

**STANDING COMMITTEE ON SOCIAL JUSTICE AND
EMPOWERMENT (2016-2017)**

(SIXTEENTH LOK SABHA)

MINISTRY OF TRIBAL AFFAIRS

Action taken by the Government on the observations/recommendations contained in the Thirty-eighth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2017-18) of the Ministry of Tribal Affairs

FORTY-SIXTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2017/Shravana, 1939 (Saka)

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Presented to Lok Sabha on 10.08.2017

Laid in Rajya Sabha on 10.08.2017



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2017/Shravana, 1939 (Saka)

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**COMPOSITION OF THE STANDING COMMITTEE ON SOCIAL JUSTICE
AND EMPOWERMENT (2016-2017)**

SHRI RAMESH BAIS - CHAIRPERSON

MEMBERS

LOK SABHA

2. Shri Kantilal Bhuria
3. Shri Santokh Singh Chaudhary
4. Shri Sher Singh Ghubaya
5. Shri Jhina Hikaka
6. Shri Sadashiv Kisan Lokhande
7. Smt. K. Maragatham
8. Shri Kariya Munda
9. Prof. Seetaram Azmeera Naik
10. Shri Asaduddin Owaisi
11. Sadhvi Savitri Bai Phule
12. Dr. Udit Raj
13. Smt. Satabdi Roy (Banerjee)
14. Kunwar Bhartendra Singh
15. Prof. Sadhu Singh
16. Smt. Mamata Thakur
17. Shri Mansukhbhai Dhanjibhai Vasava
18. Shri Tej Pratap Singh Yadav
19. Vacant*
20. Vacant*
21. Vacant#

RAJYA SABHA

22. Smt. Jharna Das Baidya
23. Dr. Tazeen Fatma
24. Shri Chunibhai Kanjibhai Gohel
25. Shri Ahamed Hassan
26. Smt. Sarojini Hembram
27. Dr. Narendra Jadhav
28. Smt. Vijila Sathyananth
29. Smt. Wansuk Syiem
30. Smt. Chhaya Verma
31. Shri Ramkumar Verma

* Shri Bhagwant Khuba and Shri Mohanbhai K. Kundariya changed their nomination *w.e.f.* 19.10.2016.

Shri Prakash B. Hukkeri changed his nomination *w.e.f.* 23.11.2016.

LOK SABHA SECRETARIAT

1. Shri Ashok Kumar Singh - Additional Secretary
2. Shri Sukhi Chand Chaudhary - Joint Secretary
3. Shri Ashok Sajwan - Director
4. Smt. Mamta Kemwal - Additional Director
5. Shri Maneesh Mohan Kamble - Executive Officer

INTRODUCTION

I, the Chairperson, Standing Committee on Social Justice and Empowerment (2016-17) having been authorized by the Committee to submit the Report on their behalf, do present this Forty-Sixth Report on the action taken by the Government on the observations/recommendations contained in the Thirty-eighth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on 'Demands for Grants - 2017-18' relating to the Ministry of Tribal Affairs.

2. The Thirty-eighth Report was presented to Lok Sabha and laid in Rajya Sabha on 17th March, 2017. The Ministry of Tribal Affairs furnished their replies indicating action taken on the recommendations contained in that Report on 16th June, 2017. The Report was considered and adopted by the Standing Committee on Social Justice and Empowerment at their sitting held on 9th August, 2017.

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

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

NEW DELHI;

03 August, 2017
12 Shravana, 1939 (Saka)

RAMESH BAIS
Chairperson,
Standing Committee on
Social Justice and
Empowerment

REPORT
CHAPTER I

1.1 This Report deals with the action taken by the Government on the observations/recommendations contained in the Thirty-eighth Report of the Standing Committee on Social Justice and Empowerment (Sixteenth Lok Sabha) on Demands for Grants (2017-18) of the Ministry of Tribal Affairs.

1.2 The Thirty-eighth Report was presented to Lok Sabha and laid on the Table of Rajya Sabha on 17th March, 2017. It contained 10 Observations/ Recommendations. Replies of Government in respect of all the observations/ recommendations have been received and are categorized as under:

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

Para Nos. 2.12, 3.9, 3.10, 7.14 and 9.11

(Total 5 – Chapter II)

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

Para Nos. NIL

(Chapter III)

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

Para Nos. 6.5 and 8.4

(Total 2 - Chapter IV)

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

Para Nos. 4.8, 5.12 and 10.7

(Total 3 - Chapter V)

1.3 The Committee desire that Action Taken Replies on the observations/ 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 case not later than three months of the presentation of this Report.

