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FORTIETH REPORT
STANDING COMMITTEE ON SOCIAL JUSTICE AND
EMPOWERMENT
(2008-2009)

(FOURTEENTH LOK SABHA)

MINISTRY OF TRIBAL AFFAIRS

Action taken by the Government on the Observations/Recommendations contained in the Thirty-fourth Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants for the year 2008-2009 of the Ministry of Tribal Affairs.

Presented to Lok Sabha on 19.12.2008

Laid in Rajya Sabha on 19.12.2008



LOK SABHA SECRETARIAT
NEW DELHI
December, 2008/Agrahayana, 1930 (Saka)

**STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT
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FORTIETH REPORT



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**STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT
(2008-2009)**

Smt. Sumitra Mahajan - CHAIRPERSON

**MEMBERS
LOK SABHA**

2. Shri Mahaveer Bhagora
3. Shri Eknath M. Gaikwad
4. Shri Loganathan Ganesan
5. Shri Haribhau Jawale
6. Shri Bhai Lal
7. Shri Tek Lal Mahato
8. Dr. Babu Rao Mediyam
9. Shri Kailash Meghwal
10. Shri Vasant Rao J. More
11. Shri Rupchand Murmu
12. Shri Jual Oram
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14. Shri Rabindar Kumar Rana
15. Dr. R. Senthil
16. Smt. Pratibha Singh
17. Shri Lalit Mohan Suklabaidya
18. Smt. Krishna Tirath
19. Smt. Usha Verma
20. Vacant
21. Vacant

**MEMBERS
RAJYA SABHA**

22. Shri Silvius Condpan
23. Shri Mahmood A. Madani
24. Shri Ahmad Sayeed Malihabadi
25. Dr. Narayan Singh Manaklao
26. Dr. Radhakant Nayak
27. Shri Abdul Wahab Peevee
28. Shri Dharam Pal Sabharwal
- *29. Shri Veer Singh
30. Ms. Anusuiya Uikey
31. Shri Nand Kishore Yadav

* Ceased to be a Member of the Committee consequent to his retirement from the Rajya Sabha w.e.f. 25th November, 2008.

SECRETARIAT

- | | | |
|-----------------------------|---|---------------------|
| 1. Shri A.K. Singh | - | Joint Secretary |
| 2. Shri B. Srinivasa Prabhu | - | Deputy Secretary |
| 3. Shri Yash Pal Sharma | - | Executive Assistant |

INTRODUCTION

I, the Chairperson of the Standing Committee on Social Justice and Empowerment having been authorized by the Committee to submit the Report on their behalf, present this Fortieth Report on the action taken by the Government on the observations/recommendations contained in the Thirty-fourth Report of the Standing Committee on Social Justice and Empowerment (Fourteenth Lok Sabha) on Demands for Grants – 2008-09 relating to the Ministry of Tribal Affairs.

2. The Thirty-fourth Report was presented to Lok Sabha and laid in Rajya Sabha on 21 April, 2008. The Ministry of Tribal Affairs furnished their replies indicating action taken on the recommendations contained in that Report on 10.07.2008. The Report was considered and adopted by the Standing Committee on Social Justice and Empowerment at their sitting held on 17th December, 2008.

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

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

5. The Committee place on record their appreciation for the valuable assistance rendered to them by the officials of the Lok Sabha Secretariat attached to the Committee.

NEW DELHI:
17 December, 2008
26 Agrahayana, 1930 (Saka)

SUMITRA MAHAJAN,
Chairperson,
Standing Committee on
Social Justice and Empowerment.

CHAPTER I

REPORT

1.1 This Report of the Standing Committee on Social Justice and Empowerment deals with the action taken by the Government on the observations/recommendations contained in the Thirty-fourth Report of the Standing Committee on Social Justice and Empowerment (Fourteenth Lok Sabha) on Demands for Grants-2008-09 relating to Ministry of Tribal Affairs.

1.2 The Thirty-fourth Report was presented to Lok Sabha and was laid in Rajya Sabha on 21st April, 2008. It contained 14 recommendations. Replies of Government in respect of all the recommendations have been received and are categorized as under:

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

Paragraph Nos. 3.36, 3.60, 3.74 and 3.91

(Total 4 – Chapter II)

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

Paragraph Nos. 3.18, 3.20, 3.37 and 3.83

(Total 4 – Chapter III)

- (iii) Observations/Recommendations, in respect of which replies of the Government have not been accepted and have been commented upon by the Committee in Chapter I:

Paragraph Nos. 3.46 and 3.59

(Total 2 – Chapter IV)

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

Paragraph Nos. 1.4, 3.19, 3.73 and 3.92

(Total 4 – Chapter V)

1.3 The Committee desire that action taken notes on the recommendations contained in Chapter-I and final replies in respect of the recommendations contained in Chapter-V of this Report may be furnished to them at the earliest and in any case not later than three months of the presentation of the Report.

