

6

Social Justice

Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities, and Other Vulnerable Groups

INTRODUCTION

6.1. Inclusive growth demands that all social groups have equal access to the services provided by the State and equal opportunity for upward economic and social mobility. It is also necessary to ensure that there is no discrimination against any section of our society. In India, certain social groups such as the SCs, STs, OBCs and Minorities have historically been disadvantaged and vulnerable. Then there are certain other groups which may be discriminated against and which suffer from handicaps. These include persons with disabilities, older persons, street children, beggars and victims of substance abuse. Our Constitution contains various provisions for the development of such marginalized groups, for instance, Article 341 for SCs, Article 342 for STs, Article 340 for OBCs, Article 30 which provides the right to minorities to establish and administer educational institutions, and so on. Their individual and collective growth, however, cannot be ensured without improving their surroundings and providing clean drinking water, toilets and educational opportunities.

6.2. The present chapter deals with the efforts made for the socio-economic development of these groups and the new initiatives that will be taken during the Eleventh Plan.

SCHEDULED CASTES (SCs)

6.3. The SCs constitute 16.23% of India's population. In the past, they have been socially ostracized, economically exploited and denied human dignity and a sense of self-worth. The socio-economic development and protection

of SCs from discrimination and exploitation has been a high priority from the very start of the planning process.

6.4. People belonging to SC communities are spread all over the country, with 80% of them living in the rural areas. They constitute more than a fifth of the population of Uttar Pradesh, Punjab, Himachal Pradesh and West Bengal. Punjab has the highest proportion of SCs to the State population. More than half of the SC population is concentrated in the five States of Uttar Pradesh (35.1 million), West Bengal (18.4 million), Tamil Nadu (11.8 million), Andhra Pradesh (12.3 million) and Bihar (13.0 million).

CONSTITUTIONAL SAFEGUARDS

6.5. The Constitution of India guarantees protection from social injustice and all forms of exploitation (Art. 46). It guarantees equality before law (Art. 14), and enjoins upon the State not to discriminate against any citizen on grounds of caste (Art. 15 (1)). Untouchability is abolished and its practice in any form is forbidden (Art. 17). The Constitution mandates that no citizen shall, on grounds only of caste or race, be subjected to any disability and restriction (Art. 15 (2)). It empowers the State to make provisions for reservation in educational institutions (Art. 15 (4) and (5)), and in appointments for posts in favour of SCs (Art. 16 (4), 16(4A), 16(4B) and Art. 335). Reservation of seats for SCs in the Lok Sabha is provided under Article 330, in the State Assemblies under Article 332 and in the Local Self-Governments bodies under

Articles 243D and 340T. In addition to the above, the Parliament has enacted the Untouchability (Offences) Act, 1955, renamed as Protection of Civil Rights Act, in 1976. To check and deter atrocities against SCs, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 has also been enacted.

SCHEDULED CASTES DEVELOPMENT: AN OVERVIEW

6.6. The Tenth Five Year Plan (2002–07) adopted a multi-pronged approach for the socio-economic development of the SCs: social empowerment through educational development; economic empowerment through income and employment enhancing avenues; protection through effective implementation of protective legislations and eradication of occupations such as manual scavenging; and holistic development through earmarking of funds proportionate to the population. [Scheduled Caste Sub-Plan (SCSP) and Tribal Sub-Plan (TSP)].

Educational Development

6.7. With respect to the educational development of SCs, the Central Government has introduced major scholarship programmes and these are given in the Box 6.1

6.8. The other important schemes for the educational development of SCs: are (i) providing coaching facilities to students to prepare them for various competitive examinations being conducted by Union Public Service Commission (UPSC), State Public Service Commissions, banks, and so on; and (ii) hostel facilities to both boys and girls for pursuing education from middle level onwards.

Economic Development

6.9. The National Scheduled Castes Finance and Development Corporation (NSFDC) established in 1989, provides financial and other support to beneficiaries for taking up various income generating activities. An amount of Rs 388.80 crore was made available to the Corporation up to 31 March 2007 as equity share contribution against the authorized share capital of Rs 1000 crore. The number of SC persons who received assistance during the Tenth Five Year Plan (up to December 2006) is 257901.

6.10. The National Safai Karamcharis Finance and Development Corporation was established in 1997 to provide financial support to the *safai karamcharis* (scavengers) to take up various income-generating activities. During the Tenth Five Year Plan, the Corporation introduced the Micro Credit Finance Scheme and the Mahila Samridhi Yojana, benefitting 102187 persons. During 2006–07, it disbursed loans to 16545 beneficiaries (up to December 2006) for various income generating activities in 23 States and two UTs.

6.11. The scheme of grant-in aid to the Scheduled Castes Development Corporations (SCDCs) was introduced in 1978–79 as a CSS for participating in the equity share of the State corporations in a Centre–State ratio of 49:51. The SCDCs finance employment oriented schemes that cover: (i) agriculture and allied activities including minor irrigation; (ii) small-scale industry; (iii) transport; and (iv) trade and service sector. They also finance projects by dovetailing the loan component from NSFDC/Banks

Box 6.1

Major Scholarship Schemes under the Ministry of Social Justice and Empowerment

Post-Matric Scholarships (PMS) implemented since 1944–45 to promote higher education among SCs by extending scholarships to pursue studies beyond matriculation. In the Tenth Plan, an amount of Rs 1822.25 crore was utilized to reach the coverage of 29.59 lakh students in 2006–07.

Pre-Matric Scholarships are being awarded since 1977–78 with an objective to encourage children of scavengers and those engaged in menial works, to pursue education. 4.72 lakh children were awarded pre-matric scholarships for which Rs 56.41 crore was utilized in the Tenth Plan.

Upgradation of Merit for SC Students Scheme in operation since 1987–88 to extend remedial and special coaching offered to students to remove their deficiencies in school subjects (class IX to XII) into professional and technical courses. An expenditure of Rs 14.68 crore was incurred to benefit 10625 students.

Rajiv Gandhi National Fellowships launched in the Tenth Plan in 2005–06 as a special incentive to extend scholarships to SC students to pursue higher studies and research degrees such as M.Phil. and Ph.D. An amount of Rs 50.20 crore was earmarked for this scheme in the Tenth Plan to benefit 2666 SC students.

with margin money out of their own funds and subsidy out of the SCA.

Protective Measures

6.12. Two important protective legislations in operation for people belonging to SCs are the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. However, despite these Constitutional provisions, atrocities and crimes on members of SCs, especially the women, continue to occur in all parts of the country in varying degrees. As per the National Crime Records Bureau Report 2005, the crimes against SCs in the last few years were mainly atrocities followed by hurt and rape. Data for the last five years are reproduced in Table 6.1.

Implementation of the Scheduled Caste Sub-Plan (SCSP) and Tribal Sub-Plan (TSP)

6.13. In view of the persistent and wide-spread socio-economic backwardness of SCs and STs, a distinct need was felt for innovative policy intervention to enable these groups to share the benefits of growth in a more equitable manner. The government prepared a separate Development Plan called Tribal Sub Plan for STs in 1976. It was followed by the Special Component Plan for the SCs in 1978 (recently renamed the Scheduled Caste Sub Plan [SCSP]).

6.14. The SCSP and TSP aim at facilitating convergence and pooling of resources from all the other development

sectors in proportion to the population of SCs and STs, respectively for their overall development.

6.15. At present, 27 States/UTs are implementing SCSP through different mechanisms. The State Governments generally divide their resources into 'divisible' and 'non-divisible' components and earmark funds for SCs only from the divisible pool. As a result, the actual funds flowing directly to SCSP from the total State Plan becomes much less than the proportion of SC population to the total population of the State.

6.16. The State Government of Maharashtra has pioneered a special mechanism to ensure effective operationalization of SCSP and TSP. Other States could explore replication of this mechanism.

6.17. The Prime Minister has reiterated the need for effective implementation of SCSP and TSP during the 51st and 52nd NDC meetings held on 27 June 2005 and 9 December 2006. He emphasized that the SCSP and TSP strategies should become an integral part of the Annual Plans as well as the Five Year Plans so that full inclusion of SCs and STs in socio-economic development is achieved within a period of 10 years.

6.18. All Central Ministries/Departments are also expected to formulate SCSP and ensure that the flow of funds to SCSP in their plans is at least in proportion with the SC population of the country. At present, 17 Central

TABLE 6.1
Comparative Incident of Crime against Scheduled Castes

S. No.	Crime-Head	Years					% Variation in 2005 over 2004
		2001	2002	2003	2004	2005	
1.	Murder	763	739	581	654	669	2.3
2.	Rape	1316	1331	1089	1157	1172	1.3
3.	Kidnapping and Abduction	400	319	232	253	258	2.0
4.	Dacoity	41	29	24	26	26	0.0
5.	Robbery	133	105	70	72	80	11.1
6.	Arson	354	322	204	211	210	-0.5
7.	Hurt	4547	4491	3969	3824	3847	0.6
8.	Protection of Civil Rights Act	633	1018	634	364	291	-20.0
9.	SC/ST (Prevention of Atrocities) Act	13113	10770	8048	8891	8497	-4.4
10.	Others	12201	14383	11401	11435	11077	-3.1
	Total	33501	33507	26252	26887	26127	-2.8

Source: *Crime in India-2005*, National Crime Records Bureau, Ministry of Home Affairs.

Ministries/Departments have done so. These are the Ministries of Labour, Coal, Commerce and Industries, Textiles, Non-Conventional Energy Sources, Women and Child Development, Steel and Rural Development, and the Departments of Agriculture and Cooperation, Small-Scale Industries and Agro and Rural Industries, Biotechnology, Science and Technology, Health, Family Welfare, Elementary Education and Literacy and Secondary and Higher Education. Many Ministries/Departments maintain that they are unable to provide funds for SCSP because their funds are devoted expenditure on large projects and are not divisible.

6.19. The implementation of SCSP and TSP leaves much to be desired. This applies equally to the Central as well as State governments. Though there may be several reasons for this lacklustre implementation, lack of statutory or clear-cut administrative sanction is an important one.

6.20. To look into the issues related to TSP and SCSP, a Central Standing Tripartite Committee (CSTC) which includes representatives of the Planning Commission, National Commission for SCs and STs, the Ministries of Social Justice and Empowerment and States/UTs Ministries/Departments, was set up in May 1999. The CSTC was reconstituted in early 2006 to review the formulation, implementation and monitoring of SCSP and TSP and advise the Planning Commission and Prime Minister on measures which would serve the interests of the SCs and STs more effectively.

6.21. For effective implementation of SCSP and TSP, the Planning Commission also issued guidelines to all State Governments/UTs which have been revised from time to time, the last revision being on 31 December 2006. The main guidelines are given in Box 6.2.

Box 6.2 **Main Guidelines for SCSP and TSP**

- Earmarking of funds for SCSP and TSP from the total State Plan outlay should at least be proportionate to the SC and ST population of the State/UT.
- Making the Social Welfare/Tribal Welfare Department—which are concerned with the well-being and development of SCs and STs—the nodal department for formulation and implementation of SCSP and TSP.
- Placing the funds earmarked for SCSP and TSP at the disposal of the Principal Secretary/Secretary, Social Welfare/Tribal Welfare, who will work as Planning Secretary and have exclusive authority for the reallocation of funds to other line departments for of SC and ST development schemes.
- Placing the funds earmarked for SCSP and TSP under separate budget head/sub-head for each development department.
- Backing the SCSP and TSP earmarked funds by 100% budget provision, sanctions and timely release of funds to the line departments and implementing agencies.
- Including only those schemes under SCSP and TSP that ensure direct benefits to individuals or families belonging to SCs or STs.
- Preparing a detailed SCSP and TSP document with physical and financial targets against each Scheme with the objective of bridging the gap between the rest of the population and the SCs and STs within 10 years.
- Ensuring that the other line departments cooperate in the proper implementation of the SCSP and TSP schemes allocated to them and put up the schemes to the nodal departments for sanction and release of funds.
- To circumvent the problem of non-divisible nature of funds for certain sectors like major irrigation, power, roads, and so on, SCSP and TSP funds may be accounted only to the extent of about 5% or the actual area being covered or benefited by the SCs and STs by the projects and not the population percentage. The percentage of SC and ST beneficiaries and the area being covered/benefited is always less than the population percentage of the SC and ST population in the State/UT.
- Preventing the diversion and lapse of funds allocated to SCSP and TSP in the Annual Plans. SCSP and TSP should not be allowed to be changed at revised estimate (RE) stage by the Planning Commission.
- Carrying forward the lapsed/unutilized SCSP and TSP amount to the next Annual Plan of the State/UT as an additional fund for SCSP and TSP.
- All the CSS and SCA Schemes of the Centre necessarily should have a SCSP and TSP component in them as per the proportion of SCs and STs in the States/UTs.

(Box 6.2 contd.)

(Box 6.2 contd.)

Central Ministries/Departments

- Earmarking of funds by every Central Ministry/Department towards SCSP and TSP should be as per the proportion of SC and ST population in the country. Non-earmarking of SCSP and TSP funds by the Ministry/Department will result in non-approval of their Annual plan.
- SCSP and TSP funds should be non-divertible. Creation of separate budget heads and minor heads (789 for SCSP and 796 for TSP).
- A dedicated SCSP and TSP unit should be created for the formulation and implementation of SCSP and TSP schemes and programmes.
- Only those schemes/programmes should be implemented which accrue direct benefit to SCs and STs.
- All the other guidelines issued to Central Ministries/Departments should be followed strictly.

PRESENT STATUS OF THE SCHEDULED CASTES**Education**

6.22. Although the literacy rate of SCs has increased considerably, from 10.3% in 1961 to 54.7% in 2001, till recently the gap between literacy rates of the general and SC population had not reduced. However, the Census in 2001 showed a distinct reduction in this literacy gap (see Table 6.2).

6.23. The school dropout rate is a crucial indicator of lack of educational development. The dropout rates for SC children are still very high—32.7% in Classes I to V; 55.2% in Classes I to VIII; and 69.1% in classes I to X in 2004–05 (see Table 6.3). The gap between the SC population and the general category increases at higher levels of schooling. However, an encouraging sign is the reduction in the gap between the dropout rates of the total population vis-à-vis the SCs at all levels.

6.24. In the area of higher education, also, there is a gap between the SCs and the general population. The gross

TABLE 6.2
Literacy Rate of General Population and SC Population, 1961–2001

Year	General			SC		
	Male	Female	Total	Male	Female	Total
1961	34.44	12.95	24.02	16.96	3.29	10.27
1971	39.45	18.70	29.45	22.36	6.44	14.67
1981	46.89	24.82	36.23	31.12	10.93	21.38
1991	64.1	39.3	52.2	49.91	23.76	37.41
2001	75.3	53.7	64.8	66.64	41.90	54.69

Source: Census of India

TABLE 6.3
Dropout Rates, 2004–05—SC (Provisional)

Category	Classes I–V			Classes I–VIII			Classes I–X		
	All	Boys	Girls	All	Boys	Girls	All	Boys	Girls
General	31.47	33.74	28.57	52.32	51.85	52.92	62.69	60.98	64.92
SC	32.7	36.1	34.2	55.2	60.00	57.3	69.1	74.2	71.3

Source: Selected Educational Statistics 2004–05, Ministry of Human Resource Development.

enrolment ratio for the country as a whole in 2000 was about 10%. For the SCs, however, it was significantly lower at 6.4%.