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

A. Budgetary provisions and utilization

Recommendation (Para. No. 2.12)

1.5 The Committee note that out of Budget allocation of Rs. 4800.00 crore which was reduced at the RE stage for the year 2016-17, the Ministry could utilize only Rs. 3627.80 crore. The Ministry have submitted that the remaining amount of Rs. 1172.20 crore will be utilized fully by the end of the financial year 2016-17. The Committee are dismayed to note that the expenditure of the Ministry was 85.52 percent in 2014-15, 93.33 percent in 2015-16 and during the year 2016-17 fiscal it was only 75.60 percent (as on 20.02.2017) under the Plan Head. The Ministry in this regard, have reasoned that non-receipt of Utilization Certificates and receipt of less proposals from the State Governments have led to non-utilisation of full funds. The Committee are constrained to note that BE of 2017-18 has been reduced for those schemes also viz. NSTFDC and Grant-in-Aid to Voluntary Organizations which are working for welfare of Tribals in which funds allocated at RE stage during 2016-17 have been fully utilized. Reduction of funds of these Schemes for 2017-18 is beyond comprehension of the Committee. The Committee, further, desire that the Ministry should pursue the matter with the Ministry of Finance at RE stage and request them

not to cut the allocation of these Schemes which performed well last year and where the utilization of funds was optimal.

1.6 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:

“Recommendations of the Committee have been noted for Compliance. For release of funds under schemes/programmes of the Ministry, receipt of UCs of previous years’ releases as per the provisions of General Financial Rules (GFR) is insisted upon and State Governments are rigorously pursued through letters, telephonic reminders and discussion in meetings from time to time and also raised during State’s visits by officers of the Ministry. Due to this as on 31.03.2017, Ministry of Tribal Affairs was able to utilized Rs. 4793.96 crores against Rs. 4800.00 crore i.e. 99.87%.”

1.7 The Committee are happy to note that the Ministry have been continuously showing progress in respect of utilization of the earmarked funds. The Committee appreciate the efforts made by the Ministry to pursue the State Governments for timely submission of UCs of previous years so as to have optimal utilization of funds in future and which makes a strong case of the Ministry for demanding an increase in the Budgetary Allocation of coming years.

The Committee strongly recommend the Ministry to evenly spread its expenditure plan over the whole year of 2017-18 and not go in for 'March-Rush' expenditure wherein about more than 50 per cent of the budgetary allocation is spent in the last month of the financial year which goes against the canons of financial propriety and in turn given the Ministry of Finance a strong case to curtail the budgetary allocation of the Ministry.

B. MARKETING SUPPORT FOR TRIBAL PRODUCE

Recommendation (Para 6.5)

1.8 The Committee find that the Scheme of Marketing of Minor Forest Produce (MFP) through Minimum Support Price is meant to provide safety net and support to the people belonging to Scheduled Tribes and other traditional forest dwellers, who are solely depend upon collection and selling of Minor Forest Produce. The Committee are surprised to note that in the year 2014-15, out of BE of Rs. 317.00 crore, only Rs.100.00 crore was utilized. The more hurting fact that BE for 2016-17 was reduced drastically from Rs. 158.00 crore to Rs. 3.00 crore at RE stage and expenditure is 'nil' as on 29.12.2016. The Ministry have stated that the reasons for not utilizing the funds in the year 2016-17 and less allocation for 2017-18 as the States already have sufficient amount of Revolving Fund for utilizing it to procure MFP items and, therefore, they have not demanded more funds. Further, prevailing market price for MFP items has continued to be higher than the MSP fixed by the Government is also one of the reasons for no demand from States under the Scheme. The Committee are satisfied with the reply given by the Ministry for low utilization of funds under the Scheme to some extent. However, the Committee feel that such an important Scheme for Tribal people which was started just three years back should be again reviewed thoroughly after conducting proper study/visits/discussions with all the stakeholders i.e., State Governments, representatives of Tribal Association and State Procuring Agencies responsible for running the Scheme. The Committee wish to be apprised with the outcome of a such study.

1.9 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:

“Recommendation of the Committee have been noted for compliance.”

1.10 The Committee had desired that the Ministry should make intensive efforts by way of study visits/discussions with State Governments, representatives of Tribal Association and other agencies responsible for running the Scheme of Marketing of Minor Forest Produce (MFP). The Ministry, however, in their Action Taken Reply have simply stated that the recommendation of the Committee has been noted for compliance and there is no mention about the efforts made/being made by the Ministry for successful implementation of the Scheme. The Committee deprecate such casual reply by the Ministry and recommend the Ministry to notify the Committee about the outcome of discussions/study visits made with State Governments and other organizations.

LANGUAGES USED AS THE MEDIUM OF EDUCATION IN TRIBAL AREAS

Recommendation (Para 8.4)

1.11 The Committee have been informed that the medium of education is generally State language or English language for imparting education to students in tribal areas. The Committee find that the tribal students, particularly belonging to remote tribal areas are not able to understand these languages, specially at the level of Primary education. The Committee were told that the State Governments have been instructed by the Ministry to develop bilingual primers containing both in regional and local tribal languages to facilitate learning in the schools in tribal areas and for this purpose, funds have already been granted to the States of Chhattisgarh, Manipur, Tamil Nadu, Kerala from where the proposals were received to prepare bilingual primers through TRI. The Committee appreciate the move initiated by the Ministry and urge that this momentum ought to be maintained so that more State Governments come forward and send their proposals to the Ministry. The Committee note with concern that the dropout rate and illiteracy rate are higher among the tribals *vis-a-vis* other communities. The Committee desire that the causes must be identified, rectified and if need be necessary steps be taken in coordination with the State Governments/UTs so that dropout rate and illiteracy among tribals could be checked.

