

**STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT
(2014 - 2015)**

(SIXTEENTH LOK SABHA)

MINISTRY OF TRIBAL AFFAIRS

Action taken by the Government on the observations/recommendations contained in the Third Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2014-15) of the Ministry of Tribal Affairs.

NINETEENTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2015/Shravana, 1937(Saka)

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Presented to Lok Sabha on 10.8.2015

Laid in Rajya Sabha on 10.8.2015



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2015/Shravana, 1937(Saka)

CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(vi)
CHAPTER - I Report	1
CHAPTER- II Observations/Recommendations which have been accepted by the Government.	13
CHAPTER- III Observations/Recommendations which the Committee do not desire to pursue in view of the replies of the Government.	27
CHAPTER -IV Observations/Recommendations, in respect of which replies of the Government have not been accepted and which require reiteration.	29
CHAPTER- V Observations/Recommendations in respect of which replies of the Government are interim in nature.	30
 ANNEXURES 	
ANNEXURE - I No. of tribal people affected/displaced, rehabilitated and given R&R package and given employment in the last 5 years	32
ANNEXURE - II Minutes of the Twenty-sixth sitting of the Standing Committee on Social Justice and Empowerment held on 6.8.2015.	35
 APPENDIX 	
Analysis of the action taken by the Government on the recommendations contained in the Third Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha).	37

**COMPOSITION OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND
EMPOWERMENT (2014-2015)**

SHRI RAMESH BAIS - CHAIRPERSON

**MEMBERS
LOK SABHA**

2. Shri Jasvantsinh Sumanbhai Bhabhor
3. Kunwar Bharatendra
4. Shri Santokh Singh Chaudhary
- *5. Shri Sher Singh Ghubaya
6. Shri Jhina Hikaka
7. Shri Prakash Babanna Hukkeri
8. Shri Bhagwant Khuba
9. Shri Sadashiv Lokhande
10. Smt. Maragatham K.
11. Shri Kariya Munda
12. Prof. A.S.R. Naik
13. Shri Asaduddin Owaisi
14. Sadhvi Savitri Bai Phule
15. Dr. Udit Raj
16. Smt. Satabdi Roy
17. Prof. Sadhu Singh
18. Smt. Neelam Sonkar
- *19. Smt. Mamta Thakur
- #20. Shri Tejpratap Singh Yadav
- **21. Vacant

**MEMBERS
RAJYA SABHA**

22. Smt. Jharna Das Baidya
- ##23. Dr. Tazeen Fatma
24. Shri Ahamed Hassan
25. Smt. Sarojini Hembram
26. Shri Prabhat Jha
27. Smt. Mohsina Kidwai
28. Shri Praveen Rashtrapal
29. Shri Nand Kumar Sai
30. Smt. Vijila Sathyananth
31. Smt. Wansuk Syiem

Nominated w.e.f. 22.12.2014

Nominated w.e.f. 29.1.2015

* Nominated w.e.f. 25.3.2015

** Shri Dilip singh Bhuria expired on 24.6.2015

LOK SABHA SECRETARIAT

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

INTRODUCTION

I, the Chairperson, Standing Committee on Social Justice and Empowerment (2014-15) having been authorized by the Committee to submit the Report on their behalf, do present this Nineteenth Report on the action taken by the Government on the observations/recommendations contained in the Third Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2014-15) of the Ministry of Tribal Affairs.

2. The Third Report was presented to Lok Sabha and laid in Rajya Sabha on 19th December, 2014. The Ministry of Tribal Affairs furnished their replies indicating action taken on the recommendations contained in that Report on 25th March, 2014. The Report was considered and adopted by the Standing Committee on Social Justice and Empowerment at their sitting held on 6.8.2015.

3. An analysis of the action taken by Government on the recommendations contained in the Third Report of the Standing Committee on Social Justice and Empowerment (Sixteenth 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.

NEW DELHI;
6 August, 2015
15 Shravana, 1937 (Saka)

RAMESH BAIS
Chairperson,
Standing Committee on
Social Justice and
Empowerment

CHAPTER I

REPORT

1.1 This Report deals with the action taken by the Government on the observations/recommendations contained in the Third Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2014-15) of the Ministry of Tribal Affairs.

1.2 The Report was presented to Lok Sabha and laid on the Table of Rajya Sabha on 19th December, 2014. It contained 10 recommendations. Replies of Government in respect of all the recommendations have been examined and have been categorized as under:

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

Para Nos. 2.20, 2.21, 2.22, 2.23, 2.36, 2.46, 2.54, 2.62

(Total 8 – Chapter II)

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

Para No. 2.24

(Total 1 – Chapter III)

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

(Nil - Chapter IV)

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

Para No. 2.25

(Total 1 – Chapter V)

1.3 The Committee desire that action taken notes on the recommendations contained in Chapter-I and final action taken notes in respect of the recommendations contained in Chapter-V of this Report may be furnished to them at the earliest and in any cases 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.