Economic Development**OCCUPATIONAL CATEGORY**

6.25. As can be seen in Table 6.4, 45.61% of SC workers at the all-India level and 52% at the rural level were agricultural labourers, compared to 26.55 and 33.05% among all workers at the national and rural levels, respectively. The position is reversed when we come to the share of SCs among cultivators, which is 19.99% and 23.47% for rural workers compared to 31.65 and 40.24%, respectively for all workers.

AVAILABILITY OF BASIC AMENITIES IN SC LOCALITIES

6.26. Another important dimension of discrimination is the wide gap between the SCs and the rest of the population with respect to the availability of basic civic amenities such as electricity, banking services, *pucca* houses, water supply, toilet facilities, drainage and telephone facilities.

6.27. In 2000, about two-thirds of rural SC households were landless and near landless, compared to one-third

TABLE 6.4
Percentage of Working and Non-working Population (Total and SCs), 2001

	Total Workers		Cultivators		Agricultural Labour		Household Industry		Other Workers		Non-Workers	
	All*	SC	All	SC	All	SC	All	SC	All	SC	All	SC
India	39.10	40.41	31.65	19.99	26.55	45.61	4.22	3.91	37.59	30.49	60.90	59.59
Rural	41.75	42.50	40.24	23.47	33.05	52.23	3.92	3.73	22.80	20.58	58.25	57.50
Urban	32.75	33.14	2.81	1.76	4.71	11.03	5.22	4.84	87.27	82.37	67.75	67.86

Note: * includes SCs.

Source: Census 2001.

among others. Less than one-third of SC households had acquired access to capital assets, compared to 60% among the others. About 60% of SC households still have to depend on wage labour, compared to one-fourth for the others. Employment rates and wage earnings among SCs have also tended to be low. Similar disparities exist in the status of health of SCs. The incidence of anaemia among women and mortality rate among children are higher than in other groups. Studies also show evidence of discrimination in various market and non-market transactions, including access to social services like education, health and housing, and in political participation.

6.28. The cumulative impact of all these disparities, therefore, is reflected in the high levels of poverty, about 36% among SCs as compared to only 21% among others.

ACCESS TO INCOME EARNING ASSETS—AGRICULTURAL LAND AND CAPITAL ASSETS

6.29. About 80% of the SCs live in rural areas. In 2000, only 16.8% of them pursued cultivation as an independent self-employed occupation, whereas among the non-SC/ST this percentage was more than double (41.11%). The percentage of those employed in some kind of non-farm self-employment activities (read business) was about 12% and 15%, respectively for SCs and others. In rural areas, about 28% of SC households had acquired some access to fixed capital assets compared to 56% for other households (non SC/ST). In urban areas, also, the access to capital assets for SCs was low (27%) as compared to other households (35.5%). In rural as well as urban areas, due to inadequate access to fixed capital assets, an exceptionally high percentage of all SC households, more than 62%, was dependent on wage employment.

UNEMPLOYMENT SITUATION

6.30. In 2000, the CDS employment rate in rural areas was 46% for SC male workers, compared with 48.40% for other male workers. Similarly, the CDS employment rate for SC workers in urban area was 45.8%, compared to 49.9% for other households. Disparities between the SC and others are also reflected in the unemployment rate. Unemployment rate based on CDS for SCs was about 5.0% as compared to about 3.5% for other workers in rural and urban areas. The NSSO data on wage earning revealed disparities in labour wages for SCs and others. For instance, in 1999–2000, the average weekly wage earning of an SC worker (at 1993–94 price) was Rs 174.50 compared to Rs 197.05 for other workers (estimate by Dubey 2003, Department for International Development [DFID] study).

ECONOMIC STATUS

6.31. Available empirical evidence suggests discrimination against SCs in employment, wages, credit, and so on. These factors have acted as constraints to their occupational mobility. In urban areas, too, there is prevalence of discrimination by caste; particularly discrimination in employment, which operates at least in part through traditional mechanisms; SCs are disproportionately represented in poorly paid, dead-end jobs. Further, there is a flawed, preconceived notion that they lack merit and are unsuitable for formal employment.

6.32. Due to the lack of access to fixed sources of income and high incidence of wage labour associated with high rate of under-employment and low wages, SC households are often faced with low incomes and high incidence of poverty. In 2004–05, about 36.80% of SC persons were BPL in rural areas as compared to only 28.30% for others (non-SC/ST). In urban areas the gap was slightly larger;

TABLE 6.5
Population Living Below Poverty Line—SC
(1993–94 and 2004–05)

Category	(in %)					
	1993–94		2004–05		(% points) Decrease (1993–94 to 2004–2005)	
	Rural	Urban	Rural	Urban	Rural	Urban
All*	37.30	32.40	28.30	25.70	(-) 9.00	(-) 6.70
SCs	48.11	49.48	36.80	39.90	(-) 11.31	(-) 9.58
GAP	10.81	17.08	8.50	14.20	(-) 2.31	(-) 2.78

Note: *Include SC population. Source: Perspective Planning Division, Planning Commission, New Delhi.

39.20% of SC households were BPL compared to 25.70% among other households. The variation in poverty ratio across household types or occupational groups is striking. In 1993–94, the incidence of poverty was about 60% among agricultural labour followed by 41.44% among non-agricultural labour. The level was relatively low for persons engaged in self-employed activities in agriculture (37.71%) and in the non-agricultural sector (38.19%). In urban areas the incidence was astonishingly high among the casual labour (69.48%). Poverty was also high among the self-employed households (54%).

HUMAN DEVELOPMENT INDEX (HDI) AND HUMAN POVERTY INDEX (HPI) FOR SC VIS-À-VIS NON-SC/ST

6.33. According to the UNDP India Report (2007) on Human Poverty and Socially Disadvantaged Groups in India, the HDI at all India level for SCs is estimated to be 0.303, which is lower than the HDI for non-SC/ST at 0.393 for the period 1980–2000. The variation across States is very large, ranging from 0.661 for Kerala to 0.195

for Bihar. There are ten States with HDI value higher than the all-India average for SCs and six States with HDI value lower than this average.

6.34. HPI is a measure to assess the level of deprivation among a given social group with reference to Infant Mortality Rate, Illiteracy Rate, Poverty Ratio (Head Count Ratio), Health Status and Nutritional Status. The value of HPI was estimated at 33.63% for all social groups taken together at the all-India level. The HPI for SCs was estimated to be 41.47% for all India, which was much higher compared to non-SC/STs (31.34%). The HPI revealed significant variation across the States with values ranging from 18.62 to 59.36%. The level of deprivation was greatest in Bihar (59.36%) followed by Uttar Pradesh (50.03%), Orissa (47.66%), Rajasthan (43.78%) and Madhya Pradesh (43.68%), as compared to the all-India level (41.47%). In the remaining 11 States, the rate of deprivation was lower than the all-India value. Deprivation was found to be least in Kerala (18.62%).

REPRESENTATION IN GOVERNMENT SERVICES

6.35. Table 6.6 shows a marginal improvement in the percentage of overall SC representation in the Group A, B and C categories of Central Government services from 1994 to 2004, while there was a substantial decline in the Group D category.

APPROACH IN THE ELEVENTH FIVE YEAR PLAN: THE WAY AHEAD

6.36. The efforts made in the previous Five Year Plans have brought about some empowerment of SCs. However, gaps still exist in almost all social and economic dimensions between SCs and the general population. The Eleventh Plan provides an opportunity to restructure policies for faster, more broad-based and inclusive growth.

TABLE 6.6
SC Representation in Central Government Services in 1994, 1999, and 2004 (as on 1.1.2004)

Group	1994			1999			2004		
	Total	SCs	% Total	Total	SCs	% of total	Total	SCs	% of total
A	59016	6046	10.25	93520	10558	11.29	80011	9744	12.2
B	103198	12442	12.06	104963	13306	12.68	135409	19602	14.5
C	2381613	374758	15.73	2396426	378115	15.78	2040970	344865	16.9
D	1023285	209423	20.47	949353	189761	19.99	802116	147212	18.4
Total	3567112	602670	16.9	3544262	591740	16.7	3058506	521423	17.05

Source: Annual Reports, DOP&T, GoI.

In the following paragraphs, the steps that will be taken for the socio economic development of SCs are discussed.

Educational Development

6.37. With respect to elementary education, various incentives in the form of abolition of tuition fee, free supply of books, mid-day meals, scholarships, and so on, shall be provided to SC children. Among the SCs, children of scavengers are educationally the most backward. The existing Pre-Matric scholarship for them needs to be revised in its funding pattern from 50:50 to 100% so that more target families send their children to schools. Special attention needs to be paid to retention in schools of SC students and the quality of teaching for them.

6.38. The scheme of Post-Matric Scholarships for SCs provides scholarships to SC students for pursuing higher education in various courses beyond matriculation. Under this scheme, States are required to bear the committed liability over and above the expenditure incurred in the last year of the Five Year Plan which becomes the committed liability of the States in the first year of the next Plan. The issue of the committed liability to be borne by the states always prevents the States from coming forward to access this Central assistance. Ultimately, it is the SC students who are deprived of higher education. This needs to be addressed. In order to maximize their capabilities, SC students should have the opportunity to study in quality institutions. Today, the high cost of private education turns them away. Thus, there is need for extending financial assistance so that they can access top class educational institutions, including those in the private sector.

6.39. SC students also need to be encouraged to prepare for various competitive examinations. Reputed institutions charge very high fees for coaching students for competitive examinations. The existing scheme of coaching for SCs does not cover the fees charged by such reputed coaching institutes. There is a need to modify the scheme to ensure such coverage.

6.40. Over the last few years, higher technical and professional education is increasingly being provided by private unaided institutions. In the absence of explicit government aid, they charge high fees which SC/ST students simply cannot afford to pay. Therefore, the government may reimburse the total fee charged by such institutions.

6.41. The Rajiv Gandhi National Fellowship for SC students was introduced in 2005–06 to provide fellowship to 1333 SC students for pursuing higher studies leading to M.Phil. and Ph.D. degrees. The response under this scheme has been very encouraging in the last two years and this will necessitate increasing the number of fellowships. Those who cannot continue their education after schooling, or who wish to diversify, should be provided with vocational training/skill training programmes in ITIs, polytechnics, or other institutes. These institutes should have adequate seats on population basis and should be located closer to the SC dominated communities. The stress should be not merely on subject learning but also on personality development and entrepreneurship skills.

Economic Development

6.42. In the Eleventh Plan, a Commission on Land Reforms will be set up which will specifically look into issues of: (i) continued possession and effective uses of land distributed earlier to SCs under various programmes/legislative interventions; and (ii) availability of land for distribution to SCs/STs/landless families. In all these, care will be taken to ensure preferential/joint ownership by women.

6.43. The unemployment rate of SCs in rural and urban areas is about 5.5% as against 3.5% for others. Special programmes of employment are necessary to reduce this by increasing employment among SCs. Priority needs to be given to SCs in the Employment Guarantee Scheme with proper monitoring of coverage.

6.44. The National Sample Survey Organization (NSSO) on Employment and Unemployment Situation among Social Groups in India in its report (61st Round, July 2004–June 2005) brought out that the proportion of persons in the labour force was the highest among STs followed by SCs, OBCs and others. The labour force participation rate for these groups were 51%, 44% and 40%, respectively. Those belonging to the SC communities suffer from very high incidence of poverty and need to be provided with job-oriented training to enable them to have better opportunities. Such training will be provided under the Apprentice Act the (details of which can be read in the Chapter on Labour and Employment).

6.45. Large numbers of SCs and STs depend on agricultural wages to sustain themselves and the State

Governments thus needs to revise agricultural wages every five years.

6.46. Various financial institutions such as Public Sector Banks and National Finance and Development Corporations for SCs and safai karmcharis and State-level SCDCs providing credit to SCs have been facing the problem of low recovery rate of loans from the beneficiaries through SCAs. This puts a question mark on the economics of the schemes as well as on the capability of the loanees. There is a need to restructure the schemes so that they become more 'sustainable'. The corporations need to be thoroughly professionalized so that programmes financed by them help develop entrepreneurial skills of the loanees. Based upon the effective performance of the Finance and Development Corporations, the capital available at their disposal may be increased substantially to provide support to SC/ST businesses.

6.47. Among the SCs, persons engaged as manual scavengers need special attention to put an end to the degraded practice of manual scavenging. In the Eighth Five Year Plan, the National Scheme for Liberation of Scavengers was launched with the aim to train manual scavengers and rehabilitate them in alternative occupations. Despite commitments made to the eradication of the obnoxious and dehumanizing practice of handling night soil manually, it still continues. Only 19 States and all UTs have adopted the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition Act, 1993). Nine States are yet to adopt the Act. A new scheme, namely the, Self Employment Scheme for Rehabilitation of Manual Scavengers, has been formulated to rehabilitate the remaining 3.42 lakh of 7.73 lakh scavengers in a time-bound manner by March 2009 through training, and extension of loans and subsidies. This has to be done in a missionary mode with commitment and zeal.

PROTECTIVE MEASURES

6.48. There is a need to complement protective legislations, that is, the Protection of Civil Rights Act, 1955 and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 with a promotive legislation which should cover the rights of SCs with respect to education, vocational training, higher education and employment. Such a legislation may be drafted along the lines of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation)

Act, 1995 which clearly spells out what is to be done, and who should do it. The implementation of the PCR Act, 1955 and SC and ST (POA) Act, 1989 has to be enforced in letter and spirit to bring about speedy justice to the aggrieved.

6.49. The Department of Justice in the GoI may establish a Special Law facility to deal with the legal issues of educating judicial officers, public prosecutors and police officials to carry out the necessary research for effective implementation of these two Acts. The Department should also review the judicial aspects and take appropriate steps towards sensitizing the Judiciary, especially at the level of lower courts, to ensure more and speedier convictions. It should also be ensured that Revenue, Health and other concerned Departments in the States become more sensitized on the issue so that procedural delays in the investigation of offences under the Act are reduced.

6.50. Elimination of caste-based discrimination and harassment in educational institutions should be ensured by institutions by establishing 'Equal Opportunity Offices'.

Reservation for SCs

6.51. The government is committed to providing reservations for SCs in education and employment. Action needs to be taken to clear the backlog in filling up SC reserved posts of various categories in the government. However, the government alone cannot accomplish the task of providing job opportunities to SCs. The private corporate sector will have to play a proactive role in providing sufficient job opportunities to the especially marginalized and discriminated sections of Indian society. The government shall explore all possibilities of introducing, in one form or the other, affirmative action including reservations, in the private sector.

6.52. Towards ensuring effective and meaningful implementation of SCSP and TSP and accomplishing SC- and ST-specific targets, efforts will be made to adopt the measures mentioned in Box 6.3 during the Eleventh Five Year Plan.