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

Recommendation (Sl. No. 7, Para No. 3.46)

1.5 The Committee had noted that the Ministry had sanctioned 100 Eklavya Model Residential Schools (EMRSs) under Article 275 (1) of the Constitution out of which only 79 were operational. Out of 21 EMRS which were not yet functional, 4 had been shifted from the States of Assam and Meghalaya to other States as these States did not take any action for establishment of Eklavya Model Residential Schools for a long time. The rest were not in operation because of the inability on the part of State Governments to recruit teachers, complete the construction work etc. This was nothing but lack of commitment on the part of States in taking proper and timely steps for the educational development of the tribal children. The Committee had recommended that the Ministry of Tribal Affairs should fix a time limit, preferably two years from the date of release of central assistance, for completion of Eklavya Model Residential Schools and ensure that the sanctioned Eklavya Model Residential Schools were completed on time.

Reply of the Government

1.6 In their reply, the Ministry of Tribal Affairs have stated that the recommendation of the Standing Committee has already been brought to the notice of concerned States who

have been requested to take immediate action to make the Eklavya Model Residential Schools (EMRS) functional.

1.7 The Committee observe that educational advancement of tribal children is most crucial for empowerment of tribal communities in every field of life – financial, social and health. It should therefore be the prime obligation of respective State Governments to promote the education of the tribal children and best efforts should be made in that direction. The Committee, however, regret to observe that some States like Assam and Meghalaya and also some other States which are stated to be unable even to recruit teachers and to complete the construction work of Eklavya Model Residential Schools etc. are not alive to their duty and obligation of promoting the education of tribals. The Committee had desired the Government and the concerned States to fix the time limit, preferably two years from the date of release of central assistance to ensure timely completion of sanctioned Eklavya Model Residential Schools. From the reply of the Government, it is apparent that due promptness and seriousness has not been shown towards the concern expressed by the Committee. While reiterating their recommendation the Committee desire that concerned State Governments should be given specific directions for expeditious completion of the projects of construction of school buildings and recruitment of proportionate number of qualified teachers which should directly be monitored/supervised by the Central Government. The Committee wish to be apprised of the progress made in this regard.

Recommendation (Sl. No. 8, Para No.3.59)

1.8 The Committee had noted with concern that during 2004-05 to 2007-08 no funds could be released under the scheme of Post-Matric Scholarship to the States/UTs of Arunachal Pradesh, Bihar and Daman and Diu. The Committee were not satisfied with the reply that the Ministry release grants-in-aid to the States/UTs as per their anticipated requirement and also that complete proposals were not received from the States. The Committee had observed that poor ST students were being deprived of the much needed financial assistance for pursuing higher education due to apathy of the State Governments. The Committee had therefore, urged the Ministry to impress upon the States to fulfill their commitment towards ST students and to send the proposals complete in all respects early for release of funds under the scheme.

Reply of the Government

1.9 The Ministry have stated that they write to all the States/UTs every year at the beginning of financial year for submitting proposals under the scheme of Post Matric Scholarship for ST students. During last financial year (2007-08), the Ministry had sent more than three reminders to all the States/UTs for submitting complete proposals under the scheme. During the current year (2008-09) also the Ministry has written to all the State Governments/UT Administrations including State Governments of Arunachal Pradesh, Bihar and UT Administration of Daman & Diu for submitting proposals complete in all respects under the scheme of Post- Matric Scholarship.

1.10 The Committee had noted with concern that under the Post- Matric Scholarship scheme funds were not released to Arunachal Pradesh, Bihar and Daman and Diu. The Ministry were urged to impress upon the States to send the proposals complete in all respects early to ensure release of funds under the scheme. The Committee are not convinced with the stereotyped reply of the

Ministry which clearly indicates lack of concern on their part. Apparently, no thought has been given to find out the reasons as to why the State Governments have not been sending timely proposals. The Ministry have simply stated that request has been made to States in writing as well as reminders issued to submit complete proposals for release of funds. The Committee observe that it is not logical that the financially backward ST students studying in Post Matric classes do not submit applications for scholarship under the PMS which is 100% centrally funded scheme. It also does not appear reasonable that the State Governments are not willing to forward the cases of such students to the Central Ministry. The Committee are of the view that an indepth study is required to be conducted to find out the causes as to why the States/UTs do not submit proposals inspite of written requests made to them and despite repeated reminders. The Committee, therefore, while reiterating their earlier recommendation desire the Government to conduct urgently a study as mentioned above and take corrective measures in this matter.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 5, Para No. 3.36)

2.1 The Committee have time and again impressed upon the need for expeditious submission of Utilization Certificates by the States. But in actual practice the problem still

persists. It is evident from the fact that during 2007-08 there is a possibility of surrender of funds under SCA to TSP due to non-furnishing of Utilization Certificates by State Governments. The Ministry have admitted that Grants-in-aid were withheld by the Ministry to the States of Assam, Bihar, Chhattisgarh, Jharkhand, Jammu & Kashmir, Madhya Pradesh, Tamil Nadu, Tripura, Uttar Pradesh and Uttarakhand due to their inability to furnish Utilization Certificates and unspent balances. The Committee regret to point out that funds crucial for the development of Tribals could not be released due to inaction on the part of State Governments. The Committee, therefore, reiterate that the Ministry should make concerted efforts to impress upon the State Governments at the highest level to utilize all the unspent balances lying with them and submit Utilization Certificates in time so that funds for ongoing schemes are not withheld and also to ensure that funds are not allowed to be diverted or lapsed.

