekly markets/mobile shops of marketing federation may be set up in tribal areas and blocks with 20%+ Scheduled Castes population so that these groups have the facility within 8 Kms. of their residence alternatively consumers cooperative societies may be organised	4·171	104
224	There should be adequate credit flow to the tribal areas, where lamps are not organised, they should be organised and adequate credit flow ensured.	4·171	104
225	All landless labourers, marginal farmers and small farmers among the Scheduled Castes and Scheduled Tribes should be compulsorily made members of Cooperatives. For landless labourers registration fee and share-money should be met entirely at Government cost. Funds should be made available not only for agricultural and allied purposes but also for non-land based economic activities	4·171	104
226	Cooperative Managers, though paid by the cooperatives should be selected, trained and appointed by the Governemnt and there should be a State cadre of such Managers. Adequate reservation for the Scheduled Castes/ Scheduled Tribes be made in the cadre of such Managers . . .	4·171	104
227	Neither the State Governments nor the Government of India have undertaken to meet the managerial cost towards the running of the Schedued Castes Development Corporations with the result that some of the Corporations are making payment of salaries to staff out of interest earned by them from the fixed deposits lying with the banks while others are meeting the charges from out of their share capital. Both result in depletion and blooking of the capital meant for the betterment of the Scheduled Castes. The Central Government should share managerial cost with the State Governments on the same basis as they are participating in the equity contribution that is 49:51 basis for a period of 5 years so as to make the Corporations stable and viable units	4·173	104
228	At present individual benefit-oriented schemes of the Scheduled Castes Development Corporations are not being extended to the Scheduled Tribes living outside the sub-plan area. There is a large dispersed tribal population outside the Sub-plan Area which is not fully covered by the M.A.D.A. Programme. The Government of India should request all the State Governments to extend these facilities to the dispersed Scheduled Tribes living outside the Sub-Plan area through the agency of the Scheduled Castes Corporations. There is no need to establish separate Corporations for the economic benefit of the dispersed Scheduled Tribes outside the Sub-Plan Areas as the same work can be entrusted to the Scheduled Castes Development Corporations by suitably amending the concerned Acts. This will mean considerable savings on overheads	4·173	104,105
229	The Government of Tamil Nadu have not set up Scheduled Castes Finance and Development Corporation so far although population of Scheduled Castes is sizeable in this State. They should set up such Corporation immediately	4·173	105
230	The Scheduled Caste Development Corporations should accord priority to those areas/families where banks and other financial institutions have not started operating.	4·173	105

1	2	3	4
231	The State Government should make suitable organisational arrangements to ensure coordination and monitoring of the financial assistance rendered by different Financial Institutions to the Scheduled Caste and Scheduled Tribe beneficiaries with a view to ensuring that particular families do not avail of the same benefits from different Financial Institutions.	4·173	105
232	Development/Finance Corporations for the Scheduled Castes should provide seed money and stand as guarantors. Atleast 50% of the Schedued Castes families should be covered by some economic development programme or the other by the end of the Five Year Plan 1980-85 by the active initiative of these corporations	4·173	105

CHAPTER V

SOCIAL DEVELOPMENT

Living and Working Conditions of Scheduled Castes engaged in Sweeping and Scavenging

233	It has been reported that owing to poor financial capacity of municipal bodies the work relating to conversion of dry latrines into sanitary ones could not gain momentum. The Commission, therefore, recommend that the Government of India should consider providing adequate funds to needy States/TUs for this purpose. Further, loans on easy instalments should also be made available by the State Governments/UT Administrations to the local bodies as well as to the house owners for the conversion of dry latrines into waterborne ones.	5·5	113
234	The Government of Andhra Pradesh should review their policy of not municipalising the private [scavenging] in the Telengana region, in view of the fact that it has been decided as a 'National Policy' to municipalise private scavenging in a phased manner	5·6	113
235	The commission recommend that wherever the State Governments/UT Administrations have not municipalised scavenging they should do it as a timebound programme, so that it is totally abolished within a period of five years	5·7	113
236	In all the local bodies including municipalities Notified Area Committees etc. where the practice of carrying night soil as head loads is still in vogue, such bodies should stop this system forth-with and dry latrines should be converted into water borne ones. Pending that gumboots, scrapers, handgloves and wheel barrows should be provided to the scavengers for improving the conditions of scavenging	5.9	114
237	The Commission recommened that the practice of appointing sweepers and scavengers working in the local bodies on 'temporary' basis or on casual (daily wage) basis should be stopped and they may be appointed on a 'regular' basis. Their service conditions should be at par with other class IV employees such as peons in the local bodies/States Governments/Union Territory Administrations for the purpose of grant of comprehensive fringe benefits life provident Fund, Maternity leave, etc.	5.11	114
238	Adequate supply of wheel barrows scrappers, pans, gum boots, hand gloves, buckets, etc. to the sweepers and scavengers should be made and the paucity of funds should not be allowed to come in the way of the replacement of wornout articles	5.13	114
239	All the State Government/Union Territory Administrations should provide both summer and winter uniforms/dresses to sweepers and scavengers employed with the local bodies	5.15	114

1	2	3	4
240	Under the 'Sweepers Housing Scheme' the Government of Maharashtra changed the pattern of assistance by eliminating 50% subsidy and the scheme remained only on 50% loan assistance. It is recommended that subsidy should be restored by the Government of Maharashtra to the local bodies to enable them to construct more houses for sweepers/scavengers	5.16	114-115
241	It has been reported that the sweepers and swcavengers do not own the houses provided to them by the local bodies. They continue to live in such houses so long as they are in employment with the local bodies. After their retirement they are required to vacate these houses. In the temptation of retaining their houses, sometimes even the educated children of the sweepers and scavengers are forced to continue their traditional occupations. The Commission therefore, recommend that sweeepers and scavengers should be provided house-sites free of cost as well as 75% subsidy and 25% loan towards the cost of house construction by the local bodies so as to enable them to own the houses. The State Governments should give suitable financial assistance to the local bodies for the purpose	5.16	114-115
242	The Government of Tamil Nadu have launched a "Self sufficiency Scheme" (drinking water supply, link roads, culverts, path-way to burial grounds for Scheduled Castes inhabitants, rural dispensaries, school buildings, maternity and child welfare centres, houses for Scheduled Castes rural housing scheme and house light facilities, etc.) in 69 blocks in the State at the rate of 5 blocks in each district. The Commission recommend that such an integrated scheme could be considered, with modifications as per needs, for sweepers and scavengers in the urban areas also. Similarly, all other States/UT Administrations should also examine the feasibility of this scheme for the benefit of the sweepers/scavengers	5.16	114-115
243	The deduction of Rs. 7.50 every month from the salaries of sweepers/scavengers towards the 'Group Insurance Scheme' to pay Rs. 7,500 to the contributor's family in the event of his death, introduced by the Government of Andhra Pradesh, should be studied by other States/UTs for suitale adaptation . .	5.17	115
244	With a view to accelerating the educational development of the children of those engaged in unclean occupations, the Government of India have been implementing a scheme for providing pre-matric scholarship to their children. As their education suffers mostly at primary and middle levels of education, it is recommended that adequate number of residential schools may be opened for the children of sweepers and scavengers.	5.18	115
	Living and Working conditions of Scheduled Castes engaged in hereditary unclean occupations other than sweeping and scavenging		
245	The Khadi and Village Industries Commission may be intimately associated in the development of Scheduled Castes engaged in hereditary unclean occupations, other than sweeping and scavenging, like curing and tanning of hides and skins and ancillary industries	5.21	116-117
246	Institute of Leather Technology, Madras may be given financial assistance to undertake surveys in a few selected States like Uttar Prdesh, Bihar, West Bengal and Tamil Nadu where a large number of leather workers belonging to Scheduled Caste Communities pursue occupation in leather trade, and, on the basis of study reports, the Department of Industrial Development, Khadi & Village Industries Commission and the representatives of State Governments should prepare their Action Plan.	5.21	116-117
247	The Indian Veterinary Research Institute should study the traditional techniques of flaying and work out a simple technology for individual flayers dispersed in villages	5.21	116-117
248	The economics and trade relating to flaying and tanning may be studied and a suitable scheme prepared to ensure adequate return to the flayer for each animal flayed, either through a system of purchasing the skin at a suppoort price, or paying him fees for flaying the animal	5.21	116-117

1	2	3	4
249	Schemes to diversify persons from pursuing the unclean occupations may also be prepared by all the States/Union Territories and 75% subsidy and 25% loan from banks provided for the purpose in a liberal manner	5.21	117
	Drinking Water Supply		
250	As safe drinking water is not only a basic human need, it also prevents water borne diseases and further it is an important problem because of the fact that water sources are inaccessible to Scheduled Castes on account of the practice of untouchability this subject needs priority. It is recommended that safe drinking water sources should be provided in all the Scheduled Caste villages/hamlets and tribal hamlets by the end of the Sixth Plan. Adequate resources and administrative machinery should be provided by the Government to fulfil this objective	5.25	120
251	For assessing the problem of drinking water in tribal areas, each hamlet rather than a village may be adopted as a criterion and accordingly the problem villages/hamlets identified. In villages, efforts may be made to provide one well/water source to each Scheduled Caste basti/tola. In case common wells are provided in the villages, these may be constructed in the Scheduled Caste bastis	5.25	120
252	It is possible that despite covering all the problem villages listed earlier a few tribal villages/hamlets and Scheduled Caste bastis would remain uncovered by well/drinking water source and, therefore, it is suggested that State Governments/UT Administrations should check up from the lists prepared so far whether needy tribal pockets and Scheduled Caste bastis have been included. In case it is Found that there are certain areas still left uncovered these should immediately be brought to the notice of the Government of India and a programme formulated for these villages also	5.25	120
253	With a view to laying high priority for the execution of drinking water supply schemes and ensuring its coverage in a time bound manner, it is suggested that a Rural Water Supply Corporation may be set up in the Centre with its branches in the States/UTs. Alternatively, State Governments/UT Administration should set up Rural Water Supply Corporations in their States/UTs	5.25	120
	Health		
254	The Commission are of the view that criteria for opening of Primary Health Centres and Sub-Centres should not merely be the number of blocks and the total population but the following other factors may also be taken into account :	5.29	121
	(i) areas having concentration of tribal population (50% or more Scheduled Tribes population at Panchayat level);		
	(ii) areas having concentration of Scheduled Castes population(20% Scheduled Castes population at Panchayat level);		
	(iii) inaccessible areas (although population may be sparse);		
	(iv) areas where incidence of communicable diseases is high;		
	(v) areas where death rate and child mortality are proportionately higher.		
	House-sites and Construction of Houses in Rural Areas		
255	The Scheduled Caste and Scheduled Tribe persons are very much attached to their places of birth and are, therefore, not willing to leave the existing place of residence even if house sites/houses are provided to them in distant localities. It is, therefore, suggested that house sites may be acquired in or around the same villages. The land should not be lowlying and must be suitable for dwelling purposes	5.34	126
256	In order to minimise delay in allotment of house-sites it is necessary that the procedure of acquisition of land for Scheduled Castes and Scheduled Tribes should be simplified	5.34	126

1	2	3	4
257	Keeping in view the poor economic conditions of the Scheduled Castes and Scheduled Tribes their colonies should also be provided with facilities like provision of drinking water, communication, electricity, school, community centres and health facilities	5.34	126
258	According to the information available with this Commission as on 30-9-80. out of 118.16 lakh landless workers in rural areas, house-sites could be provided for 77.92 lakhs (66%) families. The Commissions, therefore, recommend that urgent steps should be taken to provide house-sties to the remaining 34% families also.	5.34	126
259	The house-sites allotted to Scheduled Castes and Scheduled Tribes sometime; remain vacant for long period and the real purpose of allotting the same to these classes is lost. It is, therefore, necessary that the scheme of construction of houses alongwith allotment of house-sites be taken up simultaneously to help Scheduled Castes and Scheduled Tribes get the desired relief . . .	5.34	126
260	It is suggested that the size of the house-site allotted to Scheduled Caste and Scheduled Tribe persons should in no case be less than 100 sq. yards. . .	5.34	126
261	Keeping in view that a good house can be constructed for not less than Rs. 4,000 to Rs. 6,000, it is suggested that amount upto 75% may be granted as subsidy and remaining 25% as interest free loan repayable in 20 yearly instalments for Scheduled Caste and Scheduled Tribe persons	5.34	126
	House-sites and Construction of Houses in Urban Areas		
262	As most of the Scheduled Caste and Scheduled Tribe families in urban areas are homeless and cannot afford to own any house-site, it is desirable that 50% of surplus land under the Urban Ceiling Legislation may be earmarked for Scheduled Castes and Scheduled Tribes in urban areas . . .	5.38	130
263	The pockets having concentration of Scheduled Castes and Scheduled Tribes in the urban areas and industrial towns may be identified and a master plan prepared for construction of houses for them	5.38	130
264	The State Housing Boards, Improvement Trusts and Development Authorities should make efforts in a cohesive manner and plan out housing programmes in a more rational manner so that the most vulnerable among the weaker sections get priority	5.38	130
	Electrification		
265	Allocation under the Revised Minimum Needs Programme for Rual Electrification may also be made in respect of all those States which have been categorised as advanced 'States' in the matter of Rural Electrification and which do not qualify for allocations under the Revised Minimum Needs Programme for electrifying remaining Scheduled Caste bastis of already electrified villages.	5.45	132
266	Government of Punjab may be provided additional funds (from sources other than the Rural Electrification Corporation) for enlarging the scope of giving additional tubewell connections to Scheduled Castes and Scheduled Tribes.	5.45	132
267	With a view to subsidise the electrification of left out Scheduled Castes Bastis the Government of Himachal Pradesh have taken following decisions during 1980-81: (a) internal wiring would be done in 2,000 Scheduled Caste houses at a Cost of Rs. 4 lakhs; (b) the Scheduled Castes consumers shall not be charged any tariff for first 10 units per month for a period of two years; (c) the amount of security which is normally required to be deposited by the consumers will be paid by the Government of Himachal Pradesh; The Commassion recommend that State Governments/Union Territory Administrations (other than Himachal Pradesh) should examine the feasibility of : (1) subsidising the cost of internal wiring of Scheduled Castes houses, (2) depositing the amount of security on behalf of the Scheduled Caste persons, and (3) bearing half the tarriff cost of the consumption of electricity . . .	5.45	132-133

1	2	3	4
268	Haryana State Electricity Board has implemented a scheme to provide domestic connections to about 20% of the total number of dwellings in the Scheduled Castes Bastis every year. The Commission recommend that the Electricity Boards in other States/Union Territories should similarly follow the example of Haryana State Electricity Board so that domestic connections could be provided to all the Scheduled Castes houses, in a period of 5 years. This would of course, apply to only those villages where electrification is extended in the next five years and would be subject to the specifications regarding the fitness for electric connections as laid down by the respective State Electricity Boards for the electrification of the dwellings/houses . . .	5.45	132-133
	Social Welfare		
269	Integrated Child Development Service Scheme implemented by the Ministry of Social Welfare provides for immunization, health check-up, nutrition and health education for pre-school children. Considering the sizeable population of Scheduled Castes in Tamil Nadu, number of ICDS Projects in that State may be raised from 3, at present, to at least 5	5.50	134-135
	(a) Guiding factors while selecting the location of Integrated Child Development Projects in rural areas should be :		
	(i) 20% or more Scheduled Castes population ;		
	(ii) sizeable population of those engaged in unclean occupations ;		
	(iii) areas where wages to agricultural labourers are paid much below the schedule prescribed under the Minimum Wages Act, and where concentration of people below the poverty line is more ;		
	(iv) areas where incidence of child mortality is high.		
	(b) In addition, while selecting the location of Integrated Child development Projects in tribal areas the following guidelines should also be kept in view:		
	(i) 50% or more Scheduled Tribes population ;		
	(ii) areas where tribals suffer from peculiar diseases and where incidence of child mortality is high.		
270	The Commission are in full agreement with the recommendations made in the Conference of State Social Welfare Ministers' and Secretaries held on September 21-22, 1979 that "Integrated Child Development Services Programme" should be quickly expanded to cover at least the backward and tribal areas of the country in the next two or three years	5.51	135
271	In view of the successful running of the creches in the tribal villages by Andhra Pradesh and Sweepers colony in Uttar Pradesh, the Commission recommend that creches may also be set up by other States/UTs in the Scheduled Caste bastis and near the sites of major industrial and irrigation projects, so that Scheduled Caste/Scheduled Tribe women may also take advantage thereof. Out of the 2 Ayahs/helper employed in each creeh unit one of them must be recruited from among the Scheduled Castes and Scheduled Tribes . .	5.53	135
272	Although the main aim of providing social welfare services is to cover the needy and vulnerable sections of society, the Ministry of Social Welfare have not formulated any guidelines to ensure adequate flow of funds towards the Scheduled Casts and scheduled Tribes who are weakest and vulnerable groups. Following recommendations are, therefore, made for the consideration of social Welfare:		
	(i) Adequate number of schemes may be formulated and executed in the tribal sub-plan areas and bolcks having 20% Scheduled Caste population . .		
	(ii) In all the training programmes, Scheduled Castes and Scheduled Tribes may be selected in proportion to their population in the States/UTs .		
	(iii) While giving employment as Ayah and Helper and alike services, at least 50% posts may be filled from among the Scheduled Castes and Scheduled Tribes		
	(iv) Pension scheme for old and infirm and handicapped persons belonging to Scheduled Caste and Scheduled Tribes may be introduced on priority basis		
	(v) Working womens hostels may also be set up for non-white collar job employees in areas which attract labour from rural and urban areas	5.62	137-138

1	2	3	4
	Voluntary Agencies		
273	The commission consider that in view of the overwhelming advantge of voluntary participation in a variety of programmes connected with Social Development including improvement in living conditions of sweepers and scavengers, the Government of India should provide more grants to selected voluntary agencies for undertaking such activities. Efforts should be made to pick up good voluntary agencies even if they are having State level base and encourage them to expand their activities in other states and areas	5.63	138-139
	Mass Media		
274	The Government of Kerala and Madhya Pradesh have provided community Radio Tv sets in the area inhabited by the Scheduled Castes and Scheduled Tribes. The Commission, therefore, recommend that remaining States/UTs should also draw up similar schemes.	5.66	139

CHAPTER VI

EDUCATIONAL DEVELOPMENT

275	Since the new educational schemes proposed to be implemented by the Ministry of Home Affairs aim at reducing the rate of wastage of Scheduled Caste children at primary level and help in increase of their enrolment position, it is desirable that these schemes are approved by the Planning Commission and implemented by the State Govenrment/Union Territory Administrations in right earnest	6.8	145
	Pre-School education		
276	The Commission fully endorse the recommendation of the working Group on Education and Culture and urge that sincere efforts be made by the Central and the State Governments for opening of new pre-scho olcentres in areas predominantly inhabitated by Scheduled Casts and Scheduled Tribes . .	6.12	145
	Primary and Middle Education		
277	With reference to primary and middle standards the Commission fully agree with the views of the Working Group on Education and Culture for reorganising the pattern of both these stages of education for administrative convenience, and grouping classes I toV in Primary and Classes VI to VIII in Middle standards	6.13	145-146
278	While opening new schools, it is desirable that priority should be given to locate the educational institutions in settlements having concentration of Scheduled Caste/Scheduled Tribe population	6.16	146
	Universalisation of elementary education		
279	Welcoming the steps taken by the National Council of Educational Research and Training to resolve the educational problems of the Scheduled Tribes, the Commision are of the view that similar orientation courses may be organised to tackle the problems faced in educational development among the Scheduled Castes	6.24	147
	High School education		
280	It is imperative that special steps like payment of pre-matric scholarships at higher rates, sanction of incentive prizes to the Scheduled Caste/Scheduled Tribe students, provision of free hostel facilities, and other steps for improving enrolment and checking the problems of drop-outs are sanctioned by the State Governments/Union Territory Administrations to achieve the required enrolment of Scheduled Caste/Scheduled Tribe students in High School stage of education.	6.29	147-148

1	2	3	4
	Wastage and stagnation		
281	While implementing the scheme proposed by the Government of India for giving financial assistance to educationally backward States to enrol all the children of 6—11 age group and 57% of 11—14 age group children and for improving their educational standard during the Sixth Plan period, it is desirable that the State Governments should ensure to cover all the eligible Scheduled Caste and Scheduled Tribe children in the targets group . . .	6.67	152
282	It is necessary that pre-school centres may be opened in sufficient numbers with qualified teachers to cover the pre-chool going children of the target groups for admitting children of 0·3 and 3—6 age groups	6.67	152
283	The system of single teacher schools weakens the elementary education system and defeats the purpose for which the schools are opened. The Government of Gujarat have proposed to do away with the single teacher schools in tribal areas during 1981-82. It is desirable that other State Governments/Union Territory Administrations take similar steps in this regard and provide at least two teachers for each of such schools so that in absence of one of the teachers, the school need not be closed down.	6.67	152
284	Considering the magnitude of the problem of drop-outs, it is desirable that all the State Governments/Union Territory Administrations take early steps in providing schemes for award of attendance prize to the Scheduled Caste/Scheduled Tribe students and granting monetary relief to their parents so that they are not put to financial hardship on account of sending their children to school. .	6.67	152
	Stagnation		
285	With a view to checking the increasing trend of stagnation and to encourage the Scheduled Caste/Scheduled Tribe students to do well in their studies, it is necessary that : (i) all the States and Union Territories draw up schemes to award prizes to bright Scheduled Caste/Scheduled Tribe students securing 60% and more marks in their VIII and XI standard public examination in each district, (ii) to take special interest for improving the educational standard of the Scheduled Caste/Scheduled Tribe students the Headmasters/Headmistress of the Schools and Warden/Matron of the Welfare Hostels which report better performance of the Scheduled Caste/Scheduled Tribe students may also be awarded certificates and cash prizes, (iii) special coaching is given only to the Scheduled Caste/Scheduled Tribe students residing in hostels, and no such scheme is taken up to improve the educational standard of the Scheduled Caste/Scheduled Tribe day scholars. It is, therefore, recommended that the scheme of giving special coaching may not be confined only to the welfare hostels, but may be implemented for the Scheduled Caste/Scheduled Tribe day-scholars studying in Classes VI to X and for the failed Scheduled Caste/ Scheduled Tribe students also. The Government of Tamil Nadu have already taken pioneering steps in this regard and other States/Union Territories should follow Tamil Nadu in implementing schemes aiming at the improvement of educational standard of the Scheduled Caste/Scheduled Tribe students.	6.67	152 153
286	For improving the educational standard of the Scheduled Caste/Scheduled Tribe students in post-matric classes, the Government of Tamil Nadu have taken up four schemes, i.e., 'The Gandhi Memorial Scholarship Scheme', 'Loan Scheolarship Scheme', training Scheduled Caste/Scheduled Tribe students in Chartered Accountancy, and the scheme for giving special coaching to the Scheduled Caste/Scheduled Tribe students studying in P.U.C. and Degree courses. The details of the scheme have been given in paras 6.59 to 6.62. The steps taken by the Government of Tamil Nadu for educational advancement of the Scheduled Caste/Scheduled Tribe students in postmatric classes deserve commendation and it is desiralbe that other State Government/Union Territory Administrations take similar steps to accelerate the progress of education of Scheduled Caste/Scheduled Tribe students and help in arresting the problems of drop-out and stagnation at the post-matric level of study	6·59 6·67	151 152-153