6.53. There is a need to monitor implementation of the programmes under the SCSP and Tribal Sub Plan. A Committee meant for this purpose will be set up which will ensure that each Ministry's allocation of SCSP is indicated well in advance. Further, if any particular Ministry is not able to utilize the earmarked allocation,

Box 6.3 SCSP and TSP—The Way Ahead

- Adoption and implementation of the Maharashtra Model of SCSP and TSP by all the States/UTs.
- Designing proper and appropriate developmental programmes/schemes/activities specifically relevant/useful for the overall development of SCs and STs both within the existing general programmes across sectors, and also conceiving new avenues/programmes for this purpose, if not there so far.
- Designing a special mechanism and making the same as the special agency responsible and accountable for formulation and implementation of SCSP and TSP effectively and meaningfully.
- Making actual budgetary provisions through allocation of funds under a special head designated for SCSP and TSP to avoid arbitrariness and ad hoc-ism.
- Ensuring timely release of SCSP and TSP funds for the purpose(s) they are meant for.
- The SCSP strategy needs to be evaluated at the end of the year in terms of financial allocations made and the expenditure incurred, and assessment of their impact through gauging physical achievements and ultimate outcomes.

action should be initiated to transfer the unused fund available to those Ministries/Departments which have implemented the SCSP/TSP more effectively.

THE SCHEDULED TRIBES

POPULATION PROFILE

6.54. The population of STs in India stood at 84.33 million as per the Census of 2001. STs constitute 8.2% of the total population of the country with 91.7% of them living in rural areas and 8.3% in urban areas. The sex-ratio of ST population in 2001 was 978, which was much higher than the national average of 933. The proportion of ST population to the total population had also increased from 6.9% in 1971 to 8.2% in 2001.

6.55. The proportion of STs to the total population in States/UT was highest in Mizoram (94.5%) and Lakshadweep (94.5%) followed by Nagaland (89.1%) and Meghalaya (85.9%). Within major States, Chhattisgarh (31.8%) had the highest percentage followed by Jharkhand (26.3%) and Orissa (22.1%). Of the total ST population in the country, Madhya Pradesh accounted for the highest proportion of ST population (14.5%) followed by Maharashtra (10.2%), Orissa (9.7%), Gujarat (8.9%), Rajasthan (8.4%), Jharkhand (8.4%) and Chhattisgarh (7.8%). In fact, 68% of the country's ST population lives in these seven States only.

CONSTITUTIONAL SAFEGUARDS

6.56. The Constitution of India has made several provisions to safeguard the interests of the STs in Articles 15(4), 16(4), 46, 243M, 243 ZC, 244, the first and second

provisos to 275(1), Articles 334, 335, 338A, 339(1), and the Fifth and the Sixth Schedules. Besides these, several laws have been enacted by the Central Government like the Protection of Civil Rights Act, 1955; the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989; the Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996; the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as well as by the State Governments (relating to the prevention of alienation and restoration of tribal land, money-lending, reservations, and so on). The Centre has been given the authority of giving directions to the State Governments (cf. Article 339(2), Para 3 of the Fifth Schedule) in the interest of tribal people. Further, a National Tribal Policy is on the Central anvil.

DEVELOPMENT OF SCHEDULED TRIBES: AN OVERVIEW

6.57. The Tenth Five Year Plan continued with the schemes and programmes directed at the socio-economic development of the tribal population through an area based approach. Initiatives to arrest the incidence of land alienation through legislative mechanisms were also explored during the Tenth Plan.

Educational Development

6.58. The Departments of Elementary Education and Literacy and of Higher Education in States have provided special incentives to ST students which include textbooks, uniform, abolition of tuition fee, and so on. Special focus is also accorded to ST students under the District Primary Education Programme, Kasturba Gandhi Balika Vidyalaya, Mid-day Meal Programme,

Navodaya Vidyalaya, National Talent Search Scheme, and the like.

6.59. The Post-Matric Scholarship scheme is in operation since 1944–45, and open to all ST students whose parents' annual income is up to Rs 1 lakh, to facilitate students to pursue professional courses. An amount of Rs 58.9 crore was utilized to benefit seven lakh ST students in the Tenth Plan. The scheme of establishing Ashram schools in TSP areas provides funds for construction of school buildings as well as hostels and staff quarters. Seventy-eight Ashram schools with a capacity of 9610 seats were supported at a cost of Rs 22.34 crore. The scheme of construction of hostels for ST boys and girls provides for the construction of new hostel buildings as well as extension of the existing hostel buildings. An amount of Rs 57.84 crore was utilized for the construction of 120 hostels for 9884 students. The scheme of setting up educational complexes is being implemented for promotion of education among tribal girls in 136 identified low literacy districts of the country. In the Tenth Plan, an amount of Rs 62 crore was allotted under the scheme to set up 76 complexes. A scheme for vocational training in tribal areas for developing the skills of tribal youth for a variety of jobs as well as self-employment, is also in operation.

6.60. However, the problem of adequacy of the school buildings, both in number and in facilities, still remains. The lack of education in the mother language or dialect in primary classes, ignorance of non-tribal teachers about tribal languages and ethos, delay in distribution of scholarships, textbooks and uniforms, continue to be sources of worry.

Economic Development

6.61. The National Scheduled Tribes Finance and Development Corporation (NSTFDC) was set up in 2001 with an authorized share capital of Rs 500 crore. The Corporation supports various income and employment generating activities through loans, marketing support, training, and so on. Special focus is accorded to ST women beneficiaries under programmes such as the Adivasi Mahila Shashaktikaran Yojana, which facilitate income generating activities through women's self-help groups (SHGs). Under NSTFDC, 14.53 lakh STs were benefited during the Tenth Plan. The State ST Development Corporations (STDCs) which function as channelling agencies in identifying eligible beneficiaries and extending

financial and other assistance to them, are also supported by NSTFDC. The STDCs were provided with funds to the tune of Rs 48.76 crore in the Tenth Plan. The Tribal Cooperative Marketing Development Federation of India Ltd (TRIFED) provides marketing assistance and remunerative prices to STs for collection of minor forest produce (MFP), and surplus agricultural produce to protect them from exploitative private traders and middlemen. In the Tenth Plan, States were provided SCA of Rs 2518.07 crore to strengthen their Tribal Sub Plans.

6.62. Though the majority of the tribals are settled cultivators, their farming activity is generally uneconomical and non-viable due to the lack of access to necessary agricultural inputs, specially assured irrigation. Therefore, a special provision of funds under grant-in-aid under Article 275 (1) of the Constitution has been made for financing minor irrigation works.

Restoration of Traditional Rights

6.63. The government took a major initiative in enacting the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 which was notified in the Gazette of India, extraordinarily, dated 2 January 2007. The Ministry has also framed the draft Rules for implementation of the provisions of the Act. The major rights that are granted under the Act inter alia are the right to cultivate forest land to the extent under occupation, (subject to a ceiling of 4 hectares); the right to own, collect, use and dispose of MFP; rights inside forests which are traditional and customary, for example, grazing.

Self Governance

6.64. Despite some protective measures and developmental efforts, the emerging tribal scenario characteristically continues to manifest:

- increasing tribal alienation on account of slipping economic resources like land, forest, common property resources;
- displacement and dispossession of life-support systems;
- general apathy of official machinery;
- escalating atrocities, at times related to assertion of rights;
- growing clout of market forces; and,
- meagre advancement through planned development efforts.

6.65. The scenario calls for a major shift towards entrusting, enabling and empowering the tribal people to look after their own welfare and address issues of development through their own initiative. The extant constitutional-cum-legal-cum-policy framework has been enormously strengthened by the enactment of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA), a charter of autonomous tribal governance, embodying rights in favour of tribal communities coupled with respect for their ethos.

Protective Measures

6.66. Despite protective legislation, incidents of atrocities on members of STs, including gang rape and murder, continue to take place in almost all parts of the country. During the period 2001 to 2005, the total recorded incidents of atrocities against STs were 30128.

6.67. Five States—Madhya Pradesh, Orissa, Rajasthan, Andhra Pradesh, and Chhattisgarh—contributed 72% of the total incidents of crimes against STs.

Primitive Tribal Groups (PTGs)

6.68. There are 75 identified Primitive Tribal Groups (PTGs) spread across 17 States/UTs living in utmost destitute conditions. Some of them, in dire straits, also face the threat of extinction. In order to provide focused attention to the survival, protection and development of these PTGs, a special scheme launched in 1998–99 was implemented during the Tenth Plan to provide tribe-specific services and support including, inter-alia, housing, land, agricultural inputs, cattle rearing, health, nutritional services and income generating programmes.

Tribal Sub Plan (TSP) and Special Central Assistance (SCA) to TSP

6.69. The TSP has been dealt with earlier in this chapter.

Displacement, Rehabilitation, and Resettlement

6.70. Ancestral land, villages, habitations and environs belonging to the tribal people have been made available for various development projects as tribal areas possess 60–70% of the natural resources of the country. In such cases, though primary displacement appears small due to low population density, secondary displacement has been extensive, encompassing common property resources that provided supplemental livelihoods, particularly to those with low or no dependence on farming. Estimates

of STs displaced on account of acquisition over the past six decades vary between 8.5 and 10 million (roughly about 40% of all oustees). The widespread secondary displacement in the zone of influence has neither been measured nor was provided for, calling for an accurate verification of actual displacement both in terms of persons and resource loss. Cash compensation for land having been the practice as per the provisions of the Land Acquisition Act, 1894, oustees owning little land, such as wage-labour artisans, have hardly figured in the relief and rehabilitation packages. As a result, some groups have continued to suffer successive, multiple displacement.

6.71. Land (both owned by community and individuals) is the most important source of livelihood for the tribal people for agriculture (settled and shifting cultivation), horticulture, floriculture, forestry and animal husbandry. Several laws and regulations have been in place to prevent the alienation of tribal land and private grabbing of such land. A Report of the Ministry of Rural Development reveals in March 2005:

- 3.75 lakh cases of tribal land alienation have been registered covering 8.55 lakh acres of land;
- Out of the above, 1.62 lakh cases have been disposed of in favour of tribals covering a total area of 4.47 lakh acres;
- 1.55 lakh cases covering an area of 3.63 lakh acres have been rejected by the courts on various grounds; and
- 57521 cases involving 0.44 lakh acres of land are pending in various courts of the country.

6.72. Despite the fair rate of disposal, the other related issues are: (i) the time taken in disposal, (ii) the number of alienations for which STs found access to courts difficult, if not impossible and (iii) the physical possession of the land needs to be addressed comprehensively.

PRESENT STATUS OF SCHEDULED TRIBES (STs)

Educational Status of STs

6.73. Between 1961 and 2001, the literacy rate of STs increased 5.32 times, while that of total population increased 2.69 times. However, the gap between the literacy rates of STs and of the general population continued during the three decades between 1971 and 2001 almost at the same level of 17.70% and above, but with marginal variations (see Table 6.7).

TABLE 6.7
Literacy Rate of General Population and ST Population during 1961–2001

Year	General			ST		
	Male	Female	Total	Male	Female	Total
1961	34.44	12.95	24.02	13.83	3.16	8.53
1971	39.45	18.70	29.45	17.63	4.85	11.30
1981	46.89	24.82	36.23	24.52	8.04	16.35
1991	64.1	39.3	52.2	40.65	18.19	29.60
2001	75.3	53.7	64.8	59.17	34.76	47.10

Source: Selected Educational Statistics 2004–05, Ministry of Human Resource Development.

TABLE 6.8
Dropout Rates, 2004–05—ST (Provisional)

Year	Sex	Classes I to V			Classes I to VIII			Classes I to X		
		All	ST	Gap	All	ST	Gap	All	ST	Gap
2004–05	Boys	31.8	42.6	(–)10.7	50.4	65.0	(–)14.6	60.4	77.8	(–)17.4
	Girls	25.4	42.0	(–)16.6	51.3	67.1	(–)15.8	63.9	80.7	(–)16.8
	Total	29.0	42.3	(–)13.3	50.8	65.9	(–)15.1	61.9	79.0	(–)17.1

Source: Selected Educational Statistics 2004–05 of India, Ministry of Human Resource Development.

TABLE 6.9
Percentage of Working and Non-working Population (Total and STs)

	Total Workers		Cultivators		Agricultural Labour		Household Industry		Other Workers		Non-Workers	
	All	ST	All	ST	All	ST	All	ST	All	ST	All	ST
India	39.10	49.06	31.65	44.71	26.55	36.85	4.22	2.13	37.59	16.31	60.90	50.94
Rural	41.75	50.37	40.24	47.07	33.05	38.37	3.92	2.08	22.80	12.48	58.25	49.63
Urban	32.75	34.56	2.81	6.55	4.71	12.38	5.22	2.87	87.27	78.20	67.75	65.44

Source: Census 2001, Registrar General of India.

6.74. The dropout rate is a critical indicator reflecting lack of educational development and inability of a given social group to complete a specific level of education. In the case of tribals, dropout rates are still very high—42.3% in Classes I to V; 65.9% in Classes I to VIII; and 79.0% in Classes I to X in 2004–05 (see Table 6.8).

6.75. About 4.34 lakh ST students were studying at different levels of higher education as on 30 September 2004.

Economic Status

OCCUPATIONAL CATEGORY

6.76. 81.56% of the total ST workers, both rural and urban taken together, are engaged in the primary sector,

of whom 44.71% are cultivators and 36.85% are agricultural labourers. The corresponding figures for all workers are 31.65% (cultivators) and 26.55% (agricultural labourers). This indicates that STs are essentially dependent on agriculture. (Table 6.9).

AVAILABILITY OF BASIC AMENITIES AND INFRASTRUCTURE

6.77. Since most of the tribal habitations are located in isolated villages and hamlets in undulating plateau lands coinciding with forest areas, they have limited access to critical infrastructure facilities such as roads, communication, health, education, electricity, drinking water, and so on. This widens the gap between the quality of their life and the people in the country.

ACCESS TO INCOME EARNING ASSETS—AGRICULTURAL LAND AND CAPITAL ASSETS

6.78. The STs are mainly landless poor forest dwellers and shifting cultivators, small farmers and pastoral and nomadic herders. The livelihood strategy would thus have to take into account the land structure, level of skills, socio-economic conditions, low level of HDI along with the physical infrastructure and natural resource base in the tribal areas.

EXTENT OF POVERTY

6.79. The incidence of poverty amongst STs still continues to be very high at 47.30% in rural areas and 33.30% in urban areas, compared to 28.30% and 25.70%, respectively in respect of total population in 2004–05 (Table 6.10). A large number of STs who are living below the poverty line are landless, with no productive assets and with no access to sustainable employment and minimum wages. The women belonging to these groups suffer even more

because of the added disadvantage of being denied equal and minimum wages.

HUMAN DEVELOPMENT INDEX (HDI) AND HUMAN POVERTY INDEX (HPI) FOR STS VIS-À-VIS NON-STs

6.80. As per the UNDP India Report 2007 on Human Poverty and Socially Disadvantaged Groups in India the HDI for STs at the all-India level is estimated at 0.270, which is lower than the HDI of SCs and non-SC/ST for the period 1980–2000. The HPI (explained earlier in this Chapter in the section on SCs) for STs is estimated at 47.79, which was higher than SCs and non-SC/ST for the period 1990–2000.

REPRESENTATION IN GENERAL SERVICES

6.81. Table 6.11 shows a marked improvement in the representation of STs in various categories of services during 1994 and 2004, though they are yet not adequately represented in any of the four categories. The situation

TABLE 6.10
Population Living Below Poverty Line—ST (1993–94 and 2004–05)

Category	1993–94		2004–05		Percentage Decrease (1993–94 to 2004–05)	
	Rural	Urban	Rural	Urban	Rural	Urban
	All*	37.30	32.40	28.30	25.70	(–) 9.00
STs	51.94	41.14	47.30	33.30	(–) 4.64	(–) 7.84
GAP	14.64	9.76	19.00	7.60	(+) 4.36	(–) 2.16

Note: * includes ST population.