Reply of the Government

2.2 The Ministry constantly pursues the issue of pending Utilisation Certificates and unspent balance with all the concerned State Governments, through letters, discussions telephonic follow up and review during visits of officers and meeting of State Secretaries. The Ministry will continue to do so, as advised

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 9, Para No. 3.60)

2.3 The Committee find that under Upgradation of Merit of ST students scheme, the number of beneficiaries during the years 2004-05, 2005-06 and 2006-07 is nil in many States. Also during the year 2007-08 no student was assisted in Arunachal Pradesh, Himachal Pradesh, J&K, Jharkhand, Kerala and Uttar Pradesh. The argument put forth

by the Ministry that grants under the scheme are released to the States/UTs as and when complete proposals are received is not convincing. The Committee urge the Ministry to vigorously pursue all the States/UTs to send more number of proposals, complete in all respects, for the scheme so that the ST students could avail the benefits of the scheme. The Committee also recommend that the Ministry should simplify the procedure for obtaining the proposals from States so that the students are not deprived of the benefits of the scheme.

Reply of the Government

2.4 Every year, Ministry of Tribal Affairs writes to all the State Governments/UT Administrations for submitting proposal under all the schemes relating to education of STs. This year also Ministry has written to all the State Governments/UT Administrations, including Arunachal Pradesh, J&K, Jharkhand, Kerala and U.P., for submitting complete proposal under the scheme of Upgradation of Merit and to avail the benefits of the scheme. The procedure for applying under the scheme is already very simple.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 11, Para No. 3.74)

2.5 The Committee note that the Ministry have launched the scheme of 'Adivasi Mahila Sashaktikaran Yojana' exclusively for the economic development of ST women for providing concessional financial assistance to the beneficiaries for projects/ schemes costing upto Rs. 50,000 per unit. However, adequate number of women beneficiaries have not been covered under the scheme. Only 12 States viz. Andhra Pradesh, Chhattisgarh, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Kerala, Maharashtra, Madhya Pradesh, Rajasthan, Sikkim, Uttaranchal and West Bengal have availed of the scheme so far. The Committee urge the Ministry to make all out efforts to increase the

coverage of ST women by generating awareness about the scheme among them. Also, the States, who have not availed the scheme so far should also be persuaded to come forward and get the benefits under the scheme for upliftment of tribal women.

Reply of the Government

2.6 Adivasi Mahila Sashaktikaran Yojana is the flag ship programme of NSTFDC for economic development of scheduled tribes. The sanctions under the scheme are increasing on year to year basis covering more number of women beneficiaries. Year wise sanction of financial assistance accorded by NSTFDC alongwith corresponding number of women beneficiaries are indicated below:

Year	Sanction	
	Amount (Rs. in lakh)	Beneficiaries (Nos.)
2002-03	624.90	3325
2003-04	645.87	5992
2004-05	1180.98	8108
2005-06	1506.30	9946
2006-07	1056.36	7961
2007-08	1791.48	11526

NSTFDC has also reported that while most of the States are availing financial assistance under the scheme, some of the States are not forwarding any project proposals mainly due to their inability to settle the earlier dues and/ or non-availability of Government Guarantee so as to avail funds from NSTFDC. However, as suggested by Committee, the NSTFDC is again taking up with all the State Channelising Agencies to avail maximum assistance under AMSY and special attention would be given to those States which are not availing financial assistance under AMSY at present.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 13, Para 3.91)

2.7 The Committee note that the objective of the scheme of Ashram Schools is to extend facilities like establishment of residential schools for STs in an environment conducive to learning, to increase the literacy rate among the tribal students and to bring them at par with the rest of the population of the country. During 2006-07 and 2007-08, the targets under the scheme were not achieved as against 4000 seats in 2006-07, the achievement was of 415 wherein in 2007-08 the achievement was only 500 as against the target of 2850. The reasons for shortfall is stated to be non-receipt of complete proposals from States. The Committee view the reply as vague and desire the Ministry to simplify the procedure for sending the proposals for establishing Ashram Schools in their States. The Committee urge that the Ministry should impress upon the State Governments to send complete proposals in time so that the targets fixed under the scheme are achieved and the literacy rate of the tribal students could be increased.

