

TENTH REPORT

C.L.W.No.23

STANDING COMMITTEE ON
LABOUR AND WELFARE
(1999-2000)

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LOK SABHA SECRETARIAT

NEW DELHI

November, 2000/Kartika, 1922 (Saka)

29 NOV 2000

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COMPOSITION OF THE STANDING COMMITTEE ON
LABOUR AND WELFARE
(1999-2000)

Dr. Sushil Kumar Indora— *Chairman*

MEMBERS

Lok Sabha

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3. Shri Alam Amir
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(iv)

Rajya Sabha

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SECRETARIAT

- | | | |
|------------------------|---|--------------------------|
| 1. Shri Joginder Singh | — | <i>Joint Secretary</i> |
| 2. Shri J.P. Sharma | — | <i>Deputy Secretary</i> |
| 3. Shri B.D. Swan | — | <i>Under Secretary</i> |
| 4. Km. M. Tunglut | — | <i>Reporting Officer</i> |

(iii)

INTRODUCTION

I, the Chairman of the Standing Committee on Labour and Welfare having been authorised by the Committee to submit the report on their behalf, present this Tenth Report on the action taken by the Government on the recommendations contained in the Fifth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) on the Ministry of Tribal Affairs—Demands for Grants—2000-2001.

2. The Fifth Report was presented to Lok Sabha on 25th April, 2000. The Ministry of Tribal Affairs furnished their replies indicating action taken on the recommendations contained in that Report on 22nd August, 2000. The Report was considered and adopted by the Standing Committee on Labour and Welfare at their sitting held on 15th November, 2000.

3. The Report has been divided into the following Chapters:—

- I. Report.
- II. Recommendations/Observations which have been accepted by Government.
- III. Recommendations/Observations which the Committee do not desire to pursue in view of Government's reply.
- IV. Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and which require reiteration.
- V. Recommendations/Observations in respect of which final replies of Government have not been received.

4. An analysis of the Action Taken by the Government on the recommendations contained in the Fifth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) is given in Appendix.

NEW DELHI;
November 15, 2000
Kartika 24, 1922 (Saka)

DR. SUSHIL KUMAR INDORA,
Chairman,
Standing Committee on Labour and Welfare.

CHAPTER I

REPORT

1.1 This Report of the Committee deals with the action taken by the Government on the recommendations contained in the Fifth Report (Thirteenth Lok Sabha) of the Committee on Labour and Welfare on the Ministry of Tribal Affairs on Demands for Grants-2000-2001.

1.2 The Fifth Report was presented to Lok Sabha on 25th April, 2000. It contained 17 recommendations. Replies of Government in respect of all recommendations have been examined and are categorised as under:

(i) Recommendations and observations which have been accepted by the Government:

Sl. Nos. 2, 3, 4, 6, 8, 12 and 15.

(Total 8 included in Chapter II of the Report)

(ii) Recommendations and observations which the Committee do not desire to pursue taking into consideration the replies of the Government:

Sl. Nos. 1, 5, 9 and 13.

(Total 4 included in Chapter III of the Report)

(iii) Recommendations and observations, replies to which have not been accepted by the Committee and which require reiteration:

Sl. Nos. 7, 10 and 11.

(Total 3 included in Chapter IV of the Report)

(iv) Recommendations and observations in respect of which final replies have not been received:

Sl. Nos. 16 and 17.

(Total 2 included in Chapter V of the Report.)

1.3 The Committee will now deal with the action taken replies of the Government which need reiteration or merit comments.

A. DEVIATION IN THE UTILISATION OF SCA IN ANDHRA PRADESH, ORISSA AND TAMIL NADU

Recommendation (Sl. No. 7, Para 2.28)

1.4 The Committee noted that the Ministry came to know about the deviation in the utilisation of SCA in Andhra Pradesh, Orissa and Tamil Nadu from the report of the Research Organisation submitted in 1994, yet no concrete action has been taken by them even after a lapse of 6 years. The Committee, therefore, asked for a comprehensive report on this issue.