1	2	3	4
287	The Commission are of the view that adoption of tribal dialects as medium of instructions at primary stages of education would create further problem for the tribal children at subsequent higher stages of their education, where it will be extremely difficult for them to again shift to the medium of the State language. However, the text Books should include topics reflecting the culture and tradition of the trible communities. It would rather be desirable to encourage preparation of books in tribal dialects which could be used as supplementary books. Besides, the teachers employed in tribal areas may be encouraged to learn the local tribal dialect and may be suitably rewarded for that. Since the teachers play a vital role in spreading education in tribal areas, talented teachers knowing the local tribal dialect may be appointed with higher sacle of pay and other incentives for serving in tribal areas. If suitable tribal candidates with requisite educational qualification are not available the educational and other qualifications may be suitably relaxed in case of selecting tribal candidates as teachers to serve in their own areas	6·67	153
288	To promote regular attendace of the Scheduled Caste/Scheduled Tribes students in their classes, it would be desirable to adopt the working ours of the schools keeping in view the local conditions	6·67	153
289	To solve educational problems of the nomadic tribes and those tribal communities whose economy is based on shifting cultivation and food gathering, it is necessary to open pre-school centres and Ashram type of Schools with residential facilities for such tribal children of pre-primary to middle and high school stage of education	6·67	153
290	It is desirable that adult literacy campaign and the publicity and propaganda on the utility of education for the alround development of the tribal people may be intensified for over-coming the cultural barriers acting as hurdles for educational development	6·67	153
291	To assess the magnitude of the problem of wastage and stagnation and take remedial measures it is necessary that studies on this problem are conducted in all the States/Union Territories by the Tribal Research Institutes, Universities, Educational Developments and other educational bodies for formulation of suitable strategy in checking the problem	6·67	153154
	Ashram Schools		
292	The State Governments/Union Territory Administrations should provide sufficient funds for opening of adequate number of Ashram type of schools for the Scheduled Caste and the Scheduled Tribe students for achieving the desired enrolment of these students and improving their standard of education under proper study atmosphere	6·70	154
	Hostels		
293	It would be desirable for all the States Governments/Union Territory Administrations to take immediate steps in providing hostel facilities for the Scheduled Caste/Scheduled Tribe students in both pre-matric and post-matric classes	6·73	155
294	Since the Scheduled Caste/Scheduled Tribe parents are poor and hostels provide better study atmoshphre, it is desirable that all the Scheduled Caste/Scheduled Tribe students irrespective of the distance from their homes are provided with hostel facilities for improving their educational standard . .	6·75	155
295	The Commission recommend that district authorities should usually review the capacity of seats in the hostels for Scheduled Castes/Scheduled Tribes and rationalise the facilities according to the demand at block/tahsil levels. As regards girls' hostels, care should be taken to ensure that hostel buildings are not used for purposes other than girls hostels. These hostels should have compund walls as well as attached warden's quarters. As far as possible, location of girls' hostels should not be in forlorn and isolated places.	6·78	156

1	2	3	4
296	The welfare Departments in each State/Union Territory should examine the proposal for construction of hostels in consultation with the District welfare officer and sanction such hostels only for the places where these are actually necessary. An assessment should be made about the local requirements and hostels should be opened in such places where at least 30 Scheduled Caste/ Scheduled Tribe students are in need of such facility.	6·83	157
297	Due care may have to be taken for constructing more number of hostels in urban centres and places having more educational institutions to avoid over crowding in the existing hostels	6·83	157
298	Only those voluntary organisations having reputation in social welfare work should be sanctioned grants for construction of hostel buildings for Scheduled Castes/Scheduled Tribes	6.83	157
299	Due care should be taken in selection of site for construction of hostels. The hostels should not be far away from the educational institutions and be in healthy surroundings. In addition to these, the girls hostels should be located in central places of residential area and near the schools for ensuring safety of the inmates.	6.83	157
300	The State Governments/Union Territory Administrations should take suitable steps so that construction of hostels for Scheduled Castes/Scheduled Tribes are taken as on priority by independent Engineering/construction agencies.	6.83	157
301	The Commission also recommend that while new hostel buildings are constructed, the example of Tamil Nadu may be followed by other States/Union Territories in sanctioning hostel buildings with sufficient accommodation to meet the demand of increasing number of Scheduled Caste/Scheduled Tribe boarders basing at least on a projection of five year requirements in view . . .	6.83	157
302	The scheme of construction of hostels for SC/ST girls is implemented by the Government of India as a Centrally Sponsored Programme, but there is no such Central Sector scheme for construction of boys' hostels. With a view to meeting the shortage of hostel facilities for SC/ST boys the Ministry of Home Affairs, Government of India, propose to implement a new scheme for construction of hostels for SC/ST boys. It is hoped that the scheme for construction of boys' hostels for scheduled Castes and Scheduled Tribes proposed to be taken up by the Ministry of Home Affairs would be cleared and implemented during the Sixth Five Year Plan period to meet the shortage of hostel accommodation for the Scheduled Caste and Scheduled Tribe boys	6.83	157–158
303	It is desirable that all the State Governments/Union Territory Administrations follow the example of Pondicherry and sanction a scheme to grant actual bus fare to the Sch. Caste/Scheduled Tribe day scholars for attending their classes till they are provided with hostel accommodation	6.83	158
304	All the State Governments/Union Territory Administrations may consider to sanction a scheme for providing additional amount to such Scheduled Caste/ Scheduled Tribe post-matric students denied of hostel accommodation to run a common lodging and boarding mess, as implemented in Andhra Pradesh and Orissa	6.83	158
305	According to the information available with this Commission, 5 to 10% of seats in welfare hostels in Tamil Nadu, Kerala, and Karnataka are reserved for the students other than SC/ST students for encouraging free mingling of all the students. The steps taken by the above three States are on the right line and should be followed by other States/Union Territories also. Besides, it is necessary that some of the seats in general hostels should also be reserved for Scheduled Castes and Scheduled Tribes students in all State/UTs to promote free mixing of SC/ST and general students	6.87	158
306	It is high time that all the State Governments/Union Territory Administrations take early steps in revising the rate of stipend for Scheduled Caste/ Scheduled Tribe boarders linking it with the prevailing prices situation in the country. To supplement the diet of the hostellers; it would also be desirable to provide a small poultry unit and a kitchen garden in each of the welfare hostel.	6.95	159

1	2	3	4
307	The Commission are of the view that while taking steps for construction of hostels the State Government and Union Territory Administration should also keep an eye on the qualitative improvement of the scheme. Adequate facilities for improving the living conditions should not only be ensured in the new hostels being constructed, but the conditions in the existing hostels should also be improved for creating congenial atmosphere for the hostellers in attending to their studies without much hinderance. Special coaching as provided for the hostellers may be intensified enabling them to do well in their examination.	6·97	160
308	The Commission recommend that in view of shortage of hostels accommodation, the Central and State Governments may give grants to voluntary agencies to run more hostels for Scheduled Caste/Scheduled Tribe students. . .	6·98	160
309	The Government of Karnataka constituted a Committee during 1971 to study the working of the Government/Grants-in-aid hostels and to offer suggestions for their improvements. It is desirable that other State Governments/Union Territory Administrations should also set up such Committees to go into the working of the welfare hostels and suggest measures for their proper improvement	6·99	160
	Pre-matric scholarships for Scheduled Caste/Scheduled Tribe students in States/Union Territories.		
310	For educational advancement of the weaker sections, it is desirable that education should be free for Scheduled Caste/Scheduled Tribe students in all the States/Union Territories upto high school level.	6·124	163
311	It is necessary that special incentives like supply of dress, mid-day meals, books, slates, and pre-matric stipends are provided by all the States/Union Territories to attract more number of Scheduled Caste/Scheduled Tribe students to join their studies.	6·124	163
312	The rate of stipend in primary and Middle Classes may be suitably enhanced keeping in view the increasing cost of things and an uniform scale adopted throughout the country.	6·124	163-164
313	In some of the States/Union Territories pre-matric concessions are restricted to either Scheduled Castes or Scheduled Tribes, and in some cases these are given only to girls students. Since the Scheduled Castes and Scheduled Tribes are victims of common socio-economic backwardness, it is not justified to deprive one of these sections from educational benefits on the basis of caste/community or sex. It is, therefore, desirable that such benefits should be extended to all the Scheduled Caste and Scheduled Tribe students and both to boys and girls	6·125	164
314	It is recommended that all the Scheduled Caste and Scheduled Tribe boys and girls students at pre-matric level are sanctioned scholarships/stipends irrespective of their parents' income	6.125	164
315	According to the existing rules, only such SC/ST students of pre-matric classes who continue their studies within their home State/Union Territory ar e eligible for award of pre-matric scholarships, and pre-matric scholarships are denied to those who pursue their studies outside their home State/Union Territory. This Commission had taken up the issue of sanction of pre-matric scholarships with the State Government/Union Territory Administrations to revise the pattern of the scheme for providing pre-matric scholarships to all Scheduled Caste/Scheduled Tribe students who are studying outside their home State/Union Territory Administrations. The views of the Commission are reiterated. It is hoped that the State/Union Territory authorities consider the desirability of treating Scheduled Caste/Scheduled Tribe students continuing pre-matric studies outside their home State/ Union Territory at par with those studying within their own State/Union Territory for award of pre-matric stipends. The Commission recommended that the students of pre-matric classes continuing their studies outside their home State/Union Territory may be sanctioned stipends by the State/Union Territory to which they belong as in the case of grant of post-matric scholarships.	6.127	164

1	2	3	4
316	The Commission urge that to save the poor Scheduled Caste/Scheduled Tribe students from financial hardships, steps may be taken by all the State Governments/Union Territory Administrations to ensure quick sanction and disbursement of pre-matric stipends. To eliminate delay the local Block Development officers may be authorised to sanction these scholarships to the eligible candidates on the recommendation of the Head of the educational institutions who will disburse the amount to the beneficiaries. A pass book should be maintained by the institution in the name of each beneficiary in which the amount received and disbursed should be entered . . .	6.129	165
317	During the Five Year Plan 1980—85, it is learnt that the Ministry of Home Affairs have proposed for implementing a new scheme to provide pre-matric scholarships for Scheduled Caste children studying in primary classes I to V, and an outlay of Rs. 75.00 crores has been proposed for 1981-82 under this scheme. Since the scheme aims at benefiting the poor Scheduled Caste students, it is recommended that the scheme may be approved by the Planning Commission	6.130	165
	Post-Matric Scholarship Scheme		
318	In view of the increasing cost of living it is desirable that the rate of the maintenance charges prescribed by the Government of India for all the courses of studies be suitably revised and the scholarship amount for hostellers as well as day-scholars be increased at least by Rs. 50.00 more than the present amount. The Ministry of Home Affairs are already aware of the intensity of this problem and the issue of the revision of post-matric scholarship rates is pending with the High Power Committee for decision. It is hoped that the matter is considered favourably and the rate of scholarships is suitably increased	6.139	166-167
319	To help the Scheduled Caste/Scheduled Tribe students staying in hostels ad-hoc grants of their post-matric scholarships equal to about 2-3 months' maintenance charges are sanctioned by some of the State Governments/Union Territory Administrations pending final sanction of their post-matric scholarship dues. It is desirable that all the States/Union Territories should sanction ad-hoc grants for both the day scholars and hostellers and take quick steps for early sanction of the regular scholarship amount	6.140	167
320	The Government of India opened a pilot Project office at Gauhati for quick sanction and disbursement of post-matric scholarship to the Scheduled Caste/Scheduled Tribe students of the north-eastern region. The working of this office may be evaluated and if desirable similar offices may be opened by the Government of India in other places for quick sanction of post-matric scholarships	6.140	167
321	Since the Scheduled Caste/Scheduled Tribe are poor and cannot afford to meet the educational expenses of their children at post-matric classes, it is desirable that the restriction limiting the scholarship to only two children may be removed.	6.141	167
322	The Commission urge that the segregation on the basis of sex in giving educational benefits may be stopped and restriction enforced on the third and subsequent Scheduled Caste/Scheduled Tribe boys for award of post-matric scholarships may also be removed for the alround educational advancement of the Scheduled Caste/Scheduled Tribe	6.141	167
323	It is necessary that the Annual income ceiling of the parents'/guardians' may be increased from Rs. 9,000 to Rs. 15,000 for enabling the Scheduled Caste/Scheduled Tribe children of large section of the lower-income group to avail of the benefits of the Government of India post-matric scholarship scheme	6.144	167

1	2	3	4
324	It is necessary that only the bonafide Scheduled Caste and Scheduled Tribe persons should get the requisite certificates. Procedure for this should be simple so that the Scheduled Caste and Scheduled Tribe candidates wanting to secure certificates are not put to unnecessary harassment or delay. With a view to ensuring this the powers of issuing of certificate should be delegated to the Block Development officer who may, if he considers necessary satisfy himself about the bonafide of the candidates securing the certificates by obtaining a requisite certificate from either the official village agencies like the V.L.W., Karmachari, Panchayat Sevaks, etc. or the local bodies at the village level like the Panchayats/Notified Area Committee	6.146	168
	Book Banks for Scheduled Caste/Scheduled Tribe students of Engineering and Medical Colleges.		
325	In order to ensure better performance of the Scheduled Caste/Scheduled Tribe students in post-matric courses of studies and to relieve them from their financial strain in purchase of text books, it is recommended that the scope of the scheme may be expanded to cover all Degree Colleges of Arts/Science/Commerce/Law, etc.	6.148	168
	National Overseas Scholarship scheme		
326	It is desirable that the circular letter inviting applications for the National Overseas Scholarships may be issued to all the agencies early so as to reach them at least two mohths before the last day fixed for receipt of applications .	6.151	168-169
	Colleges in Backward/Tribal areas/Districts		
327	The University Grants Commission may furnish to this Commission particulars of institutions helped so far, *inter alia*, indicating the amount money spent state-wise and college-wise since incoption of the scheme as well as the perspective plan for colleges to be assisted in the predominantly tribal areas in different parts of the country so that this commission could evaluate the utility of this scheme through their field organizations. This Commission may be informed as to the steps taken by the University Grants Commission to give publicity to the scheme of special assistance to Colleges located in tribal areas among the prominent non official organisations working for the educational development of Scheduled Tribes	6.160	170
	Reservation of seats for Scheduled Castes/Scheduled Tribes in educational institutions.		
328	The Commission recommend that the analysis regarding the admission of Scheduled Castes and Scheduled Tribes at the Under-graduate, Post-graduate and Research levels against their reserved quota which is currently being done by the University Grants Commission should receive the utmost attention of the Government of India/State Governments/Universities and other organisations concerned for remedying the situation.	6.166	171
	Implementation of order for reservation of seats for Scheduled Castes and Scheduled Tribes in Medical Colleges.		
329	The Universary Grants Commission should ensure that the policy of reservations for admission for the Listed classes is followed by the Medical Colleges; meticulously.	6.177	173
330	The Commission urge that all the educational institutions in the country should strictly adhere to the instructions of the Ministry of Education in reserving 20% of seats for Scheduled Caste/Scheduled Tribe students in schools so that sufficient number of such students would be available for admission against the reserved quota. The State Governments/Union Territory Administrations may also open Science Complexes as done in Madhya Pradesh to attract more Scheduled Caste/Scheduled Tribe students for technical studies . .	6.190	179

1	2	3	4
331	In Karnataka, capitation fees are charged for admission in private medical colleges. It is suggested that this practice be discontinued and if such practice is being followed in any other State/Union Territory, this may be completely stopped. The admissions from amongst the Scheduled Caste/Scheduled Tribe students should be done on merit basis. The State Governments/Union Territory Administrations may also pay the entire amount of capitation fees charged from the Scheduled Caste/Scheduled Tribes students for admission in Engineering and Medical colleges till such time as the system is completely abolished	6.192	179
	National Adult Education Programme		
332	Since the National Adult Education Programme aims at removing the mass illiteracy, the Commission desire that the intensity of the problem is taken note of and all the States take suitable action to implement the programme in right earnest	6.198	180
333	The honorarium paid to the Instructor or adult education organiser is too low to attract good workers. Keeping in view the seriousness of the problem and the role played by the instructor/adult education organisers, it is felt that the rate of the honorarium may be increased from the present rate of Rs. 50 to at least Rs. 100 per month	6.200	180
334	The Commission recommend that Adult Education Centres should be started in each village falling under Tribal Sub-Plan area and those Blocks which have 20% +Scheduled Caste population. While opening such centres priority should be given to those villages which have the lowest rate of iteracy in the Blocks.	6.208	181

CHAPTER VII

TRIBAL SUB-PLAN

Flow of funds to Tribal Sub-Plan

335	This Commission recommend that in view of the extreme backwardness of the tribal population the percentage of allocations in the Tribal Sub-Plan of the States should be more than proportionate to the percentage of tribal population in the States so as to make up for the backlog in the tribal development. This should be in addition to the Special Central Assistance. . . .	7.19	185
	Coverage of left out pockets of tribal concentration by Modified Area Development Approach.		
336	(a) The Ministry of Home Affairs/Planning Commission should take early steps to cover the left out pockets of tribal concentration outside the Sub-plan Area in Himachal Pradesh by Modified Area Development Approach as is already being done in respect of other States having similar pockets of Tribals concentration. (b) This Commission also recommend that 24.21% the dispersed tribal population left out of the Sub-Plan programme, should be benefited during the Sixth Plan period by the formulation of family based approach Plan on the lines of the Special Component Plan for Scheduled Castes. . . .	7.20—22	185
337	In order to cover the tribals living outside the Tribal Sub-Plan area in States like Himachal Pradesh where there is no Tribal Development Co-operative Corporation, the nomenclature of the Scheduled Caste Financial Development Corporation may be amended to read as "The Scheduled Castes and Scheduled Tribes Developments Corporation" so as to bring the tribal population outside the Sub-Plan area within the ambit of its activities. It is recommended that similar action may be taken by the other concerned States/Union Territories	7.24	185

1	2	3	4
	Development of primitive tribal groups		
338	For an expeditious and accelerated development of the primitive tribal groups/ communities the Commission recommend that : (i) identification of primitive tribal groups in accordance with the guidelines already issued should be expedited and project reports should be finalised. (ii) high priority should be given in the programme of development of primitive groups in the current Plan. (iii) there should be a unique development programme for each identified group. (iv) the developmental plan will have specially to take the eco-system into consideration. (v) primary education will need to be organised emphasising the distinct character of their environment and the natural capabilities of these groups. (vi) (a) the first phase of development should be aimed at conservation and reorganisation of the traditional skills of the groups. (b) the second phase should spell out the development programme. (vii) the administrative structure and personnel policies have to be paid the closest attention for the work	7.28	186
	Role of Project Administrators of I.T.D. Ps.—Need for a Study		
339	In order to make the Project Administrators more effective and with a view to delivering the goods in a better way at the I.T.D.P. level the Commission recommend that a unified organisational structure for the entire gamut of development activities is necessary under the command of the Project Administrator/Officer and Agency Model in States where they exist. The Commission have, therefore, recommended in Para 12.16 of Chapter-XII that the Government of India should conduct an idepth study of the two systems in the different states where they prevail so as to determine which of the two systems could deliver the goods in a better way. The Commission reiterate the same recommendation.	7.34	187-188
340	In order to enable the Project administrator to have full control over the Block Development Officer and to have intensive coverage of Blocks in ITDPs by the VLWs to cater to each tribal family, the Commission recommend that the Ministry of Home Affairs may issue suitable guidelines to the State Governments for appropriate readjustment of boundries of V. L. W. Circles in the ITDPs for total coverage of the tribal families.	7.36	188
341	In Addition to the above recommendations this Commission have also made some recommendations regarding strengthening of administrative mchinery at the State level in paras 12-16-17, 12030, 12.32, 12.92, 12.93 12.94, 12.96, 12.97, 12.98, 12.99, 12.101, 12.102, 12.103, 12.111, 12.113, 12.114, 12.115, 12.116, 12.120, 12.141 of Chapter 12, which may be referred to	7.38	188
	Monitoring and Evaluation		
342	The Commission also recommend that the existing arrangements for monitoring and evaluation of programmes at ITDP level by the Bureau of Economics & Statistics and Tribal Research Institutes should be reviewed and these organisations suitably strengthened by their administrative departments. The Commission should also be associated with the work of monitoring and evaluation of ITDP programme at the State level.	7.40–41	188-189
	Involvement of Tribals in Development Process		
343	In order to involve the local tribals in the sub-Plan area and for a useful and meaningful planning, this Commission recommend that the family based/ community based programmes should be explained to the tribals through their traditional Panchayats and their consensus taken on each and every programme. We are certain that with the active involvement of the tribals the implementation of the programmes will not only catch up in course of time but it will also bring qualitative change in the way of life of the tribal people.	7.47	189