- 1.12 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:
- “The recommendation of the Committee for taking necessary steps to rectify dropout rate and illiteracy rate among tribals has been noted. Government has taken following remedial steps in this regard:
- (i) The Sarva Shiksha Abhiyan (SSA), provides for free and compulsory elementary education to all children in the age group of 6 to 14 years

including ST children. 109 special focus districts have been identified on the basis of the indicators like out of school children, high gender gap, low retention rate and infrastructure gap as well concentration of Scheduled Tribe population.

- (ii) The National Council for Education Research and Training (NCERT) in the National Curriculum Framework, 2005 (NCF) makes it clear that language and culture are important to all children's learning including Scheduled Tribes. SSA aims to develop context specific interventions.
- (iii) Kasturba Gandhi Balika Vidyalayas (KGBVs) scheme: These are the residential schools for girls at upper primary level; a minimum of 75% seats are for minority, SC, ST and OBC girls. KGBVs cover 69% ST girls in ST Special Focus Districts.
- (iv) Ministry of Tribal Affairs (MoTA) has been implementing a number of education-related interventions to facilitate schooling for tribals:
 - (a) Ashram Schools: Funds are provided for making residential schools for STs for primary, middle, secondary and senior secondary level of education.
 - (b) ST Hostels: Central assistance is given to States/UTs/Universities for construction of new hostel buildings and/or extension of existing hostels.
 - (c) Scheme of strengthening education among ST Girls in Low Literacy Districts: 100% assistance is given for running and maintenance of educational complexes for ST girls
 - (d) Eklavya Model Residential Schools (EMRSs): EMRS are set up with capacity of 480 students per school under grants in aid under article 275(1) of the Constitution to provide quality middle and high level education to ST students.
 - (e) Pre Matric Scholarships – An amount of Rs.84.16 Crore was released during 2016-17 towards Pre Matric Scholarships.
 - (f) Post Matric Scholarships - An amount of Rs.1555.67 Crore was released during 2016-17 towards Post Matric Scholarships.

In addition to address issue of drop-out, specially among girls, Ministry has also been focusing on funding toilets, sanitation complex, construction of boundary walls (for safety).

Funds are also provided to States for construction of hostels under SCA to TSS and Article 275(1) grants, for appropriate residential facilities for ST students.”

1.13 The Committee observe that the steps taken by the Ministry are not good enough as the illiteracy rate is still on the rise among the tribals *vis-a-vis* other communities. The Committee feel that imparting education to Tribals in their local tribal and regional languages is, no doubt, a necessity but at the same time, the recruitment of bilingual primary and secondary teachers should be done at the earliest as the requisite staff and infrastructure should be in place if the Scheme is to become a successful. The Committee urged the Ministry to pursue the matter with other State Governments to chalk out a detail plan for imparting education in local tribal and regional languages in association with the States of Chhatisgarh, Manipur, Kerala and Tamil Nadu as these State Governments have sent proposals to develop bilingual primers through TRI for other States.

D. INCLUSION OF COMMUNITIES IN THE SCHEDULED TRIBES LIST

Recommendation (Para No. 10.7)

1.14 The Committee find that as of now 89 proposals from various States/UTs are pending for inclusion in the Scheduled Tribes List. The Committee are not aware for how long these proposals are pending at various stages/level. The Committee after going through the cumbersome procedure involved for consideration of any Tribe for inclusion in the ST List can, however, very well understand that these proposals might be pending for a very long time at different stages and with different agencies, viz. Registrar General of India(RGI), National Commission for Scheduled Tribes (NCST), concerned State Governments/UTs and finally with the Ministry of Tribal Affairs. To cite an example, the Committee are aware of at least one proposal from Jharkhand (earlier Bihar, before bifurcation of Bihar) for inclusion of 'Khetauri and Ghatwar/Ghatwal' community in the List of Scheduled Tribes is pending for more than 15 years, at times with RGI and sometime with the State Government. The Committee, however, are happy to see that not a single proposal is pending with the Ministry. The Committee attribute such delays to the fact that Government has not fixed any time limit for RGI, NCST or Ministry of Tribal Affairs to clear or reject such proposals. More so, when any proposal is referred back to the concerned State Government for further clarification(s)/information, that State Government too is not bound to send the requisite clarification to the RGI/ Ministry of Tribal Affairs within a definite time limit. The Committee desire that the Ministry should vigorously pursue with those 22 State Governments, particularly Jharkhand, to furnish their comments/reply expeditiously so that inclusion of their communities in the ST List could be considered timely. The Committee also desire that the Government may

also consider fixing up a reasonable time limit for RGI, NCST and the Ministry of Tribal Affairs too, under which they must consider / decide the proposals so received from the State Governments.

1.15 The Ministry of Tribal Affairs in their Action Taken Note have stated as under:

“Govt. of India on 15.06.1999 (further amended on 25.06.2002), has laid down the modalities for determining the claims for inclusion in, exclusion from and other modifications in the orders specifying lists for Scheduled Tribes. According to these modalities, only those proposals which have been recommended and justified by the concerned State Government and concurred with by the Registrar General of India (RGI) and the National Commission for Scheduled Tribes (NCST) are to be considered for amendment of legislation. The time limit is not fixed to process the case.