1.5 In their action taken reply furnished to the Committee, the Ministry of Tribal Affairs has stated that on the basis of the research studies, the erstwhile Ministry of Social Justice & Empowerment had made follow-up action by convening a meeting of the Secretaries of the States/UTs incharge of Tribal Development to rectify the lacunae in implementation of programmes. The senior officers of the Ministry visit the respective States and discuss the deficiencies in implementation of the programmes. In order to check various deficiencies in implementation of programme by the State Governments, one of the major steps being contemplated is to release SCA directly to ITDPs/ITDAs so that money could be available to them in time for implementation of various programmes. One of the deficiencies regarding release of SCA to TSP on the part of the State Government is utilisation of funds on non-plan nature. This could be deviated if funds are released to the ITDPs/ITDAs directly after identifying the various issues and the project authorities of the ITDPs are required to prepare Annual Action Plan for implementation of various programmes in the project areas. The deficiencies in implementation of various programmes are identified by the officers of this Ministry during their on the spot visit to the tribal areas. Accordingly, project officers are impressed upon to sort out the deficiencies in the field.

1.6 The Committee appreciate the various steps contemplated by the Ministry in avoiding diversion in the utilisation of SCA funds in future but regret to note that the Ministry has not furnished any detail about the action taken on the deviation of funds resorted to by the States *viz*, Andhra Pradesh, Orissa and Tamil Nadu. The Committee, therefore, while reiterating their earlier recommendation desire that a comprehensive report may be furnished to the Committee.

B. GRANTS UNDER FIRST PROVISIO TO ARTICLE 275(1) OF THE CONSTITUTION

Recommendation (Sl. No. 10, Para 2.41)

1.7 The Committee noted that the Finance Department of some States were not releasing the Grants under Article 275(1) of the Constitution to their Tribal Welfare Departments as they consider it a part of the State Plan and had, therefore, recommended that the Ministry should pursue the matter with the concerned States on priority to release the grants to their Tribal Welfare Departments over and above their State Plan.

1.8 In their action taken reply the Ministry of Tribal Affairs has stated that Ministry is emphasising the Finance Departments of State Governments for timely disbursement of funds to their Tribal Welfare Departments. In most of the States, Tribal Welfare Departments are getting the grants from their State Finance Departments in time.

1.9 The Committee are not convinced with the reply of the Ministry that it has been emphasising the Finance Departments of States for timely disbursement of funds to their Tribal Welfare Departments. The Committee observe that the Ministry has furnished the same reply which was furnished during examination of Demands for Grants for the year 2000-2001. Also, no mention has been made as to how many Tribal Welfare Departments of States have been getting grants from their Finance Departments and how many States have not complied with this norm. The Committee, therefore, reiterate their earlier recommendation and urge the Ministry to ensure that grants are released by all State Finance Departments to their Tribal Welfare Departments over and above the State plan. The progress made in this regard may be communicated to the Committee.

C. GRANTS-IN-AID TO NGOs

Recommendation (Sl. No. 11, Para 2.52)

1.10 The Committee noted that no time limit has been given to State Governments for carrying out inquiry/investigations against the defaulting NGOs and recovery of amount sanctioned to black-listed NGOs is yet to be effected by the State Governments. The Committee had, therefore, recommended that the Ministry should fix a time limit for the State Governments to carry out investigations and submit a detailed report to the Committee. Also, State Governments should be pursued to initiate recovery proceedings against the black-listed organisations and impressed upon to book the authority/official certifying the genuineness of bogus NGOs.

Delhi on 17.5.2000 by the Ministry of Tribal Affairs.

1.11 In their action taken reply furnished to the Committee, the Ministry of Tribal Affairs has stated that State Governments are being repeatedly requested to effect the recovery at the earliest possible in individual cases of defaulter. In some cases, the State Governments have been asked to initiate criminal proceedings against the defaulting NGOs.

1.12 The Committee are not satisfied with the stereo-type reply of the Ministry as no mention has been made regarding time limit for carrying out inquiry/investigations against defaulting NGOs by State Governments. Also, the Ministry has not indicated any concrete steps to ensure that the authority/officers certifying the genuineness of the bogus NGOs have been brought to book. The Committee, therefore, reiterate their earlier recommendation and urge the Ministry to make a thorough investigation against defaulting NGOs within a time frame and responsibility should be fixed on the erring officers certifying the genuineness of bogus NGOs. Steps taken in this regard may be communicated to the Committee.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 2, Para 2.7)

2.1 The Committee are constrained to note that utilization of funds under both Plan and Non-Plan schemes of the Ministry has been quite low up to 8 March, 2000 *i.e.* 59.17 under plan expenditure. As on 28.3.2000, utilization is of the order of Rs. 548.20 crore against the Budget Estimates of Rs. 630 crore which clearly shows that huge amount of funds has been released in the last month of the financial year. The reasons put forth by the Ministry that sanctions could not be issued on time due to non-receipt of utilization certificates, delay in processing the schemes, delay in getting schemes approved from Ministry of Finance, inability of States to provide their matching share etc. are not convincing to the Committee. Keeping in view the fact that the Ministry has admitted that the utilization certificates have been received by coordinating with the States, the Committee desire that the Ministry should strengthen its coordination and monitoring with the States by conducting regular visits/inspections. The Committee also desire that the Ministry should plan and incur their expenditure in a phased manner so as to avoid accumulations towards the fag end of the Financial year.