1	2	3	4
	Qualification of funds for Tribal Sub-Plan		
344	Two methods have been adopted by the State Governments for reflection of the quantified funds in the budgets of the State. In one each sub-head of minor head in the budget of a sectoral administrative department is split into two parts one reflecting the share of the financial provision for the Tribal Sub-Plan area and the other indicating the rest of the provision. This pattern is followed in some of the States like Bihar, Tripura etc. According to the second method, all quantified funds are shown under one single Demand head controlled by the Tribal Development Department of the State. This is followed in the States like Maharashtra, Gujarat, Himachal Pradesh, Madhya Pradesh and Rajasthan. With a view to studying the comparative advantages of the two systems, it is recommended that a study may be made at the level of Government of India to assess as to which of the two system is better so that a uniform system is evolved.	7.52	190
345	The Commission understand that the Central Ministries could only quantify nearly 1% of the total Central Plan budget during the years 1978-79 and 1979-80 for Tribal Sub-Plans. The Commission consider this to be highly unsatisfactory. The Commission, therefore, recommend that the Central Ministries/Departments should formulate appropriate Tribal Sub-plans for these sectors. They should also introduce budgetary mechanism as adopted by the State Governments for Tribal Sub-Plan with a view to ensuring automatic flow of funds to the tribal people and tribal regions.	7.54	190
	Flow of Institutional finanace		
346	With a view to allowing the tribal areas the benefit of institutional finance through commercial banks, the Commission recommend that the Government of India may hold a meeting of the Reserve Bank of India, other participating Banks and the State Governments/Union Territory Administrations concerned to give an operational shape to the decision for advancing loans to the tribals at differential rate of Interest.	7.55	190
	Earmarking of non-Plan funds		
347	The Commission are in agreement with the Working Group on Tribal Development during Sixth Plan when it suggested that funds from non-Plan side for Tribal areas should also be earmarked during every annual Plan commencing from Sixth Plan Period. The State Governments should implement this recommendation immediately.	7.56	190
	Submission of periodical Progress Reports		
348	For better reporting of financial and physical achievements in the Tribal sub-plan areas by the State Governments the Commission make the following recommendations : (i) A serious attempt should be made to compile the progress reports for each ITDP on quarterly basis. (ii) The monitoring of tribal development programmes at the ITDP and Block level should be suitably strengthened. (iii) Since this Commission and their field organisations are now very much involved in the process of development, the Ministry of Home Affairs should request the State Governments to send at regular intervals copies of the progress reports in respect of ITDPs to this Commission as well as to their field organisation.	7.58	191
349	The Commission have a strong apprehension that the State Governments have been showing the sanctions issued as expenditure incurred during the concerned years. The Commission, therefore, recommend that there should be proper monitoring of expenditure so that correct position relating to outlay and expenditure and physical targets is brought out. This recommendation would be implemented in letter and spirit if monitoring cells are set up at the Central level, State level and at the District level . . .	7.62	191

1	2	3	4
350	The Commission recommend that data relating to acreage of land alienated and acreage of land actually restored to the tribals till 1979-80 may be furnished by all the States/U.Ts. having Tribal Sub-Plans. . .	7.70	192
	Furnishing of data relating to Education		
351	The figures of enrolment for children of the age groups 6—11 years and 11—14 years furnished by the State Governments relate to 1977-78 only and therefore; the Commission recommend that the State Government/Union Territories should furnish similar figures till 1979-80	7.71	192
	Updating of land records		
352	In regard to the updating of the land records in Tribal Sub-Plan areas this Commission regret to observe that even in States like Madhya Pradesh, Rajasthan and Gujarat only special drives have been laucnhed to clear the backlog of mutations and no resurvey operations have been started. It is, therefore, recommended that in all such States revisional settlement operations be undertaken and special care should be taken to safeguard the interests of Scheduled Tribes.	7.74	192
353	In State such as Bihar where Revisional Settlement operations have been taken up in Tribal Areas there is a strong apprehension among the tribals that as in the earlier settlements in the current settlement also, the tribals' rights may not be recorded and they may lose even the land that they hold at present and that instead the money-lenders, the Mahajans and other influential vested interests may benefit at the cost of the tribals. This Commisison, therefore, recommend that in all such cases the Government may take steps to suitably safeguard the interests of the tribals and amend the rules and laws wherever necessary. They should also set at rest the apprehension of the tribals by adequate publicity among the tribals about their rights and also ensure that strict and tight supervision is exercised over the field staff so that no mischief is committed in respect of tribals' interests and rights.	7.76	192-193
354	In order to carry out cadastral survey of tribal areas on priority basis in the Tribals sub-Plan States/Union Territories, the Commission recommend that while carrying out such operations the State Governments will take adequate precautions to ensure that the names of non-tribal transferees who are in unauthorised occupation of tribal lands are not recorded. Further the Commission feel that the main objective of such special operations in the Tribal areas should be to unearth illegal transfers with a view to restoring the land to the original owners/tribals. Meticulous implementation of such a policy would create the desired confidence among the tribals and help the State Governments having large tribal population in quelling tribal unrest	7.77	193
	Restoration of alienated land.		
355	The Commission observe that despite the legislative enactments and Regulations for checking illegal transfer of land from the tribals to non-tribals, there are still reports of benami transfers and illegal dispossession of land of tribals by non-tribals. The Commission therefore, recommend that the following action may be taken by the State Government of West Bengal, Orissa, Andhra Pradesh, Bihar, Madhya Pradesh, Maharashtra, Gujarat, Rajasthan, Tripura etc. for restoration of alienated lands to the tribals: (1) Summary proceedings should be started against non-tribals for illegal alienation of their lands. (2) When the normal Revenue Machinery is not able to cope up with the restoration of large chunks of alienated land to the tribals, the State Government should create special machinery at the District level and sub-divisional level for tackling the problem on a time bound basis. The Central Government should provide financial assistance to the State Governments for the strengthening of Revenue machinery for the said purpose.	7.79–80	194

1	2	3	4
	(3) The bottlenecks in the working of the programme of restoration of alienated land to the tribals should be reviewed periodically by the State Governments in consultation with the Board of Revenue so that the regulatory measures are stream-line. This is essential as the tribal attaches utmost importance to the ownership of land and its consequent alienation produces avoidable resentment among the tribals.		
	(4) The State Governments should tone up the lowest level Revenue/Forest functionaries in the Sub-Plan areas so that they do not hob-nob with the exploitative agencies like the money-lender, liquor-vender, forest contractor with a view to dispossessing the tribals from their land as well as land use	7.79-80	194
	Forests and Tribals		
356	The Commission observe that the present objective of maintaining one third of the total land under forest by keeping in view the needs of the local communities is well attainable. We hope that the Government of India, will take these points into consideration while announcing the new policy resolution on forests which is very much over due	7.84	195
357	The Commission observe that the Forest Corporations have not yet fully involved the Tribal Development Cooperatives Corporations in the sphere of collections of minor forest products. Hence, Commission recommend as under:	7.86	195
	(i) The Tribal Development co-operative Corporation/LAMPS should have the sole right to procure minor forest produce directly from the tribal sellers. Further the tribals who sell the minor forest produce to the corporation/LAMPS should be given on the spot payment on the delivery of the minor forest produce by the tribal sellers.		
	(ii) The forest contractor should be totally eliminated from such pockets where the tribals concentrate as he would attempt to undo whatever benefit is being received by the tribals as a result of these programmes.		
	(iii) The Tribals Development Cooperative Corporations should be charged royalty at a much lesser rate than the rates charged from the forest contractors.		
	(iv) The working of the existing Tribals Development Cooperative Corporations should be thoroughly reviewed with a velw to making them subserve the interests of the tribals.		
	Excise policy with reference to tribals		
358	The Commission feel that the State Governments should take steps to totally eliminate the liquor venders from the tribal sub-plan Areas. The tribals should be allowed to consume hom-brewed liquor. In addition, there should also be adequate publicity through recognised and reliable voluntary organisations and social workers against the evil of drinking	7.91	196
	Supply of essential Commodities to tribals		
359	The Commission observe that the functions of selling essential items like salt, controlled cloth etc. have been taken over by the LAMPS from the T.D.C.Cs., but both the agencies continue to duplicate the functions of each other. The Commission therefore, recommend that there should be no duplicating of functions by the T.D.C.Ss and LAMPS. That is to say, where there are two consumer stores, one opened by the former organisation and the other by the latter organisation, only one store should function in that village and the second store opened subsequently should be shifted to an other needy village	7 95-96	196

1	2	3	4
360	The Commission observe that the poor tribals have to trek long distances for getting Kerosene oil and salt but often have to return disappointed due to non-availability of stocks. The allegation is that the Kerosene oil and salt being scarce commodities in the tribal areas are sometimes sold among the local Government employees as well as other influential people. The allegation may not be entirely true but there is much substance in it. The State Government should take suitable measures to guard against such unpleasant situations. This could be possible if the consumer stores are periodically inspected by the officers of the Civil Supplies and Tribal Welfare Departments more frequently. Simultaneously the Tribal Development Cooperative Corporations as well as the Project Administrators of the ITDPS and the State Civil Supplies Departments/Corporations should make periodical reviews of the supply position and correct the short coming wherever necessary . . .	7.97	196
	Hats/Bazars/Shandies in Tribal sub-Plan area		
361	The Commission have observed certain anamolies with regard to the working of hats/shandies. The Commission make the following recommendations	7.98-99	196—197
	(i) The Tribal Development Co-operative Corporations/LAMPS should open mobile shops in the hats. The mobile shops may keep sufficient quantities of essential commodities which may be sold to the tribals in cash or in exchange for the minor forest produce/farm produce brought by them.		
	(ii) The educated tribals may be encouraged to set up small shops in the hats so that they can save the tribals from exploitation by the traders. Such budding tribals should be given financial support by the ITDPS to enable them to set up in trade.		
	(iii) The State Governments should lift the articles procure in the hats/shandies without any delay and these articles should be sold through the consumer outlets in various growth centres. The State Civil Supplies Departments/Corporations should be entrusted with this job.		
	(iv) The working of the hats/shandies should be supervised by a Committee consisting of the representatives of Tribal Development Cooperative Corporations and the local tribals leaders. The view of the local leaders on the working of these hats/shandies should be given due consideration for improving their performance.		
	(v) The Gram Panchyat, the State Government or their local representatives who are concerned with the lessing out of hats/bazars/shandies should completely exempt the tribal shop keepers/vendors and the mobile shops of the Tribal Development Co-operative Corporations/LAMPS from payment of toll tax-license fee and other charges. Suitable provisions should be incorporated in the lease-deeds/contractual documents to this effect and these provisions should be strictly enforced by the authorities concerned so as to prevent harassement to the tribal traders.		

CHAPTER VIII

SPECIAL COMPONENT PLAN FOR SCHEDULED CASTES—SPECIAL COMPONENT PLAN BUDGETARY SYSTEM

362	The question of making the Special Component Plan and special Central Assistance Funds non-divertible and non-lapsable should be taken up by the Ministry of Home Affairs, with the Planning Commission and various Central Ministries and State Governments/Union Territory Administrations.	8.11	214
363	The Commission recommend that all the States/UT Administrations should take urgent steps to open a separate budget sub-head in the budget of each State Government/UT Administration where the provisions made for the Special Component Plan may be quantified and duly exhibited	8.12	214—215

1	2	3	4
364	With a view to avoiding delay in each State/UT Administration taking up the matter regarding the opening of separate budget sub-head for Special Component Plan with its Accountant General concerned, the Commission had requested the Ministry of Home Affairs in their letter No. 12/5/SCTC/79-RU dated 28-4-79 that the matter be taken up with the Comptroller and Auditor General of India so that suitable instructions are issued in this regard. The Commission regret to note that the Government of India have not apprised the Commission of the action taken in the matter. The Commission, therefore, recommended that Government of India may kindly ensure that comptroller&Auditor General of India issues appropriate instructions at the All India level for the opening of separate budget sub-head for the Special Component plan in each state.	8.13	215
	Work done by Central Ministries—		
365	All concerned Central Ministries should prepare Special Component Plan for Scheduled Castes as most of them have so far not completed this exercise. While doing this the Ministries should go beyond mechanical allocations to the Special Component Plan and taking note of the needs of the Scheduled Castes, design appropriate new Centrally Sponsored Schemes and reorient existing central schemes. The most important from the view point of the development needs of Scheduled Castes are Ministries/Departments of Agricultural, Rural Reconstruction, Industrial Development, Labour, Education, Health, Housing and Banking.	8.17	216
	Work done by State Governments/UT Administrations		
366	The Commission recommend that in view of the extreme backwardness of the Scheduled Castes population the percentages of allocations in the Special Component Plan of the State Governments should be more than proportionate to the percentage of Scheduled Castes population in the State to the Total population so as to make up for the backlog in the Scheduled Castes development. This should be in addition to the Special Central Assistance provided for the Special Component Plan	8.18	216—217
367	The Commission have noted that except for Karnataka all such other State Governments/UT administrations concerned who have formulated the Special Component Plan have made allocations which are even less than proportionate to the percentage of Scheduled Castes population in the respective State/ Union Territories concerned. The Commission, recommend that the Planning Commission and the Ministry of Home Affairs must stress upon the States/ UTs such as Assam, Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Kerala, Maharashtra, Madhya Pradesh, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Manipur and Pondicherry to allocate funds under Special Component Plan not merely corresponding to the percentage of Scheduled Castes in their States/UTs but also with a suitable additional weightage keeping in view their backwardness. If need be, the Central Governmeat should also render help and guidance to these States/UTs in the identification of appropriate schemes	8.20	217
	Administrative Set-Up		
368	For the effective implementation of the Special Component Plan in the States/ UTs the Commission recommend the following administrative machinery :	8.23	220
	(i) *Central level*—There should be wholetime high level officer supported by adequate staff separately in the Ministry of Home Affairs as well as in the Planning Commission for the coordination, monitoring and evaluation of the work relating to Special Component Plan. In addition each Administrative Ministry concerned should also have a Cell under Senior Officer for monitoring and evaluation		
	(ii) *State slevel*—At State level there should be a wholetime senior officer of the Status of a Commissioner/Secretary for these purposes i.e. coordination, Monitoring and Evaluation and supported by aedquate staff.		

1	2	3	4
	(iii) *District level*—(a) In order that the Special Component Plan receives adequate attention, the work should exclusively be put in charge of a senior officer under the Collector. (b) *Sub-Divisional Level*—At the sub-divisional level also a senior officer should be appointed to implement and monitor the programme and flow of funds for the development of Scheduled Castes. (c) *Block Level*—An additional BDO with supporting staff should be posted at the Block level to look exclusively into the implementation of the Special Component Plan as it would not be possible for the existing Block Development Officer to Devote required attention to this work. In respect of those Blocks which have 20% and more Scheduled Castes Population intensive development of Scheduled Castes should be undertaken and an appropriate special organisation evolved for this purpose.		
	(iv) This Commission and their field staff should also have the authority to undertake monitoring and evaluation of the Special Component Plan	8.23	220
	Review Committees		
369	The Commission recommend that the State Governments/Union Territory Administrations implementing the Special Components Plan should set up Review Committees : (1) at state level headed by Chief Secretary to review the progress of implementation every quarter. (2) at District level headed by District Collector/District Magistrate; and (3) at Block level headed by Block Development Officer to review the progress of implementation every month	8.25	221
	Special Central Assistance :		
370	The Commission are of the view that a provision of Rs. 600 crorers in the Sixth Plan towards Special Central Assistance for the Special Component plan is grossly inadequate taking into consideration the size of Scheduled Castes population, their economic and social backwardness and the scanty attention that they received during the earlier plans. Therefore, it should be appropriately enhanced. The Commission, aslo recommend that these funds should be non-divertiable and non-lapsable.	8.29	222
	Bench-mark Servey and identification of Scheduled Castes families for their development :		
371	With a view to ensuring the delivery of the benefits under the Special Component Plans to the Scheduled Castes it is recommended that "Bench Mark Survey" must be undertaken at gross root level in each State/UT having sizeable Scheduled Castes Population. The survey teams should prepare family/household details, highlighting the benefits already drawn, present economic status, occupational category and vocations to which they belong and the type of assistance they require. On the basis of information so collected 50% of the families below the poverty line may be selected for rendering assistance during Sixth Five Year Plan. Proper record of benefits made available to them may have to be maintained. The Bench Mark Survey of families proposed under the programme should be used on a continuing basis to provide multiple benefits and package programme as per needs. This device would also be useful in eliminating likely duplication of benefits and misutilisation of resources.	8.31	223
372	In the anti-poverty programmes the outlays for the Scheduled Castes may even have to exceed outlays generally admissible to them in proportion to their percentage in the target group in order to ensure that atleast 50% of them are brought above the poverty line as is the declared policy of the Government	8.31	223

1	2	3	4
373	Scheduled Caste families belonging to other numerically insignificant groups (namely : fisherman, traditional, 'Dais', washerman, potmakers, drummers, basket makers, and those engaged in rope making, bidi making, fruit and vegetable selling, Lac, mat making, construction, headload workers, cart pullers and rickshaw pullers, pig rearing, carpenters, iron smithy, collection of sea shells, line making, etc.) may also be identified and their felt needs listed so that a comprehensive plan of assistance is prepared and no Scheduled Caste family below the poverty line is left out of the purview of the Special Component Plan	8.32	223
374	While identifying families for benefits due weightage should be given to joint families and extended families. In the rural set up sometimes land remains in the name of head of the household whereas in actual practice there are several persons who share the land. Keeping this in view financial assistance should be given not only to the owner of land but also to others who share the benefits of this land in the undivided family. While rendering assistance to Scheduled Castes families norm of a typical single family (husband, wife and their children) should be the governing criterion	8.33	223
375	As far as possible all the Scheduled Castes families owning land under the command area of major and medium irrigation projects should be provided adequate channels of irrigation and also agricultural assistance be made available to them. In other areas plans should be so formulated that each Scheduled Caste land owner, not having well, gets an irrigation well within next 5 years. Those possessing unproductive and poor quality of land must be provided subsidy at comparatively higher rates . .	8.34	223
	Updating of land Records and prevention of Land Alienation		
376	It is often alleged that land records especially those of the Scheduled Castes are not updated timely possession of land to new allottees is given under great difficulties and their lands are sometime forcibly occupied by others. Keeping this in view it is suggested that Special machinery for safeguarding the interests of Scheduled Caste land owners/tenants in land may be created. To begin with, the schemes should be financed out of special Central Assistance for first five years	8.35	224
377	It is recommended that all other States/Union Territory Administrations which have not enacted any legislation to check allienation of land belonging to Scheduled Castes should enact appropriate legislation for the prevention of land alienation from the Scheduled Castes to non-Scheduled Castes on the lines of similar legislation enacted for the Tribals by different States. . .	8.36	224
378	Wherever large chunks of land belonging to Scheduled Castes are available this should be selected for intensive development and their land owners given adequate financial assistance for boosting up the agricultural production. Development of such land in a compact area will undoubtedly provide better results	8.37	224
379	*Pattern of assistance* : Wherever assistance through package programme is made available to the Scheduled Castes it should be ensured that adequate subsidy, preferably around 75% is provided	8.38	224
380	*Financial Institutions* : It has to be ensured that improtant financial institutions and State Government enterprises operating in such fields like, Laghu Udyog Nigam, State Financial Corporations etc. should also make a beginning in spelling out their Special Component Plan for Scheduled Castes	8.39	224
381	*Programme Linkage* : While selecting beneficiaries under the Special Component Plan all efforts should be made to avoid likely wastage of resources. In this endeavour linking of benefits under different programmes is the		

1	2	3	4
	most essential part. Some of the linkages which can be suggested are following :		
	(a) Supply of milch cattle to Scheduled Castes in area, covered by Dairy Development Corporation and Government dairies.		
	(b) Supply of cattle, piggery, sheep, goat, poultry in those areas which are close to rural veterinary centres.		
	(c) Housing programme for those workers who work in plantation, forest, operations, and who really need a bigger house to run the occupation/ trade.		
	(d) Weavers may not only be helped in arranging yarn to them but they should also be helped in providing training in new designs, supply of looms and setting up of dye houses etc.	8.40	224
382	*Vocational Training :* In training institutions like Industrial Training Institute, additional seats may be created to increase the intake of Scheduled Castes. A stipendiary scheme for Scheduled Castes boys and girls educated upto middle or high schoold may be included in the Special Component Plan to provide them training facilities in a variety of business establishments and other vocations (e.g. cycle repair, automobiles, grain market, vegetable vending, etc.) to enable them to pick up these vocations and subsequently assist them to establish their own business	8.41	224

CHAPTER—IX

RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

Late submission of information on representation in services of Scheduled Castes/Scheduled Tribes by Ministries/Departments of Government of India.