Further, with regard to the proposal for inclusion of ‘Khetauri and Ghatwar/Ghatwal’ in the STs list of Jharkhand, the proposal has been referred back to the State Govt. seeking their justification/comments on the observations of RGI, as per approved modalities. State Government has been reminded from time to time vide this Ministry’s letter/DO dated 11.01.2017, 15.02.2017. However, further justification/comments on the observations of RGI has not been received so far.

A Task Force under the Chairmanship of Dr. Hrusikesh Panda, the then Secretary (Tribal Affairs) was constituted by the Ministry of Tribal Affairs in February, 2014 to examine the existing criteria and procedure. The Task Force in its report submitted to the Ministry has recommended, inter-alia, for revision of criteria and procedure for scheduling of tribes as STs. The recommendations of the Task Force were examined and accordingly the proposal for streamlining of communities as STs was circulated to States/UTs. Views/comments have been received from all most States/UTs except from the Government of Bihar and UT of Daman & Diu. These two states have been reminded repeatedly.”

1.16 Having noted the fact that 89 proposals from various States/UTs are pending either with State Governments or RGI, NCST for inclusion in the Scheduled Tribes List for many years, the Committee had desired that the Ministry should consider fixing of a reasonable time limit for furnishing the comments on the pending proposals from all the stakeholders. The Committee had also drawn attention of the Ministry towards one specific proposal from the State of Jharkhand for inclusion of Khetauri and Ghatwar/Ghatwal Community in the list of Scheduled Tribes. The Ministry in their Action Taken reply have stated that "the proposal of inclusion of Khetauri and Ghatwar/Ghatwal tribes has been referred back to the Jharkhand Government seeking their justification/comments on the observations made by RGI and despite of repeated reminders to expedite the matter, the comments of the State Government are still pending". The Ministry are silent on fixing time limit for furnishing comments from all the stakeholders including State Governments in such matters. In this specific case, the Committee would like to remind the Ministry that the Expert Committee headed by Shri Hrishikesh Panda have defined these cases as historical omissions and therefore, need not be sent to State Government(s) for their comments/justification. The Committee desire that action may be taken in the matter at the earliest by treating it as a historical omission so as to give justice to these tribal communities.

The Committee also reiterate that the Ministry should fix a time-limit for obtaining comments of the State Governments on the proposals pending for

inclusion in the Scheduled Tribes List. The Committee may be apprised of the action taken by the Ministry in this regard.

CHAPTER II

OBSERVATIONS/RECOMMENTATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Para. No.2.12)

2.1 The Committee note that out of Budget allocation of Rs. 4800.00 crore which was reduced at the RE stage for the year 2016-17, the Ministry could utilize only Rs. 3627.80 crore. The Ministry have submitted that the remaining amount of Rs. 1172.20 crore will be utilized fully by the end of the financial year 2016-17. The Committee are dismayed to note that the expenditure of the Ministry was 85.52 percent in 2014-15, 93.33 percent in 2015-16 and during the year 2016-17 fiscal it was only 75.60 percent (as on 20.02.2017) under the Plan Head. The Ministry in this regard, have reasoned that non-receipt of Utilization Certificates and receipt of less proposals from the State Governments have led to non-utilisation of full funds. The Committee are constrained to note that BE of 2017-18 has been reduced for those schemes also viz. NSTFDC and Grant-in-Aid to Voluntary Organizations which are working for welfare of Tribals in which funds allocated at RE stage during 2016-17 have been fully utilized. Reduction of funds of these Schemes for 2017-18 is beyond comprehension of the Committee. The Committee, further, desire that the Ministry should pursue the matter with the Ministry of Finance at RE stage and request them not to cut the allocation of these Schemes which performed well last year and where the utilization of funds was optimal.

Reply of the Ministry

2.2 Recommendations of the Committee have been noted for Compliance. For release of funds under schemes/programmes of the Ministry, receipt of UCs of previous years' releases as per the provisions of General Financial Rules (GFR) is insisted upon and State Governments are rigorously pursued through letters, telephonic reminders and discussion in meetings from time to time and also raised during State's visits by officers of the Ministry. Due to this as on 31.03.2017, Ministry of Tribal Affairs was able to utilized Rs. 4793.96 crores against Rs. 4800.00 crore i.e. 99.87%.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Comments of the Committee

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

Recommendation (Para 3.9)

2.3 The Committee note that SCA to Tribal Sub Plan is one of the major schemes of the Ministry for providing welfare and Development activities in Tribal areas. The Committee also note that the funds allocated for the scheme at BE stage were Rs. 1250.00 crore and reduced to Rs. 1200.00 crore at RE stage and the Ministry could utilize only Rs. 936.00 crore as on 20.02.2017 in 2016-17. The Committee also note that UCs and proposals for the year 2014-15 are still pending from Madhya Pradesh, Uttar Pradesh, Uttarakhand and Assam. The Committee in their earlier reports, have time and again impressed upon the Ministry to take effective measures to overcome these recurrent impediments which adversely impact the utilization of funds. The Committee are of the considered view that as submission of UCs in time is a pre-

requisite for further release of funds under the Scheme, so, it is high time the Ministry ironed out the deficiencies /anomalies and worked out the concrete measures so as to ensure optimal utilization of funds in future.