Reply of the Government

2.8 The achievement under the scheme of Establishment of Ashram Schools in TSP Areas during 2007-08 was 16839 against target of 2850 seats so there is no shortfall. The apparent shortfall in achievement during 2006-07 is only because most of the grant released to various States was for completion of Ashram Schools sanctioned during previous years. The number of seats created in these Ashram Schools has not been shown against the year 2006-07 as they have already been shown against the year of sanction of first installment of grant. The procedure for applying under the scheme is already very simple. However, the Ministry has already written to all the State Governments for submitting complete proposal under the scheme in TSP Areas for the current year 2008-2009.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

CHAPTER III

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

Recommendation (Sl. No. 2, Para No. 3.18)

3.1 The Committee note that for the year 2008-2009, the Ministry had been allocated Rs.2121.00 crores against their demand of Rs.2921.38 crores. According to the Ministry the implementation of ongoing schemes/programmes would be affected adversely with lesser allocations. The Ministry have also indicated that some more new schemes are in the pipeline. In order to ensure that implementation of schemes and achievement of targets are not hampered for want of funds, the committee, desire that the Ministry should pursue with the Planning Commission and Ministry of Finance to allocate more funds at RE stage. At the same time, the Committee would like the Ministry to ensure that funds made available are prudently and optimally utilized.

Reply of the Government

3.2 The Ministry of Tribal Affairs has noted the recommendation. Meanwhile, however, an economy circular, dated 05.06.2008 has been received which has stated that:

- a) the year 2008-09, being the second year of the Plan, should be a year of consolidation; of securing the ongoing programmes on firm financial foundations; of close monitoring of implementation and enforcing accountability; and of measuring the outcomes in terms of the targets achieved as well as their quality.
- b) no new schemes and programmes, except those that are part of the Budget announcements 2008-09, shall be introduced in the current financial year.

- c) additional expenditure over and above the prescribed approved ceiling for individual schemes shall not be permitted.

Thus during the current financial year the focus will be on consolidation rather than expansion.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 4, Para No. 3.20)

3.3 The Committee note that sufficient steps have not been taken by the Ministry to generate awareness among tribal people about the various schemes being implemented for their upliftment. According to the Ministry awareness is generated through the actions taken by States/ UTs. Besides all schemes are placed on the website of the Ministry. The Committee are not satisfied with this routine reply of the Ministry. They desire that in order to generate awareness among tribals, the various schemes of the Ministry should be given wide publicity through print and electronic media, including vernacular print media, by using traditional Media like folk music/dance/drama and also by distributing pamphlets in tribal areas etc. The Committee, also recommend that the Ministry should organize camps regularly and send their officers to States/ UTs for the purpose. The Committee hope that these steps would certainly help the tribal people in availing the benefits of the schemes.

Reply of the Government

3.4 Ministry of Tribal Affairs is publicizing its schemes periodically thorough Electronic and print media including vernacular print media.

Due to shortage of man-power in the Ministry of Tribal Affairs, it is not possible to organize camps in different States directly, by officials of this Ministry.

Local and traditional media use is left to the States for whom the schemes are meant and through whom the proposals are to come from.

Awareness is also generated during tours, meetings and workshops.

The guidelines of NSTFDC is available in ten regional languages viz. Assamese; Bengali; Gujarati; Kannada; Malayalam; Marathi; Oriya; Tamil; Telugu and Urdu.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 6, Para No. 3.37)

3.5 The Committee note that there are 2474 forest villages in 12 States. However, proposals for development of Forest Villages which is necessary for the benefit of tribals have not been received from 61 Forest Villages in the States of Assam, Chhattisgarh, Madhya Pradesh, Uttarakhand and Uttar Pradesh. The Ministry have stated that State Governments find it difficult to submit proposals for various reasons like village being uninhabited, inaccessible due to naxal problems etc. The Committee are not convinced at all with the reply of the Government. The Committee desire that the Ministry should look into these aspects and discuss with the representatives of the State Governments to find ways and means by which they would be able to send proposals for development of forest villages.

Reply of the Government

3.6 The Ministry has sent letters and many reminders in the past in this regard and this issue has also been discussed with the State Secretaries during the meeting held on

18/19 February, 2008 and also May 16, 2008. The State Governments have also been contacted over telephone for the proposals in respect of remaining 61 villages from the States of Assam, Chhattisgarh, Madhya Pradesh, Uttarakhand and Uttar Pradesh. During 2008-09 the State has been addressed afresh on May 13, 2008 and they have also been reminded on June 24, 2008. From the responses received from Assam, Uttarakhand, Madhya Pradesh and Chhattisgarh, it is observed that these States are not in a position to submit proposals for the remaining villages in these States (totaling 50 villages in number) for various reasons.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 12, Para No. 3.83)

3.7 The Committee note that the Ministry have introduced an insurance scheme for Primitive Tribal Groups i.e. 'Janshree Beema Yojana' during 2004-05 with the objective of covering the head of each PTG family by the end of the Tenth Five Year Plan. Out of 5 lakh PTG families assessed for coverage under the scheme, funds have been released for covering 3 lakh PTG families during 2004-05 and 2005-06. As per plan, during 2006-07 the funds were required to be released for 2,00,000 family heads. However, some States who were given grant during 2004-05 and 2005-06 had not shown any progress. Therefore, grants were released only for 1,29,000 families. The Committee urge the Ministry to prepare specific action plan expeditiously to bring all the PTG families under insurance cover during 2008-09 and monitor the progress achieved at the highest level.