383	The Department of Personnel and Administrative Reforms could supply information with regard to representation of Scheduled Castes and Scheduled Tribes in services in respect of 53 out of 56 Ministries/Departments of the Government of India after repeated reminders and personal contacts. The information pertaining to the Ministry of Railways and Irrigation and the Directorate General of Posts and Telegraphs which could not be supplied by the Department of Personnel and Administrative Reforms was collected by the officers of this Commission by personal contact. In order to avoid delay in future we recommend that the Ministries/Departments/Offices should furnish the position of actual representation of Scheduled Castes and Scheduled Tribes at the end of each calendar year to this commission direct by the 30th June of the year that follows.	9.3	227

Need for making special representation to fill up Backlog

384	The overall representation of Scheduled Castes in classes I, II and III services and that of Scheduled Tribes in all classes of services is considered highly unsatisfactory in as much as the percentage of their representation in the said classes of services is much less than what has been prescribed for them. The overall representation of Scheduled Castes in Class I, II and III posts in the Ministries/Departments of Government of India during the year 1980 (as on 1/1/80) is 4.83%, 8.07% and 11.54% respectively. So also, the overall representation of Scheduled Tribes in Class I, II and III posts in the Ministries/Departments of Government of India during the same year is 1.04%, 1.24% and 3.04% respectively. In respect of Scheduled Tribes the corresponding representation in Class IV posts is 5.30%. The Commission therefore, recommend that the percentage of reservation for direct recruitment may be increased by 5—10 percent over the prescribed percentage so that the dificiency in the representation of Scheduled Castes in Class I, II and III and for Scheduled Tribes in all classes of posts is wiped out within a reasonable period of time, say 5—10 years	9.7—11 and 9.14—21	228—229 229—230

1	2	3	4
	Representation of Scheduled Castes/Scheduled Tribes in Central Public Enterprises.		
385	In so far as Central Public Enterprises are concerned, the actual representation of Scheduled Castes and Scheduled Tribes in all classes of services is alarmingly poor and there remains a huge backlog. The Commission therefore, recommend that the Public Enterprises should take steps to increase the percentage of reservation for direct recruitment in all classes of services with a view to filling up of the backlog as well as improving their representation in various categories of posts. The actual representation of Scheduled Tribes in Group C post in 107 (65.64%) Public Enterprises being unsatisfactory should be made good by increasing the percentage of reservation by 5—10% on the lines of the recommendation made in para 9.31.	9.22 to 9.40	230—233
	Representation of Scheduled Castes/Scheduled Tribes in Public Sector Bank		
386	As regard representation of Scheduled Castes and Scheduled Tribes in services under Public Sector Banks, it is observed that the representation of Scheduled Castes in Officers and clerks grades and that of Scheduled Tribes in all the grades of services being quite unsatisfactory calls for serious action on the part of the Government of India. The Commission are of the opinion that the Government of India may issue suitable instructions to the Public Sector Banks concerned for undertaking special recruitment drives as also increase the percentage of reservation by 5—10 per cent over the prescribed percentage of reservation for Scheduled Castes and Scheduled Tribes till such time the backlog is filled up. In addition, the Banking Service Recruitment Board should hold interviews/examinations in the tribal areas with a view to selecting tribal candidates for appointment to various categories of posts reserved for them.	9.41—66	233—235
387	The Commission regreat to say that inspite of our best efforts, the Banking Division has not been able to furnish the information about the representation of Scheduled Castes and Scheduled Tribes in services in the sbusidiaries of the Researve Bank of India, viz. the Industrial Development of India, Industrial Finance corporation of India and the Industrial Reconstruction Corporation of India. The Commsssion recommend that in future data relating to the subsidiaries of the Reserve Bank of India should also be collected by the Banking Division and supplied to the Commission.	9.68	235
	Representation of Scheduled Castes/Scheduled Tribes in Promotion Posts in Government of India		
388	The information relating to representation of Scheduled Castes and Scheduled Tribes in promotional posts in respect of different Ministries/Departments of Government of India as furnished by the Department of Personnel and Administrative Reforms, reveals that while the vacancies filled by the Scheduled Castes candidates in Class III and Class IV services have almost exceeded the reserved quota meant for them, some such reserved vacancies in Class I and Class II Services have lapsed both in 1977 and 1978 and that in the case of Scheduled Tribes, there appears to have been shortfall in filling up of the reserved quota fixed for them in all classes of services. This Commission recommend that the Ministries/Departments concerned should see that the reserved quota prescribed for Scheduled Castes/Scheduled Tribes in promotion is not allowed to lapse; rather they should make all efforts to fill up these reserved vacancies by relaxing standards in relation to qualification, length of service and experience, wherever necessary.	979 & 981	237
389	The Commission recommend that the principle of carry forward of reserved vacancies applicable to posts filled by direct recruitment should also be extended likewise to the posts filled by promotion.	9.82	237

1	2	3	4
390	The Commission further recommend that violation of reservation orders relating to promotion, on the part of the appointing authorities should be seriously viewed with and action taken thereon as suggested in para 9.152 of this chapter.	9.83	237
	Need to review the working of existing Cells		
391	This Commission feel that the working of the existing Cells/arrangements relating to the compliance with the Government orders regarding reservation for Scheduled Castes and Scheduled Tribes in services in various Ministries/Departments may be reviewed and wherever necessary suitable action taken for strengthening the same with required whole-time supporting staff. It may be ensured that instructions for maintenance and periodical inspection of rosters are strictly carried out by the appointing authorities and the liasion offcers, and sutitable action taken against those who are found negligent in following the reservation orders. . . .	9.85	239
	Holding of meeting of Universities for Effective Implementation of reservation in services		
392	This Commission regreat to observe that as many as 85 Universities have not set up so far cells to ensure implemontation of orders rogarding reservation for Soheduled Castes and Scheduled Tribes in these Universities. This Commission therefore recommend that a special meeting of the Universities may be called by the University Grants Commission for ensuring urgent implementation of the Government orders on reservaton in services and posts for Scheduled Castes and Scheduled Tribes as well as for setting up of Cells as mentioned above.	9.87	239
	Ad hoc Promotion		
393	In accordance with Government of India's decision, though there is no formal reservation for Scheduled Castes/Scheduled Tribes in ad-hoc promotions, the officers belonging to these communities who are eligible should also be considered alongwith other candidates for ad-hoc promotion. This Commission hope that these orders will be carried out in letter and spirit by various Ministries/Departments of Government of India. . .	9.88—89	239
	Promotion of IAS from State Civil Services		
394	It is understood that with a view to providing necessary concessions to the Officers belonging to Scheduled Castes/Scheduled Tribes in the matter of promotion to IAS from State Civil Services, the IAS (Appointment by promotion) Regulation, 1955 was being suitably amended by Government of India and that except the State Government of Madhya Pradesh, Haryana, Punjab, and Rajasthan, all other State Governments had agreed to the matter to accord their concurrence to the amendment. The Commission suggest that the matter may be pursued with the remaining State Governments impressing upon them to agree to the proposed amendment mentioned above and the UPSC be requested to accord concurrence to the same in the interests of the Scheduled Castes and Scheduled Tribes.	9.90—91	239
	Reservation of seats for Scheduled Castes Scheduled Tribes as judges of High Courts/Supereme Courts		
395	At present there are no reservations among Judges of High Courts/ Supreme court. It is recommended that suitable provision should be made for appropriate reservation of seats for Scheduled Castes and Scheduled Tribes among the Judges of High Courts and Supreme Court.	9.92	240

1	2	3	4
	Reservation in State Higher Judicial Services		
396	The Commission notice from the information furnished by the Department of Justice that only 9 High Courts in the country have provided for reservation for Scheduled Castes and Scheduled Tribes in State Higher Judicial Services. These nine are Andhra Pradesh, Delhi, Kerala, Madras, Orissa, Punjab, Rajasthan, Allahabad and Gauhati High Courts. While seven of these nine High Courts have prescribed specific percentages of posts in the State Higher Judicial Services, the remaining two viz., Allahabad and Gauhati High Court have not yet specified the percentages. The Commission recommend that the High Courts of Allahabad and Gauhati should also prescribe specific percentages of posts for Scheduled Castes and Scheduled Tribes in their State Higher Judicial Service on the lines of reservation in services in force in their respective States. In respect of those High Courts which have not yet provided for any reservation for Scheduled Caste and Scheduled Tribes in the State Higher Judicial Services the matter has been dealt with further in recommendation pertaining to paragraph 9.99 of this Report. . .	9.95	240-241
	Reservation in State Judicial Service		
397	The position in respect of State Judicial Service reveals that there is no reservation for Scheduled Castes and Scheduled Tribes in the High Court of Madhya Pradesh. The State of Himachal Pradesh and Nagaland and the Union Territory Administration of Chandigarh, Dadra and Nagar Haveli, Lakshadweep and Mizoram, have got no regular judicial Service set up. The High Courts of Allahabad and Gauhati have provided provision of reservation for Scheduled Castes and Scheduled Tribes in the State Judicial Service. The Commission, therefore, recommend that separate reservation for Scheduled Castes and Scheduled Tribes should be provided in the State Judicial Service on the lines of the orders on reservation in services for Scheduled Castes and Scheduled Tribes issued by the Government of States in which these High Courts are located. . .	9.96	241
	Reservation in Promotion in State Higher Judicial Services and State Judicial Services		
398	This Commission recommend that the High Courts should follow the instructions issued by the State Governments concerned for providing reservations in promotion to Scheduled Castes and Scheduled Tribes with regard to the appointment of judges under State Higher Judicial Services and State Judicial Services.	9.97	241
399	(i) The Commission notice from the information furnished by the Department of Justice that no reservation has been provided for the Scheduled Castes and Scheduled Tribes in either State Higher Judicial Services or State Judicial Service in Madhya Pradesh High Court, Bombay High Court and Jammu & Kashmir High Court and that no reservation has been provided in respect of State Higher Judicial Service alone in the Calcutta, Himachal Pradesh, Karnataka, Patna and Haryana High Courts. The Commission feel that the Union Department of Justice should persuade the High Courts/State Governments in respect of Madhya Pradesh High Court, Bombay High Court and Jammu & Kashmir High Court to provide reservation for Scheduled Castes and Scheduled Tribes in both the State Higher Judicial Service and the State Judicial Service; the Department of Justice should in addition persuade the Calcutta, Himachal Pradesh, Karnataka, Patna, Haryana High Courts and the respective State Governments to provide reservation in the State Higher Judicial Services also for Scheduled Castes and Scheduled Tribes: The percentage of reservation in these services should be on the lines of percentage of reservation of Services for the Scheduled Castes and Scheduled Tribes in force in their respective States.	9.99	241

1	2	3	4
400	(ii) The Commission also recommend that the Department of Justice should collect and furnish to this Commission the actual intake of Scheduled Caste/ Scheduled Tribe in Various Judicial Services as on 1-1-1980. . . .	9.99	241
	Pre-examination Coaching Centres for Judicial Services		
401	The Commission are convinced that one important way to facilitate the entry of Scheduled Castes/Scheduled Tribes Advocates to qualify for entry to State Higher Judicial Services is to start pre-examination coaching centres already functioning in various parts of the country. The modalities of the scheme may be worked out by the Ministry of Home Affairs in consultation with the State Governments.	9.102	241
	Representation of Scheduled Castes/Scheduled Tribes in High Court Establishments		
402	The Department of Justice should furnish the latest position of representation of Scheduled Castes/Scheduled Tribes in services under the High Courts establishments (Ministerial and class IV) so that the Commission could assess whether the percentage of the reservation is in accordance with the percentage of reservation fixed for them by the State Governments for class I, II, III and various categories of posts under their control. It is also recommended that those High Courts which have not provided for reservation for Ministerial and Class IV posts should provide for such reservation corresponding to similar reservation provided by the respective State Governments concerned.	9.104	242
	Dereservations		
403	It is observed that a provision has been made in the Government orders to the effect that a copy of the proposal for dereservation of a reserved vacancy in a particular Ministry/Department should be sent by the Ministry/Department concerned to the Commissioner for Scheduled Caste/Scheduled Tribe and Department of Personnel. We feel that since this Commission has been presently entrusted with functions broadly corresponding to those of the Special Officer under Article 338 of the Constitution and in view of the fact that the Commission has field organisation under their control to deal with matters relating to the welfare of Scheduled Castes and Scheduled Tribes, it is desirable that a copy of the proposal in the case of dereservation of reserved vacancies is also sent to this Commission for their views. .	9.106	243
	Updating of the list of Association of non-official Organisations		
404	Though the Department of Personnel have been updating the list of Non-official organisation/Associations, it has been observed that in the States of Uttar Pradesh, West Bengal, Bihar and Orissa where the Scheduled Castes number 185.50 lakhs, 88.16 lakhs, 79.50 lakhs and 33.10 lakhs respectively, there is only one association each to attend to the problems of the Scheduled Castes in those State. This is only illustrative and similar other instances can be cited. We have also noted that different offices of the Government of India, quite often do not take note of the representations forwarded through the associations of Scheduled Castes/Scheduled Tribes non-recognised/listed by the Department of Personnel. The Commission, therefore recommend that all organisations of the Scheduled Castes and Scheduled Tribes which are in receipt of grant-in-aid from the Government of India and the State Governments for doing work among the Scheduled Castes, Scheduled Tribes should be recognised for the purpose. Further Sub-section 3-1 (iii) of the Brochure should be amended to provide that these organisations may also forward representations regarding service matters from the Scheduled Castes and Scheduled Tribes employees regarding their grievances to the Departments/Offices concerned.	9.107-108	243

1	2	3	4
	All India Pre-examination Training Centres for All India Services		
405	As regards the performance of the Pre-examination Training Centres for All India Services, the results of the Scheuled Castes/Scheduled Tribes candidates in various examinations are somewhat encouraging particularly in respect of the centres located at Allahabad, Madras, Raus Study Circles, New Delhi, and Shillong. The other Centres are, still lagging behind in their achievements. The Commission feel that in order to make these Centres result-oriented eminent Professors from various Universities and senior and experienced Officers of All India Services Cadre should be invited by these centres as Visiting Professors to render necessary guidance to the Scheduled Caste/Scheduled Tribes trainees to compete in various examinations. The Commission also feel that it might be useful to increase the period of training from nine months to atleast one year, with the first nine months devoted for intensive foundational instruction and the subsequent three months for examination-oriented training so as to enable the Scheduled Caste/Seheduled Tribe candidates to compete in the examination for All India Services successfully. In order to get a complete picture of the placement of trainees/ex-trainees in various categories of jobs a follow up register should be maintained by each entre.	9.117-118	245
406	The Government of India may consider opening atleast 4 more Regional Pre-Examination Training Centres for All India Services, one each at Ranchi, Bhopal, Sagar, Bhubaneswar and Pune in the States of Bihar, Madhya Pradesh and Orissa and Maharashtra where the percentage of population of Scheduled Castes/Scheduled Tribes is pronounced, so as to cater to the needs of the Scheduled Castes and Scheduled Tribes in these States as well as in the adjoining States. The Commission also recommend that with a view to meeting the regional requirements and removing regional imbalances in respect of Pre-Examination Training Centres, the adequacy and location of the existing Regional and All-India Services Centres may be examined by a Committee to be Constituted by the Home Ministry.	9.119	245
	All India Engineering Services Coaching Centres		
407	(i) The Commission feel happy for the results achieved by the Scheduled Castes and Scheduled Tribes candidates who received coaching from All India Engineering Services Coaching Centres located at Allahabad and Trichirapalli. It is desirable to open more such coaching Centres in other parts of the country for the benefit of the Scheduled Caste and Scheduled Tribe candidates. (ii) The Commission recommend that more All India Engineering Services Centres may be opened in the States where there are Engineering Colleges/ Institute of Technology. The location of such additional centres may be decided by a Committee to be constituted by the Ministry of Home Affairs, as referred to in para 119. (iii) It is desirable that in order to attract the Scheduled Caste and Scheduled Tribe students to such centres wide publicity to the scheme should be given in the leading regional news papers as also through the non-official organisations and Scheduled Castes and Scheduled Tribes, M.Ps/M.L.A.s who can sponsor the names of the eligible candidates for availing of the coaching facilities. (iv) The Commission further recommend that there should be at least one centre in each State for State Civil Services under Centrally Sponsored programme. Besides, such centres should have two wings, the first wing should cater to Gazetted Civil Services while the second wing should cater to non-gazetted services like Stenographers, Typists, Clerks/ Assistants examinations, etc.		

1	2	3	4
	(v) In addition to the existing programme for coaching in State Civil Services etc., the State Civil Services Centres should also start diversified courses under Centrally Sponsored Programmes for preparing candidates for examinations for various posts being held from time to time by the State Bank of India/Nationalised Banks/Life/General Insurance Corporations of India/Steel Authority of India Ltd. and other Public Sector Enterprises/ Banks, etc. so that adequate number of Scheduled Castes and Scheduled Tribes candidates can also enter such categories of posts and services. The existing Centres should be well-equipped, well staffed and the scholarship rates should be revised with a view to making the coaching programme meaningful.	9.120-9.121	245-246
408	(i) The Commission recommend that there should be atleast one Coaching Scheme Centre in each State and more than one Centre in bigger State so that all the eligible Scheduled Castes and Scheduled Tribes candidates are covered by the Scheme.		
	(ii) Since Coaching-*cum*-Guidance Centres are serving useful purpose in providing free employment coaching and guidance for Scheduled Caste and Scheduled Tribe applicants registered with the Employment Exchanges for Group 'C' posts, this Commission recommend that more such centres may be opened in the States/Union Territories Headquarters as also in the industrial complexes in all the States and Union Territories for catering to the need of Scheduled Caste and Scheduled Tribe job seekers.		
	(iii) Since there is a particular shortage of Scheduled Castes and Scheduled Tribes Stenographers/Typists and some other vocations to be identified locally, this Commission recommend that Stenographers/Typists and other vocational examination centres should be run not merely at the State level but wherever necessary at the district level also. They could be managed through the State Governments and such centres can be opened by the State Governments themselves and where necessary they can also give funds to the reliable non-official agencies to open such centres on full subsidy basis as has been done in Tamil Nadu & Orissa.		
	(iv) The Commission recommend that Pre-examination Coaching Centres for admission to MBBS courses should be started in all States where admission is made on the basis of the results of a separate written examination other than the results of University/Board of Secondary Education examination. These centres should be opened under the Centrally Sponsored Programme for which funds are available with the Ministry of Home Affairs.	9.123,124,125	246-247
	Setting up of State level Special Employment Exchanges for Scheduled Castes/Scheduled Tribes		
409	The Commission understand that the State Governments of Andhra Pradesh, Karnataka, Haryana and West Bengal have set up State Level Employment Exchanges for Scheduled Castes and Scheduled Tribes candidates. The Commission, therefore, recommend that all other State Governments should set up such State Level Special Employment Exchanges for Scheduled castes and Scheduled Tribes candidates who are registered in the regional Employment Exchanges on the lines of such Exchanges set up by the State Governments of Andhra Pradesh, Haryana, Karnataka and West Bengal. The availability of funds for setting up of such Exchanges as faced by the Government of Madhya Pradesh should not pose any problem to the State Government as all the State Governments including Madhya Pradesh have by now prepared Special Component plans for Scheduled Castes and the expenditure on setting up and maintenance of Special Employment Exchange should be a reasonable charge on the Special Component Plan for Scheduled Castes.		
	(ii) The lists of Scheduled Caste/Scheduled Tribe candidates maintained by the State Level Special Employment Exchanges should be made upto date by the regional Employment Exchanges after every suitable interval.	9.131	248

1	2	3	4
	Reservation of posts in Private Sector		
410	The Commission recommend that suitable amendments be made in the law or the Constitution as required with a view to providing for reservation of posts for the Scheduled Castes and Scheduled Tribes in private sector establishments also on the lines of reservation in public services. . . .	9.141	250
	Furnishing of data relating to representation of Scheduled Castes and Scheduled Tribes by the State Governments		
411	The State Governments of Andhra Pradesh, Assam, Bihar, Karnataka, Kerala, Manipur, Meghalaya, Nagaland, Tripura and the Union Territory Administration of Arunachal Pradesh have not so far furnished the requisite information regarding representation of Scheduled Castes and Scheduled Tribes in services in various departments under their control. These Governments/Administrations should arrange to furnish the information to the commission without any further delay and should make arrangements for supply of this information in time in future.	9.147	251
	Representation of Scheduled Castes/Scheduled Tribes in State Governments/ Union Territories.		
412	It is observed that the representation of Scheduled Castes in Class I and Class II posts in the State Government of Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal and Union Territory Administrations of Chandigarh, Delhi, Goa, Daman and Diu and Pondicherry, being very much less than the prescribed percentage of reservation, is considered as far from satisfactory. Their representation in Class III posts in the above mentioned Governments/Union Territories Administrations, except in the Government of Maharashtra, is also not satisfactory. As regards class IV services, their representation is reported to be unsatisfactory in the States of Himachal Pradesh, Jammu & Kashmir, Rajasthan and Tamil Nadu.	9.151-156	251
	Representation of Scheduled Castes/Scheduled Tribes in State Governments/ Union Territories Administration		
413	The Scheduled Tribes are under represented in all classes of services in most of the States and Union Territory Administrations. This Commission suggest that the State Governments/Union Territory Administrations concerned should take appropriate urgent steps to remedy of the situation relating to under representation of Scheduled Caste/Scheduled Tribe in services by increasing the percentage of reservation over what has been prescribed for them as also making special recruitment drives wherever considered necessary.	9.159-164	252
	Scheduled Castes employees in unclean occupations to be upgraded to Class IV employees		
414	The Commission further suggest that the Scheduled Castes employees who are engaged in unclean occupation like sweeping and scavenging should be promoted as peons/daftaries etc. The State Governments/Union Territories Administrations should, therefore, revise their recruitment rules for class IV posts with a view to facilitating the entry of such categories of employees to Class IV posts.		
	Representation in Promotion Posts in State Governments		
415	Information about the actual representation of Scheduled Caste/Scheduled Tribe in promotion posts has been received from the State Government of Madhya Pradesh and Union Territory Administrations of Chandigarh, Dadra and Nagar Haveli, Delhi, Goa, Daman & Diu, Lakshadweep and Pondicherry only which gives very distressing picture. In order to remedy the situation, the Commission are inclined to suggest that the State Governments/Union Territory Administrations concerned may take appropriate steps to ensure that the Scheduled Caste and Scheduled Tribe employees are given due share of the promotional posts being filled up in various Departments under their control.	9.165—171	252-253

1	2	3	4
	Representation of Scheduled Castes/Scheduled Tribes in State Public Undertakings/local bodies		
416	State Government/Union Territory Administrations are requested that in future they may furnish data relating to reservation for Scheduled Castes and Scheduled Tribes in respect of Public undertakings/Local Bodies under their control in addition to the data that they furnish in respect of services under their control.	9.172	253
	Legislations on reservatation in Services		
417	This Commission recommend that with a view to ensuring strict enforcement of reservation policies with reference to recruitment/promotion to various categories of posts under the State Governments, the State Governments may consider enacting legislations on the lines of the legislations made by the Governments of Orissa and West Bengal.	9.174	253
	High Power Committees at State Level		
418	Although detailed information regarding the work done by the High Power Committees in various States is not available, it is hoped that such Committees, by virtue of their high status, serve as an effective instrument for ensuring proper implementation of reservation Acts/Orders. This Commission are, therefore, of the view that such High Power Committees should be set-up in all the States and Union Territories where such Committees have not yet been set up preferably under the Chairmanship of the Chief Ministers to review from time to time the progress of representation of Scheduled Caste and Scheduled Tribe in services and to suggest measures for adequate representation of the members of these backward classes in the public services and private establishments.	9.176-177	254
	Association of Commission for Scheduled Castes/Scheduled Tribes with Special Cells at State Level		
419	The Commission recommend that Special Cells on the lines of those set up by the State Governments of Andhra Pradesh, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, Maharashtra, Karnataka, Orissa, Rajasthan and West Bengal may be set up by other State Governments in order to act as watch-dog body for implementation of various Government orders Acts for reservations for Scheduled Castes and Scheduled Tribes in services. The existing Cells in the State Governments mentioned above as well as the Cells to be set up in other States as recommended should be in direct charge of Commissioner-*cum*-Secretary of the department concerned who may be assisted by a senior officer alongwith suitable supporting staff. The local officers of the Commission should also be associated with these special cells.	9.179	255
	Special Cells at Department Levels		
420	Apart from the Special Cell set up in the General Administration Department/ Department for Welfare of Scheduled Caste/Scheduled Tribe in the State Government/Union Territory Administrations, there is also a need for Cells in all the Departments/Offices/Public Undertakings/Corporations etc. in the State Governments/Union Territory Administrations with a view to complying with the instructions of reservation like submission of annual Reports/Statements, conducting of annual inspection of rosters etc. We, therefore, suggest that a Cell should be set up in each Department/Office/ undertaking etc. under the direct control of the Liaison Officer who should be an Officer of the rank of the Deputy Secretary with the provision of adequate whole time supporting staff. These Cells should also attend to grievances of Scheduled Caste and Scheduled Tribe employees.	9.180	255