A. Umbrella Scheme for Education of ST Children

Recommendation (Sl. No. 2, Para No. 2.21)

1.5 The Committee observed that the Ministry with their mandate of critical gap filling, is re-engineering the education schemes, wherein the five existing centrally sponsored schemes namely (i) Post-Matric Scholarship for ST students (ii) Pre-Matric Scholarship for ST students (iii) Scheme of Construction of Hostels for ST Girls and Boys (iv) Scheme of Establishment of Ashram School in Tribal Sub-Plan Areas (v) Vocational Training in Tribal Areas, have been merged with an Umbrella scheme. The merger and reorganization of the existing schemes is expected to expand the scope and flexibility of interventions that are presently available under the individual stand-alone schemes. On the status of the approval of the Scheme, the Ministry had informed that a Cabinet Note has already been submitted on 26th August, 2014. The Committee urged the Ministry to get the Scheme approved urgently so that the same could be implemented during the current financial year itself.

1.6 The Ministry of Tribal Affairs in their action taken reply have stated as under :-

"The revised Cabinet Note on proposed Umbrella Scheme has been sent to Cabinet Secretariat on 24.12.2014 and Cabinet approval is awaited."

1.7 The Committee have been informed that revised note on proposed Umbrella Scheme has since been sent to Cabinet Secretariat on 24.12.2014 for approval which is awaited. The Committee desire the Ministry to expedite the approval of the same from the Cabinet Secretariat.

B. National Tribal Policy

Recommendation (Sl. No. 4, Para No. 2.23)

1.8 The Committee were unhappy to note that draft "National Tribal Policy" covering various issues of tribals formulated in the year 2006 is still under consideration. At this stage, the Committee cannot but emphasize the need for early finalizing and implementation of the Policy which has so much to offer for the poor tribals of our country.

1.9 The Ministry of Tribal Affairs in their action taken reply have stated as under :-

"Various consultations have consumed a lot of time and the National Tribal Policy is yet to get the final approval. In the mean time the PMO constituted a High Level Committee on 14.08.2013 to prepare a position paper on socio-economic status of STs and to suggest a way forward. As this would have implications for policy formation, the National Tribal Policy can be finalized thereafter only.

The High Level Committee constituted by the Prime Minister's Office to prepare a report on the socio-economic, health and educational status of the tribal communities of India has submitted its report to the Ministry. The report was forwarded to PMO who advised to examine the recommendations of the Committee with other stakeholder Ministries/Departments. Accordingly, concerned Ministries/Departments of the Central Government as well as Principal Secretary/Commissioner of Tribal Welfare Departments of States have been requested to furnish their views/comments on the recommendations of the Committee."

1.10 The Committee note that now the Ministry of Tribal Affairs have requested the concerned Ministries/Departments of the Central Government as well as Principal Secretary/Commissioner of Tribal Welfare Departments of States to furnish their views/comments on the recommendations of the Report on the Socio-economic, Health and Education Status of the Tribal Communities of India. The Committee are surprised to find that the Ministry have still not given any dateline to these Ministries/Departments of the Central Government and Principal Secretary/Commissioner of Tribal Welfare Departments of States to furnish their views/comments on such an important policy which could not see the light of the day even after nine years of its formulation. The Committee desire that some reasonable time limit may be given to all concerned to furnish their views/comments so that National Tribal Policy could be finalized now without further delay.

C. Data on number of tribal people affected and displaced due to various developmental projects

Recommendation (Sl. No. 6, Para No. 2.25)

1.11 The Committee noted that the Ministry does not maintain data on number of tribals affected and displaced due to development projects in the Scheduled Area. More so, data furnished by the Ministry regarding the number of tribal people affected and displaced due to various developmental projects in tribal areas was incomplete. Keeping in view the mandate of the Ministry regarding overall policy planning and coordination of programmes for the development of Scheduled Tribes as well as accountability on matters relating to tribal welfare, the Committee desired the Ministry to undertake immediate extensive project-wise survey of all the Ministries/Departments regarding the number of tribal people affected and displaced due to various developmental projects as well as rehabilitated across the country. As "The Right for Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" has been notified and comprehensive Rehabilitation and Resettlement package and special provisions for SCs/STs under the said Act exist, the Committee recommended that compensation to all the affected/displaced tribals under the above Act might be considered as early as possible.

Reply of the Government

1.12 The Ministry of Tribal Affairs in their action taken reply have stated as under :-

"The Department of Land Resources is the nodal Department for this purpose. The Ministry of Tribal Affairs has requested all the concerned Ministry/Department to intimate the following information:-

- (i) Name of the Project.
- (ii) No. of tribal people affected/displaced in the last 5 year.
- (iii) No. of affected/displaced tribal peoples who were rehabilitated and given R&R package.
- (iv) No. of affected/displaced tribal people who were given employment.

The information available in the Ministry and as received from Ministry of Power is at **Annexure-I**. The Ministry of Rural Development, Department of Land Resources has informed that they, through National Monitoring Committee, are attempting to collect data with regard to displacement of persons affected by land acquisition or other reasons from all Central Ministries/States/UTs. On receipt of data the same will be made available to the Committee."

1.13 The Committee in their earlier recommendation had desired the Ministry to undertake immediate extensive project-wise survey of all the Ministries/Departments regarding the number of tribal people affected and displaced due to various developmental projects as well as rehabilitated across the country. The Committee find that information furnished by the Ministry (as received from the Ministry of Power) as incomplete. The Ministry in their action taken note have maintained that the Ministry of Rural Development (Department of Land Resources) is the nodal department for this purpose and they are attempting to collect data with regard to displacement of persons affected by land acquisition or by other reasons from all Central Ministries/States/UTs. The Committee urge the Ministry to keep pursuing the matter vigorously with the Ministry of Rural Development to have the requisite data collected at the earliest.