Reply of the Government

1. This matter was brought to the notice of Chief Secretaries of all States/UTs *vide* D.O. letter No. 17014/2/2000-TD (Coord.) dated 6.4.2000 (copy attached) by the Secretary, Ministry of Tribal Affairs. They were requested to take the corrective measures, and send the proposals under various schemes early in the financial year and not at the fag end.

2. The matter was again brought to the notice of Secretaries (Tribal Welfare) of all the States in the meeting which was convened in new Delhi on 17.5.2000 by the Ministry of Tribal Affairs.

3. The Secretaries (Tribal Welfare) of all State Governments/UTs were requested again formally on 21st June, 2000, to take necessary action as per the discussions/decisions in the meeting held on 17.5.2000.

4. Another meeting of Secretaries in charge of Tribal Welfare of the States of Andhra Pradesh, Bihar, Madhya Pradesh, Manipur, Orissa and Tripura was held in New Delhi on 28.7.2000 wherein these points were reiterated.

5. Secretary (Tribal Affairs) has written demi-officially to the State Secretaries asking them to ensure timely utilisation of funds released and submission of formal proposals complete in all respects for further release of funds during 2000-2001.

6. Officers of this Ministry, including Secretary (TA), undertake visits to the States/UTs to assess on the spot the status of implementation of tribal welfare schemes and to impress upon the officers concerned the timely utilisation of funds released and ensuring that the benefits reach the target group.

7. This Ministry has since released the 1st instalment of Special Central Assistance to TSP to the States to the tune of Rs. 135.47 crore in July, 2000 on the basis of utilisation of funds by States/UTs upto the end of 1998-99. Further instalments will be released on receipt of information from the States/UTs regarding utilisation of funds during the year 1999-2000.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 3, Para 2.8)

2.2 The Committee note with concern that no proposal has been received from State Governments/U.T. Administration for the scheme of Schools, hostels and residential schools due to inability of State/U.T. Administrations to provide their matching share. The Committee also feels that States/U.T. Administrations need to be pursued at regular intervals to provide their matching share. The Committee, therefore, urge the Ministry to take up the matter with States/U.T. Administrations on a firm footing to submit detailed proposals keeping provision of matching share in their State Budget so that the students from tribal communities are not deprived of the basic educational facilities.

Reply of the Government

2.3 The Ministry of Tribal Affairs convened a meeting of State Secretaries incharge of Tribal Welfare, in New Delhi on 17.5.2000 to discuss *inter-alia* this issue. During this meeting the Secretary, Ministry of Tribal Affairs impressed upon the State Secretaries the need for the States to provide matching share in the respective State budgets before sending a request to the Ministry.

2.4 This point has been impressed on the State Government/U.T. Administrations again and a letter in this regard has been sent to them on 10th August, 2000.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 4, Para 2.25)

2.5 The Committee note that although the main thrust of the point 11(b) of 20 Point Programme is to provide economic assistance to the Scheduled Tribes families to enable them to rise above the poverty line but the achievement of target for the year 1999-2000 has been low due to non-receipt of progress report from some of the State Governments. In the opinion of the Committee, the Ministry lacks coordination with the States/UTs and its monitoring has not been effective. The Committee, therefore, recommend that the Ministry should pursue with the State Governments/UTs to send their progress reports timely and regularly and also impress upon them to achieve their targets fixed under point 11(b) of the 20 Point Programme.

Reply of the Government

2.6 Taking the recommendations of Standing Committee into consideration, the matter was taken up with the concerned State Governments and most of the State Governments have furnished the Monthly Progress Reports for 1999-2000 resulting in 90% achievement. The State Governments where the achievement against target was low during 1999-2000, have been asked to improve the achievement. Regarding fixation of targets under point 11(b) of 20 Point Programme for 2000-2001, 15 out of 20 State Governments/UTs have confirmed the targets. Remaining 5 State Governments have been asked to comment/confirm the tentative targets before 14th August, 2000.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 6, Para 2.27)

2.7 The Committee note with concern that only 9 Central Ministries/Departments have so far quantified funds for TSP from their annual plans in accordance with the population percentage of STs in the country. The Committee, therefore, recommend that the Ministry should vigorously pursue the matter with the Planning Commission as well as the remaining Ministries/Departments to formulate and quantify funds for TSP at the earliest.