Source: Perspective Planning Division, Planning Commission, New Delhi.

TABLE 6.11
Percentage of ST Representation in Central Government Services in 1994, 1999, and 2004 (as on I.I.2004)

Group	1994			1999			2004		
	All	STs	% All	All	STs	% of All	All	STs	% of All
A	59016	1727	2.92	93520	3172	3.39	80011	3311	4.1
B	103198	2902	2.81	104963	3512	2.35	135409	6,274	4.6
C	2381613	128228	5.38	2396426	145482	6.07	2040970	136630	6.7
D	1023285	62945	6.15	949353	66487	7.00	802116	53776	6.7
Total	3567112	195802	5.49	3544262	218653	6.17	3058506	199991	6.54

Source: Annual Reports, DoP&T, GoI.

is especially unsatisfactory with respect to the A and B categories.

APPROACH IN ELEVENTH PLAN: A PARADIGM SHIFT

6.82. The Eleventh Plan will attempt a paradigm shift with respect to the overall empowerment of the tribal people, keeping the issues related to governance at the Centre. The operational imperatives of the Fifth Schedule, TSP 1976, PESA 1996, RFRA 2006; the desirability of a tribal-centric, tribal-participative and tribal-managed development process; and the need for a conscious departure from dependence on a largely under-effective official delivery system will be kept in view during this shift.

Self Governance

6.83. Article 243G of the constitution and PESA Act make it incumbent that State legislations endow power and authority on Panchayats in Scheduled Areas enabling them to function as institutions of self-governance, preparing and implementing schemes of economic development and social justice. The Act confers abundant powers on the four tiers—Gram Sabha, Gram Panchayat (extant since decades), Intermediate Panchayat (development block tier) and Zilla Panchayat (ZP, district tier)—which need to be given effect in real operational terms. The vision of self-governance should be made functional forthwith in keeping with the spirit of PESA.

6.84. The Gram Sabha and the three other hierarchical Panchayats would require infrastructure, personnel, and financial resources to carry out their tasks. Apart from other sources, the State Finance Commissions need to provide the necessary devolutions for Scheduled and Tribal Areas, as per Article 243(I) of the Constitution. The Ministry of Tribal Affairs should ensure direct flow of funds to the ZPs of the districts in these areas, which should apportion them on an equitable basis to the three lower Panchayat bodies for various programmes.

6.85. The Fifth Schedule needs to be urgently operationalized. The Tribes Advisory Council (TAC) needs to be made proactive, functioning as an advisory body to the State Government in matters relating to STs. Second, it should function as a tier in between the ZPs in Scheduled Areas and the State Government. Its jurisdiction should be expanded to cover all matters relating to tribes people, and not limited, as of now, to

those which are referred to it by the Governor. The Ministry of Tribal Affairs is required to ensure regular and meaningful annual reports for the Governor as per para 3 of the Schedule. The Ministry should also examine the feasibility of insertion in the Fifth Schedule of a suitable provision to the effect that discretionary power may be exercised by the Governor on the advice of TAC. Lastly, the Scheduled Areas and Tribal Sub Plan areas should be made co-terminus, enabling protective and legal measures to be available in all TSP areas. To the extent possible, demarcation of Scheduled Areas should be notified down to the village level and other settlements.

Educational Development

6.86. The following measures should be taken to accelerate the educational progress among the tribal population during the Eleventh Plan:

- In the deficit areas, the requisite number of primary schools needs to be established. Specific norms for middle schools and high schools for tribal areas will be evolved and deficiencies made up. All schools should have proper school buildings, hostels, water, toilet facilities (particularly for the girls' schools).
- Residential high schools for ST boys and girls will be set up at suitable places. At the Gram Panchayat level, ensuring girls' hostels will be attached to the existing primary/elementary schools that do not have hostels, wherever it is feasible to do so.
- Textbooks in tribal languages, especially at the primary level, will be produced to enable better comprehension by ST students in classes up to III. Side by side, adequate attention will be paid to the regional language so that children do not feel handicapped in higher classes.
- Efforts will be made to set up Industrial Training Institutes (ITIs) in the TSP areas. Other training centres will include community polytechnics, and undertaking rural/community development activities in their proximity, through application of science and technology.
- Timely distribution of fellowships, scholarships, textbooks, uniforms and school bags to students.
- The ICDS/Anganwadi schemes for tribal areas will be evaluated and shortcomings eliminated.
- A larger number of special coaching classes will be organized and the concerned institutions will be

suitably aided to enable ST students to compete in entry-level competitive examinations for professional courses.

- Adult education will be paid adequate attention.
- Steps will be taken to promote tribal languages, culture and heritage through adaptation of pedagogical methods, community participation in school management, and so on.
- There is a need to constitute a special committee composed of eminent sociologists, anthropologists, educationists, administrators, representatives of ST communities, and so on, to comprehensively assess the problems of ST education and make recommendations for implementation.

Health

6.87. Efforts will be made to make available affordable and accountable primary health care facilities to STs and bridge the yawning gap in rural health care services through a cadre of ASHA and sectoral convergence of all the related sectors. Periodic reviews will be conducted on the delivery system and functioning of the health care institutions under three broad heads to optimize service in the tribal areas: (i) health infrastructure, (ii) manpower and (iii) facilities like medicines and equipment. Action will be taken to make up the shortfall in the different categories of health institutions, liberalization of norms, addressing infrastructural deficiencies, application of quality standards and revitalization of Health Care Systems, PHCs and CHCs (details are given in the chapter on Health).

Economic Sectors and Livelihood Opportunities

6.88. An overwhelming proportion of STs depend on MFP, cottage and small industries, and horticulture for their livelihood.

6.89. Towards making the existing tribal livelihoods more productive, intensive efforts will be mounted to reconstitute, vitalize and expand the agricultural sector. Use of irrigation in agriculture with a preference for organic farming, will be a major step. Training centres will be opened to impart skills for diverse occupations to the tribals. Efforts will be made to promote horticulture, animal husbandry, dairy farming, sericulture, sylviculture and cottage and small industry by extending the necessary technology and credit, marketing and entrepreneurial information, and training. TRIFED has to shoulder

the task of marketing to ensure remunerative prices to STs.

6.90. Lending by agencies like the State Governments, NSTDFC and TRIFED will be streamlined by better coordination at higher levels and efficient delivery at the field level. Large-Scale Multi Purpose Corporate Societies and such like cooperative institutions in tribal areas will be revived to make them representative, autonomous and professional.

Tribal-Forest Interface

6.91. To enable the tribal primary producers, collectors and consumers to enter into transactions with primary cooperatives, the monopoly of corporations in certain items procured by them through contractors and middlemen will be replaced by alternative market mechanisms like minimum price support with institutional backing. It will be incumbent on the national-level organizations like TRIFED and NAFED to play their due role in marketing of the tribal MFP. Technological support for value addition will be extended to the corporations as well as other institutional and private processors. Skills like culling, barking, tapping of gums, storage of sal seeds and preparation of tamarind extracts, need to be upgraded through ITIs, TRIFED, NSTDFC and other training organizations.

6.92. As visualized under the National Forest Policy (NFP) Resolution (1988), tribal association with forestry will be maximized through tribal cooperatives and SHGs of tribal women. Specific schemes for quality improvement, higher productivity and regeneration of MFP species will be implemented to facilitate sustainability of this source of tribal livelihood. No outside labour will be engaged where tribal labour is available. Inter-disciplinary scientific studies to develop feasible agronomic strategies to make shifting cultivation ecologically compatible and economically viable will be undertaken. Special protection will be extended to Jhumias.

6.93. Rules under the Forest Rights Act, 2006 and PESA need to be framed expeditiously.

6.94. ST women will be recruited to the posts of forest guards, foresters and forest rangers, by suitably lowering the educational qualifications, if required. Such forest

guards and foresters will ensure safety of the women venturing in the forest areas for their livelihood needs.

Tribal Sub-Plan and Tribal Policy

6.95. As has been explained in the earlier section on SCs, the TSP will be reformed to restore its dynamic character and make it an effective instrument for tribal development.

6.96. Once the National Tribal Policy is finalized, action will be taken to follow up on it.

Tribal Unrest and Socio-Political Movements

6.97. Lack of socio-economic development, physical and economic exploitation, land alienation and other problems have led to a situation in which 75 predominantly tribal districts are affected by violence. The situation could be remedied by taking the following steps.

- Prevention of exploitation of tribals through strict penal action against errant moneylenders, businessmen, traders, middlemen, government servants and other exploiters. Effective implementation of the SC and ST (Prevention of Atrocities) Act, 1989.
- The practice of employment of contractors and middlemen by public sector organizations should be replaced by tribes-benefitting procedures.
- Amendment of instruments like Land Acquisition Act, 1894; Forest Act, 1927; Forest (Conservation) Act, 1980; Coal Bearing Areas (Acquisition and Development) Act, 1957; and National Mineral Policy, 1993 to eliminate iniquitous provisions ensuring protection of the interest of tribals.
- Displacement should be avoided in the first place. If inescapable, it should be the minimum possible; land for land will be the general rule. All those displaced need to be identified and rehabilitated suitably.
- Land reforms should be implemented stringently.
- The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be implemented by the States in letter and spirit.
- Rigorous implementation of the provisions of laws combating land alienation and simultaneous stringent steps to restore the alienated land back to the people.

Prevention of Land Alienation

6.98. Apart from rigorous implementation of laws for preventing alienation of tribal land and plugging loopholes in such laws, the following measures also need to be taken.

- Updating and computerization of land records in tribal areas
- Separate fast-track courts in the Scheduled Areas to deal with cases of tribal land alienation.
- Translation of anti-alienation laws into regional languages and, possibly, in tribal languages, for wide dissemination in tribal areas.
- A law for urban agglomerates in Scheduled Areas on the analogy of PESA Act, 1996 needs to be considered for enactment.

Rehabilitation and Resettlement

6.99. The government has recently approved the National Rehabilitation and Resettlement Policy 2007, with the following objectives:

- Minimize displacement and promote non-displacing or least-displacement alternatives
- Ensure adequate and expeditious rehabilitation with participation of the Project Affected Families (PAFs)—through an independent authority
- Create obligations on the State to protect the rights of weaker sections, particularly SCs and STs
- Provide a better standard of living with sustainable income
- Integrate rehabilitation concerns into development planning and implementation.

Effective follow-up action will be taken to operationalize the policy.

Infrastructure

6.100. Both the Fifth and Sixth Schedule Areas are considered backward, with poor infrastructure being a major handicap in improving the quality of life. The first proviso to Article 275(1) of the Constitution directs building infrastructure in such areas on par with that of the rest of the areas in the country by providing monies from the Consolidated Fund of India. Focused strategies for infrastructure development in sectors like education, drinking water, PDS, health, minor irrigation, roads, housing, tele-communications and electrification will be pursued.

Primitive Tribal Groups (PTGs)

6.101. The strategy will be different for the two distinct groups of PTGs. The approach for heritage groups will place emphasis on conservation of the eco-system, lifestyle

and traditional skills along with an economic component. In the case of peripheral communities, the approach will be conservation of the eco-system, along with stress on economic programmes. For the purpose, the unique attributes of each group will determine specific treatment in planning and implementation.

6.102. A National Plan of Action for tribe-specific comprehensive conservation-cum-development needs to be formulated and executed.

6.103. Periodic reviews need to be conducted on the functioning of health care institutions in the tribal areas under three broad heads: (i) health infrastructure, (ii) manpower and (iii) facilities like medicines and equipment. The NRHM seeks to strengthen the public health delivery system at all levels.

6.104. The Department of Drinking Water Supply needs to cover all uncovered tribal areas before the end of the Plan period.

6.105. Urban tribal pockets and other tribal habitations need to be covered with sanitary latrines equipped with minimum basic facilities.

6.106. Many tribal areas receive adequate rainfall. Rain-water harvesting structures will be installed appropriately, particularly in schools and colleges.

6.107. TPDS will be revamped to ensure its outreach actually extends to tribal areas. The system should convey to them foodstuffs of their choice like coarse cereals, pulses, edible oils, and so on.

6.108. There is a need to ensure that the tribal villages are automatically electrified, taking recourse also to non-conventional sources of energy. Universal telecom voice coverage will be ensured in the tribal areas during the Plan period.

6.109. In 1975, guidelines to States/UTs were issued by the Centre for taking steps for discontinuation of commercial vending of liquor in tribal areas in pursuance of the Excise Policy, 1974. Although the States/UTs have accepted the guidelines, commercial vending of intoxicants continues in tribal areas and stringent measures are needed for its prevention.

Data-based Planning

6.110. The issues in tribal development are complex and often not understood very well. Each of the nearly 300 main tribal groups differ from each other in customs, practices, traditions, faith, and language. As such, uniformity in socio-economic development plans for all tribal groups and programmes is not appropriate. Vast quantities of data, generated at various geographical sites across the country, lie scattered, unanalysed and unused. They need to be processed and stored meaningfully in a tribal data bank. The programmes and schedules of the 18 State Tribal Research Institutes (TRIs) in the country demand coordination and synergy. The issues of scheduling and de-scheduling of communities have assumed national importance and need to be appraised rationally and dispassionately. All these point to the need at the Central level for a National Institute of Tribal Affairs (NITA) to deliberate on these matters as also on a whole range of other issues. NITA will serve as a think tank to the Ministry of Tribal Affairs. Expeditious steps will be taken to set up NITA.

OTHER BACKWARD CLASSES (OBCs)

POPULATION PROFILE

6.111. The Second Backward Classes Commission headed by B.P. Mandal (1980), basing its calculation on the Census of 1931, estimated that OBCs constituted 52% of the population. Recently, the NSSO 61st Round (July 2004 to June 2005) report on 'Employment and Unemployment Situation among Social Groups in India' gave an estimate of OBCs constituting 41% of the population. State-wise, OBC-wise data on population as well as vital and demographic variables are not available, which is the main hurdle in the formulation of policies and programmes for the development of the Other Backward Classes.

CONSTITUTIONAL SAFEGUARDS

6.112. Though the Constitution does not make specific provisions for OBCs, it empowers the State to make provisions for reservation in appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the Services under the State [Article 16(4)]. It also empowers the State to appoint a commission to investigate into the conditions of socially and educationally backward classes (Article 340). In pursuance of the Supreme

Court judgment, *Indira Sawhney and Others vs Union of India* (1992), the National Commission for Backward Classes was set up on 14 August 1993 under the National Commission for Backward Classes Act, 1993. Thus, after 46 years of independence of the country, the backward classes or OBCs got recognition as a separate group of people for the purpose of 27% reservation in services in the GoI and public sector undertakings. The States/UTs were free to decide the quantum of reservation based on the OBC population in their State/UT. All State Governments/UT Administrations were also directed by the Supreme Court of India in the same case to set up a permanent body and to draw up their own list and decide the quantum of reservation as per their demography.