D. Reviving the non-performing State Channelising Agencies (SCAs) of NSTFDC

Recommendation (Sl. No. 10, Para No. 2.62)

1.14 The Committee observed that the main objective of the National Scheduled Tribes Finance and Development Corporation (NSTFDC) is to identify economic activities useful to Scheduled Tribes so as to generate self-employment and raise their income level. The Committee also found that the State Channelizing Agencies (SCAs) are the main links between the beneficiaries and the Corporation and these agencies are responsible for identification of beneficiaries, seeking sanctions, receiving funds and ultimately disbursing them to the beneficiaries. However, the Committee were constrained to note that the performance of the 15 SCAs are not satisfactory. The main reasons cited for non-performance were due to mounting over dues with SCAs, State Government not providing guarantee, SCA not signing the loan agreement and also not sending the proposals etc. Since the SCAs are the main links between the beneficiaries and the Corporation and their objective is to provide funds available for economic upliftment of the poor Scheduled Tribe beneficiaries, the Committee desired the Ministry to take up and address these issues with the concerned State Governments/SCAs so that these SCAs seriously work for the welfare of Scheduled Tribes.

1.15 The Ministry of Tribal Affairs in their action taken reply have stated as under :-

"National Scheduled Tribes Finance and Development Corporation (NSTFDC) is taking all efforts to revive the non-performing State Channelising

Agencies (SCAs). In this connection, we have taken up the matter with various SCAs as detailed below:-

<p><u>Andhra Pradesh</u> A.P. Scheduled Tribes Coop. Finance Corpn. Limited</p>	<p>After bifurcation of the State into Andhra Pradesh and Telangana, we have taken up the matter with new Governments and it is learnt that the Andhra Pradesh Government has taken a decision to revive the channelizing activities of TRICOR with immediate effect. It is expected that the final outcome on this will be available by end of March, 2015.</p>
<p><u>Assam</u> Assam Plain Tribes Development Corporation Ltd.</p>	<p>CMD, NSTFDC visited in the state of Assam and had discussions with Principal Secretary, TA to settle the overdues and resume the activities. Secretary, TA has also written a letter to Chief Secretary, Assam in this regard.</p>
<p><u>Goa</u> Goa State Scheduled Tribes Finance and Development Corpn. Ltd.</p>	<p>CMD, NSTFDC has taken up the matter with Goa State Scheduled Tribes finance and Development Corpn. Ltd. for sending the proposals and it is expected that during the financial year 2015-16 they will start sending the proposals.</p>
<p><u>Manipur</u> Manipur Tribal Development Corporation Ltd.</p>	<p>After continued persuasion with MTDC, they have come with a proposal of One Time Settlement of Overdues amount, NSTFDC has communicated its decision of One Time Settlement Proposal and the response from them is awaited by end of March, 2015.</p>
<p><u>Tamil Nadu</u> Tamil Nadu Adi Dravidar housing and Development Corporation Ltd.</p>	<p>The matter for reviving the operation of SCAs in Tamil Nadu was taken up during the Parliamentary Standing Committee Meeting held on 27.01.2015 and it is expected that a favorable outcome would be there shortly.</p>
<p><u>Maharashtra</u> Shabari Adivasi Vitta Va Mahamandal Maryadit</p>	<p>CMD, NSTFDC has scheduled a meeting with Principal Secretary, TA, Maharashtra on 10.03.2015 during which the matter will be discussed."</p>

1.16 The Committee find that the National Scheduled Tribes Finance and Development Corporation (NSTFDC) is taking all efforts to revive the non-performing State Channelising Agencies (SCAs) and have also taken up the matter with the concerned State Governments/ State Channelising Agencies (SCAs). The Committee may, however, be apprised of the latest position in the matter.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 1, Para No. 2.20)

2.1 The Committee are concerned to note that there was underutilization of funds for the year 2013-14 as against the BE of Rs. 4279.00 crore, the RE was reduced to Rs. 3879.22 crore whereas the AE was Rs. 3822.1165 crore. The main reasons attributed to underutilization of funds were non receipt of complete proposals/utilization certificates from the State Governments/UTs and restriction of expenditure ceiling of 15% in the month of March as per the orders of Ministry of Finance. The Committee feel that had the State/UT Governments been sensitized timely, the situation could have been avoided. The Committee desire that the Ministry to vigorously pursue with the State Governments/UTs for timely submission of complete proposals/utilization certificates in the beginning of the first quarter of the year itself by bringing the new expenditure norms to their notice so as to avoid reduction in allocation at RE stage.

Reply of the Government

2.2 The recommendation of the Committee has been noted. However, In order to ensure full utilization of funds, the Ministry has requested the State Governments/UT Administration/Institutions to send the complete proposal along with utilization certificate in prescribed format (GFR-19-A) to this Ministry well in time. Periodic meetings are also held with the representatives of the State Government/UTs for effective implementation of the schemes and avoid reduction

in allocation at RE stage. Project Appraisal Committee (PAC) process introduced during current financial year, which would enable optional allocation, transparent and expedite fund release.