Reply of the Government

2.8 Taking the recommendations of Standing Committee into consideration, this Ministry has pursued the matter with all the Central Ministries/Departments and this Ministry has received so far the information regarding formulation of TSP by various Central Ministries/Departments from 33 Ministries/Departments during 2000-2001 out of which 21 Ministries/Departments have quantified the funds towards TSP.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 8, Para 2.39)

2.9 The Committee note with concern that funds allocated for establishment of Residential Schools have not been released to any of the States during 1999-2000. However, the entire amount has been released to various States for other schemes. Keeping in view the fact that the scheme was formulated to provide quality education for ST boys and girls and to bring them at par with the national level, the Committee urge the Ministry to impress upon the States/UTs to give highest priority to this scheme and persuade them to expedite the process of registration of societies for managing the Residential Schools.

Reply of the Government

2.10 The Ministry is already persuading the State Governments to expedite the process of registration of Societies for managing the Residential Schools through meetings with Secretaries incharge of Tribal Development and letters from Secretary (TA) to Chief Secretaries of various States. The States are regularly reminded to take expeditious action. Accordingly 13 States have already registered Societies and transferred the money to these Societies. It may be further mentioned that the grants under Article 275(1) of the Constitution is given to State Governments only and not to Union Territory Administrations.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 12, Para 2.53)

2.11 The Committee note that in order to weed out bogus and non-existent NGOs, inspection reports of the District Collector and recommendation of the Tribal Welfare Secretary under their own signature has been made mandatory after 2.12.1999. The Committee appreciate the efforts made in this regard but also desire that the new initiatives should not cause further delays on the part of the State Governments/UTs in forwarding their inspection reports to the Ministry. The Committee also urge the Ministry to pursue the State Governments to improve their coordination with the NGOs working under them so that funds allocated to them are properly utilized.

Reply of the Government

2.12 All efforts are being made to pursue with the State Governments for obtaining timely inspection Reports. In some cases, special inspection team of officers of this Ministry has also been deputed for carrying out inspection of the organisations.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 14, Para 2.70)

2.13 The Committee appreciate the initiatives taken by TRIFED in Madhya Pradesh and other areas where in close association with the District Administrations, TRIFED has organised procurement of various commodities mainly from village haat by engaging grass root level agencies like Van Dhan Samities, Van Suraksha Samities, LAMPS etc. The Committee further desire that the same system should be replicated in other States also by approaching the State and District Administrations for their support in procuring commodities directly from the tribals thereby eliminating the middlemen.

Reply of the Government

2.14 The present marketing/procurement operation of Bastar is primarily based on the Panchayati Raj (Extension in Scheduled Areas) Act, 1996 which has also been endorsed by the Government of Madhya Pradesh. The *modus operandi* of the scheme has been documented in a hand book titled "Market Intervention with a difference—Bastar Model". This document has been circulated among all the regional offices of TRIFED and the same has been sent to all Collectors of Tribal Districts of Madhya Pradesh and Orissa with a request to implement the scheme for the benefit of the tribal farmers.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 15, Para 2.71)

2.15 The Committee note with concern that in some States like Orissa, the Forest Divisions/ranges are leased out to private parties/contractors who trade the forest commodities which adversely affects the interests of the tribals. The Committee view the situation seriously and recommended that the Ministry should take up the matter with the concerned State Governments and impress upon them to discontinue this practice as it is not in the interest of the tribals.

Reply of the Government

2.16 The Govt. of Orissa has recently amended the Procurement Rights of various products. The State Government has implemented the Panchayati Raj (Extension of Scheduled Areas) Act 2/1996 and has transferred the rights for collection of Major/Minor Forest Produce numbering around 60 to the Gram Sabhas/Village Panchayats. Besides, the matter has also been taken up with the State Governments for remedial measures.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Reply of the Government

2.14 The present marketing procurement operation of Bastar is primarily based on the Panchayat Raj (Extension in Scheduled Areas) Act 1996 which has also been endorsed by the Government of Madhya Pradesh. The basic pattern of the scheme has been documented in a handbook titled 'Market Intervention with a difference-Bastar Model'. The document has been circulated among all the regional offices of ISRD and the same has been sent to all Collectors of Tribal Districts of Madhya Pradesh and Orissa with a request to implement the scheme for the benefit of the tribal farmers.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