DEVELOPMENT OF OTHER BACKWARD CLASSES: AN OVERVIEW

6.113. Specific programmes for the development of OBCs were initiated from the Eighth Plan. The National Backward Classes Finance and Development Corporation (NBCFDC) was set up in 1992 with an authorized share capital of Rs 200 crore. This was augmented to Rs 700 crore in the Ninth Plan. The objective of NBCFDC is to promote self-employment projects among the OBCs living below the poverty line.

6.114. During the Ninth Five Year Plan period, programmes such as Pre-Matric and Post-Matric scholarship schemes, construction of hostels and pre-examination coaching centres for OBCs were introduced. The Pre-examination Coaching Scheme for OBCs was merged with the umbrella Coaching and Allied Scheme for Weaker Sections including SCs, OBCs, and minorities from September 2001.

TENTH PLAN ACHIEVEMENTS

Educational Development

6.115. The salient features of schemes for educational development of OBCs being implemented through State Governments/UT Administrations and voluntary organizations (VOs) are given in the Table 6.12

Economic Development

6.116. The NBCFDC provides financial assistance through SCAs nominated by the State Governments/UTs. NBCFDC assists a wide range of income generating activities which include agricultural and allied activities, artisan and traditional occupations, technical trades, small-scale and tiny industry, small business, transport services. Entrepreneurs with annual income less than double the poverty line are eligible for concessional finance. The GoI has made available Rs 448.35 crore to the Corporation as paid-up capital towards the authorized share capital of Rs 700.00 crore. The Corporation has disbursed Rs 1150.89 crore, covering 750432 beneficiaries (up to December 2006).

Oversight Committee on Reservation in Higher Educational Institutions

6.117. In the last year of the Tenth Plan, the GoI decided on another way to introduce reservation for OBC students in institutes imparting higher education. The Oversight Committee under the Chairmanship of Veerapa Moily was constituted in 2006 to prepare a policy roadmap for implementation of reservation for OBCs in higher educational institutions. The matter, however, is sub-judice.

TABLE 6.12
Salient Features of Schemes for Other Backward Classes (OBCs)

S. No.	Name of the Scheme	Class	Parents annual income does not exceed (in Rs)	Funding pattern (%)	Tenth Plan	
					Financial achievement (Rs in crore)	Physical achievement
1.	Pre-Matric Scholarships	I to X	44500	50:50	96.60	56.53 lakh
2.	Post-Matric Scholarships	XI onwards	44500	100	126.76	26.97 lakh
3.	Construction of hostels for Boys and Girls	—	—	50:50 to States, 100% to UTs	70.05	94606
4.	Assistance to VOs	—	—	90:10	25.35	760 NGOs

Source: Ministry of Social Justice and Empowerment.

Present Status of Target Groups

RESERVATION IN SERVICES

6.118. Despite 27% posts being reserved for OBCs from 1993, Table 6.13 shows that the overall representation of OBCs in government service is abysmally low, just 4.53%. Only 3.9, 2.3 and 5.2%, respectively of Group A, B, and C posts are occupied by OBC persons. This is indeed a matter of concern.

TABLE 6.13
Percentage of OBC Representation in Central Government Services (as on I.I.2004)

Group	Total	OBCs	% of total
A	80011	3090	3.9
B	135409	3123	2.3
C	2040970	106309	5.2
D	802116	26158	3.3
Total	3058506	138680	4.53

Source: Annual Report, DoP&T, GoI, 2006–07.

ELEVENTH PLAN APPROACH: THE WAY AHEAD

6.119. The Eleventh Plan will address the issues for development of OBCs through a three-pronged strategy: of (i) educational development, (ii) economic development and (iii) social development.

EDUCATIONAL DEVELOPMENT

6.120. While the universalization of primary education through the SSA (dealt with in greater detail in the chapter on Education) is poised to take care of OBC children, their continued education through the secondary and higher education stages must be ensured. The Eleventh Five Year Plan shall give priority to designing and implementing of schemes to provide the necessary facilities to OBC students to get better education at all levels. Reservation for OBC students in all the Central and Centrally aided schools/colleges/professional institutes needs to be ensured.

6.121. Both Pre-Matric and Post-Matric Scholarship schemes should be revised by enhancing the income ceiling for eligibility and rate of scholarship and maintenance allowance, as these have not been revised since 1998.

6.122. The performance of the existing coaching scheme for SCs and OBCs is not good and the scheme needs to be revised to attract good, professionally reputed coaching institutions.

6.123. Hostels for OBC boys and girls are constructed by the State Governments and UT Administrations. However, where hostel facilities are not available for them, they should be provided facilities in general hostels by earmarking a certain percentage of seats for them.

6.124. National Overseas Scholarship Scheme for OBCs should also be formulated similar to those for SCs and STs so that OBC students can also go abroad for better educational and professional courses which are generally not available in the country

Economic Development

6.125. In economic and occupational terms, the backward classes comprise of peasants, landless labourers, artisanal communities such as handloom weavers, carpenters, metal workers, stone cutters and fishermen, and those who provide various traditional services. The plight of these categories of the backward classes has worsened in recent years due to extensive mechanization and market competition. There is a need to ensure upgradation of skills of such categories so that they can compete better in the market. Credit flow must be unhampered and easy to access, especially in occupations which have been the traditional forte of OBCs, for example, weaving, pottery, quarrying, cultivation of fruits and vegetable, and so on.

6.126. A suitable marketing strategy needs to be worked out on the lines of TRIFED to market the products manufactured by small artisans.

6.127. The strength and capability of NBCFDC should be augmented.

Social Development

6.128. Like SCs, STs, Minorities, and Persons with Disabilities, there is an imperative need to carry out a census of OBCs now or in the next census in 2011. In the absence of exact assessment of their population size; literacy rate; employment status in government, private and unorganized sectors; basic civic amenities; health status; poverty status; and human development and HPIs; it is very difficult to formulate realistic policies and programmes for the development of OBCs.

6.129. Since some backward class people are also working in occupations which are hazardous, the government should identify occupational diseases prevalent among

them and take steps to prevent and treat such diseases. The *Report on Conditions of Work and Promotion of Livelihood in the Unorganized Sector* by Arjun K. Sengupta et al., National Commission of Enterprises in the Unorganized Sectors, New Delhi (August 2007) deals with the issue of workers in the unorganized sector. (This aspect has been discussed in detail in the chapter on Labour and Employment).

6.130. The income ceiling of Rs 2.5 lakh per annum for purposes of obtaining OBC certificates may be periodically reviewed to make it more realistic.

DE-NOTIFIED, NOMADIC, AND SEMI-NOMADIC TRIBES

6.131. De-notified, Nomadic and Semi-Nomadic Tribes and Banjara communities constitute the most vulnerable and disadvantaged sections of the Indian society. Some of these communities were identified as 'Criminal Tribes' (which included both castes as well as tribes) in pre-Independence India. Although the Criminal Tribes Act, 1871 was repealed soon after Independence, persons belonging to these communities are still viewed by society as habitual criminals.

6.132. After the repeal of the Criminal Tribes Act, 1924 in 1952, the government was keen to undertake schemes that would accelerate the process of integration of the de-notified tribes into mainstream society. A small beginning was made in the First Five Year Plan in this direction. In the Fifth Five Year Plan, all welfare schemes for de-notified tribes were transferred to the State Plans. Unfortunately, these groups still continued to be marginalized and their specific needs even today are neither adequately understood nor catered to. In order to acquire a comprehensive picture of the situation of these communities and to suggest action for their socio-economic development, a National Commission for De-notified Tribes, Nomadic Tribes and Semi-Nomadic Tribes was set up in 2005. In the Eleventh Plan, special attention will be accorded to the well-being of these groups through steps in pursuance of the recommendations of the Commission.

6.133. One particular area where attention must be paid is towards elementary education of the children of Nomadic, and Semi-Nomadic and De-notified tribes. Due to their family's mobility from one place to another, children in such tribes remain deprived educationally.

Mobile schools of high quality should be set up to meet their specific needs.

6.134. Nomadic, Semi-Nomadic and De-notified tribes reside in secluded places. Arrangement should be made to extend the benefit of the flagship programmes to these areas on a priority basis.

MINORITIES

6.135. In pursuance of the Constitutional provisions, the government is committed to the well being of the minorities. Such measures are not limited to protecting and promoting their language, religion and culture, but also in making special efforts for their socio-economic development and mainstreaming. As per the provisions under the National Commission of Minorities Act, 1992, five religious communities including Muslims, Christians, Sikhs, Buddhists, and Zoroastrians (Parsis) have been notified as minorities. Among the minorities, Muslims, especially Muslim women, need special attention since relative to other communities they have remained socially, educationally and economically backward.

6.136. According to the Census of 2001, 18.4% of our population belongs to Minority communities. Muslims constitute 13.4%, Christians 2.3%, Sikhs 1.9%, Buddhists 0.8% and Parsis 0.07% of the country's total population. In absolute numbers, Muslims (nearly 140 million) account for 72.8% of the total minority population of 189.5 million.

6.137. The distribution of minority population indicates that Muslims are in majority in the Union Territory of Lakshadweep and in the State of Jammu and Kashmir. In six States the proportion of Muslims to total population is above the national percentage of 13.4%—Assam (30.9%), West Bengal (25.2%), Kerala (24.6%), Uttar Pradesh (18.55%), Bihar (16.5%) and Jharkhand (13.8%). In absolute numbers, Uttar Pradesh (30.7 million), West Bengal (20.2 million), Bihar (13.7 million), and Maharashtra (10.70 million) have the largest Muslim population. The highest percentages of Christians to total population are in Nagaland (90%), Mizoram (87%), and Meghalaya (70.03%). There are also substantial numbers of Christians in Kerala, Tamil Nadu, Andhra Pradesh, Jharkhand, Orissa, Maharashtra, and Karnataka. Sikhs constitute 60% of the population of Punjab. Buddhists are categorized into traditional and neo-Buddhists.

Traditional Buddhists are, by and large, from tribal communities inhabiting the hilly areas of Ladakh, Himachal Pradesh, West Bengal, Sikkim, Assam and the North Eastern States. The highest percentage of Buddhists is in Sikkim (28.1%) followed by Arunachal Pradesh (13%). In absolute numbers, Maharashtra reported 58.38 lakh Buddhists, the highest in the country. Parsis number just 69000, and reside mostly in Maharashtra.

CONSTITUTIONAL SAFEGUARDS

6.138. Following are some of the special constitutional safeguards for minorities:

6.140. Till the Seventh Five Year Plan, however, minorities continued to get the developmental benefits along with OBCs. In 1989, an autonomous, non-political, non-profit organization—the Maulana Azad Education Foundation (MAEF)—was set up to promote education among educationally backward Muslims in general, and Muslim girls in particular. With a corpus of Rs 100 crore, it undertook activities like establishing and expanding schools/residential schools/ colleges/hostels; purchasing laboratory equipment and furniture; setting up/strengthening vocational/technical training centre/institutes; providing scholarships to meritorious girl

Box 6.4

Important Constitutional Provisions for Minorities

Article 15	Prohibition of discrimination on grounds of religion
Article 16	Equality of opportunity in matters of public employment
Article 25	Freedom of conscience and free profession, practice and propagation of religion.
Article 26	Freedom to manage religious affairs
Articles 29	Right to conserve language, script, and culture
Article 30	Right to establish and administer educational institutions
Article 347	Recognition of language
Article 350	Redressal of grievances to any authority in the government in any of the languages used in the States/ Union Territories
Article 350(A)	Instruction through mother tongue at the primary stage of education
Article 350(B)	Investigate all matters relating to linguistic minorities

DEVELOPMENT OF MINORITIES: AN OVERVIEW

6.139. As the well-being of minorities has been a deep concern of the government, a HLC to study their conditions was set up in 1980 under the chairmanship of Gopal Singh. The Committee, in its report, concluded that the poor among the Muslims could not avail opportunities in education, employment, and economic activities because of isolation and various historical factors. In view of this, in 1983, the Prime Minister's 15-Point Programme was launched to provide a sense of security to minority communities and ensure their rapid socio-economic development. This Programme was based on a three-pronged approach: (i) to tackle the situation arising out of communal riots; (ii) to ensure adequate representation of the minority communities in employment under the Central and State Governments as well as PSUs; and (iii) other measures, such as ensuring flow of benefits to the minority communities under various development programmes, maintenance and development of religious places, Wakf properties and redressal of grievances of the minorities.

students; opening Maulana Azad Sadbhawana Kendras; (since discontinued) and announcing Maulana Abul Kalam Azad Literacy Awards. In the final year of the Tenth Plan the corpus of Rs 100 crore with the Foundation was doubled. The interest accrued on the corpus was used for implementation of its educational schemes. It sanctioned a total grant-in-aid of Rs 91.81 crore to 702 NGOs/local bodies located in 20 States and two UTs for construction/expansion of schools/colleges/girls hostels/polytechnics/ and purchase of equipments/machinery/furniture up to December 2006. The Foundation also distributed scholarships amounting to Rs 6.98 crore to 6986 girl students in 29 States/UTs between 2003–04 and 2005–06.

6.141. During the Eighth Plan (1992–97), two exclusive schemes were introduced for their educational and economic development. In 1994, the National Minorities Development and Finance Corporation (NMDFC) was set up with an authorized share capital of Rs 500 crore. The Ninth Plan (1997–2002) saw a new Central Sector

Scheme for Pre-examination Coaching for Weaker Sections based on economic criteria. It assisted voluntary organizations to run coaching centres to prepare minorities for various competitive and professional examinations. As few organizations came forward, this scheme, along with the Pre-examination Coaching Scheme for OBCs, was merged with the existing Centrally Sponsored Coaching Scheme for Scheduled Castes in 2001. It was renamed Coaching and Allied Scheme for Weaker Sections including SCs, OBCs, and minorities. During the Tenth Five Year Plan, the authorized share capital for NMDFC was raised to Rs 650 crore. Of this, the share of the GoI is Rs 422.50 crore (65%) and that of the State Governments is Rs 169 crore (26%). The remaining Rs 58.50 crore (9%) is to be contributed by institutions/individuals interested in the well being and empowerment of minorities. The task of NMDFC is to extend loans at concessional rates to enable economically weak minorities to take up income generating activities. Since its inception, NMDFC has given financial assistance of Rs 827 crore to 2.16 lakh beneficiaries spread over 25 States and three UTs.

6.142. Despite these schemes, till the end of 2005–06, the Ministry of Social Justice and Empowerment continued to be the implementing agency for programmes for educational development and economic empowerment

of minorities. Then, on 29 January 2006, a separate Ministry of Minority Affairs (MMA) was created. Meanwhile, the GoI also constituted a HLC under the Chairmanship of Justice (Retd.) Rajinder Sachar to prepare a report on the social, economic and educational status of the Muslim community. In its comprehensive Report, the Committee observed that Muslims have been left behind the growth and development process. It recommended setting up of an autonomous Assessment Monitoring Authority, creation of a National Data Bank and constitution of an Equal Opportunity Commission (EOC). It also suggested provision of hostel facilities at reasonable cost, inclusion of minority aspects in the general curriculum for teacher training, setting up and strengthening of State-run Urdu medium schools, linkage of madarasas to Higher Secondary Boards, recognition of degrees of madarasas for eligibility in competitive examinations, and provision of financial and other support to madarasas.