1	2	3	4
	Penal provision in Acts/Orders		
421	The Commission recommend that in order to obviate irregular appointments as also to ensure proper representation of Scheduled Caste and Scheduled Tribe in services, the Acts/Orders in operation now in Government of India and in various States and Union Territories may be suitably amended incorporating there in appropriate legal/executive punishment for not following the Government orders/rules relating to reservation of posts for Scheduled Castes and Scheduled Tribes.	9.182	256
	Age relaxation to Scheduled Castes/Scheduled Tribes at State level		
422	The Commission are of the view that atleast age relaxation of 5 years in the recruitment/promotion to various categories of gazetted and non-gazetted posts, may be allowed in favour of Scheduled Castes and Scheduled Tribes.	9.185	256
	Exemption to Scheduled Castes/Scheduled Tribes from payment of Fees		
423	The Commission recommend that full exemption of fees payable by the Scheduled Castes and Scheduled Tribes candidates for admission to any recruitment examination/selection may be allowed in order to alleviate their financial difficulty.	9.186	256
	In service Training to Scheduled Castes/Scheduled Tribes		
424	This Commission do not have detailed information as to how far the orders relating to relaxation of qualification, experience, etc., are being implemented actually in practice by the various departments in the State Governments and Union Territory Administrations. However, we suggest that the orders issued in this regard should be implemented in right earnest by all concerned. We further suggest that since adequate number of Scheduled Caste and Scheduled Tribe candidates are not available for appointment against reserved vacancies, the State Governments/Union Territory Administrations may consider recruiting the Scheduled Castes and Scheduled Tribes with relaxed standards and in order to bring such candidates to the minimum standard necessary for the posts and for maintainance of efficiency of administration, they should be given in service training.	9.188	257
	Merit not to count towards Reserved Quota		
425	It is understood that in Maharashtra while filling up vacancies in services and posts the Scheduled Castes, Scheduled Tribes and Denotified Tribe, candidates selected on merit are required to be counted against the general (unreserved) posts, while in Karnataka, the Scheduled Caste and Scheduled Tribe candidates selected for appointment to different categories of posts on merit basis are not counted against the vacancies reserved for them. This Commission are inclined to recommend that the other State Governments as well as Government of India may consider amending their Reservation Acts/Orders suitably incorporating therein a clause to the effect that the Scheduled Caste and Scheduled Tribe candidates selected on merit basis will not be counted against reserved quota fixed for them.	9.189-190	257
	Appointing Authorities may receive/direct applications from Scheduled Castes/Scheduled Tribes job seekers		
426	The Commission feel that the question of entertaining applications from the Scheduled Caste and Scheduled Tribe job seekers direct for consideration for appointment to various categories of posts may be considered by the appointing authorities and necessary instructions in that regard should be issued by the State Governments and Union Territory Administrations. .	9.192	257

1	2		4
	TA Facility to Scheduled Castes/Scheduled Tribes candidates		
427	As a matter of fact, majority of the Scheduled Castes and Scheduled Tribes job seekers come of very poor families and are not able to meet the expenses connected with attendance to interviews/written tests held in distant places from the places of their residence. The Commission, therefore, recommend that the State Governments and Union Territory Administrations who are not extending T.A. facility to the Scheduled Caste and Scheduled Tribe candidates at present may consider this question and take decision for the grant of such T.A. to these backward classes people in order to alleviate their financial hardship.	9.194	258
	Nomination of Scheduled Castes/Scheduled Tribes to Selection Committees		
428	With a view to safeguarding the interests of Scheduled Caste and Scheduled Tribe in services and posts, it is recommended that the State Governments and Union Territory Administrations who have not yet made provisions for nomination of Scheduled Caste and Scheduled Tribe members to the PSCs/Selection Committees/DPCs may consider making such a provisions in the Reservation Acts/Orders inforce in their States/Union Territories.	9.196	258
	Reservation in Promotions in States		
429	It is observed that the policy of reservation in promotion posts varies from State to State. The Commission are of the view that reservation in all categories of posts to be filled by promotion should be provided for Scheduled Castes and Scheduled Tribes equal to the percentage fixed for direct recruitment irrespective of whatever pay scale these posts carry to create more avenues of promotion for these backward classes people. The Government of Jammu & Kashmir and West Bengal may consider waiving the maximum pay scale criteria which do not come under the purview of reservation in promotion.	9.197-198	258-259
	Claims of Scheduled Castes/Scheduled Tribes to deputation posts in States		
430	This Commission understand that the State Governments of Andhra Pradesh and Himachal Pradesh have issued instructions to various Departments under their control to keep the claims of Scheduled Castes/Scheduled Tribes in view while filling up the posts on deputation. The Commission feel that the other State Governments/Union Territory Administrations may consider making a provision in their reservation Acts/Orders to the effect that where the number of appointments to be made on deputation is fairly substantial, the appointment authorities should ensure that a fair proportion of such posts are filled up by employees belonging to Scheduled Castes and Scheduled Tribes.	9.199-200	259
	Carry Forward of reserved vacancies for three years		
431	This Commission are happy having learnt that various State Governments have made provisions in their Acts/Orders for carrying forward the unfilled reserved vacancies to subsequent years/occasions of recruitment. However, we feel that carrying forward of reserved vacancies for two subsequent years/occasions of recruitment as prescribed by the Government of Gujarat, Karnataka and West Bengal may not serve the purpose in as much as the time gap of two years is too small a time to get suitable Scheduled Caste/Scheduled Tribe candidates for filling up the reserved carried forward vacancies. The Commission, therefore, suggest that the period of carry forward of reserved vacancies should be extended to 3 years and that the current reserved vacancies and carried forward vacancies together may exceed 50% in a particular year in respect of all State Government Departments/Public Undertakings where the overall representation of Scheduled Caste/Scheduled Tribe has not reached the prescribed percentage of reservation.	9.201	259-260

1	2	3	4
	Need for enforcing Special District-wise reservation in Promotion		
432	The Commission understand that the Governments of Gujarat and Maharashtra have provided increased percentage of reservation for Scheduled Tribes in respect of district level posts in Class III and Class IV services in accordance with the percentage of their population in the tribal districts of their States. The Commission, therefore recommend that the other States having tribal population should provide special district-wise reservation for Scheduled Tribes in vacancies filled by direct recruitment in respect of district-wise cadres in Class III and Class IV services	9.202-204	260
	Writing of Confidential reports		
433	The Commission understand that the Government of India have already issued necessary instructions to various Ministries/Departments to provide a column in the confidential report form to enable the reviewing officers to give an assessment of the attitude of the reporting officers towards the Scheduled Castes and Scheduled Tribes employees working under them. The Government of Himachal Pradesh have also issued instructions to various departments to the effect that a special column carrying the word "Attitude of the officer towards Scheduled Castes and Scheduled Tribes" should be inserted in the Annual Confidential Report proforma. This Commission are happy to note about the action taken by the Government of India and Himachal Pradesh Government for prescribing such a column in the Annual Confidential Report form for the officers in their Governments and strongly recommend that other State Governments/Union Territory Administrations may also adopt this system	9.205-206	260
	Study Leave to Scheduled Castes/Scheduled Tribes Employees for Admission into Pre-examination Training Centre		
434	So far as this commission are aware, in response to the suggestion made by the Government of India, the State Governments of Andhra Pradesh, Himachal Pradesh and West Bengal have already issued instructions for the grant of leave to the Scheduled Castes/Scheduled Tribes employees so as to enable them getting coaching in the Pre-examination Training Centres. Action taken by the other State Governments in this regard is not known. This Commission feel that the matter may be pursued with the State Governments who have not yet taken action on this matter with the request to consider this issue urgently and issue instructions/directions to various Government Departments/Public Undertakings under their control for extending the facility of leave to the Scheduled Caste and Scheduled Tribe employees working in such departments/undertakings to enable them to get coaching in the Pre-examination Training Centres to improve their service prospects	9.207-208	261
	Training for Officers Dealing with Reservation Order		
435	While commending the steps taken by the Government of India in regard to training of officers dealing with reservation order in various Ministries/Departments, this Commission recommend that there is need for regular refresher courses in all Departments to equip the concerned officers with adequate knowledge about the objectives of the reservation order. The Commission further recommend that such training programmes should also be arranged by various State Governments in their Secretariat Training Schools.	9.209-210	261
	Appointment of Competent Counsel to Defend Reservation Orders		
436	It is understood that in pursuance of the suggestions given by the members of Consultative Committee for the Ministry of Home Affairs (30-10-80), the Government of India have already issued necessary instructions to various Ministries/Departments to engage competent counsels for defending the Government's Policy on reservation for Scheduled Castes/Scheduled Tribes in services, in the Courts of Law where writ petitions have been filed against such reservation orders. This is, of course, a welcome step in the right direction. While appreciating the decision taken by the Government of India in regard to engagement of competent counsels to defend Government policy in the cases of Writ petitions, the Commission recommend that the State Government/Union Territory Administrations may follow suit as such cases are also taking place in their States/Union Territories. . .	9.211-212	261

1	2	3	4
	Appointment of Released Bonded Labourers on Group 'D' Posts		
437	(i) The Commission are aware that most of the Bonded Labourers belong to Scheduled Castes/Scheduled Tribes. Therefore, the Commission recommend that the State Government's of Kerala and Karnataka should also accept the suggestion of the Ministry of Labour, for grant of priority and age relaxation for the purpose of employment to the Government Services in Grade 'D' posts, for the released Bonded Labourers . .	9.215	262
	(ii) (a) The Commission recommend that in respect of the released bonded labourers the criteria for appointment to Class IV posts should be reduced to mere reading knowledge of Hindi/regional language as has been ex plained in para 9.167 in respect of appointment of sweepers as peons.		
	(b) There should be provision for monitoring of the facilities given to the bonded labourers in respect of appointment to Government services both at the level of Central Government as well as State Governments concerned.		
	(c) The results of the efforts made by the Ministry of Labour and State Governments should be ascertained by the Government of India and the data made available to this Commission.		
	Need for Special Attention to Pending Complaints/Representations of Scheduled Castes/Scheduled Tribes in Ministries/Departments		
438	It is observed that a large number of complaints/representations are still pending with the different Ministeries/Departments of Government of India and the Department/Offices of various State Governments/Union Territory Administrations. We, therefore, suggest that all the Ministries/Departments of Government of India and the Departments of State Governments/ Union Territory Administrations should attach utmost urgency in dealing with such complaints/representations so as to enable the Scheduled Castes and Scheduled Tribes representationists to get their grievances redressed at the shortest period possible	9.221-222	263
	CHAPTER X		
	ERADICATION OF UNTOUCHABILITY		
	Annual Report of the Ministry of Home Affairs		
439	The Commission regret to note the delay in the presentation of the Annual Report on the working of the P. C. R. Act, 1955 on the Table of the two Houses of the Parliament. As this is due to delay in receipt of information from the State Governments/Union Territory Administrations, the Government of India should take up the matter with the State Governments/ Union Territory Administrations so as to ensure that the relevant reports are sent to the Government of India by the State Governments/Union Territory Administrations timely and without any delay. The State Governments/Union Territory Administrations should be asked to make special arrangements to ensure this in future	10.6	287
440	The Commission also recommend that the P. C. R. Act, 1955 be amended so as to require the State Governments/Union Territory Administrations which have Legislatures to place an Annual Report on the working of P.C.R. Act on the Table of the State Legislatures as well. The Report should also be discussed in the State Legislatures. The Commission also recommend that the Annual Report should also be discussed in the Parliament .	10.7	287
	Statistics regarding cases registered under the P. C. R. Act and their disposal during 1979		
441	One of the objectives of the amended P. C. R. Act, 1955 was to plug the loopholes so that the offenders do not escape punishment. The Commission regret to note that the percentage of convictions under the P. C. R. Act is very low. It was 27.36% in 1977, which came down to 19.66% in 1978. For 1979 relevant information is available only for 9 States and 1 Union Territory. The relevant data has been analysed. In these States the percentage of convictions in 1979 was 22.34%. The Commission recommend that State/Union Territories Administrations should take steps to improve the quality of investigation and prosecution	10.17	289

1	2	3	4
	Powers to sanction legal aid		
442	The Commission recommend that State Governments should maintain separate panel of competent lawyers to handle these cases and the affected Scheduled Castes persons should have the choice to select any lawyer from this panel as has been provided by Tamil Nadu and some other States .	10.24	290
443	A review of the existing legal aid facilities for the Scheduled Castes in various States shows that there are ceilings of income limit for availing of these facilities and the authorities vested with powers to sanction legal aid in various States are at times beyond reach of the poor litigants requiring this aid. In view of the general mass poverty amongst Scheduled Castes and Scheduled Tribes and the fact that removal of untouchability is a Constitutional obligation the Commission recommend that : . .	10.25	290
	(i) The State Government/Union Territory Administrations which have not yet introduced the free legal aid system should introduce it without further delay and free legal aid should be provided without any financial limits on the income of the Scheduled Caste litigants.		
	(ii) The Commission recommend that the legal aid should be adequate to meet all the expenses including compensation for loss of wages of the litigants which they would have earned, cost of conveyance in attending the courts, cost of stay including board and lodging, cost of filing documents, court fees etc.		
	(iii) It is recommended that the State Governments should delegate powers to sanction legal aid to levels lower than the District Collector, that is to say to the Sub-Divisional Magistrates.		
	(iv) The States should maintain separate panel of competent lawyers to handle these cases and the affected Scheduled Caste persons should have the choice to select any lawyer on this panel.		
	Setting up of Special Courts/Special Investigation/Prosecution Staff		
444	A review of the Annual Report on the working of the P. C. R. Act has revealed that besides other things, there are inordinate delays in the disposal of cases by police as also the courts. The percentage of pendency of cases with the police is very high in the States of Bihar, Haryana, Kerala, Orissa, Karnataka and the Union Territory of Delhi. The pendency of the cases with the courts is 67.66% for the country and it is still higher in the States of Bihar, Karnataka, Uttar Pradesh, Rajasthan, Punjab, Orissa, Madhya Pradesh, Maharashtra, Jammu & Kashmir, Andhra Pradesh, Kerala and Union Territories of Delhi and Goa, Daman & Diu. The Commission reiterate their recommendations given in their first Report that States where there are large number of pending cases arising out of P. C. R. Act, 1955 should set up special courts and provide procedure of summary disposal. Special prosecutors should also be appointed at Government Cost. Police investigation staff should also be strengthened in those States where a large number of cases are pending with police for investigation . .	10.27	291
	Evaluation of the Working of Mobile Police Squads and special Police Stations		
445	The Commission reiterate their recommendation in the first report that the Ministry of Home Affairs (P. C. R. Cell) may evaluate the working of the mobile Police squads and the *Special Police Stations* set up in the various States so that their working is made more effective on the basis of evaluation report	10.43	292
	Setting up of committees under the provisions of Section 15(*A*) (2) (*iv*) *of the P. C. R. Act.*		
446	The State Governments are required to set up Committees at such appropriate levels as they may think fit to assist them in formulating or implementing various measures under the P. C. R. Act. The Commission recommend that the States/Union Territories where such Committees have not been set up, the State Governments/Union Territory Administrations may kindly take early steps for the setting up of such Committees . .	10.47	292

1	2	3	4
	Identification of untouchability prone areas		
447	The Commission recommend that early steps be taken by State Governments/ Union Territory Administrations to complete the task of identification of untouchability prone areas in accordance with the provisions of the P. C. R. Act, where this task has not been undertaken and completed . . .	10.55	293
	Periodic Surveys		
448	The States are required to conduct periodic surveys under the P. C. R. Act. The Commission regret to note that no surveys were carried out and only the Government of Maharashtra has undertaken a detailed analysis of the results of the cases filed under the P. C. R. Act. The Commission therefore recommend that detailed analysis of the results of cases filed under the the P. C. R Act, 1955 be carried out by other State Government/Union Territory Administrations so that an All India position is available in this regard for taking an overall view and appropriate remedial action . .	10.62	293
	Strengthening of the machinery for the administration of P.C.R. Act, 1955		
449	The Commission regret to note that inspite of the funds provided by the Ministry of Home Affairs for strengthening of machinery for administration of the PCR Act by the States there are inordinate delays in the processing of the cases under the PCR Act. The details of delay have been given at relevant place in the chapter under the heading delays in challening of registered cases and delays in disposal of cases by the courts. The Commission recommend that the Government of India should prescribe guidelines for improvement in the working of the PCR Act so that time lag between the registration of cases and their disposal is reduced to the minimum . .	10.64	294
	Provision of employment by Government in case of economic boycott of Scheduled Castes by Caste Hindus		
450	The Commission have found that whenever Scheduled Caste people have tried to assert their constitutional rights, whether it is against the practice of untouchability or for obtaining minimum wages, the high caste Hindus and even other sections of the society have reacted by imposing economic sanctions against them. The Commission, therefore, recommend that the Scheduled Castes persons who are deprived of their livelihood be provided employment by the State Governments, by taking up suitable schemes of employment in such areas till such time the economic boycott is withdrawn. The State Governments should not merely prosecute the offenders under the PCR Act, but should also levy collective fines in such cases of mass social boycott	10.118	300
	Action Plan for Eradication of untouchability		
451	The Commission have noted that with satisfaction that the Government of India have launched the Special Component Plan and provided for sanction of Special financial assistance to the State Governments for the the uplift of the socio-economic status of the Scheduled Castes which in their view is essential for eradication of untouchability. The Commission, however, recommend urgent action by the Government of India on the various suggestions given by them on the Government of India's Action Plan for eradication of untouchability and specially those listed below	10.119	300
	Special Chapters in the Plan Documents		
	(i) Separate chapters should be prepared in the Plan documents to give a comprehensive and coordinated picture of the development of the Scheduled Castes and Scheduled Tribes	10.120	300
	Landless agricultural labourers		
	(ii) First priority should be accorded to the members of the Scheduled Castes and Scheduled Tribes for allotment of surplus land, cultivable Government waste land or newly reclaimed developed lands. They should also be helped in the recording of their rights and sanctioned grants for inputs etc. Persons seeking to dispossess Scheduled Castes and Scheduled Tribes allottees should be summarily tried and given deterrent punishment	10.121	300

1	2	3	4
	Minimum Wages		
(iii)	The Commission consider it necessary to give larger allocations for works and employment programmes in the rural areas to enable the Scheduled Castes and Scheduled Tribes and others to be in a better bargaining position to not only get minimum wages but to be in a position to earn living wages. This is only possible if these programmes are taken up all the year round	10.122	300
	Land Ceiling Laws		
(iv)	Strict enforcement of land ceiling laws is necessary to keep under control and antisocial activities of those who are holding larger areas of lands in their names or in the names of their families as these are the persons who are often found responsible for perpetration of atrocities on Scheduled Castes/Scheduled Tribes. The Commission recommend that at least 50% of the lower level posts like Patwari/ Karmachari, Amin, Constable, Head Constable, Sub-Inspector of Police etc., should be filled by the members of Scheduled Castes/ Scheduled Tribes. In sensitive areas their percentage should be even higher.	10.123	301
	Bonded Labour		
(v)	A crash programme for further indentification and rehabilitation of bonded labourers should be undertaken	10.125	301
	Land Alienation		
(vi)	Special courts with powers to summary disposal may be set up so that cases against land alienation of Scheduled Caste/Scheduled Tribe are decided expeditiously and their interest protected . .	10.126	301
	Streneous Occupation		
(vii)	Programmes to make Rikshaw pullers, cart pullers for becoming owners of their means of livelihood need urgent attention . .	10.127	301
	Social Programmes		
(viii)	Highest priority should be accorded to improve the living and working conditions of those Scheduled Castes and others who are engaged as sweepers, scavengers, tanners, flayers etc.	10.128	301
	Education		
(ix)	Suitable curricular changes be made in all levels of education to instil in the minds of people that untouchability is a sin and special attention be given for education of girls who are more inclined to practise untouchability	10.129	301
	Intercaste Marriages		
(x)	Special efforts be made to encourage intercaste marriages by liberalising the award of incentives for such marriages and children of such parents should receive special consideration in admission to educational institutions and in securing employment	10.130	301
	Mass Movement		
(xi)	There is need to involve large number of voluntary organisations. The Ministry of Home Affairs should, therefore, review their policy of sanctioning grant-in-aid to only a few organisations for eradication of untouchability. They must involve voluntary social organisations like Arya Samaj, Ramkrishna Mission and others in enlarging this programme and to convert it into a mass movement for involving all sections of the society for eradication of untouchability . . .	10.133	302
(xii)	The P. C. R. Act should be translated into regional languages and distributed down to the level of the police stations, Gram Panchayats, primary schools, secondary schools, and other institutions including voluntary organisations		

1	2	3	4
	Use of Mass Media		
(xiii)	The Ministry of Information and Broadcasting and the State Department of information should have a special Cell to coordinate the programme of use of mass media as a tool to eradicate untouchability and their Annual Reports should have a chapter giving details of their work	10.135	302