The matter for submission of utilization certificates in respect of grants released earlier has been vigorously taken up with the respective State Governments during the year 2014-15. The matter is vigorously pursued through meetings, Telephone calls, letters and visits of Senior Officers of the Ministry.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Recommendation (Sl. No. 2, Para No. 2.21)

2.3 The Committee observe that the Ministry with their mandate of critical gap filling, is re-engineering the education schemes, wherein the five existing centrally sponsored schemes namely (i) Post-Matric Scholarship for ST students (ii) Pre-Matric Scholarship for ST students (iii) Scheme of Construction of Hostels for ST Girls and Boys (iv) Scheme of Establishment of Ashram School in Tribal Sub-Plan Areas (v) Vocational Training in Tribal Areas, have been merged with an Umbrella scheme. The merger and reorganization of the existing schemes is expected to expand the scope and flexibility of interventions that are presently available under the individual stand-alone schemes. On the status of the approval of the Scheme, the Ministry informed that a Cabinet Note has already been submitted on 26th August, 2014. The Committee urge the Ministry to get the Scheme approved urgently so that the same could be implemented during the current financial year itself.

Reply of the Government

2.4 The revised Cabinet Note on proposed Umbrella Scheme has been sent to Cabinet Secretariat on 24.12.2014 and Cabinet approval is awaited.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Comments of the Committee

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

Recommendation (Sl. No. 3, Para No. 2.22)

2.5 The Committee note that as per 2011 census, the population of the Scheduled Tribes of the country is 10.43 crore, which is 8.6% of the total population. However, the reservation for Scheduled Tribes has not been increased and is still at 7.5%. Considering the fact that the Department of Personnel & Training (DOPT) deals with the issue relating to the reservation policy, the Committee urge the Ministry to pursue the matter with the Department of Personnel & Training (DOPT) for appropriate action.

Reply of the Government

2.6 The observation/recommendation of the Standing Committee on Social Justice & Empowerment have been forwarded to Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training for necessary. Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training has intimated that the advice of Department of Legal Affairs was sought with regard to increasing the percentage of reservation for Scheduled Castes and

Scheduled Tribes in proportion to their population as per Census, 2011, which is still awaited.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Recommendation (Sl. No. 4, Para No. 2.23)

2.7 The Committee are unhappy to note that draft "National Tribal Policy" covering various issues of tribals formulated in the year 2006 is still under consideration. At this stage, the Committee cannot but emphasize the need for early finalizing and implementation of the Policy which has so much to offer for the poor tribals of our country.

Reply of the Government

2.8 Various consultations have consumed a lot of time and the National Tribal Policy is yet to get the final approval. In the mean time the PMO constituted a High Level Committee on 14.08.2013 to prepare a position paper on socio-economic status of STs and to suggest a way forward. As this would have implications for policy formation, the National Tribal Policy can be finalized thereafter only.

The High Level Committee constituted by the Prime Minister's Officer to prepare a report on the socio-economic, health and educational status of the tribal communities of India has submitted its report to the Ministry. The report was forwarded to PMO who advised to examine the recommendations of the committee with other stakeholder Ministries/Departments. Accordingly, concerned Ministries/Departments of the Central Government as well as Principal Secretary/Commissioner of Tribal Welfare Departments of States have

been requested to furnish their views/comments on the recommendations of the Committee.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Comments of the Committee

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

Recommendation (Sl. No. 7, Para No. 2.36)

2.9 The Committee observe that the avowed objective of extending Special Central Assistance (SCA) to Tribal Sub-Plan (TSP) is to boost the demand based income-generation programmes and thus raise the economic and social status of tribals. The Planning Commission has issued revised Guidelines for implementation of TSP by States /UTs in June 2014 which *inter-alia*, reiterate the resolve of the Government for allocation of funds under TSP out of total Plan Outlays not less than the population proportion of STs in State as per 2011 census. The Guidelines further stipulate for non-diversion of funds meant for tribal areas and comprehensive monitoring framework with well-defined indicators, covering provisioning, service delivery standards as well as outcomes. However, the Committee are constrained to note that despite guidelines issued by the Planning Commission funds under the TSP of the State Governments and centrally sponsored schemes are diverted and utilized for other activities. The Committee desire the Ministry to put a sound mechanism in place to ensure that the TSP funds are not diverted by States besides making TSP available to the States in proportion to the population of Scheduled Tribes there.

Reply of the Government

2.10 Ministry of Tribal Affairs has inherent limitations in regard to regulating the fund flow under Tribal Sub Plan of State Government and Central Ministries/Departments. Erstwhile Planning commission has been monitoring the allocation and utilization of TSP funds under Central as well as State Government Plan Schemes. Convergence of financial resources for undertaking holistic tribal development has been the major challenge. During 2014-15, Central Government has also launched a Central Sector Scheme "Vanbandhu Kalyan Yojana (VKY)" with a view to translate the available resource into outcomes thereby giving succor to the tribals at large. The VKY has been adopted broadly as a strategic process which aims at creating enabling environment for need based and outcome oriented holistic development of the tribal people. It envisages to ensure that all the intended benefits of goods and services under various programmes/schemes of Central as well as State Governments actually reach them by way of appropriate convergence. Broad strategies to be followed under VKY are as under :-

- Strengthening of institutions meant for delivery of goods and services with adequate administrative, technical and financial powers such as Tribal Welfare Departments as nodal Department, Integrated Tribal Development Agency (ITDA), Integrated Tribal Development Projects (ITDPs) and creation of new ones where they do not exist, etc.
- Evidence based planning process while ensuring adequate participation of Panchayati Raj Institutions (PRIs).