Reply of the Government

3.8 The sub-scheme of Janashree Beema Yojana was launched in 2004-05 through Life Insurance Corporation of India under the umbrella scheme of "Development of Primitive Tribal Groups", to cover the head of each PTG family, and based on the PTG

census figures of 1991 i.e. 24.12 lakh, it was estimated that there may be 5,00,000 families of PTGs taking five persons per family as a standard. Accordingly during 2004-05, an amount of Rs.5.00 crore was released to cover 1,00,000 head of PTG families in 16 States, and during 2005-06, Rs.10.00 crore were released to cover 2,00,000 head of PTG families in 15 States/UT. As per plan, during 2006-07 the funds were required to be released for remaining 2,00,000 heads. But some States who were given grants during 2004-05 and 2005-06 had not shown any progress. Taking this fact into account, during 2006-07 the grants were released only to those States who had shown full progress or part progress and therefore the grants were released only for 1,29,000 families instead of 2,00,000 families. But, State of Chhattisgarh returned their amount stating that they had already covered entire PTG families in their State in 2005-06. Similarly, in case of A&N Islands, out of five PTG groups, only two groups viz. Andamanese and Onges could be covered, because three other groups viz. Jarawas, shompens and Sentinelese are still very primitive and spend life away from the modern world.

In view of the above, out of the total estimated number of PTG families i.e. 5,00,000, the grants were released for 4,09,500 PTG families only. Since the figure of 5,00,000 PTG families was an estimate only, there are every chances of variation. Because the actual data on number of families is available with the State Governments, and also considering the fact that some PTGs are still nomadic in nature, the State Governments have been asked to cover the entire remaining families of PTGs, if any, during 2007-08 on priority. During 2007-08, the Ministry has released Rs.112.00 lakhs to States of Andhra Pradesh, Karnataka, Orissa and Tripura for providing insurance cover 22,400 heads of PTG families on the basis of demand posed by them. A reminder has

also been issued to the States on 9.4.08 to provide the details of coverage. The scheme is being monitored through filed visits.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

CHAPTER IV

RECOMMENDATION/ OBSERVATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAVE NOT BEEN ACCEPTED AND HAVE BEEN COMMENTED UPON BY THE COMMITTEE IN CHAPTER-I

Recommendation (Sl. No. 7, Para No. 3.46)

4.1 The Committee note that the Ministry have sanctioned 100 Eklavya Model Residential Schools (EMRSs) under Article 275 (1) of the Constitution out of which only 79 are operational. Out of 21 EMRS which are not yet functional, 4 have been shifted from the States of Assam and Meghalaya to other States as these States did not take any action for establishment of Eklavya Model Residential Schools for a long time. The rest are not in operation because of the inability on the part of State Government to recruit teachers, complete the construction work etc. This is nothing but lack of commitment on the part of States in taking proper and timely steps for the educational development of the tribal children. The Committee recommend that the Ministry of Tribal Affairs should have time limit, preferably two years from the date of release of central assistance, for completion of Eklavya Model Residential Schools and ensure that the sanctioned Eklavya Model Residential Schools are completed on time.

Reply of the Government

4.2 The recommendation of the Standing Committee has already been brought to the notice of concerned States who have been requested to take immediate action to make the Eklavya Model Residential Schools (EMRS) functional.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Comments of the Committee

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

Recommendation (Sl. No. 8, Para No.3.59)

4.3 The Committee note with concern that during 2004-05 to 2007-08 no funds could be released under the scheme of Post-Matric Scholarship to the States/UTs of Arunachal Pradesh, Bihar and Daman and Diu. The Committee are not satisfied with the reply that the Ministry release grants-in-aid to the States/UTs as per their anticipated requirement and also that complete proposals are not received from the States. The Committee observe that poor ST students are being deprived of the much needed financial assistance for pursuing higher education due to apathy of the State Governments. The Committee therefore, urge the Ministry to impress upon the States to fulfill their commitment towards ST students and to send the proposals complete in all respects early for release of funds under the scheme.