PRIME MINISTER'S NEW 15-POINT PROGRAMME

6.143. The Prime Minister's New 15-Point Programme was launched in 2006 aimed at ensuring the well being, protection and development of minorities. While the 15-Point Programme of the 1983 centred on communal riots, representation of minorities in services and ensuring flow of benefits to individual beneficiaries, the

Box 6.5

Condition of Muslims as Reflected by the Sachar Committee Report

- Muslims have the highest rate of stunting and second-highest rate of underweight children.
- 25% Muslim children in the 6–14 years age group have either never attended school or have dropped out.
- Only one out of every 25 undergraduate and 50 postgraduate students in premier colleges is a Muslim.
- NCAER figures show that only about 4% of all Muslim students are enrolled in madarasas.
- Workforce participation rate among Muslim women is only 25%. In rural areas, 29% of Muslim women participate in the workforce as compared to 70% of Hindu women.
- 61% of the total Muslim workers are self-employed as against 55% of Hindu workers. 73% of Muslim women are self-employed as compared to 60% for Hindus.
- Only about 27% of the Muslim workers in urban areas are engaged in regular work as compared to 40% SC/ST, 36% OBC and 49% Hindu upper caste workers.
- Less than 24% of Muslim regular workers are employed in the public sector or in government jobs as compared to 39% regular SC/ST workers, 37% Hindu upper caste and 30% OBC workers.
- The share of Muslim male workers engaged in street vending (especially without any fixed location) is 12% as against the national average of less than 8%.
- The share of Muslims in Public Order and Safety Activities at the Central Government level is only about 6%. Hindu upper caste workers have a share of 42% and both SCs/STs and OBCs have 23% share each.
- The share of Muslims among defence workers is only 4%.
- Compared to other regular workers, a much larger proportion of Muslim regular workers have no written contract (73%, against 52% for Hindu upper caste and 63% each for Hindu-OBCs and SCs/STs) and no social security benefit (71% against the national average of 55%).

focus of the new Programme is to make certain that benefits of various schemes/programmes flow equitably to the minorities. For this, it quantifies a certain portion of development projects to be established in areas with a concentration of minorities. It stipulates that wherever possible, 15% of targets and outlays under various schemes will be earmarked for the minorities. All Central ministries/departments, State Governments/UT Administrations have been advised to implement this new Programme. Five Central Ministries—HRD, Labour and Employment, Housing and Poverty Alleviation, RD and Women and Child Development—have been given responsibilities in their respective areas. The procedure for monitoring the outcomes of these multiple initiatives is clearly laid out. It will be done on a half-yearly basis by the Committee of Secretaries (COS) and the Cabinet. MMA is the nodal Ministry for coordinating and monitoring the implementation. The key elements of the monitoring will be: (i) focus on meeting financial targets; (ii) target oriented monitoring based on a plan of achievable outcomes under each programme and Ministry; (iii) outcome targets to be staggered and time-bound, and monitored accordingly; (iv) regular evaluation studies conducted by both MMA and by external expert evaluators; (v) space for concurrent evaluation through existing, identified institutions in key target States; (vi) focus on regular and accurate information flow from District to State to Centre; (vii) focus on smooth fiscal flow and regular identification of bottlenecks; and (viii) flexibility for review and revision of programme designs.

PRESENT STATUS OF MINORITIES

Education

6.144. Table 6.14 shows that literacy rates among Muslims, both men and women, have been the lowest among all the religious minorities.

TABLE 6.14
Literacy Rate among all Religious Communities in 2001

Communities	Male	Female	Total
All religious communities	75.38	53.7	64.8
Muslims	67.6	50.1	59.1
Christians	84.4	76.2	80.3
Sikhs	75.2	63.1	69.4
Buddhists	83.1	61.7	72.7

Source: The First Report on Religion data 'Census of India 2001', p.p. XXI, XIII.

6.145. The Sachar Committee Report found that enrolment of children aged 6–14 years at the all-India level was 85.3% for all communities. The enrolment figures for Muslims was lower (81.8%) than the national average as well as relative to 'All others' (89.9%), but higher than SCs/STs (79.3%). The gap between Muslims and other SRCs increases as the level of education advances.

6.146. The literacy rate for Muslim girls is particularly low. This can be attributed to a number of reasons. Many parents do not send their girls to school as they feel unsafe, especially in view of the growing communalism. Further, as the dependency ratio for the young is high among Muslims, older siblings often have to stay home and provide care. Given the high levels of poverty and self-employment, children also provide much needed labour.

6.147. While it is a misconception that most Muslim children go to madaras, a large proportion of parents do want their children to receive some form of religious education in addition to the general curriculum. For this, it is vital to ensure that the school timings do not clash with those of madaras and *maktabs*. Kerala has successfully managed to do this and hence has a high literacy rate among Muslims.

6.148. Finally, many Muslim girls and boys are first-generation learners. Like the children belonging to SC/ST communities, they need support and grooming. This, combined with the presence of women teachers who are non-partisan, will go a long way in checking dropout rates among Muslims.

TABLE 6.15
Children Currently Studying—Proportion of Population by Age Group, 2004–05

Age groups In Years	Hindus			Muslims	Other Minorities
	General	OBCs	SCs/STs		
6–13	19.1 (17.3)	36.1 (35.5)	25.7 (27.4)	14.00 (15.1)	5.1 (4.8)
14–15	24.3 (19.9)	36.1 (35.2)	21.4 (25.2)	12.20 (14.5)	6.0 (5.3)
16–17	28.9 (21.1)	33.7 (35.0)	20.2 (24.7)	10.70 (14.0)	6.3 (5.1)
18–22	34.0 (20.8)	30.5 (34.4)	17.7 (25.5)	10.29 (13.9)	7.6 (5.5)
23 & above	35.6 (23.9)	29.2 (35.1)	18.3 (24.1)	7.40 (10.9)	9.5 (5.9)

Note: 1. Figures in parenthesis report the share of each socio-religious group in the total population of that age group.

Source: Estimated from NSSO (2004–05) 61st Round, Schedule 10.

Box 6.6

Prime Minister's New 15-Point Programme for the Welfare of Minorities

(A) Enhancing Opportunities for Education

- **Equitable availability of ICDS services:** A certain percentage of ICDS projects and Anganwadi Centres to be located in blocks/villages with a substantial population of minority communities; equitable availability of benefits to be ensured.
- **Improving access to school education:** A certain percentage of all schools under the Sarva Shiksha Abhiyan, the Kasturba Gandhi Balika Vidyalaya Scheme, and other similar government schemes will be located in villages/localities having a substantial minority population.
- **Greater resources for teaching Urdu:** Recruitment and posting of Urdu language teachers in primary and upper primary schools.
- **Modernizing Madarsa Education:** Strengthening the Central Plan Scheme of Area-Intensive and Madarsa Modernization Programme to provide basic educational infrastructure in areas of concentration of educationally backward minorities.
- **Scholarships for meritorious students from minority communities:** Formulation of schemes for pre-matric and post-matric scholarships for students from minority communities.
- **Improving educational infrastructure through the Maulana Azad Education Foundation (MAEF):** To expand the activities of MAEF more effectively.

(B) Equitable Share in Economic Activities and Employment

- **Self-employment and wage employment for the poor:** A certain percentage of the physical and financial targets under some schemes, for example, the SGSY, SJSRY, Sampurna Grameen Rozgar Yojana (SGRY), will be earmarked for beneficiaries belonging to the minority communities and living below the poverty line in rural areas. Simultaneously, a certain percentage of the allocation will be earmarked for the creation of infrastructure in such villages which have a substantial population of minorities.
- **Upgradation of skills through technical training:** A certain proportion of all new ITIs will be located in areas predominantly inhabited by minority communities and a proportion of existing ITIs for upgradation to 'Centres of Excellence' will be selected on the same basis.
- **Enhanced credit support for economic activities:** To strengthen the National Minorities Development and Finance Corporation (NMDFC) by providing it greater equity support to enable it to fully achieve its objectives. An appropriate percentage of the priority sector lending in all categories to be targeted for the minority communities.
- **Recruitment to State and Central services:** In the recruitment of police personnel, Central and State Governments will be advised to give special consideration to minorities. The composition of selection should have Minorities' representation. Employment opportunities to be provided in the Railways, nationalized banks and PSEs. An exclusive scheme is to be launched to provide coaching to minority candidates.

(C) Improving the Conditions of Living of Minorities

- **Equitable share in rural housing scheme:** This is sought to be achieved through the Indira Awaas Yojana (IAY) for poor beneficiaries from minority communities in rural areas.
- **Improvement in condition of slums inhabited by minority communities:** Ensuring provision of physical amenities and basic services to be equitably extended under the schemes of the Integrated Housing and Slum Development Programme and JNNURM to the minority communities and to cities/slums with minority concentrations.

(D) Prevention and Control of Communal Riots

- Prevention of communal incidents
- Prosecution for communal offences
- Rehabilitation of victims of communal riots

Economic Development

WORK PARTICIPATION RATE (WPR)

6.149. The WPR for all religious communities was 39.1% in the Census of 2001. Buddhists had 40.6% WPR, Christians 39.7% and Muslims 31.3% (being the lowest) (Table 6.16).

TABLE 6.16
Work Participation Rate by Male and Female
Population in Minority Communities

Communities	Male	Female	Total
All religious communities	51.7	25.6	39.1
Muslims	47.5	14.1	31.3
Christians	50.7	28.7	39.7
Sikhs	53.3	20.2	37.7
Buddhists	49.2	31.7	40.6

Sources: *Census of India 2001: The First Report on Religion Data.*

OCCUPATIONAL CATEGORY

6.150. Table 6.17 shows that Muslims and Buddhists both comprise 20% each of the cultivator category; Sikhs were highest at 32.4% followed by the Christians with 29.2%.

6.151. The Sachar Committee Report clearly shows that due to limited land ownership, most Muslims are engaged in non-agricultural occupations. They are usually merchants, shopkeepers, sales persons, shop assistants, tailors, dress makers, transport equipment operators, tobacco preparers, tobacco product makers, spinners, weavers, knitters, dyers, machinery fitters, assemblers and precision instrument makers. Being self-employed and often in the unorganized sector, they lack any kind of

social security. Further, Muslims have traditionally been engaged in skilled occupations like weaving, spinning, artisanship and tailoring. A large proportion of them are also street vendors. As these are professions which have suffered maximum reversals due to globalization, more and more Muslim families are being left without a source of livelihood. The self-employed, especially entrepreneurs, are unable to get credit to expand and run their micro and small enterprises. This is leading to increasing frustration and discontent.

HEALTH

6.152. Census data indicates that Muslims have the highest sex-ratio of any social group in the country (950/1000).¹ However, among other minorities like the Sikhs and Jains, who incidentally have better female literacy figures, the sex-ratio is alarming (786 and 870 for Sikhs and Jains, respectively).

6.153. Muslims have the second lowest infant and under-5 mortality rate of any SRC in India. Infant mortality is lower for Muslims than Hindus—59 against 77 for every 1,000 births in 1998–99 (NFHS-2). Muslims are, however, worse off than most other groups in terms of child under-nutrition; for instance, Muslim children suffer from the highest rate of stunting and the second highest rate of under-weight children among all social groups.² This can be primarily attributed to lack of access to PHCs and ICDS centres.

6.154. Violence against minority communities is on the rise worldwide. India too has seen various instances of communal violence which has led to trauma and growing fear and suspicion in the minds of people. This—combined

TABLE 6.17
Distribution of Category of Workers

Category	All religious Communities	Muslims	Christians	Sikhs	Buddhists
Total	100.0	100.0	100.0	100.0	100.0
Cultivators	31.7	20.7	29.2	32.4	20.4
Agricultural labourers	26.5	22.0	15.3	16.8	37.6
Households Industry Workers	4.2	8.1	2.7	3.4	2.9
Other Workers	37.6	49.1	52.8	47.3	39.2

Sources: *Census of India 2001: The First Report on Religion Data.*

¹*Census of India 2001: The First Report on Religion Data.*

²Sachar Committee, 2006

with economic and social backwardness—has resulted in the alienation of large segments of the population, many of whom belong to the minority communities. Provision of adequate social and physical infrastructure, economic opportunities, justice and counselling services are thus vital.

ELEVENTH FIVE YEAR PLAN: A WAY AHEAD

6.155. Though previous Five Year Plans have attempted to focus on weaker sections of the society, they have failed to include many groups, especially Muslims, into the development net. The Eleventh Plan will therefore accord highest priority to the development of innovative programmes, expansion of existing schemes, implementation and monitoring of all initiatives for the minorities by making adequate budgetary allocations at every level of governance. The Eleventh Plan agenda for empowerment of the minorities will focus on:

- Access, retention and achievement in primary, elementary and higher education, with particular emphasis on the education of the minority, especially Muslim, girl child.
- Enhanced access to credit and subsidy for self-employment, export promotion of traditional crafts, upgradation of technical skills and provision of vocational training with forward linkages in terms of employment, that is, equal opportunity in public and private sector employment.
- Access to government schemes and programmes, including schemes aimed at poverty alleviation; provision of physical infrastructure such as housing; provision of civic amenities and health infrastructure in Muslim-dominated village clusters and urban neighbourhoods as envisaged under the PM's New 15-Point Programme Multi-sectoral Plan for Minority Concentration Districts and 338 towns with substantial Minority population.
- Create a national data bank to collect data on various aspects of socio-religious communities through comprehensive surveys on education, health, access to government, access to justice, situation of girls and women; conduct qualitative studies to understand the persisting bottlenecks in access to a wide range of government services and programmes, to understand patterns of discrimination and its socio-economic implications; to suggest long- and short-term remedies; and to understand regional variations in the

condition of the minorities from the perspective of plan interventions.

- In-depth evaluation and performance reviews of a host of institutional mechanisms including the NMDFC and the MAEF to improve their efficacy and suggest other institutional innovations.
- Establish measurable, monitorable outcomes and set up national-level monitoring mechanisms for all aspects of plans, programmes and schemes intended to benefit the minorities, particularly poor Muslims.

6.156. In implementing this agenda, the Plan will recognize the heterogeneous nature of different minority groups and the need for common, as well as targeted, interventions based on differential situations.

Education and Social Security

6.157. The government is committed to mainstreaming minorities in the process of economic growth. The SSA will ensure universal coverage for the children of educationally backward sections, with special focus on Muslim girls. Specific SSA components like the centrally funded KBGVs will be set up for minority communities. At the same time, all State plans to access SSA funds will be reviewed to ensure that Minority children have equal space to participate in the State's school system. As SSA only covers children up to the elementary (Class VIII) level, measures will be undertaken to ensure that minority children have equal access to education up to senior secondary level (Class XII). The Eleventh Plan will also look at issues like recruitment of female teachers, provision of amenities and transportation to reach schools, and setting up of girls' hostels and girls' schools.

6.158. In pursuance of the guidelines issued under the Prime Minister's New 15-Point Programme, scholarship schemes, namely the Pre-Matric, Post-Matric, and Merit- and Means-based schemes for minority students will be formulated and implemented in the Eleventh Plan. The objective of Pre-Matric Scholarships will be to provide encouragement to students of the minority communities from Classes I to X for general and/or technical and vocational courses. Similarly, the Post-Matric Scholarship scheme will cover minority students studying in Classes XI and XII for general as well as technical and vocational courses. The major thrust will be on education of girls. Merit- and Means-based scholarship scheme will provide scholarships to meritorious students from poor families

to pursue technical and professional courses. In order to ensure effective implementation of the New 15-Point Programme in letter and spirit, rigorous and continuous monitoring will be ensured. All State Governments will be required to submit half-yearly reports on their plans and achievements in reaching minority populations for elementary, secondary and senior secondary education. These reports will be made available in the public domain. Besides, periodic reviews will also be undertaken by the CoS and the Cabinet.