2. In addition the Ministry has set up co-ordination Committee to priorities interventions of the Central Ministries/Departments for Tribal Development.

3. Erstwhile Planning Commission has issued guidelines in June, 2014 to stop diversion of funds and outcome rather than outlay orientation amongst other things. The project Appraisal Committee, constituted under Secretary (Tribal Affairs) Chairmanship with State representatives for apprising and approval on the projects of State/UT Governments attempts for convergence of various resources and therefore State decide priorities, focused intervention for Tribal Development with outcome orientation.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Recommendation (Sl. No. 8, Para No. 2.46)

2.11 The Committee observe that the objective of the scheme is the welfare of Scheduled Tribes and upgradation of the level of administration in Scheduled Areas. The Committee also observe that since 1997-98, the Ministry have been making available a part of Grants under First Proviso to Article 275(1) of the Constitution of States for setting up of Eklavya Model Residential Schools (EMRS) with the objective of providing quality education to ST students from class VI to XII. At present, 164 EMRSs have been sanctioned, out of which 120 are functional and 44 are yet to be constructed. The Committee are concerned about the poor maintenance of these schools/hostels besides quality of food served there. The Committee desire the Ministry to issue strict guidelines informing the States to conduct regular checks/inspections and to see that buildings are properly maintained and the quality of food is also good. The

Committee also feel that the Ministry should send a team of their officials at regular intervals to these schools/hostels to find out the quality of food served to the students as well as level of their maintenance. The Committee also desire that remaining 44 EMRS be completed and made functional at the earliest.

Reply of the Government

2.12 This Ministry has been making endeavor to make visits as much as possible within the limited human resources. Apart from middle management officers, the highest level officer like Secretary (TA) himself has made 31 visits since January, 2014 till date across the country wherein besides other things EMRSs were inspected and necessary instructions were passed on for effective maintenance of the schools. State Governments have also been asked separately to take stock of the situation at the EMRs through senior officers to see to it that the schools are running as per the established norms and provide factual report to the Ministry delineating therein the following issues/aspects in respect of each EMRs in the State :-

- (i) Availability of land with the EMRSs.
- (ii) No. and capacity of classrooms.
- (iii) Availability of playground with sports facilities.
- (v) Availability of computer lab.
- (vi) Capacity of boys & girls hostels.
- (vii) Availability of hygienic kitchen for the hostels; minor millets/leafy vegetables in meals.
- (viii) Availability of boys & girls toilets with running water facility.
- (ix) Details of girls hostel warden.

- (x) No. of male and female teachers.
- (xi) No. of male and female students.
- (xii) Residential facilities for teachers.
- (xiii) Notable achievements of the EMRS.
- (xiv) Health facilities available to the students; folic acid supplements, de-worming.
- (xv) Availability of well equipped library in the EMRS.
- (xvi) Availability of safe drinking water and warm water facilities.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Recommendation (Sl. No. 9, Para No. 2.54)

2.13 The Committee observe that Tribal Cooperative Marketing Development Federation of India Limited (TRIFED) is functioning both as a service provider and market developer for tribal products and also imparts training to ST Artisans and Minor Forest Produce (MFP) gatherers. The Ministry extends Grants-in-Aid to TRIFED under the Scheme "Market Development of Tribal Product". Though the TRIFED is taking various measures by imparting training to Scheduled Tribes, organizing of Tribal Artisan Melas and exhibitions of Tribal Art and Crafts, yet the tribals are unable to get full benefit of their MFPs and easily fall prey to the clutches of middlemen/traders. The Committee also find that the poor tribals are getting very low price for their MFP, though the same is being sold at a much higher price in the open market by the middlemen/traders. The Committee are not happy with this situation and desire the TRIFED to provide adequate

marketing support to the tribals and ensure that they can reap the full benefits from the sale of MFP/art and crafts so that not only they get good price of their produce but their living standard is also improved. The Committee also urge the Ministry to take stringent steps to eliminate the private traders/middlemen in the MFP marketing.

Reply of the Government

2.14 TRIFED undertakes the following four main activities under the scheme 'Market Development of Tribal Products/Produce':-

- (1) Retail Marketing Development Activity
- (2) MFP Marketing Development Activity
- (3) Training of ST Artisans and MFP Gathers
- (4) R&D/Intellectual Property Rights (IPR) Activity

TRIFED has been promoting and providing adequate marketing support for tribal products by way of sourcing of products made by tribal artisans and marketing the same through network of outlets and exhibitions throughout the country. TRIFED has increased its sourcing from Rs.193.93 lakhs in 2005-06 to 1049.62 lakhs in 2013-14.

