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## **Rights of Indian tribes**



- The election of Draupadi Murmu as the 15th President of India is symbolic of utmost importance. She will be the first person from tribal/tribal background to hold this position.
- The election of Ms. Murmu is a milestone in the journey of tribal empowerment. In colonial India, 101 years after two tribal people were elected to the legislative bodies for the first time, a person of this class has been elected to the highest office of the country.
- Although the founders of the Republic of India were fully aware of the non-profit status of the tribal people and made special provisions like the Fifth and Sixth Schedules of the Constitution, the systematic erosion of the safeguards they enjoyed, There is a growing concern among tribal activists regarding their harassment and repression by the police and a general intolerance towards tribal autonomy by the state.

## **What are the essential characteristics for a community to be recognized as a Scheduled Tribe?**

- According to the Lokur Committee (1965), they should have five essential characteristics:
- Signs of primitive traits
- Distinctive Culture
- Hesitation to get in touch with the community at large
- Geographical isolation
- Backwardness

## **What are the basic safeguards provided by the Constitution of India for Scheduled Tribes?**

- The Constitution of India does not attempt to define the word 'Tribe', although the term 'Scheduled Tribe' was included in the Constitution through Article 342.
- It stipulates that "the President may, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall be deemed to be Scheduled Tribes for the purposes of this Constitution."
- The Fifth Schedule of the Constitution provides for the establishment of a Tribes Advisory Council in every State having Scheduled Areas.

## **Educational and Cultural Safety Measures:**

- **Article 15(4):** Special provision for the advancement of other backward classes (this includes Scheduled Tribes)
- **Article 29:** Protection of interests of minorities (this includes Scheduled Tribes)
- **Article 46:** The State shall promote with special care the educational and economic interests of the weaker sections of the people, in particular the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.
- **Article 350:** Right to protection of a specific language, script or culture.

## **Political Security Measures:**

- **Article 330:** Reservation of seats in Lok Sabha for Scheduled Tribes

- **Article 337:** Reservation of seats for Scheduled Tribes in State Legislative Assemblies
- **Article 243:** Reservation of seats for Scheduled Tribes in Panchayats.

### **Administrative Security Measures:**

- **Article 275:** It provides for the provision of special funds by the Central Government to the State Government for promoting the welfare of the Scheduled Tribes and for providing them a better administration.

### **Recent Initiatives taken by the Government for the Scheduled Tribes:**

- TRIFED
- Digital Transformation of Tribal Schools
- Development of Particularly Vulnerable Tribal Groups
- Pradhan Mantri Van Dhan Yojana
- Eklavya Model Residential Schools

### **Problems faced by tribes in India:**

#### **Losing control over natural resources:**

- As India industrialized and natural resources were discovered in tribal-populated areas, tribal rights were eroded and state control over natural resources replaced tribal control.
- With the advent of the concept of protected forests and national forests, the tribal people felt themselves uprooted from their cultural roots and had no secure means of livelihood.

#### **Lack of education:**

- Most of the schools in tribal areas lack basic infrastructure and there are no minimum teaching materials and even minimum sanitation provisions.
- Tribal parents prefer to engage their children in gainful employment as there is no immediate economic benefit from education.
- Most of the tribal education programs have been prepared in official/regional languages, which are unfamiliar and incomprehensible to tribal students.

### **Displacement and Rehabilitation:**

- Acquisition of tribal land by the government for the development process of key areas like large steel plants, power projects and large dams has resulted in large scale displacement of tribal population.
- Tribal areas of Chotanagpur region, Orissa, West Bengal and Madhya Pradesh have suffered the most.
- Migration of these tribal people to urban areas causes psychological problems for them as they are not able to adjust well to the urban lifestyle and values.

### **Health and nutrition problems:**

- Due to economic backwardness and insecure livelihood, tribal people face health problems related to spread of diseases like malaria, cholera, diarrhea and jaundice.
- They are also victims of malnutrition related problems like iron deficiency and anemia, high infant mortality rate etc.

### **Gender Issues:**

- The degradation of the natural environment, especially the destruction of forests and the rapidly shrinking resource base, has had a massive impact on the status of women.
- Opening up of tribal areas for mining, industry and commercialization has brought men and women of the tribal group under the brutal operation of the market economy where consumerism and commoditization of women is on the rise.