Reply of the Government

4.4 Ministry of Tribal Affairs writes to all the States/UTs every year at the beginning of financial year for submitting proposals under the scheme of Post Matric Scholarship for ST students. During last financial year (2007-08), Ministry has sent more than three reminders to all the States/UTs for submitting complete proposals under the scheme. During the current year (2008-09) also Ministry has written to all the State Governments/UT Administrations including State Governments of Arunachal Pradesh, Bihar and UT Administration of Daman & Diu for submitting proposals complete in all respects under the scheme of Post Matric Scholarship.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Comments of the Committee

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

CHAPTER V

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

Recommendation (Sl. No. 1, Para No. 1.4)

5.1 Twenty-fifth Report of the Committee on Demands for Grants, 2007-08 of the Ministry of Tribal Affairs was presented to Lok Sabha on 28th April, 2007 and laid in Rajya Sabha on 3rd May, 2007. Although the Action Taken Notes have been received from the Ministry, the Committee regret to observe that as per Direction 73A of 'Directions by the Speaker' necessary statement regarding the status of implementation of recommendations contained in the Original Report has not been made by the Minister in the House. While deprecating this inordinate delay, the Committee desire that requisite action in this connection should be taken expeditiously.

Reply of the Government

5.2 Hon'ble Minister of Tribal Affairs will make a statement on the status of implementation of the recommendations contained in the Twenty-Fifth Report of the Standing Committee on Social Justice and Empowerment (Fourteenth Lok Sabha) on Demands for Grants (2007-08) in the forthcoming Monsoon Session of the Parliament.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 3, Para No. 3.19)

5.3 The Committee note that the Ministry of Tribal Affairs had formulated a draft National Tribal Policy in June 2006, in order to address the issues concerning tribals viz. lower Human Development Index, poor infrastructure, diminishing control over the natural resource base, persistent threats of eviction from their natural habitat, exclusion from mainstream society, inequality in distribution of wealth and opportunities etc.

However, the Committee note with regret that this important Policy has not yet been finalized and is still under consideration by the Group of Ministers. The Committee regret to point out the inordinate delay in formulation of the National Tribal Policy. At this stage the Committee cannot but overemphasize the need for early consideration and approval of this policy by the group of Ministers. The Committee would like to be apprised of the latest position in this regard.

Reply of the Government

5.4 Final Draft of National Tribal Policy was placed before Cabinet for approval on 31-05-2007, but before taking any decision, Cabinet referred it to a Group of Ministers (GoM) constituted under the chairmanship of Shri Shivraj V. Patil, Minister of Home Affairs to consider the Draft National Tribal Policy, 2007 and to harmonize it with National Rehabilitation Policy. Three meetings of GoM have taken place on 6.9.2007, 23.10.2007 and 11.1.2008. A supplementary Cabinet note, with the recommendations of the Group of ministers is being moved.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 10, Para No. 3.73)

5.5 The Committee note that during the Meeting of Expenditure Finance Committee held in December, 2004, it was decided that the proposal for equity funding of NSTFDC and State Finance and Development Corporations during 10th Plan was to be brought for consideration of EFC again after completion of evaluation study of NSTFDC schemes by the Planning Commission. However, since the evaluation study report is still awaited from Planning Commission, the Ministry could not complete the appraisal of the scheme

and release funds for 2005-06 to 2007-08. The Committee are concerned to note that evaluation study of NSTFDC schemes which was initiated on 10th April, 2008 and on 12th August, 2008 could not be completed even after considerable period. The Committee, therefore, recommend that the Ministry should vigorously pursue to get approval of the Programme Evaluation Organization of the Planning Commission early so that funds could be allocated to NSTFDC for the various schemes.

Reply of the Government

5.6 The Ministry has sent many letters and reminders including 8 DO letters to the Planning Commission in the matter and the concerned officers of the Planning Commission have also been contacted over telephone from time to time. The NSTFDC has also been corresponding with the Planning Commission and they have written 8 letters from their side after receiving the Draft Evaluation Study report from Planning Commission since June, 2007. However, the final report is yet to be submitted by PEO, Planning Commission.

Ministry has now decided to take up evaluation study on performance of some State Tribal Development and Finance Corporations (STDFCs) through other agency.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

Recommendation (Sl. No. 14, Para No. 3.92)

5.7 The Committee desire that the suggestions, as detailed below may be considered for implementation by the Ministry of Tribal Affairs in consultation and coordination with other concerned Ministries/Departments/Agencies for focused attention towards various issues relating to the tribals and to facilitate the formulation of overall policy and planning for their benefit.

- (i) The Ministry of Tribal Affairs being the nodal Ministry to work for the welfare of the tribals with special focus, should take over all the schemes of other Ministries specifically related to development of tribals.
- (ii) The SCA and TSP should be an integral part of the Annual Plan as well as of the Five Year Plan. The provisions therein should also be made as non-divertible and non-lapsable with the clear-cut objective of bridging the gaps in the socio-economic conditions of the Scheduled Tribes and advance sections of the society within a time bound framework.
- (iii) The funds should be allocated in proportion to the population of the Scheduled Tribes to the total population in the country. As such, at least 8.5 per cent of the Budget of the entire country should be provided for the development of tribals.
- (iv) The problem of increasing landlessness of the tribals should be resolved with dedication and commitment.
- (v) The medium of instruction in the special schools run for tribals should be English, if necessary so that tribal children could be on par with the rest of the population.
- (vi) Keeping in view the higher percentage of tribals in Orissa i.e. 24 percent of the total population of the State there is an urgent need to set up a tribal university there to meet their educational requirements as in the case of Madhya Pradesh.
- (vii) The Ministry of Tribal Affairs should have the data as to how many of the tribal people are below the poverty line. The Ministry could also assess the

number of tribal people benefited in the unorganized sector and from the debt relief programmes of the Government.