TRIFED has established a chain of 37 Tribes India' their own outlets and 10 consignment outlets in association with State Level organizations. The sales have shown an increasing trend from 162.56 lakhs in 2005-06 to Rs.1412.92 lakhs during 2013-14. TRIFED has also been organizing and participating in domestic and International exhibitions. During the current financial year, TRIFED organized 3 Aadishilps at Delhi, Bhopal and Lucknow in which 131 artisans participated realizing a sale of Rs.106.46 lakhs. TRIFED has started an exhibition

by the name of Aadichitra since 2010, in which tribal paintings are exclusively displayed and sold.

With a view to provide marketing support to tribals engaged in collection of MFPs and to ensure that they get remunerative prices for their produce with the ultimate objective to enhance their livelihood income and to eliminate the private traders/middlemen in the MFP marketing, Ministry of Tribal Affairs has launched a Scheme called 'Mechanism for marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and development of Value Chain for MFP' during 2013-14. The Scheme has been designed as a social safety net for improvement of livelihood of MFP gatherers by providing them fair price for the MFPs they collect.

The scheme is initially being implemented in States having areas under Schedule V of the Indian Constitution viz. Chhattisgarh, Madhya Pradesh, Odisha, Jharkhand, Gujarat, Maharashtra, Rajasthan and Andhra Pradesh for non- nationalized and abundantly available items out of 12 MFP namely; (i) Tendu, (ii) Bamboo, (iii) Mahuwa Seed, (iv) Sal Leaf, (v) Sal Seed, (vi) Lac, (vii) Chironjee, (viii) Wild Honey,(ix) Myrobalan, (x) Tamarind, (xi) Gums (Gum Karaya) and(xii) Karanj. To implement the scheme, Ministry has initiated the following action:

- a) Operational Guidelines for procurement and sale of identified MFP under the scheme have been issued on 03.01.2014. The same is available on the website of the Ministry.
- b) Minimum Support Price for 10 MFPs namely Tamarind, Honey ,Gum karaya, Karanj seed, Sal seed, Mahua seed, Sal leaves, Chironjee pods, Myrobalan, Lac (Ranginee and Kususmi) has been announced.

c) During the current Financial year 2014-15 (Till 31.12..2014), an amount of Rs.54.90 crores have been released to various implementing Agencies viz. Tribal Development Co-operative Corporation, Odisha Ltd. (TDCCOL) and Jharkhand State Cooperative Lac Marketing and Procurement Federation Ltd (JASCOLAMPF) Ranchi, and Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED) for implementation of the scheme.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Recommendation (Sl. No. 10, Para No. 2.62)

2.15 The Committee observe that the main objective of the National Scheduled Tribes Finance and Development Corporation (NSTFDC) is to identify economic activities useful to Scheduled Tribes so as to generate self-employment and raise their income level. The Committee also find that the State Channelizing Agencies (SCAs) are the main links between the beneficiaries and the Corporation and these agencies are responsible for identification of beneficiaries, seeking sanctions, receiving funds and ultimately disbursing them to the beneficiaries. However, the Committee are constrained to note that the performance of the 15 SCAs are not satisfactory. The main reasons cited for non-performance are due to mounting over dues with SCAs, State Government not providing guarantee, SCA not signing the loan agreement and also not sending the proposals etc. Since the SCAs are the main links between the beneficiaries and the Corporation and their objective is to provide funds available for economic upliftment of the poor Scheduled Tribe beneficiaries, the Committee desire the Ministry to take up

and address these issues with the concerned State Governments/SCAs so that these SCAs seriously work for the welfare of Scheduled Tribes.

Reply of the Government

2.16 National Scheduled Tribes Finance and Development Corporation (NSTFDC) is taking all efforts to revive the non-performing State Channelising Agencies (SCAs). In this connection, we have taken up the matter with various SCAs as detailed below:-

<p><u>Andhra Pradesh</u> A.P. Scheduled Tribes Coop. Finance Corpn. Limited</p>	<p>After bifurcation of the State into Andhra Pradesh and Telangana, we have taken up the matter with new Governments and it is learnt that the Andhra Pradesh Government has taken a decision to revive the channelizing activities of TRICOR with immediate effect. It is expected that the final outcome on this will be available by end of March, 2015.</p>
<p><u>Assam</u> Assam Plain Tribes Development Corporation Ltd.</p>	<p>CMD, NSTFDC visited in the state of Assam and had discussions with Principal Secretary, TA to settle the overdues and resume the activities. Secretary, TA has also written a letter to Chief Secretary, Assam in this regard.</p>
<p><u>Goa</u> Goa State Scheduled Tribes Finance and Development Corpn. Ltd.</p>	<p>CMD, NSTFDC has taken up the matter with Goa State Scheduled Tribes finance and Development Corpn. Ltd. For sending the proposal and it is expected that during the financial year 2015-16 they will start sending the proposals.</p>
<p><u>Manipur</u> Manipur Tribal Development Corporation Ltd.</p>	<p>After continued persuasion with MTDC, they have come with a proposal of One Time Settlement of Overdues amount, NSTFDC has communicated its decision of One Time Settlement Proposal and the response from them is awaited by end of March, 2015.</p>
<p><u>Tamil Nadu</u> Tamil Nadu Adi Dravidar housing and Development Corporation Ltd.</p>	<p>The matter for reviving the operation of SCAs in Tamil Nadu was taken up during the Parliamentary Standing Committee Meeting held on 27.01.2015 and it is expected that a favorable outcome would be there shortly.</p>