CHAPTER—XI

ATROCITIES

452	Inspite of clear instructions from the Ministry of Home Affairs to include all crimes committed against Scheduled Caste and Scheduled Tribe under various sections of I. P. C. as atrocity cases against Scheduled Castes/ Scheduled Tribes some of the State Governments are still differentiating and separately showing cases of atrocities against Scheduled Castes and Scheduled Tribes which have an element of caste consideration in origin. The Commission, therefore, recommend that all cases of crimes against Scheduled Castes and Scheduled Tribes be included in the statistical returns of atrocity cases against Scheduled Castes and Scheduled Tribes.	11.3	314-315
453	The Ministry of Home Affairs should call a meeting of the Heads of the Special Cells for P. C R. Act/Atrocity cases in the States/Union Territories to consider the standardisation of the proformae for collection of relevant data, other related matters regarding prompt detection, investigation, prosecution and trial of cases. Follow up action in accordance with the guidelines of the Ministry of Home Affairs may also be discussed in this conference.	11.3	314-315
454	At present the Government of India are not collecting information on the disposal of atrocity cases against Scheduled Castes and Scheduled Tribes from the State Governments/Union Territory Administrations. . . .		
	The Commission recommend that the Ministry of Home Affairs should ask the State Governments/Union Territory Administrations to supply information on the disposal of atrocity cases against Scheduled Castes and Scheduled Tribes on similar proformae as prescribed by the Ministry of Home Affairs for collection of information in this regard for P. C. R. cases. This is necessary for a purposeful review by the Commission regarding the disposal of cases of atrocities by the police and the courts .	11.3	314-315
	Analysis of data on atrocities on Scheduled Castes .		
455	Although there is a net decrease of atrecity cases at All-India level, against Scheduled Castes in 1979 as compared to 1978 there are 5 States which have registered a net increase in the number of such cases. These States are Punjab, Karnataka, Madhya Pradesh, Kerala, and Bihar. The problem of atrocities is acute in the States of Uttar Pradesh, Madhya Pradesh, Bihar, Kerala, Rajasthan, Gujarat, and Himachal Pradesh as the proportion of atrocity cases in these States is higher than the proportion of Scheduled Castes population. It is recommended that these States should take special preventive measures and control atrocities against the Scheduled Castes	11.6-11.8	315
	Comparative analysis of crime-wise atrocities against Scheduled Castes		
456	Although the number of Scheduled Castes murdered has come down to 387 in 1979 from 457 in 1978, 75.70% of these murders have occured in the States of Uttar Pradesh, Madhya Pradesh, and Bihar alone and if the population of victim group is taken into account the problem is acute in the States of Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Punjab, and Uttar Pradesh. Further, against a net decrease in the number of murder cases in the country, Andhra Pradesh, Madhya Pradesh and Punjab have shown net increase of such cases	11.9	316

1	2	3	4
457	Number of rape cases in 1979 has also come down to 424 against 541 in 1978. Uttar Pradesh, Madhya Pradesh, and Bihar together account for more than 70% of the rape cases in the country and if the population of victim group is taken into account the problem has greater dimension in the States of Bihar, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh	11.9	316
458	There has also been a fall in the number of cases of grievous hurts in 1979 when 1428 cases were registered against 1582 cases in 1978. In such cases also Uttar Pradesh, Madhya Pradesh, Bihar and Rajasthan together accounted for 83.62% of total cases of grievous hurtsin the country, and if the proportion of Scheduled Castes is taken into account the problem States are Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh	11.9	316-317
	State-wise analysis of the number of cases of atrocities on Scheduled Tribes		
459	As far as the cases of atrocities against Scheduled Tribes are concerned the number of total cases has come down in 1979 to 2107 from 2458 in 1978. Madhya Pradesh alone accounts for more than 65.16% of such cases followed by Rajasthan, Bihar, Maharashtra, Gujarat, and Karnataka. Other States have less than 30 cases each. It is recommended in States, particularly Madhya Pradesh, where the incidence of atrocities against Scheduled Tribes is higher special preventive measures should be taken to control them and bringing them down	11.11	317-318
	Crime-wise analysis of atrocity cases on Scheduled Tribes		
460	Proper analysis of atrocity cases against Scheduled Tribes could not be undertaken for want of detailed information. The Commission recommend that the data on atrocities on Scheduled Tribes should also be compiled and tabulated in the Ministry of Home Affairs. Crimewise data should also be compiled and analysed Statewise by the Ministry	11.12	318
	Causes of atrocities		
461	Atrocities on Scheduled Castes and Schedled Tribes are the result of socio-economic factors and Commission consider it necessary that adequate measures be taken for socio-economic development of Scheduled Castes and Scheduled Tribes. Detailed measures have been suggested in relevant Chapters of this Report	11.19	319
	Follow-up of cases of atrocities		
462	The Commission recommend that the Government of Gujarat and other State Goverments where acquittal rate is unusually high may review the reasons for acquittal and take appropriate measures so that those who commit atrocities do not go un-punished	11.29	322
	Relief provided for the Scheduled Castes and Scheduled Tribes victims of atrocities		
463	The Commission have noted with satisfaction that the Ministry of Home Affairs have issued detailed instructions and guidelines to the State Authorities for prevention of atrocities and for providing relief whenever atrocities are committed inspite of preventive measures. The Commission recommend that the quantum of relief to the victims of atrocities or their families should be uniform in all the States and the scale of relief as mentioned below may be adopted by all the States/U.Ts.	11.28-11.32	321-323
		Rs.	
	(a) Death per person killed in a family (whether earning or non-earning member)	10,000	
	(b) Permanent incapacitation per each member in a family . .	10,000	
	(c) Temporary incapacitation	2,000	

1	2	3	4
		Rs.	
	(d) Grievous hurt, short of incapacitation	1,000	
	(e) Rape	5,000	
	(f) Loss of house.	2,000	
	(g) Loss of immovable property	2,000	
	(h) Loss of carning assets like a vehicle, a boat or cattle, etc.	2,000 pending expeditious payment of the actual cost of replacement.	
	(i) For loss of movable property such as grains, cloths and other household effects	2,000	
	(j) Damage to irrigation well, drinking water well, tube well, electric meters, electric fittings and fruit bearing trees in the ownership of the victims to be assessed separately.	The amount of compensation should be equal to the actual loss as assessed. Pending assessment an immediate grant of Rs. 500 should be made.	
	These will be subject to the further stipulations :—		
	(1) They house damaged by arson or otherwise shall be fully rebuilt at Government cost.		
	(2) Compensation payable for the loss of cattle etc., shall be at market value.		
	(3) In case the aggrieved Scheduled Caste/Scheduled Tribe party is dispossessed of any land, the land shall be restored to the aggrieved Scheduled Caste/Scheduled Tribe party and adequate input and other grants made to enable the Scheduled Caste/Scheduled Tribe party concerned to recultivate the land.		
	(4)(a) In the case of loss of a member of the family or of permanent incapacitation of a member of the family, provision of job to at least one of the surviving members e.g. wife or son and payment of maintenance allowance to non-earning dependent members of the victim's family @ Rs. 50/- per month per member should be made.		
	(b) Allotment of suitable land alongwith input and other grants should be made to the victim's family to enable it to earn its living.		
	(c) Free supply of milk cattle wherever necessary to supplement the earning capacity of the victim's family should also be arranged.		
	(d) Free education alongwith free boarding and lodging at least upto higher secondary standard to the children of the victim's family should be arranged.		
	(e) In the case of victim of rape, in view of the stigma attached to it, apart from monetary compensation, she should be provided with free treatment and should be fully rehabilitated and made self-reliant by providing her with a suitable job, if necessary, after imparting free education to her.		

1	2	3	4
	Law and order machinery :		
464	The guidelines issued by the Ministry of Home Affairs have touched extensively on the strengthening of the machinery for prevention of atrocities and for providing relief in the event of atrocities taking place. However, the Commission reiterate that at least 50% of the posts of village Chowkidars, Constables, Head Constables and as far as possible, sub-Inspectors and Inspectors of Police should be filled up by the Scheduled Castes and Scheduled Tribes. In sensitive areas prone to atrocities on Scheduled Castes and Scheduled Tribes, the representation of Scheduled Castes and Scheduled Tribes in these posts should be even larger	11.36	324
465	The Commission are concerned with a very high rate of acquittals of accused in atrocity cases against Scheduled Castes and Scheduled Tribes and recommend that the investigating and prosecuting agencies should be strengthened and their work evaluated by the District and State Cells which have been established by the State Governments.	11.36	324
	Legislative provisions :		
466	With a view to ensuring that the Scheduled Castes and Scheduled Tribes receive adequate benefit of social legislation also, the commission suggest that the following offences may be made cognizable in respect of them :—	11.37	324
	(i) not giving possession of land legally allotted to the Scheduled Castes and Scheduled Tribes;		
	(ii) unlawful eviction from the land in possession of the Scheduled Castes and Scheduled Tribes;		
	(iii) unlawful eviction from houses in possession of the Scheduled Castes and Scheduled Tribes;		
	(iv) prevention from cultivation of land either allotted to the Scheduled Castes and Scheduled Tribes or in their possession by the vested interests; and		
	(v) prevention from harvesting of crops belonging to the Scheduled Castes and Scheduled Tribes, particulary where share-cropping is prevalent.		
	Administrative measures :		
467	In cases where in a land dispute a Scheduled Caste or Scheduled Tribe person is killed, the Government machinery including the police must ensure that the land in possession of the deceased passes on to the heirs of the deceased and in no circumstances whatsoever the persons who have committed aggression should be allowed to take over possession of the land. . . .	11.38	324-325
468	It has also been observed that sometime even the police personnel commit atrocities on the Scheduled Castes and Scheduled Tribes in collusion with the landlords or otherwise. The Commission recommend that the State Governments should award exemplary punishment to the guilty officials. .	11.38	325
469	It is further recommended that there should be an automatic judicial enquiry by Sessions/Addl. Sessions Judge into the incidents of death in police custody, death by grievous hurt arising from the alleged torture, death resulting from police firing and alleged rape of women in police custody. As judicial enquiries are time consuming, the Government should also take criminal and executive action against the police officials responsible for these crimes and all such offences should be made non-bailable.	11.38	325
470	The State Government of Tripura have detected Scheduled Tribe workers of Ranchi area working in their States as bonded labourers. The Tripura Government have since retrieved and sent them home at Government's cost. It is recommended that an All India Committee of high ranking officers should be set up to investigate the inter-State links which operate, and lure innocent labourers out of their native States and environment, and subject them to atrocities under the yoke of bonded labour in forlorn areas. This All India Committee should take exemplary administrative measures to bring to end the net work of inter-state exploiters, and to take up instant retrieval and quick rehabilitation of bonded labourers.	11.38	325

1	2	3	4

CHAPTER XII

ADMINISTRATIVE MACHINERY CONCERNING THE SAFEGUARDS FOR AND DEVELOPMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES

Setting up of Special Cells in the Developmental Ministries :

471 The Commission recommend that there should be a special cell headed by a Joint Secretary in the developmental Ministries like Agriculture, Rural Development, Co-operation etc., to facilitate formulation of suitable programmes and flow of funds for execution of the same for the welfare of Scheduled Castes and Scheduled Tribes in various States. The Officers dealing with tribal development work should have an opportunity of visiting the projects and understanding the problems of implementation as the first hand . . | 12.2 | 356-357

Role of Union Home Ministry for effective Co-ordination of Welfare Programmes :

472 The Ministry of Home Affairs, as a nodal Ministry in respect of welfare of Scheduled Castes and Scheduled Tribes, should effectively co-ordinate with the other development Ministries for formulation of suitable programmes as also earmaking of funds for execution of such programmes in the field. The Ministry of Home Affairs should also ensure that the Special Central Assistance is released in time so as to enable the concerned State Governments to implement various schemes without experiencing any financial difficulty | 12.4 | 357

Setting up of Co-ordinating body at National and State levels :

473 There should be a Co-ordinating body at the national and the State levels under the Chairmanship of the Prime Minister and the Chief Ministers respectively for reviewing the progress of implementation of programmes for the welfare of the Scheduled Castes and Scheduled Tribes and for the safeguards provided for them in the Constitution. Amongst others the Commission for Scheduled Castes and Scheduled Tribes should also be associated with these co-ordination bodies alongwith the Ministries concerned at the Central and the State levels. The Planning Commission should also be associated with these bodies at the Central and corresponding planning bodies at the State level . . . . . | 12.5 | 357

Association of the Commission in the Development Process :

474 The Commission have, however, not been associated with the Government of India and the Planning Commission in the matter of plan and policy formulation concerning the Scheduled Castes and Scheduled Tribes. This Commission being concerned with the various matters relating to the welfare of Scheduled Castes and Scheduled Tribes, it is essential that they are involved in the planning process at the national level as well as State level. They should also be entrusted with the task of monitoring and evaluation of the programmes meant for the welfare of Scheduled Castes and Scheduled Tribes through the Field organisation under their control . . . . | 12.6 | 357

Follow-up of the decisions made in the Conference of Chief Secretaries; Secretaries of the Home Departments and Inspector Generals of Police :

475 In the conference of the Chief Secretaries, Secretaries of the Home Departments and Inspector Generals of Police which preceded the conference of Governors and Chief Ministers in April, 1980, matters relating to the special programmes to be undertaken for improving the socio-economic conditions of Scheduled Castes and Scheduled Tribes were discussed and decisions were taken to make concerted efforts for improving the lot of these communities. The Commission recommend that the Ministry of Home Affairs may follow up the matter with the concerned State Governments/ Union Territory Administrations to ensure that the decisions arrived at in the said Conference are implemented in letter and spirit by them . | 12.11 | 358

1	2	3	4
	Responsibilities of Police towards the weaker sections of the Society :		
476	(a) In response to the National Police Commission's observations and suggestions with particular reference to the special responsibilities of the police towards the weaker sections of the society viz. Scheduled Castes and Scheduled Tribes, this Commission on 13-2-1979 communicated their suggestions/recommendations with copies to Prime Minister and the Union Home Minister emphasising the need of improving Organisational set up of the Police, reorganisation of the Police Stations, and filling up of at least 50% of the posts of Constables, Head Constables and so far as possible, Sub-Inspectors of Police by the Scheduled Caste and Scheduled Tribe Candidates. It had also been recommended that in sensitive and atrocity prone areas the representation of Scheduled Castes and Scheduled Tribes in these posts should be even larger. (b) The Commission fully reiterate the recommendation embodied in Chapter IX of their 1978-79 report for the reorganisation and re-orientation of the Police force and hope that these recommendations will be implemented in letter and spirit by the Central and State Governments in the best interests of the society and the Scheduled Castes and Scheduled Tribes. (c) The Commission also reiterate the recommendations made by them in Chapter IX of the First Annual Report regarding the setting up of a Public Security Committee of the State legislature which should include Scheduled Caste/Scheduled Tribe Members for independent monitoring of the action taken by the police in situations giving rise to complaints or criticism against the police. (d) The Commission also reiterate their earlier recommendation made in Chapter IX of their report for 1978-79 for the setting up of a machinery for redressal of grievances by having Special Grievances Cells under the charge of the S. D. Os and the District Magistrates at the sub-divisional and district levels respectively and under the Chairmanship of the Chief Secretary at the State level. At the apex level, these Grievances Cells should function under the control of a statutory Grievances Commissioner, independent of the State Governments, so as to make them effective and insulate them against political pressure.	12.12 & 12.13	358-359
	Whole time Officer to head the Welfare Department :		
477	The Commission observe that though almost all the State Governments/ Union Territory Administrations have created separate Departments for the welfare of Scheduled Castes and Scheduled Tribes, the Secretaries in charge of these Departments continue to hold additional charge of some other Departments with the result the Secretaries are unable to devote much time to take care of the development schemes meant for SCs and STs. The Commission therefore, recommend that the Secretaries and other Secretariate officers of the Department dealing with the welfare of Scheduled Castes and Scheduled Tribes should be placed in whole time charge of the matters relating to the Tribal Sub-plan, Special Component Plan for Scheduled Castes and other welfare schemes.	12.14(i)	359
	Status of the Tribal Development Commissioner :		
478	This Commission recommend that the rank of the Tribal Development Commissioner in the States should be equal to that of the Divisional Commissioner, so that he/she does not face any administrative difficulty in dealing with his/her counter-part in the various Revenue Divisions in the State as far as the work relating to the implementation of the Integrated Tribal Development Project is concerned. The State Governments may intimate to this Commission about the action taken by them on this recommendation.	12.14(ii)	359

1	2	3	4
	Separate Directorates for the Welfare of Tribals and Scheduled Castes :		
479	The Commission understand that some States are having separate Directorates for the welfare of Scheduled Castes and Scheduled Tribes, while some other States are not having such separate Directorates. The Commission recommend that all the State Governments should not only have two separate Directorates for the welfare of Scheduled Tribes and Scheduled Castes, but also such Directorates should be given separate supporting staff so that they could attend to their multifarious duties uninterruptedly.	12.15	359
	Administrative structure in the Tribal Sub-Plan areas :		
480	The Commission observed that the character of administrative structure created in the Tribal Sub-Plan Areas which has been more or less coterminus with the Scheduled Areas, varies from State to State. While the State Government of Orissa and Andhra Pradesh have opted for agency model to allow greater flexibility in the formulation of schemes and for better implementation of the programmes, the other State Governments have preferred to work through Governmental Organisations to have the advantage of stronger linkage with the administrative departments. Since two different systems are in operation in different States the Commission, recommend that the Government of India should conduct an indepth study of the two systems in the different States where they prevail so as to determine which of the two systems could deliver the goods in a better way. . .	12.16	359
	Need for effective decentralization of work at Regional Level in Bihar :		
481	The Commission understand that many departments of the Secretariat at Patna have not yet decentralised the work of formulation of the Plan and schemes at the regional level. Plans and schemes continue to be formulated in the Patna Secretariat in respect of the other departments. The Commission recommend that the State Government of Bihar should take expeditious steps to decentralise the work of formulation of plans and schemes at regional level in respect of the rest of the Departments. . . .	12.30	361
	Single Line Administration :		
482	There is single line administration in Lahaul & Spiti districts of Himachal Pradesh. It is recommended that single-line administration should be introduced also in Kinnaur district and in Pangi and Bhramour Tehsils of Chamba district of Himachal Pradesh.	12.41	363
	Setting up of the office of the Director, Tribal areas Irrigation Development :		
483	It is understood that the State Government of West Bengal have put up a proposal for creation of an office of the Director, Tribal Areas Irrigation Development to the Ministry of Home Affairs. It is recommended that the Ministry of Home Affairs should process the proposal urgently so that the vast irrigation potential in the Tribal Sub-plan areas of the State now going dormant is properly harnessed for the benefit of the tribal people in particular and the non-tribals of the those areas in general.	12.91	368-369
	Administrative Control of the Project Administrator over the Technical Officers :		
484	The administrative, co-ordinating and implementing machinery has not been very effective in the tribal areas to achieve desired results of various development programmes as the tribal development programmes get low priority in the working of all departmental functionaries in the tribal areas and that the functioning of various technical departments is confined to narrow departmental grooves. The technical officers working in the Sub-Plan Areas also do not owe allegiance to the Project Administrators inasmuch as the latter have no administrative control over them in all the States except Andhra Pradesh and Madhya Pradesh. The Commission, therefore, recommend that the other State Governments implementing Tribal Sub-Plan schemes should make the technical officers working in the Sub-Plan Areas answerable to the Project administrator as well which will enable to latter to have the Sub-Plan Area Scheme implemented speedily.	12.92	369

1	2	3	4
	Need for consultation by the Planning Departments in formulation of Welfare Schemes :		
485	**The Commission recommend that the department dealing with the welfare of Scheduled Tribes should be made the nodal department by all the State Governments and the Planning and Administrative Department connected with the formulation and implementation of various programmes in the State should consult this nodal department at the time of formulation of schemes for the welfare of Scheduled Tribes.**	**12.93**	**369**
	Development Block to be under Administrative Control of Project Administrator :		
486	**It is observed that in the States where the Development Blocks have not been placed in line under I.T.D.Ps. the Project administrators find it difficult to get the tribal development programmes implemented through the Block agencies in an effective manner. Therefore, it is recommended that for administrative structure to function smoothly and effectively in the tribal Sub-Plan areas, transfer of control of Development Blocks to the Tribal Development Department may be effected without delay in all the State Governments**	**12.93**	**369**
	Need for adequate Financial and Administrative powers in favour of Project Administrators :		
487	**The Commission recommend that adequate administrative and financial delegation should be made in favour of Project Administrator, I.T.D.Ps., Collector, Commissioner by all the State Governments and powers of technical sanction should be conferred on the technical heads in so far as tribal Sub-Plan area programmes are concerned**	**12.93**	**369**
	Proper linkage between Tribal Development Department and other Development Departments in Madhya Pradesh :		
488	**The Commission recommend that as in Madhya Pradesh appropriate interlinkages should be made between the Tribal Development Department and other Development Departments dealing with the Tribal Sub-Plan area schemes in all the states implementing the Tribal Sub-Plan area Programmes**	**12.94**	**369**
	Setting up of Advisory Committees at Local Level :		
489	**The Commission recommend that the advisory committees set up at various levels in different States should comprise of prominent tribal leaders, Social Scientists and voluntary workers for planning and review of developmental programmes in tribal Sub-Plan Areas**	**12.96**	**369**
	Co-ordination of Tribal Sub-Plan at District Level :		
490	**The Commission recommend that as the district administration represents a well co-ordinated administrative units inasmuch as the district continues to be the basic Unit of planning and Supervision of various developmental programmes, the District Magistrate should be assisted by a senior officer of the rank of A.D.M. preferably brought from the IAS cadre, who should have a special position for co-ordinating programmes in the Tribal Sub-Plan areas.**	**12.97**	**369-370**
	Transfer of Control of Development Blocks in Tribal Sub-Plan Area to Project Administrators :		
491	**It is recommended that the Development Blocks in the different Districts of all the States should be placed under the I.T.D.Ps. wherein the B.D.O. functions under the administrative control and supervision of project Administrators of the I.T.D.P. so that the project Administrators can carry on execution of various developmental schemes smoothly at the Block level**	**12.98**	**370**
	Selection of Project Administrators of I.T.D.Ps. :		
492	**The Project Administrator who is responsible for effective implementation of the development programmes in the Tribal Sub-Plan areas should be a man of high calibre and status. The Commission, therefore, recommend that the Project Administrators should be carefully chosen from among the IAS officers or senior State Civil Services Officers**	**12.99**	**370**