6.159. Concerted efforts will be made to ensure that universally available services under ICDS, NHRM, and so on, reach the localities where the minority communities live. Minority leaders will be roped in to communicate public health messages and dispel existing myths. As Muslims are mostly self-employed and work in professions such as weaving, spinning and dyeing, which lead to occupational ailments, appropriate health services will be made available. State governments will be required to report their achievements in terms of minority access to these services to the Planning Commission.

Employment and Skill Development

6.160. A majority of the Muslim workforce is self-employed and engages in artisanal work. These occupations have been under stress due to the radical changes in the economy. Developmental projects have also led to loss of livelihoods for street vendors, most of whom are Muslims. As a result, deskilling is taking place and artisans and vendors are being forced to move to unskilled, informal work. The Eleventh Plan recognizes the need to provide support to these artisanal groups not just for ensuring inclusive growth and development of the minorities, but for promotion of exports, employment and GDP as well. Consequently, schemes of the Ministries of Textiles; Micro, Small and Medium Enterprises; Agro and Rural Industries; and Food Processing Industries, among others, will be revised to accommodate the interests of minority community workers who are in distress. Provision of inputs including credit, design and marketing support will be undertaken. At the same time social security measures like health and life insurance will be provided.

6.161. Priority sector lending: Access of Muslims to bank credit, including priority sector advances, is low and inadequate. To empower Muslims economically it is necessary to support self-employed persons by ensuring

smooth flow of credit to them. During the Eleventh Plan period, all public sector banks shall have targets for priority sector advances to members of the minorities, particularly Muslims. Steps shall be introduced to create awareness about various credit schemes, organize entrepreneurial development programmes, and bring transparency in reporting on credit availability.

New Scheme for Development of Minority Concentrated Areas

6.162. As many pockets with substantial minority populations continue to lack adequate physical and social infrastructure, the Eleventh Plan will adopt an area-based approach. According to the Census of 2001, 1228 community development blocks (out of a total of 6406 in the country), 338 Class I towns and 156 districts have minority populations of 25% and above. Both infrastructure development (physical, electricity, roads, that is, development of amenities) and beneficiary-oriented programmes will be launched in these areas.

6.163. To ensure comprehensive development through a multi-sectoral approach, 90 Minority Concentration Districts (MCDs) covering 34% of the minority population in the country, have been identified on the basis of either human development indicators or basic amenities indicators. The human indicators include: (i) literacy rate of minorities; (ii) female literacy rate; (iii) WPR; and (iv) female work participation. The basic amenities indicators include: (i) percentage of households with pucca walls; (ii) percentage of households with safe drinking water facilities; (iii) percentage of households with electricity; and (iv) percentage of households with W/C latrines. The identification of the MCDs was also based upon certain population norms:

- Districts where the minority population is at least 25% of the total population were identified in 29 States/UTs.
- Districts having a minority population exceeding five lakh where the percentage of minority population is between 20 and 25% were identified in 29 States/UTs.
- Six minority-concentrated States/UTs (Jammu and Kashmir, Meghalaya, Mizoram, Nagaland, Punjab, and Lakshadweep), and districts having 15% minority population other than the minorities (for example, other than Muslims in Jammu and Kashmir; other than Christians in Meghalaya, Mizoram, and Nagaland, Punjab, and Lakshadweep).

6.164. The preparation and implementation of area/problem-specific special developmental plans for these MCDs are already in progress. The effort is to improve the socio-economic conditions through provision of better infrastructure for education, health, sanitation, pucca housing, safe drinking water, promotion of income generating opportunities, skill development and marketing support.

6.165. Furthermore, about 35.7% Muslims live in urban areas and 36.92% of them are below the poverty line. During the Tenth Plan, an Inter-Ministerial Task Force was constituted under the chairmanship of Bhalachandra Mungekar to identify towns/cities that have substantial concentration of the minority population and require special attention, and to formulate the approach for a multi-sectoral plan for provision of basic civic amenities within those areas. The Task Force was also asked to suggest special schemes for funding specific projects which were not covered under existing schemes and programmes.

6.166. The Task Force reiterated the uneven distribution of minorities in the country and revealed that in six States/UTs—Jammu and Kashmir, Meghalaya, Mizoram, Nagaland, Punjab, and Lakshadweep—at least one of the minorities is in majority. Using socio-economic indicators similar to those used for MCDs, 338 towns/cities in which the minority communities constituted more than 25% of the population or more, were identified. Of these 338 towns/cities, 251 have emerged as being relatively backward and in need of urgent attention. Programmes for the provision and development of amenities and infrastructure should immediately be taken up in these towns and cities.

6.167. The endeavour in the Eleventh Plan will be to ensure the availability of all essential amenities in not just the identified MCDs and towns/cities, but in all the other minority localities as well. The area-based approach is not an attempt at ghettoization; it is a response to the existing ghettoization and location of the minorities. It is an attempt to provide each and every citizen of the country access to all amenities, irrespective of their religion or location.

Security and Freedom from Suspicion

6.168. In keeping with the Common Minimum Programme's (CMP) commitment of security and justice for minorities, efforts will be made to carry out interventions

which ensure prevention of communal violence. A comprehensive communal violence legislation will be enacted and justice and reparations will be ensured for survivors of communal crimes. Minorities, especially Muslims, are under-represented in Public Security and Defence institutions. This will be remedied. Workshops will be carried out to sensitize law enforcers and ensure that youth are not harassed simply because they profess a certain faith. The government will partner with CSOs to spread the message of communal harmony and dispel suspicions, fears and biases. The government will, through the Ministry of Information and Broadcasting, ensure that no community is depicted in a manner that creates, propagates or nurtures biases and suspicions.

LINGUISTIC MINORITIES

6.169. Linguistic minorities living in relative social and economic backwardness and in need of preservation of their culture and language will be paid special attention. Protective and promotive measures will be undertaken to ensure their overall protection, well being and development in the Eleventh Plan.

MONITORING MECHANISMS

6.170. If the Eleventh Plan agenda for inclusive growth has to succeed, then monitoring of all existing and new interventions is imperative. One important activity of the MMA in the Eleventh Plan will be to ensure that the minorities get their due share in the developmental schemes of various ministries and departments at the Central as well as State level. The Ministry will have to advise other concerned Ministries and Departments and monitor the implementation of the PM's 15-Point Programme. This will entail collection of information at regular intervals, its analysis, preparation of various reports and providing suitable directions. To assist the Ministry, the government will examine the feasibility of a separate committee comprising of government as well as civil society representatives, to undertake a six-monthly review of all programmes deemed to be targeting the minorities. The idea of setting up a National Resource Group for Minority Affairs to strengthen specific components of the Plan based upon responses from the field and design special inputs, programmes or projects for particular social sub-groups will also be considered. Finally, efforts will be made to establish a Grievance Redressal Cell in the MMA as part of monitoring efforts to allow complaints of non-compliance, interference and non-implementation to be addressed.

OTHER VULNERABLE GROUPS

6.171. This section deals with certain other groups that suffer social and economic handicaps which must be addressed to ensure to them equality of economic opportunity and equal access to services by the State. Steps are also needed to prevent social discrimination against them. These groups include persons with disabilities (orthopaedic, visual, hearing, speech and mental disabilities), older persons, victims of substance and alcohol abuse, and so on.

EMPOWERING PERSONS WITH DISABILITIES

Statistics

6.172. The Census 2001 and NSSO 2002 figures for persons with disabilities are 2.13 and 1.8%, respectively but these figures could be an underestimation. According to the United Nations, the proportion of disabled people among the total population in the Asia-Pacific region varies from 0.7% (Cook Islands) to 20% (Australia and New Zealand). In our immediate neighbourhood, Bangladesh reports 5.6%; China 6.3%, whereas Sri Lanka reports 7%. The percentage of disabled people among the total population of any country would depend on the definition of 'disability' in that particular country as well as the enumeration methodology and its accuracy. In India, the definition of disability used in the Census is very different from that in the Persons with Disabilities Act, 1995. There is an urgent need for both a credible definition and a system of data collection relating to persons with disabilities. It can be reasonably assumed that persons with disabilities constitute anywhere between 5 to 6% of our total population.

Legal And Policy Framework

6.173. Article 14 of the Constitution guarantees that no person will be denied equality before the law. The State is directed to provide relief and help to the disabled and the unemployable, vide Entry 9 in List II of the Seventh Schedule. Article 41 states that the State shall, within the limits of its economic capacity and development, make effective provisions for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement. Additionally, there are four legislations specifically directed towards the protection, welfare, rehabilitation and development of people with disabilities—the Mental Health Act, 1987; Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation)

Act, 1995; the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999 and the Rehabilitation Council of India Act, 1992. In addition to the legal framework, a comprehensive National Policy for Persons with Disabilities has been announced in February 2006.

Review of Policies and Programmes

6.174. From the Ninth Plan there was a slight shift from a welfare-based approach for the disabled to a rights-based approach. A comprehensive legislation, the Persons with Disabilities Act, was enacted in 1995. The government passed another landmark legislation in 1999, the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act. Both these enabling legislations cover a wide range of activities, which include issuance of disability certificates and prevention and early detection of disabilities; promoting the integration of disabled students in mainstream schools and removal of architectural barriers from schools, colleges, and universities; providing incentives to private sector employers to ensure that persons with disabilities constitute at least 5% of their workforce; and framing a scheme for payment of an unemployment allowance to those disabled people who have been registered with a Special Employment Exchange for over two years but could not be placed in any gainful employment.

6.175. The Tenth Plan took serious note of the slow pace of implementation of the enabling legislations and advocated a multi-sectoral and multi-collaborative approach to make the provisions of the Persons with Disabilities Act more effective. This would be possible only through clear-cut delineation of responsibilities to the concerned Ministries/Departments. It was however recognized that the Ministry of Social Justice and Empowerment, being the nodal Ministry, should play a lead role in ensuring the objectives of the Act. The concerned Ministries/Departments were expected to formulate detailed rules and guidelines for effective implementation of the Act, besides monitoring/reporting the progress on a regular basis. To ensure adequate financial support to efforts to support the disabled, the Tenth Plan advocated the introduction of a 'Component Plan for the Disabled' in the budget of various Ministries/Departments.

6.176. As per the provisions of the Persons with Disabilities Act, 1995, 3% reservation in employment is being provided to the disabled people. For vocational training,

852 government-run and 105 privately run Industrial Training Institutes (ITIs) provide 3% reservation in seats for persons with disabilities. The SGSY, Indira Awaas Yojana (IAY), National Rural Employment Guarantee Act (NREGA) and Sampoorna Grameen Rozgar Yojana (SGRY) provide for 3% reservation/benefits to disabled people. The National Handicapped and Finance Development Corporation provide loans on concessional terms to self-employed persons with disabilities. Aids and appliances are provided to the disabled under the Scheme of Assistance to Disabled Persons for Purchase/Fitting of Aids/Appliances (ADIP). To enhance the economic potential of disabled people, by the end of the Tenth Plan, 128 District Disability Centres have been made operational. The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability has, so far, registered 731 NGOs. Under the scheme to promote voluntary action for persons with disabilities during 2005–2006, 1533 VOs were supported financially for providing services to 1.8 lakh disabled persons. The government has been encouraging education among persons with disabilities. Five hundred scholarships were provided every year during the Tenth Plan for higher and professional courses. The Ministry of Health and Family Welfare has initiated a number of programmes for the prevention and reduction of the incidence of various disabilities.

6.177. The National Policy for Persons with Disabilities was adopted in 2006. It recognizes that disabled people are valuable human resources for the country. The policy focuses primarily on prevention of disability, early detection and appropriate interventions, physical and economic rehabilitation measures, inclusive education, employment in the public as well as private sector and self employment, creation of a barrier-free environment and development of rehabilitation professionals.

6.178. The United Nations Convention on the Rights of People with Disabilities (UNCRPD) was ratified by India in October 2007. It enjoins upon India to ensure that all the rights enshrined in the Constitution, the current legislations, as well as UNCRPD, are speedily and effectively operationalized.

INITIATIVES DURING THE ELEVENTH FIVE YEAR PLAN

6.179. India being a signatory of UNCRPD, it is now obligatory upon us to incorporate the essence of the convention in our planning, implementation, monitoring,

and review processes. The eight basic principles of the Convention are: (i) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons with disabilities; (ii) non-discrimination; (iii) full and effective participation and inclusion in society; (iv) respect for difference and acceptance of disabled people as part of human diversity and humanity; (v) equality of opportunity; (vi) accessibility; (vii) equality between men and women; and (viii) respect for the evolving capacities of children with disabilities and respect for their right to preserve their identities. There is an urgent need to review all the four disability legislations and to amend them suitably to bring them in consonance with UNCRPD.

6.180. In the Eleventh Plan, a firm four-pronged approach is necessary to: (i) delineate clear-cut responsibilities between the concerned ministries/departments; (ii) concerned ministries/departments to formulate detailed rules and guidelines within six months of approval of the Eleventh Plan; (iii) ensure that each concerned ministry/department shall reserve not less than 3% of their annual outlay for the benefit of disabled persons as enjoined in the Persons with Disabilities Act, 1995; (iv) set up monitoring mechanisms at various levels and develop a review system so that its progress can be monitored on a regular and continuing basis.

6.181. The 'Disability Division' of the Ministry of Social Justice and Empowerment will be strengthened by converting it into a separate department, so that it can liaise effectively with all the other concerned Ministries/Departments and fulfil its responsibilities towards the disabled.

6.182. Chapter XII of the Persons with Disabilities Act, 1995 mandates the appointment of a Chief Commissioner for Persons with Disabilities (CCPD) at the Central level and Commissioners at the State level to look into complaints of deprivation of rights of persons with disabilities and non-implementation of laws, rules, regulations and executive orders. The CCPD is also expected to coordinate the work of the Commissioners and monitor the utilization of funds. Thus, for the functioning of the CCPD and of the Commissioners leaves much to be desired. During the first year of the Eleventh Plan, steps will be taken to strengthen these offices with professional and budgetary support so that they can function meaningfully. The CCPD, as well as the Commissioners at the State level,

will be granted more autonomy. Their recommendations should be made binding on the Centre as well as on State and local level authorities. They should ensure that various Ministries/Departments effectively perform their functions in relation to people with disabilities.

6.183. Since the National Institutes play a pivotal role in the empowerment of people with disabilities, it is essential that these Institutes be strengthened as Centres of Excellence on par with international standards for undertaking the following tasks: (i) training of professionals, (ii) capacity building and (iii) technology transfer and research. The director of the National Institute for the Hearing Handicapped (NIHH) should be well versed in sign language or should acquire this skill upon his posting so as to be able to make direct contact with deaf persons and establish rapport with them. To promote greater accessibility and a barrier-free environment to the disabled, a new National Institute of Universal Design will be set up in the Eleventh Plan. All National Institutes should undertake activities of community outreach to meet the needs of the neglected and disabled people in slums, tribal belts, semi-urban and rural areas.