<u>Maharashtra</u> Shabari Adivais Vitta Va Vikas Mahamandal Maryadit	CMD, NSTFDC has scheduled a meeting with Principal Secretary, TA, Maharashtra on 10.03.2015 during which the matter will be discusses.
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[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Comments of the Committee

(Please see Para 1.16 of Chapter-I of the Report)

CHAPTER III

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

Recommendation (Sl. No. 5, Para No. 2.24)

3.1 The Committee observe that Panchayat (Extension to the Scheduled Areas), Act, 1996 (PESA) is a crucial legislation to empower tribal people to have control over their governance and resources through traditional rights. Though the PESA Act came into vogue in 1996, the Government is yet to make rules to implement it as it does not provide any rule making powers. The Committee feel that the tribals are yet to derive benefits from the Act, which envisages giving liberty to them to follow their own customs, have their own resources and self rule. As the Ministry of Panchayati Raj is the administrative Ministry for PESA Act, the Committee, urge the Ministry to take up the matter with the Ministry of Panchayati Raj to bring an amendment in the PESA Act at the earliest to enable it to have rule making powers.

Reply of the Government

3.2 As suggested by the Standing Committee the issue has taken up the matter with the Ministry of Panchayati Raj to take necessary action in the matter. The Ministry of Panchayati Raj has informed that the PESA Act, 1996 does not have a provision for framing of Rules by the Union or the State Governments. However, MoPR prepared Model Rules and circulated the same to all PESA States for framing of Rules at the State level. Five of the ten PESA States, namely, Andhra Pradesh (including Telangana), Himachal Pradesh, Rajasthan,

and Maharashtra have frames Rules to implement PESA in their respective States and the Ministry of Pnachayati Raj is pursuing with the remaining States to frame their Rules.

The Report of the Standing Committee urging the Ministry of Panchayati Raj to bring an amendment in the PESA Act, to have rule making powers, is presently under consideration of the Ministry of Panchayati Raj.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

CHAPTER IV

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

-Nil-

CHAPTER V

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

Recommendation (Sl. No. 6, Para No. 2.25)

5.1 The Committee note that the Ministry does not maintain data on number of tribals affected and displaced due to development projects in the Scheduled Area. More so, data furnished by the Ministry regarding the number of tribal people affected and displaced due to various developmental projects in tribal areas is incomplete. Keeping in view the mandate of the Ministry regarding overall policy planning and coordination of programmes for the development of Scheduled Tribes as well as accountability on matters relating to tribal welfare, the Committee desire the Ministry to undertake immediate extensive project-wise survey of all the Ministries/Departments regarding the number of tribal people affected and displaced due to various developmental projects as well as rehabilitated across the country. As „The Right for Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been notified and comprehensive Rehabilitation and Resettlement package and special provisions for SCs/STs under the said Act exist, the Committee recommend that compensation to all the affected/displaced tribals under the above Act may be considered as early as possible.

Reply of the Government

5.2 The Department of land Resources is the nodal Department for this purpose. The Ministry of Tribal Affairs has requested all the concerned Ministry/Department to intimate the following information:-

- (i) Name of the Project
- (ii) No. of tribal people affected/displaced in the last 5 year
- (iii) No. of affected/displaced tribal peoples who were rehabilitated and given R&R package
- (iv) No. of affected/displaced tribal people who were given employment

The information available in the Ministry and received from Ministry of Power is at **Annexure-I**. Ministry of Rural Development, Department of Land Resources has informed that they, through National Monitoring Committee, are attempting to collect data with regard to displacement of persons affected by land acquisition or other reasons from all Central Ministries/States/UTs. On receipt of data the same will be made available to the Committee.

[Ministry of Tribal Affairs' O.M. No. 16015/10/2014-PC&V dated 25.3.2015]

Comments of the Committee

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

New Delhi;
6 August, 2015
15 Shrawana, 1937 (Saka)

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

Annexure – I

No. of tribal people affected/displaced, rehabilitated and given R&R package and given employment in the last 5 years

Ministry of Power

Power Grid Corporation of India Ltd

Ranchi New	334	334	Nil
Keonjhar	48	48*	Nil
Durg	12	12	Nil
Jharsuguda	9	9**	Nil

* RAP is pending with the Rehabilitation and Peripheral Development Advisory Committee (RPDAC), Government of Odisha (GoO) for approval

** Land owners were given ex-gratia (additional) amount approximately @ 8.55 lakh per acre over and above and compensation paid, which included R&R.

Note I No displacement has occurred in above mentioned project

Note II No land has been acquired invoking 'The Right to Fair Compensation and Transparency in Land Acquisition, R&R Act, 2013'

THDC India Ltd

Name of the Project	No. of tribal people affected/ displaced in the last 5 years	No. of affected/ displaced tribal peoples who were rehabilitated and given R&R package	No. of affected/ displaced tribal people who were given employment
Vishnugad Pipalkoti HEP (444 MW), Uttarakhand	13 PAFs/ 05 PAFs	Out of 05 PAFs displaced, 02 PAFs Rehabilitated. Remaining 03 PAFs R&R under progress	Employment opportunities have been provided to 3 persons from ST families with contracting agencies
Jhelam Tamak HEP(108 MW) Uttarakhand	94 PAFs/ 0	Nil	Nil

NHPC Limited

Chamera-III, HP *	Nil	Nil	Nil
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Note: * No land in tribal area has been acquired by Chamera-III Power Station after 2005.