CHAPTER III

**RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE
DO NOT DESIRE TO PURSUE IN VIEW OF THE
GOVERNMENT'S REPLY**

Recommendations (Sl. No. 1, Para 1.19)

3.1 The Committee note that the Ministry of Tribal Affairs was carved out of the Ministry of Social Justice and Empowerment in October, 1999 with a view to giving more focused attention to the development of the Scheduled Tribes. The Committee appreciate the concern expressed for the marginally deprived section of the society by creating a separate Ministry but at the same time are not convinced as to how the Ministry will be able to carry out its mandate effectively in the absence of adequate staff and infrastructure including office accommodation. The Committee view this situation very seriously. Keeping in view the workload originally assigned as well as the additional work likely to be transferred from other Ministries to the Ministry of Tribal Affairs, the Committee recommend that the matter pertaining to adequate staff office, accommodation, funds for the establishment etc. should be pursued on priority with the concerned Ministries/agencies so that the mandate of the Ministry is implemented effectively. The progress achieved in this regard may be communicated to the Committee.

Reply of the Government

3.2 It is encouraging to see the observation/concern of the Standing Committee in regard to non-availability of proper infrastructural facilities/personnel in the newly created Ministry of Tribal Affairs.

3.3 The Ministry of Tribal Affairs is facing a lot of problems, both in regard to personnel and office accommodation. The requirements of office accommodation by this Ministry had been projected to the Ministry of Urban Affairs (Directorate of Estates). Recently, the Directorate of Estates has allotted two rooms (No. 737 and 738) on 7th Floor, 'A' Wing as office accommodation for the Ministry of Tribal Affairs. These are hardly adequate to meet the requirements of office accommodation even for the existing officers of the Ministry.

3.4 As regards availability of personnel, the Ministry had initially prepared proposals for sanction of 80 posts (excluding 3 posts transferred by the Ministry of Social Justice & Empowerment for house keeping sections in the Ministry of Tribal Affairs). However, since sanction of posts was taking time, in a meeting taken by the former Secretary (TA) on 23.2.2000, with the Financial Adviser of the Ministry, where the Joint Secretary (Admn.) of the Ministry of Social Justice & Empowerment was also present, it was recommended to the Ministry of Finance to sanction at least 16 posts to start with. However, the Ministry of Finance has sanctioned only 9 posts and for the remaining posts, they had suggested to approach the Ministry of Social Justice & Empowerment to spare some more posts as that Ministry had not achieved 10% cut in their staff strength. The matter was taken up with the Ministry of Social Justice & Empowerment who have regretted their inability to spare any post for this Ministry. As a result, the case has been taken up with the Ministry of Finance to sanction 7 posts (16 minus 9=7). The Ministry of Finance is yet to communicate their approval. Incidentally out of 9 posts sanctioned by the Ministry of Finance, only one post of Under Secretary could be filled up so far. For the remaining 8 posts, references have been made to the Staff Selection Commission (SSC) and the Department of Personnel & Training. These 8 posts are still vacant.

3.5 The cases relating to office accommodation and personnel are being pursued with the Ministries concerned.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 5, Para 2.26)

3.6 The Committee are concerned to note that despite guidelines issued by the Ministry, only seven States/UTs have so far earmarked funds for TSP which is equal or more in proportion to the population percentage of STs in the States/UTs. Viewing the situation seriously, the Committee urge the Ministry to take up the issue with the concerned State Governments/UT Administrations on a firm footing so that funds are allocated to TSP without further loss of time. The Committee also desire that the Ministry should pursue the States/UTs to provide separate demand head for TSP under their Tribal Welfare Departments to ensure that funds are not diverted to other purposes.