Reply of the Government

- 5.8 (i) The programmes and schemes of the Ministry are intended to support and supplement, through financial and policy assistance, the efforts of other Central Ministries, the State Governments and voluntary organizations and to fill critical gaps in ST development and welfare programmes. This Ministry cannot take over schemes from line Ministries and Departments.
- (ii) SCA to TSP is an additive to the State Plan and is regulated by the Ministry as per the guidelines laid down for utilisation of the funds allocated by the Planning Commission each year. The allocation for the same is indicated by the Planning Commission on annual basis. The recommendation regarding non-lapsing and non-diversion will be sent to the Planning Commission.
- (iii) The allocation of fund among different States/UTs is done in proportion to the ST population in those States/UTs. In respect of some schemes being implemented by this Ministry, the allocation of funds is not made State-wise and funds are released on receipt of the proposals from the States/UTs.

For formulation and implementation of Tribal Sub-Plan in the Central Government Ministries/ Departments, it is insisted that funds for TSP earmarked to at least 8.2% of the total budget and actually spent. But it is seen that most of the Central Ministries/ Departments, have not been able to effectively indicate such earmarking of funds in their Budget. The matter

is further being discussed with the Planning Commission to decide on the rectification of this problem.

(iv) Noted.

However, 'Land' and its management fall under the exclusive legislative and administrative jurisdiction of States as provided under the Constitution of India (Seventh Schedule – List-II (State List) – Entry No.18). The Department of Land Resources in the Ministry of Rural Development is the Nodal Ministry at the Centre. The recommendation of the Committee is being referred to that Department for taking further necessary action.

(v) Medium of instruction in the Eklavya Model Residential Schools set up out of grant under Article 275 (1) of the Constitution to provide quality education to ST students is English.

For the primary stage, the medium of instruction for tribal students should be in the mother tongue to the extent possible. Thereafter, it can be in Hindi or English or the local language as may be decided by the State Governments/UT Admn.

(vi) Ministry of Human Resource Development is the Nodal Ministry for setting up of any university in the country. The recommendation of the committee is being forwarded to that Ministry for further necessary action.

(vii) Percentage of population below poverty line as estimated by the Planning Commission is already available as attached in **Annexure-I**. The information on number of tribal people benefited in the unorganized sector and also under the debt relief progress of the Government is expected to

be covered in the forthcoming Census of 2011. In a meeting held on 22.05.2008 under the Chairmanship of the Member, Planning Commission the Ministry has stressed the need for development of a monitoring mechanism for Tribal Sub-plan in the States, which could also facilitate collection of such data on tribals.

NEW DELHI:
17 December, 2008
26 Agrahayana, 1930 (Saka)

SUMITRA MAHAJAN,
Chairperson,
Standing Committee on
Social Justice and Empowerment.

**PERCENTAGE OF POPULATION (SOCIAL GROUPS WISE) BELOW
POVERTY LINE BY
States-2004-05**

Sr No	States	Rural				Urban			
		ST	SC	OBC	Others	ST	SC	OBC	Others
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pr.	30.5	15.4	9.5	4.1	50.0	39.9	28.9	20.6
2	Assam	14.1	27.7	18.8	25.4	4.8	8.6	8.6	4.2
3	Bihar	53.3	64.0	37.8	26.6	57.2	67.2	41.4	18.3
4.	Chhatisgarh	54.7	32.7	33.9	29.2	41.0	52.0	52.7	21.4
5	Delhi	0.0	0.0	0.0	10.6	9.4	35.8	18.3	6.4
6	Gujarat	34.7	21.8	19.1	4.8	21.4	16.0	22.9	7.0
7	Haryana	0.0	26.8	13.9	4.2	4.6	33.4	22.5	5.9
8	Himachal Pr.	14.9	19.6	9.1	6.4	2.4	5.6	10.1	2.0
9.	Jammu & Kashmir	8.8	5.2	10.0	3.3	0.0	13.7	4.8	7.8
10.	Jharkhand	54.2	57.9	40.2	37.1	45.1	47.2	19.1	9.2
11.	Karnataka	23.5	31.8	20.9	13.8	58.3	50.6	39.1	20.3
12.	Kerala	44.3	21.6	13.7	6.6	19.2	32.5	24.3	7.8
13.	M.P.	58.6	42.8	29.6	13.4	44.7	67.3	55.5	20.8
14.	Maharashtra	56.6	44.8	23.9	18.9	40.4	43.2	35.6	26.8
15.	Orissa	75.6	50.2	36.9	23.4	61.8	72.6	50.2	28.9
16.	Punjab	30.7	14.6	10.6	2.2	2.1	16.1	8.4	2.9
17.	Rajasthan	32.6	28.7	13.1	8.2	24.1	52.1	35.6	20.7
18.	Tamilnadu	32.1	31.2	19.8	19.1	32.5	40.2	20.9	6.5
19.	Uttar Pr.	32.4	44.8	32.9	19.7	37.4	44.9	36.6	19.2
20.	Uttarakhand	43.2	54.2	44.8	33.5	64.4	65.7	46.5	25.5
21.	West Bengal	42.4	29.5	18.3	27.5	25.7	28.5	10.4	13.0
	All India	47.2	36.8	26.7	16.1	33.3	39.9	31.4	16.0