Reply of the Ministry

2.4 Based on follow up by way of holding meetings; visiting States, the entire allocated fund under the Programme Special Central Assistance to Tribal Sub-Plan for 2016-17 to the tune of Rs. 1195.02 crore has been utilized. UCs for releases upto 2014-15 under SCA to TSP is pending only from two States i.e. Uttar Pradesh (Rs. 6.01 crore) and Uttarakhand (Rs. 5.47crore). and this is being followed up with the State Government rigorously.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Recommendation (Para 3.10)

2.5 The Committee find that TSP funds were diverted during the year 2010-11 to 2013-14 and spent for Minority Institution and were also spent for ineligible States i.e. Punjab and Haryana. The Committee have been informed that for the propose of monitoring the scheme, the Ministry of Tribal Affairs have been given mandate for monitoring of TSP of Central Ministries based on the framework and mechanism designed by NITI Aayog, and the Ministry of Tribal Affairs are in the process of developing an online monitoring system which will also help to check diversions of TSP funds. The Committee find that the States like Andhra Pradesh and Karnataka have laws/Acts to check diversion of SCA to TSP. The Committee strongly feel that since the Special Central Assistance to TSP is very vital for 19 development activities

of Tribals, the Ministry of Tribal Affairs should complete the process of developing of online monitoring system without any delay to check the diversion of funds.

Reply of The Ministry

2.6 The process of setting up of online monitoring system of allocation and expenditure of ST Component by various Central Government Ministries is in an advanced stage and is likely to be launched shortly.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Recommendation (Para 9.11)

2.7 The Committee note that out of 247 Eklavya Model Residential Schools (EMRSs) 161 Schools have been set up in the States/ UTs under the programme of Article 275 (1) of the Constitution of India on the pattern of Rajkiya Pratibha Vikas Vidyalayas (RPVVs) of Government of NCT of Delhi, Jawahar Navodaya Vidyalayas, the Kasturba Gandhi Balika Vidyalayas and the Kendriya Vidyalayas to provide high level of education to Scheduled Tribe students in remote areas, not only to enable them to avail of reservation in high and professional education courses and get jobs in government and private sectors, but also to have access to the best opportunities in education at par with the non ST population. The Committee find that some of these schools are not running smoothly and have poor infrastructure besides lack of quality teachers. The Committee recommend that when full grant is provided to the State Governments by the Centre for these schools, their overall supervision and management should also be centralized on the pattern of Kendriya Vidyalayas. This would certainly bring about a quality change in these EMRs and benefit the students

studying there. The Committee have been informed that the Ministry are also doing research regarding establishment of a Central Supervisory Agency to look into the affairs of EMRs for ensuring their quality standards. The Committee appreciate such move and desire that they may be apprised on the progress made in this regard. The Committee desire that the remaining 86 EMRs be completed and made functional at the earliest.

Reply of the Ministry

2.8 The recommendation of the Committee for centralized supervision and management of EMRSs has been noted. A proposal in this regard is under consideration of the Government. So far as making the 86 EMRSs functional is concerned, this Ministry is pursuing rigorously and State Governments have been addressed to complete the projects at the earliest but not later than December 2018.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

CHAPTER III

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

NIL

CHAPTER IV

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

Recommendation (Para 6.5)

4.1 The Committee find that the Scheme of Marketing of Minor Forest Produce (MFP) through Minimum Support Price is meant to provide safety net and support to the people belonging to Scheduled Tribes and other traditional forest dwellers, who are solely depend upon collection and selling of Minor Forest Produce. The Committee are surprised to note that in the year 2014-15, out of BE of Rs. 317.00 crore, only Rs.100.00 crore was utilized. The more hurting fact that BE for 2016-17 was reduced drastically from Rs. 158.00 crore to Rs. 3.00 crore at RE stage and expenditure is 'nil' as on 29.12.2016. The Ministry have stated that the reasons for not utilizing the funds in the year 2016-17 and less allocation for 2017-18 as the States already have sufficient amount of Revolving Fund for utilizing it to procure MFP items and, therefore, they have not demanded more funds. Further, prevailing market price for MFP items has continued to be higher than the MSP fixed by the Government is also one of the reasons for no demand from States under the Scheme. The Committee are satisfied with the reply given by the Ministry for low utilization of funds under the Scheme to some extent. However, the Committee feel that such an important Scheme for Tribal people which was started just three years back should be again reviewed thoroughly after conducting proper study/visits/discussions with all the stakeholders i.e., State Governments, representatives of Tribal Association and State Procuring Agencies responsible for running the Scheme. The Committee wish to be apprised with the outcome of a such study.