Reply of the Government

3.7 This Ministry has been urging the State Governments/U.T. Administrations from time to time to earmark funds to TSP which is at least in proportion to the percentage of ST population in each State/UT. The TSP of each State/UT is also closely scrutinised while considering the Annual Plan proposals so as to ensure that adequate allocation of funds is made to meet the developmental needs of STs. State Governments/UTs are also urged upon to provide separate demand head for TSP and place the amount at the disposal of Tribal Development Department, so that the funds are utilised for the purpose intended and not diverted to other purposes. The Governments of Himachal Pradesh, Gujarat and Maharashtra are already providing separate demand head for TSP. This matter was also specifically discussed in the meeting of the Secretaries in charge of Tribal Affairs of States and UTs convened by this Ministry on 17.5.2000 wherein the States/UTs were advised to ensure that the Planning Department of the States/UTs allocate a definite outlay for TSP which should be atleast equal to the ST population percentage of each State/UT and place the amount at the disposal of Tribal Development Department under separate demand head.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 9, Para 2.40)

3.8 The Committee also desire that the Grants under First Proviso to Article 275(1) of the Constitution should not be used by States as supplementary or additionality to other Tribal Welfare Programmes such as TSP and SCA. Keeping in view the fact that most of the areas identified for coverage under the scheme are also covered under TSP and other programmes, the Committee recommend that adequate steps should be taken in planning and implementation of the scheme so as to avoid any overlapping and diversion of funds.

Reply of the Government

3.9 As per the guidelines of the Ministry regarding SCA to TSP the SCA is additive to the State Plan efforts and only 30% of the SCA is used for infrastructure and 70% is used for family oriented income generating Schemes whereas grant under Article 275(1) of the Constitution are utilised for raising the level of administration in Scheduled Areas and for the welfare of Scheduled Tribes in the entire State including the TSP area and as such generally there is no overlapping in implementation of the programmes under these two Schemes.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 13, Para 2.58)

3.10 The Committee note that the Tribal Research Institutes (TRIs) have been undertaking the important work of research, evaluation, collection of data, training, seminar workshops, professional input in the preparation of TSP etc., but often its recommendations/observations have not been implemented by the States. The Committee, therefore, urge the Ministry to strengthen the TRIs by providing adequate staff, promotional avenues, etc. so that they could function more effectively. The Committee further desire that the recommendations/observations made by TRIs should be utilised by the State Governments while formulating their annual plan/programmes for tribals.

Reply of the Government

3.11 This Ministry convenes every year a meeting of the Directors of Tribal Research Institutes alongwith Secretaries in charge of the subject in the respective States to review the functioning and role of TRIs. Accordingly, this Ministry convened a meeting on 16.5.2000 and discussed these issues with the Directors of TRIs and State Secretaries incharge of Tribal Development Departments in the respective States. During the meeting, it was impressed upon the State Governments that they should utilise the services of TRIs to the optimum extent in formulating plans and programmes for Tribal development. As regards strengthening of TRIs, this Ministry provides a one time grant on 50:50 basis with the State Governments for the purposes of providing adequate staff and other requirements.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

CHAPTER IV

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

Recommendation (Sl. No. 7, Para 2.28)

4.1 The Committee note with concern that though the Ministry came to know about the deviation in the utilisation of SCA in Andhra Pradesh, Orissa and Tamil Nadu from the report of the Research Organisation submitted in 1994 yet no concrete action has been taken by them even after a lapse of 6 years. This clearly reflects their lack of seriousness over the issue. The Committee, therefore, desire that the Ministry should look into the matter and furnish a comprehensive report to the Committee.

Reply of the Government

4.2 On the basis of the research studies, the erstwhile Ministry of Social Justice & Empowerment had made follow-up action by convening a meeting of the Secretaries of the States/UTs Incharge of Tribal Development to rectify the lacunae in implementation of programmes. The senior officers of the Ministry visit to the respective States and discuss the deficiencies in implementation of the programmes. In order to check various deficiencies in implementation of programmes by the State Governments, one of the major steps being contemplated is to release SCA directly to the ITDPs/ITDAs so that money could be available to them in time for implementation of various programmes. One of the deficiencies regarding release of SCA to TSP on the part of the State Government is utilisation of funds on non-plan nature. This could be deviated if funds are released to the ITDPs/ITDAs directly after identifying the various issues and the project authorities of the ITDPs are required to prepare Annual Action Plan for implementation of various programmes in the project areas. The deficiencies in implementation of various programmes are identified by the officers of this Ministry during their on the spot visit to the tribal areas. Accordingly, project officers are impressed upon to sort the deficiencies in the field.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Comments of the Committee

(Please see Para 1.6 of Chapter-I of the Report)

Recommendation (Sl. No. 10, Para 2.41)

4.3 The Committee note with concern that the Finance Department of some States are not releasing the Grants under Article 275(1) of the Constitution to the Tribal Welfare Department as they consider it a part of the State Plan. The Committee, therefore, recommend that the Ministry should pursue the matter with the concerned States on priority to release the grants under Article 275(1) to the Tribal Welfare Department of State over and above their State Plan.