1	2	3	4
	Creation of Sub-cadres within selected State cadres to work in I.T.D.Ps. :		
493	The Commission observed that the officials posted in tribal areas in different States feel that the posting in tribal areas is a punishment for them and that after receiving posting orders, their common practice is to proceed on long leave and in the meantime make all efforts to have the posting orders cancelled. The Commission recommend that all the States where the tribal Sub-Plan programmes are in operation should have Sub-cadres within selected State cadres whose members may serve in the tribal areas for a period of five years atleast. Subsequently, those Officers should be permitted to join the main cadres and be allowed to be posted outside the tribal areas if they so desire.	12.101	370
	Appointment of Local Tribals with Relaxed Standards in I. T.D.Ps. :		
494	The Commission recommend that in the recruitment of field level functionaries whose cadres are generally regional or district based, preference should be given to the local tribals even by relaxing minimum educational qualifications wherever necessary. There is bound to be a further advantage in posting local tribal people in preference to outsiders as they would bring about the desired harmony between the administration and the tribal setting. They may also be relied upon on a watch dog machinery by the Project Administrators. This should be kept in view by the key departments, like Police, Forest, Revenue, Education, Agriculture etc. while recruiting staff at the intermediary and lowest levels.	12.102	370
	Setting up of States Level Screening Committees for Selection of Officers to work in Tribal Sub-Plan Areas :		
495	The Commission understand that there is a State level Screening Committee headed by the Chief Secretary in Bihar and Gujarat for selecting the Project Administrators and other officers solely on merit, on the basis of performance and experience in tribal development for posting in the Sub-Plan areas. Similar Committees may be constituted by other State Governments which are implementing Tribal Sub-Plan schemes to select suitable officers with necessary aptitude and interest in tribal development work to man the administration in the tribal areas. Such a committee at Divisional and District level should also be set up by all the State Governments for selection of various types of personnel required to be posted in the tribal areas. While making selection of technical officers, the Heads of Departments concerned should be included as co-opted members in the Screening Committees. . . .	12.103	370-371
	Utilisation of Grants Awarded by the Seventh Finance Commission :		
496	The Commission recommend that the grants awarded by the Seventh Finance Commission should be fully utilised by the concerned States for providing residential accommodation as also granting compensatory allowance ranging from 20% to 50% of pay depending on the backwardness of the places of posting to the officials of all Departments working in the Tribal Areas.	12.111	371-372
	Grant of Incentives to the Officers Working in Tribal Sub-Plan Areas :		
497	Incentives like grant of children's education allowance, etc. as given by the Government of India to its employees, liberalized scale of casual leave and Leave Traval Concession as reecommended by the Committe headed by Shri Maheshwar Prasad may also be given to the officials working in the Tribal Sub-Plan Areas.	12.111	371-372
	Grant of Awards for Service Rendered in Tribal Areas :		
498	The Commission recommend that the State Government implementing tribal welfare programmes should give due recognition to the service rendered by the officials in the tribal areas by granting them a suitable awards to the concerned employees and their services should also be duly taken into consideration while considering their cases for promotion to various categories of posts.	12.111	371-372

1	2	3	4
	Posting of Officers in Tribal Areas to be on Long Term Basis to be followed by Suitable Incentives for Service in Tribal Areas :		
499	It is a common feeling that one of the reasons for slow progress of various developmental programmes operating in the tribal areas in the system of frequent transfer of officials in charge of implementation of such programmes. An official posted in the tribal area generally takes some time to know about the people and their problems and thereafter discovers ways and means to tackle them. It so happens that by the time the official gets acquainted with such unusual area and unusual people and their problems and settles down in his work, he is transferred to some other area. The Commission recommend that the State Governments should issue necessary instructions to allow the officers posted in tribal areas to spend at least 5 years in the place of their posting so that they can get uninterrupted time to solve the problems of the tribal people. Such officers, even after their promotion, should be allowed to continue in the tribal areas with the grant of usual benefits even if senior posts are not available in the tribal areas until they complete their minimum term of five years.	12.112	372
	Learning of Tribal Dialects :		
500	The Commission are of the view that the State Governments concerned should obtain the services of senior and experienced officers belonging to different departments for being posted in the tribal areas by duly protecting their emoluments and giving additional incentive wherever necessary. Such officers should be encouraged to learn tribal dialects and due rewards/recognition should be given for learning the same.	12.113	372
	Grant of Special Incentives to Officers with a view to keeping all posts filled up :		
501	It is observed that the Government of Gujarat have issued instructions to all the Secretaries to the Departments and Heads of departments not to keep the posts in the tribal areas vacant while posts in the non-tribal areas are filled up, the officers and staff should not be transferred to tribal areas by way of punishment and the officers and staff with appropriate orientation, aptitude and sympathy for tribal communities should be transferred and posted in the tribal areas. So also it is the general policy of the State Government of Karnataka not to transfer the officers connected with the tribal development too frequently which affect the implementation of tribal sub-Plan. This Commission recommend that suitable instructions on the lines of the one issued by the State Governments of Gujarat and Karnataka may be issued by the other State Governments for posting of suitable officers in the tribal areas. On completion of their tenures in the tribal areas, the officers should be given incentives like posting to the places of their choice as it is being done by the Government of Himachal Pradesh. . . .	12.114	372
	Special Safeguards to be incorporated in the Service Records/Recruitment Rules for ensuring long term posting of officer in Tribal Areas :		
502	The Commission recommend that the State Government should amend their Service/Recruitment Rules for various posts by inserting a suitable provision to the effect that no Government servant would be eligible to claim annual increment, crossing of efficiency bar and promotion as a matter of right unless he/she renders a qualifying service of atleast five years in the tribal areas.	12.115	372
	Special Entry in the Annual Confidential Report form indicating work done in the Tribal Areas :		
503	The Commission also recommend that all the State Governments should issue necessary instruction to the effect that there should be a column in the annual Confidential Report of the Gazetted/non-Gazetted Officer to indicate the nature of work done by the officer in the tribal area. This should be taken into account while sanctioning annual increment, crossing of efficiency bar or giving promotion on out of turn basis.	12.116	372

1	2	3	4
	Constitution of an Agency at Sub-Divisional Level for implementation of Modified Area Development Approach Programme :		
504	Although programmes covering pockets of tribal concentration under MADA have been taken up by the State Government at the instance of Government of India, there is no programme implementing agency at the Sub-Divisional level as a result of which it is not possible to judge the progress of this programme. The Commission, therefore, recommend that a Sub-Divisional Level Project Implementation Committee comprising of SDO, BDO, ACD, VCO, CEO, MD and other officers may be constituted by all the State Governments which can streamline the implementation of MADA programmes.	12.117	372
	Posting of Dedicated Officers to man Micro Projects for Primitive Tribes :		
505	As a matter of fact, without dedicated approach and continuous report by the special officers in charge of the micro projects, the Primitive tribes are not likely to develop at all. The Commission, therefore, recommend that the appointment of such officers should be done by the Department of Tribal Welfare in consultation with the Directors of Tribal Research Institutes. While making selection of such officers, the State Government may ensure that these officers are devoted to tribal welfare and are sympathetic towards the tribals.	12.120	373
	Posting of whole time Officer (Co-ordinator) Special Component Plan for Scheduled Castes at Central level, State level, District level and Sub-Divisional level :		
506	The Commission observe that though many State Governments have since prepared Special Component Plans for Scheduled Castes, available information in this Commission reveals that there is no whole time officer (Co-ordinator on Special Component Plan for Scheduled Castes) in the Union Home Ministry, Planning Commission as well as in the Planning Departments of the State Governments for ensuring flow of sectoral funds to the Special Component Plan. The Commission, therefore, suggest that the Central Government as well as the concerned departments of the State Governments should designate a whole time officer of senior status with supporting staff with a view to ensuring flow of funds from all the departments implementing the family based schemes. In order to ensure that Special Component Plan receives adequate attention at the district level, this Commission further recommend that the State Governments should post whole-time senior officers (Special Component Plan) at the district level on the lines of the ITDPs.	12.122	373
	Association of Field Officers of Commission for Scheduled Castes and Scheduled Tribes with Scheduled Castes Development Corporation :		
507	It is observed that so far, 16 State Governments have set up the Scheduled Castes Finance and Development Corporations with equity contribution from the Government of India as Special Central Assistance. It is desirable that the Directors/Deputy Directors for Scheduled Castes and Scheduled Tribes of this Commission are associated with the Board of Directors of these Corporations. The Commission recommend that the Ministry of Home Affairs may issue instructions to all the State Governments which have set up the Scheduled Castes Finance and Development Corporations to nominate the Director/Deputy Directors for Scheduled Castes and Scheduled Tribes as members of the Boards of Directors of the said Corporations so that these Directors/Deputy Directors can have proper liaison between Ministry of Home Affairs and the State Governments implementing the Special Component Plan.	12.123	373

1	2	3	4
	According of priority to Scheduled Castes/Tribes Welfare programmes by the Bureau of Economics and Statistics and Tribal Research Institutes		
508	**The Commission recommend that the Bureau of Economics and Statistics which are entrusted with the work of monitoring and evaluation in these States/Union Territories should accord top priority to the above welfare programmes. The Tribal Research Institutes in various States should also be entrusted with this task with provision of adequate supporting staff. The field organisation of the Commission may also be associated with this work with regular supply of feed back data by the various departments of the Government of India and the State Governments/Union Territory Administrations, so that proper monitoring and evaluation could be done by them.**	**12.125**	**374**
	Tribes Advisory Councils to meet more frequently		
509	**Information available in this Commission reveals that though Tribes Advisory Councils are functioning in the States of Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, West Bengal, Kerala, Uttar Pradesh, and Tripura many of the Tribes Advisory Councils have not held the required number of meetings as prescribed under the rules. The Commission, therefore, recommend that the Tribes Advisory Council, being a very important advisory body in relation to the Welfare of Scheduled Tribes, should hold frequent meetings to discuss various problems of the Scheduled Tribes and suggest measures for their welfare.**	**12.126-27**	**374**
	Harijan Welfare Advisory Board to meet more frequently		
510	**The Commission observe that the Harijan Welfare Advisory Boards are functioning in different States with the objectives of advising the State Governments on all matters relating to assessment of the requirements of the Scheduled Castes, formulation of welfare schemes for them and to review from time to time the working of sanctioned schemes with a view to suggesting improvements for changes in the schemes wherever necessary. However, meeting of the said Boards have not been held in many States during the year 1979-80. The Commission feel that these Boards should meet atleast once in every six months to assess the working of the schemes under Special Component Plan for Scheduled Castes and other developmental schemes meant for these communities.**	**12.128**	**374**
	Legislative Committees on the welfare of Scheduled Castes/Tribes		
511	**The Commission observe that the States of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Nagaland, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal and Tripura have constituted State Legislative Committees for the welfare of Scheduled Castes and Scheduled Tribes similar to the Parliamentary Committee at the Centre. Such committees may be constituted in other States also.**	**12.129**	**374**
	Supply of copies of Reports of the State Legislative Committees to the Commission for Scheduled Castes and Scheduled Tribes		
512	**The Commission recommend that the State Legislative Committee Secretariats in the States having Legislative Committee on the Welfare of Scheduled Castes and Scheduled Tribes should send copies of the reports submitted by these Committees to the Commission regularly**	**12.130**	**374**
	Delegation of Magisterial powers to Project Administrators to enforce regulatory measures in Tribal Areas		
513	**The Project Administrators of the I.T.D.Ps. should be delegated with the Magisterial powers to try offences arising from alienation of tribal land to non-tribals as also cases of violation of the provisions of the Money-lenders Act and the Minimum Wages Act, in the I.T.D.P. areas**	**12.135 & 12.136**	**375**

1	2	3	4
	Setting up of Special Cells at State, District, Project and Block levels for regulating implementation regulatory measures for Tribals.		
514	**Special Cells should be set up at State and District levels and Project/Block level by all the State Governments for giving special attention to the implementation of regulatory measures for Scheduled Tribes relating to land alienation, debt bondage and money-lending. The Cells should also deal with the matters relating to monitoring and evaluation of these measures. The Cells at the State and District levels and Project/Block level should comprise the representatives of the Welfare Department, Revenue and other concerned Departments under the overall control of the Commissioner, Tribal Welfare, Collector and Project Officer/Block Development Officer respectively. It should be the primary duty of the State Welfare Department to oversee the working of the regulatory measures**	**12.141**	**375**
	Follow-up action on Commission's Recommendations		
515	**With a view to ensuring prompt and adequate follow-up action on the recommendations made by this Commission in their Annual Reports, it is recommended that a separate cell under the charge of a senior officer be set up in the Ministry of Home Affairs, which is the nodal Ministry at the Centre, to coordinate with and ensure prompt implementation by the Ministries/ Departments concerned at the Centre and the States/Union Territories. Similar cell may be set up under the Chairmanship of the Chief Secretary the States/Union Territories**	**12.142**	**375**
	CHAPTER XIII		
	RESEARCH, EVALUATION STUDIES/TRAINING		
	Award of Scholarships/Fellowships		
516	**The Ministry of Home Affairs should raise the number of Scholarships/ Fellowships so as to attract more scholars for carrying on researches relating to Scheduled Castes and Scheduled Tribes. The periodical progress reports of these research projects should be submitted to the Ministry of Home Affairs and this Commission by the Universities concerned.**	**13.7**	**387**
517	**The services of Research Fellows who are in receipt of Fellowships, etc. from the Ministry of Home Affairs for doing Post-Doctoral Research on the problems of Scheduled Tribes should also be utilized by the Tribal and Harijan Research and Training Institutes for conducting researches on the problems of Scheduled Castes and Scheduled Tribes. We, therefore, suggest that the Ministry of Home Affairs should incorporate this point in their guidelines to the Tribal and Harijan Research and Training Institutes** .	**13.8**	**387**
	Follow-up of Studies Assigned by Ministry of Home Affairs to Tribal Research Institutes		
518	**The Ministry of Home Affairs had entrusted three studies, namely (1) Land alienation, (2) displacement of tribals on account of establishment of industrial, irrigation and other major Projects and (3) the impact of tribal co-operative structure in the tribal Sub-Plan areas, with the Tribal Research Institutes. It has come to the notice of the Commission that most of the Institutes have either not taken up the studies or have not so far prepared reports on some of the studies already taken up by them. All the Institutes should take early steps to complete the studies assigned to them by the Ministry of Home Affairs urgently and copies of the reports thereof sent to the Ministry of Home Affairs as well as this commission.**	**13.10**	**387-388**
519	**The Commission recommend that the Tribal Research Institutes should evolve a comprehensive information and reporting system to keep track of the programmes of implementation of various development programmes and as a part of this system, there is need for a data bank being maintained by various Tribal Research Institutes to facilitate scientific preservation and retrieval of quantitative and qualitative data on Scheduled Castes and Scheduled Tribes and their development**	**13.13**	**388**

1	2	3	4
	Monitoring and Evaluation		
520	Consequent to the report submitted by the Central Working Group on monitoring and evaluation of tribal development and development of Backward Classes Sector the State Governments have been requested by the Ministry of Home Affairs to create a sound monitoring apparatus having its roots at the ground level, with a view to funnelling the feed back upward to Block, ITDP, District, Divisional, State and National level. The Commission feel that in any system to be evolved on monitoring and evaluation on the basis of the report of the said working group, it should be ensured that the Commission's independent role in monitoring and evaluation of programmes is brought out clearly.	13.14	388
	Popular series on Tribal life and culture		
521	Popular series which are to be brought out by the Ministry of Home Affairs on tribal life and culture should be simple-written well printed and well illustrated and should be written in English which can be translated into various regional languages including some major tribal languages. These booklets should contain factual information dealing with historical background, social relations and customs, beliefs and practices, tribal land and system of land tenure which can be related to their development.	13.15	388-389
	Seminar on the welfare of Scheduled Castes and Scheduled Tribes		
522	Seminars should be arranged by the Tribal Research and Training Institutes with participation of eminent professors of various Universities, Planners, Administrators and Research Scholars interested in the field of research regarding the welfare of Scheduled Castes and Scheduled Tribes. The deliberation in these seminars will help the Planners in the formulation of various programmes for the benefit of these weaker sections of the society . .	13.16	389
	Bench-mark surveys		
523	The Commission feel that for undertaking proper planning measures for the economic advancement of Scheduled Castes and Scheduled Tribes, the associated organisation, namely Central Statistical Organisation, National Sample Survey Organsiation, etc. should collect through Bench-mark surveys basic data relating to (a) minimum wages for agricultural labourers, (b) survey or bonded labour system, (c) study of recording of share croppers in land records, (d) benefits derived by Scheduled Castes and Scheduled Tribes since Independence. The Commission should be informed about the action taken by the Ministries/concerned Organisations in this regard . . .	13.17(ii)	389
524	Considering the importance of the Bench-mark survey in the light of formulation of schemes for the welfare of Scheduled Tribes, the Commission feel that there is urgent need for completing it within shortest possible time and all efforts should be made by the Ministry of Home Affairs and State Governments concerned to remove constraints experienced by the Tribal Research Institutes and other agencies in completion of this assignment. The Commission, also recommend that similar studies may be undertaken in respect of Scheduled Castes so that schemes best suited to their economic development can be formulated for being covered under the Special Component Plan for Scheduled Castes.	13.18	389
	Strengthening of Tribal Research Institutes		
525	The Tribal Research and Training Institutes should be strengthened with the provision of adeqaute staff and funds. These Institutes should be composed of multi-disciplinary teams whose members are well versed in the subjects like Anthropology, Sociology, Economics, Psychology, Linguistics, Statistics, etc.	13.19	390
	Tribal Research Institutes to be placed under Administrative control of Nodal Department		
526	Tribal Research Institutes should be placed under the administrative control of the Department dealing with the welfare of Scheduled Castes and Scheduled Tribes so that various positive gains with regard to availability of funds and research personnel accrue to those Institutes with the least delay . . .	13.19	390

1	2	3	4
	Advisory Committees of the Triabl Research Institutes		
527	**The Commission reiterate the suggestion of the Ministry of Home Affairs conveyed to the State Governments that the Advisory Committees of the Tribal Research and Training Institutes should be headed by the Chief Ministers or Ministers-in-charge of Scheduled Castes and Scheduled Tribes Welfare in the States in order to give more weightage to the status of these Institutes. Moreover, representatives from various Universities, reputed academic Institutions, Anthropological Survey of India and non-officials well-conversant with Scheduled Castes and Scheduled tribes welfare matters should be taken as members in these Advisory Committees. These Committees should meet at least twice a year to review the working of these Institutes in the context of assignments and progress of research studies entrusted to them**	13.19	390
	Directors of Tribal Research Institutes as Heads of the Department		
528	**The Directors of the Tribal Research Institutes, Gauhati, Pune and Bhubaneshwar, have already been declared as Heads of Departments. This has been rightly done to give some autonomy in administration to the Directors of those Institutions in financial matters. The Commission feel that the other State Governments having such Institutes should follow suit by declaring the Directors of their Institutes as Heads of Departments** . . .	13.20	390
	Renaming of Tribal Research Institutes		
529	**The Commission recommend that like Orissa and Kerala Institutes, the other Tribal Research and Training Institutes should be renamed as Tribal and Scheduled Castes Research and Training Institutes.** . . .	13.21	390
	Extension of sphere of Activity of the Tribal Research Institutes to other States/Union Territories		
530	**The Commission have noted that the Tribal Research Institutes are confining their activities only to the States in which they are located. These Institutes are being financed by the Central Government. The Commission, therefore, recommend that like the Centrally Sponsored Scheme of All India Services Pre-examination Training Centres, the Tribal Research Institutes should also cater to different regions of the country in such a manner that all the States/Union Territories are covered by their programmes. The Ministry of Home Affairs being the nodal Ministry is requested to ensure this by issue of suitable guidelines to the Institutes so that jurisdictions of these Institutes are well defined.**	13.22	390
	Working of Bureau of Economics and Statistics		
531	**The Commission is sorry to comment that the Bureau of Economics and Statistics in the States and Union Territories having sizeable population of Scheduled Castes and Scheduled Tribes have not paid the desired attention to the problems of the weaker sections. The Commission, therefore, recommend that the Bureaux of Economics and Statistics should invariably invite proposals from the Department, dealing with the welfare of Scheduled Castes and Scheduled Tribes in the State Governments/Union Territory Administrations as well as the Tribal Research and Training Institutes, if there is one, regarding the studies to be undertaken during the year. The Director Scheduled Castes and Scheduled Tribes Welfare Department in the State Government the Director of Tribal Research and Training Institute, if there is one, as well as the field organisation of this Commission should be associated with the Committees in the Bureau of Economics and Statistics which, vets the above proposals**	13.24	390
	Training of Worker by Tribal Research Institutes		
532	**The training programme for all workers connected with the implementations of programmes for the welfare for Scheduled Castes and Scheduled Tribes should be organised by the Tribal Research Institutites. A comprehensive programme for the training of various categories of lower level officials in the Departments of Revenue, Home (Police), Cooperation, Forest, Agriculture, Industries, etc., would not only bring improvement in the welfare programmes but also arrest the unrest among the Scheduled Tribes and Scheduled Castes due to under-percolation of benefits to them** . . .	13.27	391

1	2	3	4
	Important Studies that may be taken up by the Tribal Research Institutes		
533	The Commission are of the opinion that having regard to the various problems facing the Scheduled Castes and Scheduled Tribes and with the implementation of various welfare programmes as also legislative measures, the following important studies which have a bearing on the development process should be considered for being conducted by the Tribal Research Institutes/ Bureaux of Economics and Statistics and other organisations including University Teaching Departments. Broad guidelines laying down the objectives and scope of the under mentioned studies should be prescribed by the Union Home Ministry in consultation with this Commission : (1) Bonded Labour : (i) Identification of bonded labourers (ii) Evaluation of freed and rehabilitated bonded labourers. (2) Evaluation study on the working of the provisions contained in Sec. 15A of the Protection of Civil Rights Act, 1955 (3) Land Reforms Act including the problem of land alienation and measures taken to check the same. (4) Reservation in services & seats for Scheduled Castes and Scheduled Tribes. (5) Electrification of Harijan bastis & Tribal hamlets. (6) Enforcement of social legislations like Minimum Wages Act with special reference to its applicability to agricultural labourers. (7) Drinking water supply to Scheduled Castes and Scheduled Tribes. (8) Evaluation study on the accrual of benefits to Scheduled Castes and Scheduled Tribes out of social programme like SFDA, MFAL, IRDP, DPAP, etc. (9) Study on the tribal unrest. (10) Evaluation study on the loan schemes implemented by the Scheduled Castes Development Corporation. (11) Indebtedness among the Scheduled Castes and Scheduled Tribes.		
	The above list of Studies is only illustrative and not exhaustive.	13.25	392-395