Reply Of The Ministry

4.2 Recommendation of the Committee have been noted for compliance.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Comments of the Committee

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

Recommendation (Para 7.14)

4.3 The Committee note that various educational schemes for tribals viz. Pre and Post Matric Scholarship Schemes, Construction of Hostels for ST boys and girls, Establishment of Ashram Schools in TSP areas and Vocational Training Centres in tribal areas have been merged/subsumed under single umbrella scheme for providing education to the students in tribal areas. The Committee find that under the umbrella scheme for education of STs, an amount of Rs.36.97 crore has been surrendered by the Ministry during the last year due to receipt of less proposals and pending Utilization Certificates from the State Governments. The Committee also find that during the year 2014-15, the States of J&K, Kerala, Madhya Pradesh, Tamil Nadu and Uttarakhand had no beneficiary under Pre- Matric Scholarship Scheme. Similarly, there was no beneficiary under the Scheme in 2014-15, 2015-16 and 2016-17 in the States/UTs of Arunachal Pradesh, Assam, Goa, Karnataka, Maharashtra, Meghalaya, Mizoram, Telangana, West Bengal and Dadar & Nagar Haveli. As regards, Post- Matric Scholarship Scheme the States/UTs of Arunachal Pradesh, Bihar, Jharkhand, Kerala, Uttar Pradesh, Andaman & Nicobar, Dadar & Nagar Haveli have no beneficiary in the year 2016- 17. The Committee feel that allocation under the Pre and Post-Matric Scholarship Schemes could be a very lucrative and good incentive for continuing the education for Tribal students from Primary level to

Secondary level. The Committee desire that the Ministry should give utmost attention towards these two Scholarship Schemes as these Schemes provide valuable support for the ST students to raise their educational status, enabling them to become a part of the mainstream society. The Committee also urge the Ministry to sensitize the State Governments for bearing their liability towards completing all the formalities and full utilization of funds under the Schemes so that more and more students would avail the benefits of these Schemes keeping in view the limitation imposed by historical injustices on this community.

Reply of the Ministry

4.4 During the year 2016-17, funds could not be released to Bihar and A&N Adm under Post Matric Scholarship (PMS) scheme as requisite documents were not available. While there were 63029 beneficiaries covered in Jharkhand, other States viz., Arunachal Pradesh, Kerala, Uttar Pradesh have been requested to furnish details of actual number of beneficiaries for the year 2016-17 under the Post Matric Scholarship scheme. In order to expedite release of funds during 2017-18, Ministry has organized meetings with State Governments/UT Administrations in April 2017 for expediting complete proposals so as to enable the Ministry to release grants in time, and an amount of Rs.40.38 crore under Pre-Matric Scholarship scheme and an amount of Rs.389.59 crores under post metric scholarship scheme have already been approved for release as on 26.05.2017. The implementation of the schemes is also being monitored in Project Appraisal Committee (PAC) meetings through discussions with officers of State Governments in May-June 2017, in which State Governments are impressed upon the need to furnish required documents to

facilitate expeditious release of funds. Suggestions of the Committee have been noted for compliance.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Comments of the Committee

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

Recommendation (Para 8.4)

4.5 The Committee have been informed that the medium of education is generally State language or English language for imparting education to students in tribal areas. The Committee find that the tribal students, particularly belonging to remote tribal areas are not able to understand these languages, specially at the level of Primary education. The Committee were told that the State Governments have been instructed by the Ministry to develop bilingual primers containing both in regional and local tribal languages to facilitate learning in the schools in tribal areas and for this purpose, funds have already been granted to the States of Chhattisgarh, Manipur, Tamil Nadu, Kerala from where the proposals were received to prepare bilingual primers through TRI. The Committee appreciate the move initiated by the Ministry and urge that this momentum ought to be maintained so that more State Governments come forward and send their proposals to the Ministry. The Committee note with concern that the dropout rate and illiteracy rate are higher among the tribals *vis-a-vis* other communities. The Committee desire that the causes must be identified, rectified and if need be necessary steps be taken in coordination with the State Governments/UTs so that dropout rate and illiteracy among tribals could be checked.

Reply Of The Ministry

4.6 The recommendation of the Committee for taking necessary steps to rectify dropout rate and illiteracy rate among tribals has been noted. Government has taken following remedial steps in this regard:

- (i) The Sarva Shiksha Abhiyan (SSA), provides for free and compulsory elementary education to all children in the age group of 6 to 14 years including ST children. 109 special focus districts have been identified on the basis of the indicators like out of school children, high gender gap, low retention rate and infrastructure gap as well concentration of Scheduled Tribe population.
- (ii) The National Council for Education Research and Training (NCERT) in the National Curriculum Framework, 2005 (NCF) makes it clear that language and culture are important to all children's learning including Scheduled Tribes. SSA aims to develop context specific interventions.
- (iii) Kasturba Gandhi Balika Vidyalayas (KGBVs) scheme: These are the residential schools for girls at upper primary level; a minimum of 75% seats are for minority, SC, ST and OBC girls. KGBVs cover 69% ST girls in ST Special Focus Districts.
- (iv) Ministry of Tribal Affairs (MoTA) has been implementing a number of education-related interventions to facilitate schooling for tribals:
 - (a) Ashram Schools: Funds are provided for making residential schools for STs for primary, middle, secondary and senior secondary level of education.
 - (b) ST Hostels: Central assistance is given to States/UTs/Universities for construction of new hostel buildings and/or extension of existing hostels.

- (c) Scheme of strengthening education among ST Girls in Low Literacy Districts: 100% assistance is given for running and maintenance of educational complexes for ST girls
- (d) Eklavya Model Residential Schools (EMRSs): EMRS are set up with capacity of 480 students per school under grants in aid under article 275(1) of the Constitution to provide quality middle and high level education to ST students.
- (e) Pre Matric Scholarships – An amount of Rs.84.16 Crore was released during 2016-17 towards Pre Matric Scholarships.
- (f) Post Matric Scholarships - An amount of Rs.1555.67 Crore was released during 2016-17 towards Post Matric Scholarships.