Reply of the Government

4.4 Ministry is emphasising the Finance Department of the State Governments for timely disbursement of funds to Tribal Welfare Departments. In most of the States, Tribal Welfare Department are getting the grants from State Finance Departments in time.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Comments of the Committee

(Please see Para 1.9 of Chapter-I of the Report)

Recommendation (Sl. No. 11, Para 2.52)

4.5 The Committee note with concern that no time limit has been given to State Governments for carrying out inquiry/ investigations against the defaulting NGOs and recovery of amount sanctioned to black-listed NGOs is yet to be effected by the State Governments. Viewing this situation seriously, the Committee recommend that the Ministry should fix a time limit for the State Governments to carry out investigations against the defaulting NGOs and submit a detailed report to the Committee. The Committee further recommend that the State Governments should be pursued to initiate recovery proceedings against the black-listed organizations and also impress upon them that the authority/official certifying the genuineness of the bogus NGOs are brought to book.

Reply of the Government

4.6 The State Governments are being repeatedly requested to effect the recovery at the earliest possible, in individual cases of defaulter. In some cases, the State Governments have been asked to initiate criminal proceedings against the defaulting NGOs.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Comments of the Committee

(Please see Para 1.12 of Chapter-I of the Report)

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF GOVERNMENT HAVE NOT BEEN RECEIVED

Recommendation (Sl. No. 16, Para 2.72)

5.1 The Committee note that the rate of procurement of commodities such as Minor Forest Produces and tree borne oil seeds procured by TRIFED varies from State to State because of their State Laws. In order to have uniform rate of commodities, adequate steps should be taken to strengthen TRIFED by enabling it to fix and determine the rates for all the commodities.

Reply of the Government

5.2 As rightly pointed out by the Committee that this is an issue which is governed by the State Governments as per their State Laws, hence, the matter has been referred to the State Governments for their suggestions.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

Recommendation (Sl. No. 17, Para 2.73)

5.3 The Committee note that at present TRIFED is exporting only Niger seed. The Committee desire that the Ministry should explore the feasibility of exporting other commodities like Hill grass/Brooms, Lac, Tamarind etc. in collaboration with some reputed trading institutions so that the tribals get more remunerative prices for their produce.

Reply of the Government

5.4 Concerted efforts are being made by TRIFED in exploring the export market of Minor Forest Products. Presently, TRIFED is exporting Niger Seed, Lac, DOC, of various seeds and spices. The recommendations of the Standing Committee regarding exports of Hill Brooms, Tamarind are under active consideration. Enquiries have been floated to various countries and TRIFED in constant touch with the embassies in India to explore the market of these items.

[Ministry of Tribal Affairs O.M. No. 16015/1/2000-TD (Coord.)
dated 22.08.2000]

NEW DELHI,
November 15, 2000
Kartika 24, 1922 (Saka)

DR. SUSHIL KUMAR INDORA
Chairman,
Standing Committee on Labour and Welfare.

ANNEXURE I

Secretary
 Ministry of Tribal Affairs
 Government of India
 Shastri Bhawan, New Delhi-110001
 6 April, 2000
 D.O.No. 17014/2/2000-TD (Coord.)

Dear

This is regarding implementation of various Central and Centrally Sponsored Schemes by the State Governments/UT Administrations by this Ministry during the current financial year. Government of India provides 50% Central share in respect of some schemes and 100% grant-in-aid to the State Governments/UT Administrations for some other schemes. Following Central and Centrally Sponsored Schemes are funded by this Ministry through the State Governments/UT Admns. as well as to NGOs:

100% funded by Government of India

1. SCA to TSP
2. Grants under First Proviso to Article 275(1) of the Constitution.
3. Vocational Training in Tribal Areas.
4. Grant-in-aid to State TDCCs.
5. Development of PTGs.
6. Post-Matric Scholarships for STs.
7. Grant-in-aid to Voluntary Organisations.
8. Upgradation of merit of STs.
9. Educational Complexes in Low Literary Pockets.

50% funded by Government of India

1. Girls/Boys Hostels.
2. Establishment of Ashram Schools in tribal areas.
3. Grants to TRIs.
4. Book Banks.
5. Coaching & Allied Scheme.

2. During the financial year 1999-2000, the funds allocated to most of the above mentioned schemes could not be fully utilized because of incomplete proposals from the State Governments/UT Admns. as well as non-submission of utilization of funds of previous releases made to the State Governments/UT Admns.