CHAPTER XIV

STUDY TOURS OF THE COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES DURING 1979-80

1. Study of Antvodaya Programme in Rajasthan

	Ensuring and adequate follow-up action on the schemes under the Antyodaya Programmes—		
534	The State Government of Rajastahn should make suitable arrangements to ensure adequate follow-up action in respect of the schemes undertaken under the Antyodaya programme combined with efforts to motivate the beneficiaries so as to make them aware of the economics of the schemes. This is particularly so in respect of the scheme of milch cattle . . .	14.57	403-404
	Linking of the milch Cattle Scheme directly with the Dairies		
535	With a view to ensure that full benefits of the milch cattle scheme go to the beneficiaries, the desirability and feasibility of linking the milch cattle beneficiaries directly to the dairies should also be considered by the State Government.	14.57	404
	Repayment of loan instalments for one head of cattle at a time		
536	Keeping in view the fact that the milch cattle become dry for certain periods, it would be desirable if, in respect of the landless labour beneficiaries, the banks are persuaded to charge repayment of loan instalments only for one head of cattle at a time and instalment for the second head of cattle, even though supplied earlier, should start after the liability of the first head of cattle has been cleared.	14.57	404
	Raising the rate of subsidy in respect of schemes applicable to landless labour families		
537	Since among the small and marginal farmers and the landless families, the latter are the poorest of the lot, the State Government may consider raising the rate of subsidy in respect of the schemes applicable to landless labour families from 33-1/3 per cent to 50 per cent.	14.57	404

1	2	3	4
	Charging of Uniform Rate of Interest to the Landless Families		
538	The rate of interest charged from the landless families should be uniform at 4 per cent irrespective of whether the credit is given by the Commercial Banks or the Cooperative Banks.	14.57	404
	Revision of Old Age Pension Rate		
539	In so far as the old-age pension scheme is concerned, the present rate is Rs. 40 for a single person and Rs. 60 for a couple. Representation had been made to the Commission that in view of the high prices, these amounts were inadequate for eking out a living, even at the subsistance level. In respect of the rural areas, the Planning Commission have determined Rs. 61.8 (1976-77 prices) per month per capita income as the cut off point for poverty line, that is to say that a consumption level of Rs. 61.8 per month at 1976-77 prices is considered the minimum necessary for subsistance. Keeping this in view, the State Government may consider the desirability of revising the pension.	14.57	404
	Reduction of time-lag between the time of sanction of loans and their actual disbursement		
540	There is a time-lag in the sanction of loans and their actual disbursement to the beneficiaries. The Commission are of the view that there is need for acceleration of disbursement of credit to the beneficiaries and the State Government may consider plugging the loopholes in this matter. . .	14.57	404
	Grant of regular pattas in respect of the homestead land given to the landless labour families		
541	It came to the notice of the Commission that homestead land on which landless labour families have built up their huts, have not been formally settled with the landless families concerned. The Commission are of the view that it would be more appropriate if a system of grant of regular Pattas for the settlement of the homestead land given to the landless labour families is introduced so that their right to the homestead land is established and there is no possibility of their eviction by local vested interests. . . .	14.57	404
	Strengthening of organizational set up for speedy implementation of Antyoday a Programme		
542	Since the Antyodaya programme is gaining momentum, there is need for strengthening the organisation set up at various levels	14.57	404
	Inclusion o M.Ps in the District Antyodaya Committees		
543	Since the Members of Parliament are representatives of the people, they should also be made regular members of the District Antyodaya Committees .	14.57	404
	Association of Gram Sabha in the selection of beneficiaries		
544	There is also a possibility that, in due course, some mal-practices might develop because the scheme confers some benefits in the form of assets to the beneficiaries. There is a possibility that some undesirable people might try to get advantage out of the scheme. Local official machinery has to be alert at various levels to guard against this possibility. The system of closely associating the Gram Sabha of the village in the selection of beneficiaries should be vigorously enforced as it would be a strong factor in checking such mal-practices	14.57	404
	Implementation of Antyodaya Programme in other States		
545	In view of the positive tilt in favour of the poorest of the poor in the rural areas that the Antyodaya programme has given, it is felt that it would be advantageous for the other States also to study this programme and consider implementing it in their States	14.57	404

1	2	3	4
	The Commission endorse the following recommendations/observations made by their field office at Jaipur after follow-up study		
	Linking of cattle scheme with Milk Federation for proper marketing and veterinary care		
546	(a) The instances of failure have been maximum in respect of cases pertaining to loans given for Milch Cattle/Sheep of Goat units. This is mainly due to not giving viable units of cattle. In almost all the instances, it was either one buffalo or one cow that was sanctioned and the moment it went dry, the beneficiaries were unable to bear the expenses of feeding it. In one unit where two buffaloes were given, it was a success and out of his own savings and exertion he actually invested in buying one more. It is also noted that there is perhaps not adequate linkage at the time of disbursement of cattle loans and the need for proper marketing, veterinary care and availability of good fodder. It would have been better to co-ordinate at the time of giving cattle loans with the Milk Federation and disbursement done on the approved milk routes for the various chilling plants, so that there would have been adequate marketing on the one hand and supply of feed and veterinary care on the other	14.58	410
	Supply of larger goat units for getting sufficient income		
547	(b) Similar experience is obtaining for cases where goat units were distributed at 1:10 ratio which is often found to be not adequate, for sufficient income to be generated for repayment as well as subsistance. Larger units preferably in areas having good grazing facilities as well as having proper coverage by the Sheep and Wool Federation should have been given .	14.58	410
	Effective implementation of cattle insurance scheme		
548	(c) There is need for effective implementation of cattle insurance scheme. At present the cattle insurance is done but after mortality of cattle the beneficiaries are not able to file their claims due to lack of proper guidance by the extension staff and the insurance companies. The affected families should be helped by the extension staff and insurance companises to get compensation money from the insurance companies. It is recommended that the implementation of cattle Insurance Scheme, with a view to making it useful, should be streamlined	14.58	410
	Supply of sewing machines		
549	In cases where sewing machine loans were given, it not only generated more employment, additional income for the family but also goaded them to save and purchase additional sewing machines. Similar success story is repeated for the camel cart.	14.59	410
	Increasing the quantum of money under irrigation well scheme		
550	The category where loans were given for irrigation wells and where the limit was Rs. 5,000 it has been the experience that the quantum of money has proved to be insufficient for completion of irrigation wells, not to talk of other important items like pump sets, bullock carts, seeds, fertilizers etc. It would be useful exercise to give an impact oriented approach to all these cases and dovetail the co-operatives, SFDA, DPAP loaning programmes to Antyodaya beneficiary so that while he has money for the well he also does not lack it for pump sets, bullock carts, seeds etc.	14·60	410
	Quick repayment of loans by the beneficiaries		
551	Last but not least significant factor in connection with the loans is that the Banks that advanced the loan are having no serious complaints or grievances as regards repayment. The managers expressed their satisfaction as to the willingness and earnestness of the beneficiaries to effect payment. In this connection, one point that can be mentioned is that the subsidy component must be made to be converted into loan for immediate recovery in case of misutilization of the loan advanced. There have been cases where after receipt of the animals, the beneficiary has sold them and out of sale proceeds repaid his loan and appropriated the subsidy component. In the case of the sheep/goat units this appears to have been the line of action. This malady will be redressed if the above proviso is added to the grant of loans as precondition and regorously implemented	14·61	410

1	2	3	4

2. Study of Antyodaya Programme in West Champaran district of Bihar State, by Shri Bhola Paswan Sastri, Chairman, Commission for Scheduled Castes and Scheduled Tribes from 8th to 11th June 1979

Mode of selection of beneficiaries

552 The selection of some of the beneficiaries has not been done strictly according to the criteria for determining poverty as laid down by the Government, therefore, the benefits have not gone to the poorest amoung the poor in some of the cases. It is, therefore, suggested that Gram Sabha meeting should invariably be convened for selecting a family under the Antyodaya Programme. Before releasing funds to the persons, review of cases should again be made, so that it is ascertained that only needy persons get the assistance. 14·78 412

Modification of prevalent rules for granting of loans by Banks

553 (a) The prevalent rules, under which the assistance (loans) from Bank is to flow to the beneficiaries of this programme, require modification so that it should not depend on the present repaying capacity of the beneficiary, but should take into consideration his requirements to enable him to become self-dependent. The State Government should hold discussions with top Central Bank Officers and determine sound policy . . . . . 14·78 412

Discussion by the State Government with Rural Banks

554 (b) In cases where the banks such as Rural Banks do not cover the Antyodaya Programme, the State Government should either discuss the matter with such banks and persuade them to take up this programme or make alternative arrangements on their own for financing the Antyodaya programme in these areas. . . . . 14·78 412

Need of proper orientation about Antyodaya Programme

555 Local leaders and the beneficiaries were neither well informed about the programme nor conscious about its proper working. The Government officers implementing this programme also need proper orientation and a sense of devotion for the successful implemention of the programme. It is, therefore, necessary that a concerted drive is made both among officials and non-officials to launch the programme in right earnest at different levels, viz., Village Block Tahsil and District . . . . . 14·78 412

Need of proper co-ordination at the District level

556 Lack of co-ordination in the implementation of schemes at the District level was evident. It is, therefore, urgently needed that District Antyodaya Committee headed by the District Collector is constituted with the objectives of putting to scrutiny the day-to-day progress attained by different component programmes under the Antyodaya scheme and to bring about effective coordination among different developmental agencies. The Divisional Commissioners should also be actively associated in this task. Organisational set up for this purpose has to be geared up by the Administrative authorities. 14·78 413

Linking of milch cattle scheme with dairies

557 The scheme of milch cattle and their linking up with the dairies has not been taken up. This can be tried in the District of West Champaran. 14·78 413

Need for increasing the rate of subsidy to landless labour families

558 The State Government may consider raising the rate of subsidy in respect of the scheme applicable to landless labour families from 33.1/3% to 50%. 14·78 413

1	2	3	4
	3. Tour of Shri T. S. Negi, Member from 8-10-79 to 13-10-79 in Uttar Pradesh and Himachal Pradesh		
	Uttar Pradesh		
	Study on the problem of bonded labour in Uttar Pradesh		
559	**It is understood that there has been only one survey on bonded labour so far and that too a hurried one which took place in 1976-77. It is further understood that there are parts of Uttar Pradesh, other than Jaunsar Bawar and surrounding areas of Uttar Kashi district of Garhwal Division, where also bonded labour exists. In this context two lines of action are suggested. The first is the completion of State-wise investigation and survey for the identification of bonded labour, and the second is an intensive investigation as a case study specially in the places named above in the Garhwal Division of Uttar Pradesh . . . . . .**	**14.80 & 14.83**	**416**
	Himachal Pradesh		
	Study on the problem of bonded labour in Himachal Pradesh		
560	**The workers of the Parvatiya Adimjati Sevak Sangh a non-official body devoted to the service of the tribal people persist in their assertion that although there has been lessening of evil of bonded labour in certain parts of Sirmour district, it has not yet died down and, therefore, action is still needed to root it out. Therefore, it is suggested that before any curative and preventive measures are considered it is essential to have concrete and dependable information as to the exact extent and nature of bonded labour still prevalent by conducting a study/investigation urgently . . . .**	**14.85**	**417**
	Declaring 'Girinar' as Scheduled Tribes		
561	**The demand of the people living in the Trans-Giri area of Sirmour district, known as 'Girinar' that they should be declared as Scheduled Tribe and the whole area should be declared as Scheduled area, because of its likeness to the Jaunsar Bawar tract of Garhwal Division of Uttar Kashi of Uttar Pradesh, may be considered by the Government of India. This matter has already been taken up with the Ministry of Home Affairs . . . .**	**14.90**	**418**
	4. Tour of the Commission for Scheduled Castes and Scheduled Tribes to West Bengal during October 1979 and January 1981		
	Analysis on the size of operational holding for formulation of suitable policy measures		
562	**According to the agricultural Census 1976-77, the average size of the operational holding has decreased from 1.2 hectares in 1970-71 to 0.99 hectare in 1976-77. Further, the number of holdings below 1.00 hectare has gone up from 25.28 lakhs in 1971 to 35.02 in 1976-77. The Commission, therefore, recommend that the State Government should make a detailed analysis of the size of holding before coming into force of various land legislation and the position that has emerged as a result of enforcement of these legislations. This analysis would, inter-alia, help the State Government in the formulation of suitable policy measures and for initiating corrective measures, wherever necessary . . . . . .**	**14.103**	**423**
	Systematic assessment of the number of homesteadless families in the State		
563	**The estimate of 3.50 lakhs homesteadless families prepared by the State Panchayat and community Development Department quite some time back was not made in scientific manner. The Commission, therefore, suggest that the State Government should make a systematic assessment of total number of homesteadless rural households and also out of them the number of Scheduled Caste and Scheduled Tribe families so that arrangements are made to record them and give them parchas on a priority basis. The scheme of allotment of agricultural land and homestead land should go hand in hand .**	**14.107—108**	**423-424**

1	2	3	4
	Acceleration of the implementation of the scheme of distribution of homestead land to homesteadless persons		
564	**The Commission observe that 40% of the homesteadless persons allotted land are from Vardhman (Burdwan) district. It is recommended that the progress of the scheme in the other districts which is rather slow needs to be accelerated.**	**14.108**	**423-424**
	Increase in the rate of housing subsidy		
565	**It is observed that the rate of subsidy which was Rs. 500/- per beneficiary towards housing subsidy till 1973-74 has subsequently been raised to Rs. 1000 for plain areas and Rs. 1500 for hilly areas. Since there has been an overall increase in the cost of building material it is recommended that the state Government should consider the raising of subsidy for construction of houses in plains and hilly areas. The subsidy and loan component should be 75 and 25 percent respectively.**	**14.109**	**424**
	Continuance of recording of bargadars		
566	**While the Commission commend the efforts made by the State Government in recording about 7 lakh bargadars in short period of 2 years and one month till October 1980, as against only 3 lakh bargadars having been recorded from 1948 to August 1977, the Commission recommend that the drive to record bargadars should continue unabated until all the bargadars have been duly recorded and assured security of tenure.**	**14.112**	**424-425**
	Involvement of Land Tribunal in respect of cases involving 'Operation Barga'		
567	**The Commission came to know during their tour to West Bengal that there were 40,000 court cases involving bargadars out of 9.80 lakhs recorded bargadars and that impact of a single adverse decision given by the Court relating to the recorded bargadars had a snow-bailing effect on the psychology of the unrecorded bargadars. And this often led to their shyness in coming for recording. This Commission, therefore, recommend that the jurisdiction of the Civil Court be completely ousted in respect of cases involving "Operation barga" and the decisions by the land tribunals set up by the State Government should be considered final.**	**14.123**	**427**
	Maintenance of register of both recorded and unrecorded bargadars by the Pradhans		
568	**In order to keep a track of the unrecorded bargadars, the Pradhans of all Gram Panchayats should maintain a register of genuine bargadars both recorded and unrecorded.**	**14.125**	**428**
	Maintenance of register about input assistance to the recorded bargadars		
569	**The Pradhans should also maintain a list of recorded bargadars who have and who have not been provided with input assistance for cultivating land. The State Government should take requisite steps to ensure that these bargadars who have not been provided with input assistance are duly covered by providing them with the requisite assistance so that these bargadars do not fall into the clutches of the landlords.**	**14.125**	**428**
	Strengthening of Police Stations in sensitive areas/villages where jotedars are strong		
570	**Commission recommend that the police stations in the sensitive areas/villages where the jotedars are strong and obstruct the recording of bargadars should be strengthened and suitable instructions issued to the entire police staff to support the process of recording of bargadars in a committed manner. Their performance of work should also be reflected in their annual confidential reports.**	**14.126**	**428**
	Grant of suitable incentives to the officers		
571	**The Commission recommend that those officers who produce good results by way of creating the desired confidence among the bargadars as well as convincing the jotedars of the advantages of recording of bargadars should be rewarded by grant of suitable incentives, both in terms of monetary incentives and out of turn promotion.**	**14.127**	**428**

1	2	3	4
	Breaking the political barriers by the State Government through multi-pronged approach.		
572	**The Commission further recommend that a multipronged approach may be adopted by the State Government to break the political barriers where the middle level peasantry have managed to influence the rural workers' organisation like Kisan Sabha and the Panchayati Raj Institutions in the State.**	**14.128**	**428**
	Creation of a revolving fund to help the recorded bargadars		
573	**The Commission recommend that the State Government should break the financial barriers by creating a revolving Fund of Rs. 50 crores with a view to helping the 10 lakh recorded bargadars at the rate of Rs. 500 per bargadar towards cost of cultivation of 1 acre of land, on purchase of inputs, hiring of bullocks etc. This is all the more necessary as the performance of the banks and other financial institutions in providing financial assistance to the recorded bargadars has not been found to be satisfactory.**	**14.132**	**428**
	Need for regular monitoring system		
574	**The Commission recommend that regular monitoring should be done to see whether the land of recorded bargadars continues to be in their actual possession as per records of rights as they are being surreptitiously evicted from their barga possession and rights.**	**14.133**	**428-429**
	Continuance of the food for work programme		
575	**The Commission feel that the food for work programme should continue with added vigour as the implementation of this programme keeps the usurious money lenders at bay from the agricultural labourers and marginal farmers who mostly belong to the weaker sections of the society.**	**14.134**	**429**
	Strengthening of the administrative set-up of the Scheduled Castes/Scheduled Tribes Financial Development Corporation		
576	**The Commission recommend that the administrative set up of the Scheduled Castes and Scheduled Tribes Financial Development Corporation should be strengthened both at the Headquarters level and at the District level so that the workers of the Corporation are also able to establish a live rapport with the Scheduled Caste and Scheduled Tribe persons requiring financial coverage.**	**14.136**	**429**
	Payment of old age pension as per Planning Commission estimate		
577	**The Commission suggest that the State Government should pay old age pension at the rate of Rs. 60 per month as per Planning Commission estimates.**	**14.137**	**429**
	Posting of suitable staff and medicine in the Health Centre of Purborakhur		
578	**The Commission recommend that the State Health Department should take immediate steps to post suitable staff and provide medicines in the Health Centre at Purborakhur, Kanksha Panchayat Samiti, District Vardhman. Further, the regional Officer of the Directorate of Health should make periodical visits to the Centre with a view to improving the performance and creating the desired confidence amongst the local people.**	**14.138**	**430**
	Starting Minor Irrigation schemes in Vardhman District		
579	**The I.T.D.P. No. 31 in Vardhman (Burdwan) District should examine the technical feasibility in respect of the proposals made by the villagers at the time of visit of the Commission to Malandighi village on 8-1-1981 for starting minor irrigation schemes in the area.**	**14.138**	**430**
	Securing order for purchase of handgloves		
580	**The Secretary, Scheduled Castes & Tribes Welfare Department should approach the West Bengal State Leather Corporation for getting orders for the purchase of handgloves manufactured by Scheduled Caste person of Malandighi village, Kanksha Panchayat Samiti.**	**14.138**	**430**

1	2	3	4
	Payment of 25% contribution by the Scheduled Castes, Scheduled Tribes beneficiaries of the Sericulture Farm at Alochalar Donga.		
581	**The Commission recommend that the Scheduled Castes, Scheduled Tribes and other beneficiaries of the sericulture farm at Alochalar Donga being marginal farmers should not be required to pay 25% contribution in the form of labour as at present towards construction of dug wells as they will have to wait for 2 years before the scheme comes to fruition. In other words. full wages should be payable to them irrespective of the stipend of Rs. 50 per month admissible to them for the first six months of training**	**14.139**	**430**
	Redressal of the grievances of the Bargadars by the State Government		
582	**The grievances of 16 bargadars interviewed by this Commission during their tour to West Bengal in 1979 as detailed in Annexure II to the note required redressal by the competent authorities**	**14.135**	**429**
	5. Tour of the Commission for Scheduled Castes/Scheduled Tribes to Kerala		
	Break up of data on ownership right of Scheduled Castes/Scheduled Tribes conferred with tenancy rights		
583	**Ownership rights on agricultural land to 24,54,492 out of 36,44,187 applicants were conferred by the Kerala Government till 31-12-1980 and 11,76,764 cases were rejected. However, only 12,931 cases out of 24,54,492 cases referred to above could not be fully disposed of. The Commission commend the efforts made by the State Government for having taken action for assigning ownership rights on the tillers of the soil. However, this commission recommend that the State Government of Kerala should furnish the break-up of Scheduled Castes/Scheduled Tribes conferred with tenancy rights out of 24,54,492 beneficiaries alongwith acreage of land involved separately for Scheduled Castes and Scheduled Tribes**	**14.146**	**434-435**
	Surrender of ceiling surplus land		
584	**Out of estimated ceiling surplus land of 1·5 lakh acres, 1,14,417 acres of land was ordered by the State Government to be surrendered out of which 75,998 acres have already been acquired by the Government and 50,150 acres of land has been assigned to 30,906 Scheduled Castes, 5,268 Scheduled Tribes and 42,966 other agricultural labourers as well as two institutions**	**14.154**	**436**
	Inclusion of the Kerala Land Reform Act in the 9th Schedule of the Constitution		
585	**The Commission are happy to note that the Kerala Land reforms Act has been included in the 9th Schedule of the Constitution**	**14.155**	**436**
	Details about the homesteadless persons allotted homestead land		
586	**The State Government have provided homestead land to 2,68,323 out of 4,38,745 homesteadless applicants till December, 1980. The State Government should furnish the number of Scheduled Castes/Scheduled Tribe homesteadless persons out of 2,68,323 homesteadless persons allotted homestead land**	**14.147**	**435**
	Supply of housing loan		
587	**The Commission were informed that the allottees of homestead land of Quilon, Shertallai and Ambalapuzha taluks, were being provided with Rs. 800 in the form of subsidy (Rs. 500) and loan (Rs. 300) for construction of a house. The Commission recommend that this scheme should be extended to the entire State**	**14.147**	**435**
	Supply of input to Scheduled caste beneficiaries of Thonnakkal Colony		
588	**The Commission further recommend that the Scheduled Castes beneficiaries of Thonnakkal Colony should be supplied inputs free of charge in the first instance as they do not have where-withals to fall back upon. Subsequently they may be supplied input partly on subsidised basis and partly on credit at DRI**	**14.160**	**436**