In addition to address issue of drop-out, specially among girls, Ministry has also been focusing on funding toilets, sanitation complex, construction of boundary walls (for safety).

Funds are also provided to States for construction of hostels under SCA to TSS and Article 275(1) grants, for appropriate residential facilities for ST students.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Comments of the Committee

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

CHAPTER V

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

Recommendation (Para 4.8)

5.1 The Committee note that Grant-in-Aid to voluntary organizations working for the welfare of Scheduled Tribes scheme enhances the reach of welfare schemes of the Government and fill the gaps in service deficient tribal areas in the sectors like education, health, drinking water, social security net through the VOs/NGOs/Autonomous Societies. The Committee find that the allocation under the Scheme for the year 2016-17 was increased to Rs. 120.00 crore but the Ministry could utilize only Rs. 84.26 crore as on 20.02.2017. The Committee were informed that during July, 2016 instructions have been issued by NITI Aayog that grants should be released to only those NGOs who are registered on the NGOs-PS Portal of NITI Aayog. Accordingly, it took considerable time for NGOs to register themselves on the Portal which slowed the pace of release of funds. The Committee desire that the Ministry of Tribal Affairs should co-ordinate with all the State Governments/NGOs/NITI Aayog for early registration on the Portal so that remaining funds could be utilized by the end of the financial year and more and more tribals are benefitted.

Reply of The Ministry

5.2 The matter has already been taken with the State Government/NGOs/NITI Aayog and almost all the NGOs receiving GIA from the Ministry have registered them on NGO-PS portal of NITI Aayog. Funds are being released to NGOs only after they have registered them on the NGO-Darpan Portal. During 2016-17, there was a

budget allocation of Rs. 120.00 crores under the scheme of Grant-in-aid to voluntary organizations and the entire allocation has been utilized.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Recommendation (Para 5.12)

5.3 The Committee note that out of Rs. 60.00 crore RE in 2016-17, the NSTFDC, as on 29.12.2016 could utilize only Rs. 25.00 crore which is not even 50% of the allocation. The Committee also observe that NSTFDC provides loans upto 90 per cent for the Adivasi Mahila Sashaktikaran Yojana (AMSY) at the interest rate of 4% per annum. The Committee are surprised to note that during 2014-15 the number of beneficiaries were 11616 which were reduced to 548 during 2015-16, while there was no beneficiary in States of Andhra Pradesh, Arunachal Pradesh, Gujarat, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Meghalaya, Mizoram, Nagaland, Odisha, Sikkim and Tripura. Further, during 2016-17 only five States could be covered under the scheme. The Committee are of the considered view that this is mainly due to no demand or less demand from these States and which is a result of lack of awareness among tribal women in the tribal areas. The Committee have been advising the Ministry time and again to make the budgeting exercise more prudent and also to strengthen the monitoring mechanism so as to achieve maximum utilization of funds. The Committee urge the NSTFDC to impress upon the SCAs to have a more proactive approach towards the tribal women so that the an dated objective of the NSTFDC is justified and achieved too. The Committee also desire that NSTFDC should make all out efforts to give due publicity of the Scheme in far flung tribal areas and try to reach the remote tribal areas so that there are more and more beneficiaries under the Scheme.

Reply of the Ministry

5.4 The scheme of equity support to NSTFDC/ STFDCs was allocated Rs 70.00 crore at BE 2016-17 stage and was subsequently reduced to Rs 60.00 crore at RE stage. This Rs 60 crore was released to NSTFDC as follows :

SI No.	Amount	Date
1.	Rs 25.00 crore	09.08.2016
2.	Rs 25.00 crore	28.12.2016
3.	Rs 10.00 crore	15.03.2017

NSTFDC extends its financial assistance through State Channelizing Agencies and it is a fact that during the F.Y. 2015-16, lesser number of proposals under Adivasi Mahila Sashaktikaran Yojana (AMSY) were received in comparison to F.Y. 2014-15. However, during 2016-17, NSTFDC has disbursed funds to 10583 women beneficiaries under AMSY in the states of Chhattisgarh, Gujarat, Jammu & Kashmir, Jharkhand, Kerala, Rajasthan, Tripura and West Bengal.

Further, NSTFDC has also made following disbursements to women beneficiaries under other schemes:

Year	AMSY	Other schemes	Total
2014-15	11616	6870	18486
2015-16	548	53920	54468
2016-17	10583	47105	57688

Suggestion of the Hon'ble Committee has been noted and NSTFDC will endeavour to increase its focus/ spending on awareness generation especially in far flung tribal areas besides sensitizing the state agencies for covering more tribal women.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Recommendation (Para No. 10.7)