Legend SC = Scheduled Castes, ST = Scheduled Tribes, OBC = Other backward classes

N.B. 1. The poverty ratios among the social groups are estimated from the percentage distribution of persons of the respective social groups as obtained from the

large sample survey consumer expenditure data of the NSS (61st ST) around, July 2004 to June 2005 and the Poverty line for all population

2. The poverty ratio are based on URP (Uniform Recall Period) consumption distribution of NSS 61st round (July 2004 – June 2005) in which the consumer expenditure data for all the terms are collected from 30 days recall period.

3. The estimates are based on the methodology outline in the Report of the Expert Group on estimation of proportion and number of Poor.

4. All India Poverty ratio for the social groups is worked out from the respective NSS distribution of persons and (Implicit) all India poverty line for all population.

5. The poverty ratio among the Scheduled Tribes population in some states may be treated with caution due to the smallness of the sample household based on which the class distribution of persons have been obtained in the NSS. These states are in the rural areas. Haryana and Punjab where the number of sample household among the scheduled Tribes (STs) is 10 or less, and J&K and Tamil Nadu, where the number of sample is 15 or less. Similarly, in the urban areas the states are Bihar, Haryana, Himachal Pradesh, Jammu & Kashmir, Kerala and Punjab where the number of household among the schedule Tribes (STs is 10 or less, and Delhi, Tamil Nadu and Uttarakhand, where the number of sample household is 20 or less.

[Ministry of Tribal affairs OM F.No. 16015/2008-PC & V dated 10.07.2008]

MINUTES OF THE THIRD SITTING OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT HELD ON 17th DECEMBER, 2008.

The Committee met from 1500 hrs. to 1540 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

1. Smt. Sumitra Mahajan - Chairperson

MEMBERS
LOK SABHA

2. Shri Mahaveer Bhagora
3. Shri Haribhau Jawale
4. Dr. Babu Rao Mediyam
5. Shri Kailash Meghwal
6. Smt. Pratibha Singh
7. Smt. Usha Verma

MEMBERS
RAJYA SABHA

8. Shri Silvius Condpan
9. Shri Ahmad Sayeed Malihabadi
10. Dr. Narayan Singh Manaklao

SECRETARIAT

- | | | | |
|----|--------------------------|---|------------------|
| 1. | Shri A.K. Singh | - | Joint Secretary |
| 2. | Shri B. Srinivasa Prabhu | - | Deputy Secretary |
| 3. | Shri Ram Kishan | - | Under Secretary |

2. At the outset, Hon'ble Chairperson welcomed the Members to the sitting of the Committee and apprised them that the sitting has been convened to consider and adopt the following Draft Reports of the Committee:

- (i) Draft Thirty-ninth Report on Action taken by the Government on the observations/recommendations contained in the Thirty-fifth Report on Demands for Grants (2008-09) of the Ministry of Minority Affairs.
- (ii) Draft Fortieth Report on Action taken by the Government on the observations/recommendations contained in the Thirty-fourth Report on Demands for Grants (2008-09) of the Ministry of Tribal Affairs.
- (iii) Draft Forty-first Report on Action taken by the Government on the observations/recommendations contained in the Third-third Report on Demands for Grants (2008-09) of the Social Justice and Empowerment.

3. ****

4. Thereafter, the Committee considered and adopted the Fortieth Report without any amendment.

5. ****

6. The Committee authorized the Chairperson to finalise these draft Reports and present the same to Parliament on their behalf.

The Committee then adjourned.

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE THIRTY-FOURTH REPORT OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT (FOURTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	14	
II. Observations/Recommendations which have been accepted by the Government: (Paragraph Nos. 3.36, 3.60, 3.74 and 3.91)	4	28.57%
III. Observations/Recommendations which the Committee do not desire to pursue in view of the replies of the Government: (Paragraph Nos. 3.18, 3.20, 3.37 and 3.83)	4	28.57%
IV. Observations/Recommendations in respect of which replies of the Government have not been accepted and have been commented upon by the Committee in Chapter I (Paragraph Nos. 3.46 and 3.59)	2	14.29%
V. Observations/Recommendations in respect of which replies of the Government are interim in nature: (Paragraph Nos. 1.4, 3.19, 3.73 and 3.92)	4	28.57%