6.184. To enhance the economic potential of persons with disabilities, 199 DDRCs for comprehensive service in community setting have been sanctioned, but only 128 were made operational by the end of the Tenth Plan. The Eleventh Plan will ensure that the remaining 71 centres are also operationalized. Also, a concerted effort will be made to extend the scheme to another 101 districts so that at least 300 districts are covered by the end of the Plan period. In the selection of the additional 101 districts, special care will be taken to cover backward areas where the prevalence of disability is higher and where services as well as facilities for them are inferior to those in other parts of the country.

6.185. The Scheme of ADIP, launched in 1981, was supposed to provide durable, sophisticated and scientifically manufactured, modern, standard aids and appliances to people with disabilities in order to promote their physical, social and psychological rehabilitation. However, due to the lack of awareness, very few disabled people are able to benefit from this Scheme. The Eleventh Plan will endeavour to create awareness about ADIP and other such schemes. This is one scheme which must be universalized. Any disabled person should be able to approach

the district magistrate and derive benefit from her/him. The income ceiling for availing assistance will be raised to Rs 10000 per month. Moreover, the ceiling for purchase/fitting of aids and appliances should also be enhanced to Rs 25000 per month. For manufacturing these aids and appliances, there is need to enhance the production capacity and ALIMCO should not be a monopoly supplier. The approach should be to provide the best possible assistive devices by encouraging multiple manufacturers, and even through imports. The Eleventh Plan shall allocate adequate funds for strengthening ADIP.

6.186. The efforts of the Eleventh Plan will be to ensure that all Commercial Banks, Regional Rural Banks (RRBs) and Cooperatives should provide loans to disabled people on concessional terms for undertaking self-employment ventures. Such credit should be included in the Priority Sector and NABARD should ensure appropriate re-financing mechanisms.

6.187. The following innovative steps will also be taken during the Eleventh Plan:

- The Health Ministry will ensure that before the end of the Eleventh Plan, every disabled person possesses a disability certificate. This would help such a person to prove her/his identity as a person with disability for the purpose of availing the benefits for which he/she is eligible. A disabled person should be able to get his/her disability certificate within 30 days of making an application. The responsibility to ensure this will rest with the concerned district magistrate.
- The Eleventh Plan shall support the vigorous implementation of the Comprehensive Action Plan for the Inclusive Education of Children and Youth with Disabilities, as announced by the HRD Minister in 2005. A commitment has been given in Parliament that education would be made disabled friendly by 2020. If this commitment is to be fulfilled, certain urgent steps are necessary, including the setting up of disability units in the University Grants Commission (UGC), All India Council For Technical Education (AICTE), National Council of Educational Research and Training (NCERT), Kendriya Vidyalaya Sangathan (KVS), and all other apex education bodies. The scholarships provided by the Central Government and stipends for pre-matric education, mostly provided by the States, should be made equivalent to similar scholarships and

stipends given to students belonging to the SCs and STs. The scheme for postgraduate and professional education initiated in the Tenth Plan should be strengthened and expanded in the Eleventh Plan. Further, deserving persons with disabilities should be supported for training/education abroad, especially in studies relating to disability.

- Persons with disability can and should become productive contributors in the development process of the country. At present, the identification of jobs appropriate for them is done in an ad hoc and arbitrary manner. There is a need to have this task performed by a professional group with the involvement of Disabled Peoples' Organizations. The backlog of vacancies for persons with disability continues to be large, both at the Centre and in the States. This backlog should be cleared in a time-bound manner and in a campaign mode. Similarly, a suitable scheme to provide incentives to promote employment for disabled people in the private sector should be put in place as enjoined in Section 41 of The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
- In the Eleventh Plan, a concerted effort should be made to make all public buildings and facilities such as schools, hospitals, public transport, and so on, compliant with the requirements of a barrier-free built environment. Towards this end, the building bye-laws, municipal and civic regulations, relevant codes for construction and design should incorporate the requirements of a barrier-free environment. Similarly, all shops/malls and similar places open to public, should be insisted upon to provide the facilities required for the disabled. In the Eleventh Plan, a National Centre to facilitate and support the development of universal design and barrier-free built environment will be established.
- Detection of mental disabilities and disorders is critical to addressing mental well being through both preventive and curative measures. It is vital to recognize that physical disabilities usually coexist with, and lead to, mental disturbance and ill health. The Eleventh Plan will emphasize and adopt a multi-pronged, cross-sectoral approach to identifying, preventing, managing, treating and rehabilitating persons with mental disabilities. There will be a focus on awareness drives, defining the various kinds of disabilities, generating valid census data, inclusion in all areas of development, and community based treatment and rehabilitation

approaches. Efforts will be made to strengthen and develop trained human resource to address the growing magnitude of mental disabilities. There will be emphasis on research to generate relevant data and culturally valid rehabilitative measures.

- The needs of persons with hearing and/or speech impairment have been relatively neglected so far. In the Eleventh Plan, a determined effort will be made on mainstreaming this segment. The interventions planned will provide access to information in all its forms. A large number of sign language interpreters need to be developed for hearing impaired people to access health, employment and legal services. Subtitling and captioning of all recorded information and similar support services is also essential. Therefore, during the Eleventh Plan period a Sign Language Research and Training Centre will be established which will be devoted to the development and promotion of sign language and training of teachers and interpreters. A National Captioning Centre will also be set up to provide sub-titling and captioning services. At least one residential special school up to Class XII and one Degree college for the deaf in every zone should be established to promote their educational development.

OLDER PERSONS AND OTHER SOCIAL DEFENCE GROUPS

OLDER PERSONS

6.188. India has the second largest population of older (60+) persons in the world. The number of older persons in the population is expected to increase from 71 million in 2001 to 173 million in 2026. A majority (80%) of the elderly population in India is in the rural areas, thus making service delivery to them a challenge, and there is a large number of 80+ persons in the country.

Initiatives for Older Persons during the Tenth Plan

6.189. As contemplated in the National Policy on Older Persons (NPOP), a National Council for Older Persons (reconstituted in 2005) has been set up to advise and aid the government on policies and programmes for older persons and to provide a feedback to the government on the implementation of NPOP.

6.190. The Maintenance and Welfare of Parents and Senior Citizens Bill, 2007 which has been presented to the Parliament, stipulates construction of at least one old

age home in each district of the country to accommodate deserving and destitute senior citizens.

6.191. This intended Act will make the process for claiming maintenance simpler, speedier and less expensive. Further, the legislation would also ensure adequate medical facilities to older persons and protection of their life and property.

6.192. The programmes/schemes/incentives for older persons include income tax rebate, higher rates of interest in saving schemes, 30% concessions in all railway travel and 50% discount on basic fare for all domestic flights in the economy class in Indian Airlines, Jet Airways and others.

TABLE 6.18
Percentage of Elderly Persons to Total Population

Year	Total population (in million)	% of elderly persons
2001	70.69	6.90
2006	83.58	7.50
2011	98.47	8.30
2016	118.10	9.30
2021	143.24	10.70
2026	84.62	12.40

6.193. The Ministry of Social Justice and Empowerment implements an Integrated Programme for Older Persons through VOs. Under this scheme, VOs are given 90% grant for running old age homes, day care centres and mobile medical care units. Another scheme for construction of old age homes is being implemented through local SHGs, PRIs and VOs.

The Way Ahead

6.194. The Eleventh Plan proposes to further the right-based approach and also focus on bridging the gap between rural and urban areas.

6.195. A National Association for older persons, as per NPOP, will be set up. Protection of life and property by utilizing the services of Panchayats/Senior Citizens' Associations and other community-based groups and sensitizing and reorienting the law enforcement machinery to the vulnerability and special protection needs of older persons will be taken up in the Eleventh Plan.

6.196. The National Old Age Pension schemes will now be extended to all BPL persons above the age of 60 years.

A pension of Rs 200 per month will be provided and States will be requested to add another Rs 200 to this scheme.

OTHER SOCIAL DEFENCE GROUPS

6.197. The problems of substance (drug) and alcohol abuse have existed for a long time, although their nature and extent varies according to the prevailing social and economic conditions. There is, however, a dearth of reliable information to establish the exact magnitude of the problem and the size of the affected group. The National Survey on the Extent, Trends and Pattern of Drug Abuse in the Country, undertaken in collaboration with the United Nations Office on Drug and Crime (UNODC) and International Labour Organization (ILO), indicated that there are 732 lakh drug users and dependent users in the country. Going by estimation in India, there are approximately 625 lakh alcohol users, 87 lakh cannabis users and 20 lakh opiate users. In some parts, especially the north-east, drug addiction and incidence of HIV/AIDS have assumed alarming proportions.

6.198. A number of schemes for prevention, treatment and rehabilitation in respect of alcohol and drug abuse are being implemented in partnership with voluntary organizations. Eight Regional Resource and Training Centres have been established for training NGOs working for drug abuse prevention and also to undertake advocacy, research and monitoring of drug abuse programmes. Initiatives have been taken up jointly by the Ministry of Social Justice and Empowerment and National Aids Control Organization for the integration of HIV/AIDS prevention programmes with substance abuse prevention. Programmes are also being implemented through the UNODC prevention of spread of HIV.

The Way Ahead

6.199. In the Eleventh Plan, thrust will be given to the prevention of drug abuse by ensuring effective involvement of parents, community, schools and colleges. Efforts will also be made to involve the corporate sector, civil society and other institutions like religious and elected bodies, to prevent drug abuse.

6.200. Keeping in view the large number of drug users estimated (130 lakh) in the country, the available number of treatment centres is evidently inadequate. There is a need to have a National Policy on Drug Abuse Prevention and Rehabilitation, which will provide the basic framework

for reduction of demand and supply of alcohol and drugs and prevention, treatment and rehabilitation of the addicts by involving all concerned agencies.

6.201. The National Institute of Social Defence (NISD) is the nodal training and research institute in the field of social defence. The ongoing programmes of the Institute such as collection of statistics, documentation research and programmes for training pertaining to prevention of drug abuse and care of older persons, will continue in the Eleventh Plan. The training programme should be organized both in-house as well as in collaboration with other organizations working in related areas.

BEGGARS

6.202. Beggars are found everywhere in the country, especially in urban centres, at religious places, traffic signals, and other places. They include several categories of persons such as homeless, abandoned, displaced, children, disabled, destitutes and eunuchs. Begging is a complex social problem and needs legislative, reformatory and rehabilitative interventions. It is often organized and institutionalized as an economic activity. The States are responsible for taking the necessary preventive and rehabilitative steps. Neither is there any Central Act on prevention of begging and rehabilitation of beggars, nor a clear policy on how the problem is to be tackled. There is, therefore, a need to address the problem in a holistic manner at the national level.

6.203. The issues relating to juvenile and youth delinquents continue to be a matter of concern for the government. These groups need to be carefully reformed and mainstreamed through proper social rehabilitation. Similarly, certain categories of women such as Dalit women, widows and *devdasis* are especially disadvantaged and vulnerable, and require focused attention. They have been appropriately discussed in the chapter on Women's Agency and Child's Rights.

ROLE OF VOLUNTARY ORGANIZATIONS (VOs)

6.204. Recognizing the complementary and supplementary role played by VOs, the government has been extending financial and other support to them, especially to organizations which have an all-India base, to undertake activities aimed at socio-economic development and empowerment of the disadvantaged and the under-privileged sections such as SCs, STs, OBCs, minorities,

disabled, older people and other social defence groups. Such VOs, especially those managed by the target group itself, will continue particularly in areas/regions which have not yet been covered.

6.205. Non-governmental organizations of repute should be invited to play the role of designated agents/informants and identify cases of untouchability, atrocities and other forms of discrimination based on caste, creed, religion, and so on. They need to be encouraged to assist the implementing agency in investigation and trial and also safeguarding against various pressures aimed at nullifying the impact of legal proceedings.

6.206. Voluntary action acquires greater significance in the tribal context in view of the virtual absence of tribes peoples' own VOs, that is, VOs as we understand the term, though they have their own traditional organizations. Their inability to negotiate with the formal administrative system, limited worldview and low level of awareness and literacy add to the need for bridges with the other worlds. Voluntary groups will be encouraged to train tribal peoples' own organizations to make them capable of articulating their own needs and advocating their rights.

6.207. While encouraging voluntary action, a system of accountability would have to be established for the NGOs so as to ensure effective delivery of services. The corporate sector and public sector undertakings could be encouraged for productive interventions for social welfare problems in their own industries.

RESEARCH, MONITORING, AND EVALUATION

6.208. Development programmes for the welfare of socially disadvantaged groups and marginalized sections of society have been in operation from the First Five Year Plan onwards. Whether the benefits of these programmes reach the targeted persons, needs to be monitored on a periodical basis at the district, State and national levels. Continuous monitoring and evaluation would justify the continuation of programmes. The Ministries of Social Justice and Empowerment, Tribal Affairs and Minorities have developed mechanisms of monitoring and evaluating their programmes. These Ministries also sponsor research studies by independent agencies such as university departments/reputed research bodies/VOs. Based on the findings of such studies, efforts are made to improve upon the strategy for implementation of schemes. During the

Eleventh Five Year Plan, particular stress will be laid on ensuring that such evaluation does not become routine, and results in actual improvements in the schemes.

NEED FOR DATABASE

6.209. The Census of India and NSSO are the two agencies which make available data on various aspects of social groups. Data on SCs, STs, Minorities and Persons with Disabilities have been made available by these agencies. Census data are not available for OBCs and persons who are victims of drug addiction and alcoholism. The Eleventh Plan will address the need for survey of such category of persons for proper formulation of policies and programmes towards their welfare and rehabilitation. The Eleventh Plan will also address the issue for adopting a uniform definition for identification of disabled persons by both the agencies.

AFFIRMATIVE LEGISLATION ACTION

6.210. The prevailing gaps in socio-economic status between SCs, STs and other disadvantaged groups vis-à-vis the rest of the population need to be speedily bridged by taking innovative measures. As a first step, there is a need to assess the gaps between SCs and other social groups with respect to various parameters of growth and development and construct an index of development/vulnerability/deprivation on the basis of which policy and programme interventions can be formulated and administered. State governments, Central ministries/departments and public authorities are to be made

accountable for purposeful and affirmative action within their jurisdiction to bring about overall development of the people belonging to SCs/STs and to bridge the gaps between their and other social groups. The proposed legislation should cover assessing the gaps between SCs/STs and other social groups, constructing suitable indices and providing appropriate intervention in the areas of education, higher education including vocational training and employment for bridging the gaps on a lifetime capacity building basis. The legislation should also provide for appropriate penalty for non-performance of the obligations created by it. It should be adopted by all the States to implement it in its letter and spirit. Action may be taken on the lines of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995

PLAN OUTLAY

6.211. In the Eleventh Plan, a tentative outlay of Rs 13043 crore has been earmarked for the Ministry of Social Justice and Empowerment for the development of SCs, OBCs and other vulnerable groups. Similarly, tentative allocation of Rs 3709 crore and Rs 7000 crore have been made to the Ministry of Tribal Affairs and MMA, respectively for the welfare and development of STs and minorities. The allocation indicated for the Ministry of Tribal Affairs does not include SCA to TSP and grant-in-aid under Article 275(1) of the Constitution. In addition to this, social welfare programmes receive Plan financial support from the State sector also.