5.5 The Committee find that as of now 89 proposals from various States/UTs are pending for inclusion in the Scheduled Tribes List. The Committee are not aware for how long these proposals are pending at various stages/level. The Committee after going through the cumbersome procedure involved for consideration of any Tribe for inclusion in the ST List can, however, very well understand that these proposals might be pending for a very long time at different stages and with different agencies, viz. Registrar General of India(RGI), National Commission for Scheduled Tribes (NCST), concerned State Governments/UTs and finally with the Ministry of Tribal Affairs. To cite an example, the Committee are aware of at least one proposal from Jharkhand (earlier Bihar, before bifurcation of Bihar) for inclusion of 'Khetauri and Ghatwar/Ghatwal' community in the List of Scheduled Tribes is pending for more than 15 years, at times with RGI and sometime with the State Government. The Committee, however, are happy to see that not a single proposal is pending with the Ministry. The Committee attribute such delays to the fact that Government has not fixed any time limit for RGI, NCST or Ministry of Tribal Affairs to clear or reject such proposals. More so, when any proposal is referred back to the concerned State

Government for further clarification(s)/information, that State Government too is not bound to send the requisite clarification to the RGI/ Ministry of Tribal Affairs within a definite time limit. The Committee desire that the Ministry should vigorously pursue with those 22 State Governments, particularly Jharkhand, to furnish their comments/reply expeditiously so that inclusion of their communities in the ST List could be considered timely. The Committee also desire that the Government may also consider fixing up a reasonable time limit for RGI, NCST and the Ministry of Tribal Affairs too, under which they must consider / decide the proposals so received from the State Governments.

Reply of the Ministry

5.6 Govt. of India on 15.06.1999 (further amended on 25.06.2002), has laid down the modalities for determining the claims for inclusion in, exclusion from and other modifications in the orders specifying lists for Scheduled Tribes. According to these modalities, only those proposals which have been recommended and justified by the concerned State Government and concurred with by the Registrar General of India (RGI) and the National Commission for Scheduled Tribes (NCST) are to be considered for amendment of legislation. The time limit is not fixed to process the case.

Further, with regard to the proposal for inclusion of 'Khetauri' and 'Ghatwar/Ghatwal' in the STs list of Jharkhand, the proposal has been referred back to the State Govt. seeking their justification/comments on the observations of RGI, as per approved modalities. State Government has been reminded from time to time

vide this Ministry's letter/DO dated 11.01.2017, 15.02.2017. However, further justification/comments on the observations of RGI has not been received so far.

A Task Force under the Chairmanship of Dr. Hrusikesh Panda, the then Secretary (Tribal Affairs) was constituted by the Ministry of Tribal Affairs in February, 2014 to examine the existing criteria and procedure. The Task Force in its report submitted to the Ministry has recommended, inter-alia, for revision of criteria and procedure for scheduling of tribes as STs. The recommendations of the Task Force were examined and accordingly the proposal for streamlining of communities as STs was circulated to States/UTs. Views/comments have been received from all most States/UTs except from the Government of Bihar and UT of Daman & Diu. These two states have been reminded repeatedly.

[Ministry of Tribal Affairs' O.M. No. 16015/02/2017-PC dated:16.6.2017]

Comments of the Committee

(Please see Para 1.19 of Chapter I of the Report)

NEW DELHI;

03 August, 2017
12 Shravana, 1939 (Saka)

RAMESH BAIS
Chairperson,
Standing Committee on
Social Justice and
Empowerment

ANNEXURE

MINUTES OF THE EIGHTEENTH SITTING OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT HELD ON WEDNESDAY, 9th AUGUST, 2017

The Committee met from 1000 hrs. to 1045 hrs. in Chairperson's Chamber, Room No. 113, First Floor, Block-B, Parliament House Annexe Extension Building, New Delhi.

PRESENT

SHRI RAMESH BAIS - CHAIRPERSON

MEMBERS

LOK SABHA

2. Shri Santokh Singh Chaudhary
3. Shri Sadashiv Lokhande
4. Smt. Mamata Thakur

RAJYA SABHA

5. Smt. Jharna Das Baidya
6. Smt. Sarojini Hembram
7. Dr. Narendra Jadhav
8. Smt. Vijila Sathyananth
9. Smt. Chhaya Verma
10. Shri Ramkumar Verma

LOK SABHA SECRETARIAT

1. Shri A.K. Singh - Additional Secretary
2. Shri Ashok Sajwan - Director
3. Smt. Mamta Kemwal - 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) Forty-sixth Report on action taken by the Government on the observations/recommendations contained in the Thirty-eighth Report on "Demands for Grants-2017-18" of the Ministry of Tribal Affairs.

(iv) **** **** **** ****

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

The Committee then adjourned.

* *Matter not related to this Report.*

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE THIRTY-EIGHTH REPORT (SIXTEENTH LOK SABHA) OF THE STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT ON 'DEMANDS FOR GRANTS (2017-18) OF THE MINISTRY OF TRIBAL AFFAIRS

	Total	Percentage
I. Total number of Recommendations	10	
II. Observations/Recommendations, which have been accepted by the Government (Paragraph Nos. 2.12, 3.9, 3.10, 7.14 and 9.11)	5	50.00
III. Observations/Recommendations which the committee do not desire to pursue in view of the replies of the Government (Nil)	0	0
IV. Observations/Recommendations, in respect of which replies of the Government have not been accepted (Paragraph Nos. 6.5 and 8.4)	2	20.00
V. Observations/Recommendations in respect of which replies of the Government are interim in nature (Paragraph Nos. 4.8,5.12 and 10.7)	3	30.00