3. In regard to the grant-in-aid to the NGOs, State Governments/UT Admns. have been requested to send the physical verification made by Deputy Commissioner in respect of the NGOs working in different States/UTs as well as the recommendations of the Secretary, in charge of Tribal Development of respective State/UT. During examination of these proposals, we could ascertain that the State Governments/UT Admns. have not forwarded the proposals of NGOs with their recommendations along with the reports of District Collector.

4. To avoid any recurrence of this type, I will be grateful if suitable measures are initiated immediately to send the proposals of the State Governments/UT Admns. complete in all respects as well as those of NGOs along with the reports of the State Governments/UT Admns., and physical verification done by the District Collector by 30.4.2000.

5. Hon'ble Minister for Tribal Affairs is going to convene a National Conference of all States/UTs immediately after the Parliament Session to discuss various schemes with the respective State Governments/UT Admns. for proper utilization of funds during the current financial year. Proposals for the current year 2000-2001 will be approved and funds release ensured in time to avoid March rush and thus resulting in proper scrutiny and utilization. For this purpose, you are required to send your proposals, in advance, for the current financial year under various schemes, complete in all respects, along with your suggestions. It will be highly appreciated if you could send those proposals, in advance, so that entire budgetary allocation could be utilized before December, 2000. States/UTs which fail to submit their proposals and other documentation may have to forego releases of funds.

With regards,

Yours sincerely,

Sd/-

(BHURE LAL)

Chief Secretaries of All States/UTs

At the outset, Hon. Chairman welcomed the Members of the Committee.

APPENDIX

ANNEXURE II

MINUTES OF THE FOURTEENTH SITTING OF THE
STANDING COMMITTEE ON LABOUR AND WELFARE
HELD ON 15TH NOVEMBER, 2000

The Committee met from 11.30 hrs. to 13.00 hrs. in Committee Room 'D' Parliament House Annexe, New Delhi.

PRESENT

Dr. Sushil Kumar Indora— *Chairman*

MEMBERS

Lok Sabha

2. Shri Ashok Argal
3. Shri Denzil B. Atkinson
4. Smt. Sandhya Bauri
5. Shri Joachim Baxla
6. Shri Manibhai Ramjibhai Chaudhuri
7. Shri Virendra Kumar
8. Shri Brahma Nand Mandal
9. Shri Bherulal Meena
10. Shri Khelsai Singh
11. Dr. Ram Lakhan Singh
12. Dr. N. Venkataswamy

Rajya Sabha

13. Shri Ramachandra Khuntia
14. Shri C.O. Poulse
15. Shri Mirza Abdul Rashid
16. Shri Ka. Ra Subbian

SECRETARIAT

- | | | |
|------------------------|---|-------------------------|
| 1. Shri Joginder Singh | — | <i>Joint Secretary</i> |
| 2. Shri J.P. Sharma | — | <i>Deputy Secretary</i> |
| 3. Shri B.D. Swan | — | <i>Under Secretary</i> |

2. At the outset, Hon. Chairman Welcomed the Members of the Committee.

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4. Thereafter, the Committee took up the draft Tenth Report on Action Taken by the Government on the recommendations/observations contained in the Fifth Report of the Standing Committee on Labour and Welfare (Thirteenth Lok Sabha) on Demands for Grants-Ministry of Tribal Affairs 2000-2001 and adopted the Report without any amendment.

5. The Committee authorised the Chairman to finalise the Report and present the same to Parliament on their behalf.

6. The Committee then placed on record their deep appreciation and thanks to the officers and staff of the Lok Sabha Secretariat for their hard work and valuable assistance rendered by them to facilitate the work of the Committee in all matters and in preparing their draft report.

The Committee then adjourned.

APPENDIX

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE FIFTH REPORT OF THE STANDING COMMITTEE ON LABOUR AND WELFARE (THIRTEENTH LOK SABHA)

	Total	Percentage
I. Total number of Recommendations	17	
II. Recommendations/Observations which have been accepted by Government (Sl. Nos. 2, 3, 4, 6, 8, 12, 14 and 15)	8	47.06
III. Recommendations/Observations which the Committee do not desire to pursue in view of Government replies (Sl. Nos. 1, 5, 9 and 13)	4	23.53
IV. Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee and which requires reiteration (Sl. Nos. 7, 10 and 11)	3	17.65
V. Recommendations/Observations in respect of which final replies of Government are still awaited (Sl. Nos. 16 and 17)	2	11.76