NTPC Limited

Name of the Project	No. of tribal people affected/ displaced in the last 5 years		No. of affected/ displaced tribal peoples who were rehabilitated and given R&R package		No. of affected/ displaced tribal people who were given employment	Remarks
	Affected	Displaced (house loser)	Affected	Displaced (House Loser)		
Darlipali Super Thermal Power Project, Odisha Land acquisition year 2012-14	313 (as per the list certified by the District Administration)	190 (to be displaced)	Rehabilitation package approved. Disbursement in progress by the district Administration	No tribal displaced till now. Resettlement colony construction in progress	**	Plant is still under construction
Korba Super Thermal Power Station Stage-III, Chhattisgarh Land acquisition Year 2011-12	49	0	42 (Balance under litigation)	*NA	**	Land acquired for ash dyke

*NA - Note applicable

** - Employment to tribal families

Rural Electrification Corporation Ltd : Nil

Damodar Valley Corporation

Name of the Project	No. of tribal people affected/ displaced in the last 5 years	No. of affected/ displaced tribal peoples who were rehabilitated and given R&R package	No. of affected/ displaced tribal people who were given employment
Durgapur Steel Thermal Power Station (DSTPS)	Nil	Nil	Nil
Raghunathpur Thermal Power Station (RTPS)	Nil	Nil	Nil

Koderma Thermal Power Station (KTPS)	Nil	Nil	Nil
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SJVN Limited

Rampur Hydro Electric Project (412 MWI, HP)	03 (Aforesaid 03 tribal families have been affected on account of acquisition of land but not displaced)	Land measuring 9.10 bighas (0.75 ha) was acquired from three Nos of tribal families. All the three tribal PAFs have been paid land compensation amounting to Rs 27,11,615/- (Twenty Seven Lakh Eleven Thousand Six Hundred and Fifteen only under Land Acquisition Act, 1894. Besides above, the tribal PAFs are also being provided other community development facilities through various programs on health, education, awareness, infrastructure development etc which form integral part of R&R Plan/ benefit.	As per R&R Plan of Rampur, HEP, regular employment can be preferably provided to a landless PAF, subject to availability of vacancies and suitability of the candidate. Based on above criteria, so far no employment could be provided.
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North Eastern Electric Power Corporation Ltd

Name of the Project	No. of tribal people affected/ displaced in the last 5 years	No. of affected/ displaced tribal peoples who were rehabilitated and given R&R package	No. of affected/ displaced tribal people who were given employment	Remarks
Kameng Hydro Electric Project, Arunachal Pradesh	355 persons	99 families	88 persons (directly or indirectly affected local tribal people)	Affected displaced families being rehabilitated under NPRR-2003 and affected people whose land were acquired given financial compensation. Project is not commissioned and R&R under progress
Pare Hydro Electric Project, Arunachal Pradesh	277 persons	35 families	34 persons (directly or indirectly affected local tribal people)	Affected displaced families being rehabilitated under NRRP-2007 and affected people whose hand were acquired given financial compensation. Project is not commissioned and R&R under progress.

MINUTES OF THE TWENTY-SIXTH SITTING OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT HELD ON THURSDAY, 6th AUGUST, 2015

The Committee met from 1500 hrs. to 1650 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

SHRI RAMESH BAIS - CHAIRPERSON

**MEMBERS
LOK SABHA**

2. Shri Jhina Hikaka
3. Shri Sadashiv Lokhande
4. Smt. Maragatham K.
5. Prof. A.S.R. Naik
6. Dr. Udit Raj

RAJYA SABHA

7. Smt. Jharna Das Baidya
8. Smt. Sarojini Hembram
9. Shri Nand Kumar Sai
10. Smt. Vijila Sathyananth
11. Smt. Wansuk Syiem

LOK SABHA SECRETARIAT

1. Shri Ashok Sajwan - Director
2. Shri Kushal Sarkar - Additional Director

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

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

- (i) *****
- (ii) *****
- (iii) *****
- (iv) Nineteenth Action Taken Report on Third Report of the Committee on Demands for Grants (2014-15) of the Ministry of Tribal Affairs.

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

- 5. *****
 - 6. *****
 - 7. *****
 - 8. *****
 - 9. *****
 - 10. *****
- **** **** ****

The Committee then adjourned

APPENDIX

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

	Total	Percentage
I. Total number of Recommendations	10	
II. Observations/Recommendations, which have been accepted by the Government (Paragraph Nos. 2.20, 2.21, 2.22, 2.23, 2.36, 2.46, 2.54, 2.62)	8	80.00
III. Observations/Recommendations which the committee do not desire to pursue in view of the replies of the Government (Paragraph No. 2.24)	1	10.00
IV. Observations/Recommendations, in respect of which replies of the Government have not been accepted and which require reiteration (Nil)	0	0
V. Observations/Recommendations in respect of which replies of the Government are interim in nature (Paragraph No. 2.25)	1	10.00