### **Erosion of Identity:**

- The traditional institutions and laws of the tribals are coming into conflict with the modern institutions which is giving rise to apprehensions among the tribals about maintaining their identity.
- The extinction of tribal dialects and languages is another cause for concern as it indicates the erosion of tribal identity.

## **What should be done to empower the tribes in India?**

### **Improvement in health facilities:**

- Mobile medical camps can play a major role in improving access to remote tribal population.
- Provision of emergency transport for pregnant tribal women for access to health facilities for maternity care is one of their major needs.
- Health workers of tribal communities become a link between health facilities and tribal communities in guiding patients, explaining doctors' prescriptions, helping patients in availing welfare schemes and counseling them about preventive and promotive health practices.

### **Improving Food and Nutrition Facility:**

- Formation of Mini-Anganwadis on a large scale with easy norms and expansion of Village Grain Banks in Tribal Areas are some of the strategies which have been adopted to reach out to the hitherto 'unreachable' people in tribal areas.

### **Employment and Income Generation:**

- Employment and income generation opportunities should be ensured for the tribal areas. Improving their economic condition by providing them with paid employment or self-employment opportunities and thus freeing them from the shackles of poverty and indebtedness would be a necessary step.
- Efforts should also be made to extend micro-credit to self-employed undertakings and implement other schemes like MGNREGA on non-availability of work opportunities.
- There is also a need to encourage the collection and marketing of minor forest produce.

### **Management of Water Resources:**

- There is a need for more effective implementation of the National Water Policy in tribal areas to cover expansion of irrigation facilities and provision of drinking water (with special emphasis on watershed management, rainwater harvesting and water saving practices).



- For effective water resource management and to protect water resources from pollution, it is also necessary to spread mass education and public awareness among the rural and tribal population.

### **Empowerment of Tribal Women:**

- Effective measures should be taken to improve the condition of tribal women. For this the following steps can be taken:
- To promote joint forest management and their leadership role in Panchayati Raj Institutions.
- To take legal and administrative measures to stop the practice of victimization of women suspected of witchcraft, along with a massive campaign for social awareness and rehabilitation of the victim women through women's organizations.

### **Inclusion of Tribal Population:**

#### **Cultivation of medicinal plants:**

- India holds the top position in the export of generic drugs in the world. Tribal group people should be encouraged to cooperate with the government for self-consumption as well as identification and collection of medicinal plants from the forest for sale as well as cultivation of suitable plant species.
- The Government of India has decided to take advantage of this business and for this a National Medicinal Plant Board has been established.

#### **Infrastructure Development:**

- The government can cooperate with tribal groups for the development of infrastructure in their local areas.
- Meghalaya is known for its 'living root bridge'. These bridges are traditionally built by trained Khasi and Jaintia tribesmen, who have mastered the art of building these bridges on the raised banks of streams flowing through the dense forest of Meghalaya.

#### **Social inclusion:**

- The social exclusion experienced by tribal people is mainly due to discrimination at the social and institutional level. This has created a

situation of their isolation, shame and humiliation and has consequently given opportunity for self-exclusion among the tribes.

- There is a dire need of awareness among the non-tribal population of the country to recognize the potential and dignity of the tribal people so as to ensure the unity and integrity of the country and the spirit of fraternity.

**Swadeep Kumar**

## Hatti Community: Himachal Pradesh



### Hatti Community: Himachal Pradesh – Today Current Affairs

- Recently, the central government is considering giving tribal status to Hatti community of Tan-Giri area of Sirmaur district of Himachal Pradesh.

### Today Current Affairs

#### Hatti Community:

- The Hatti are a close-knit community, which got its name from the tradition of selling domestic vegetables, crops, meat and wool, etc., in small markets called 'Haats' in towns.
- Men in the Hatti community usually wear a distinctive white cap during ceremonies.
- This community is divided from Sirmaur by two rivers named Giri and Tons.
- Tons divide it from Jaunsar Bawar region of Uttarakhand. **The Hindu Analysis**

- The Hatti living in the Trans-Giri region of Uttarakhand and Jaunsar Bawar were once part of the royal princely state of Sirmaur until the separation of the Jaunsar Bawar region in the year 1815.
- Trans-Giri and Jaunsar Bawar share similar traditions and inter-caste marriages are common.
- There is a rigid caste system among the Hatti communities – Bhat and Khash are upper castes, while Badhoi are lower castes. Interracial marriages are no longer traditionally strict.
- The Hatti community is governed by a traditional council called 'Khumbali', which looks after community affairs like the Khap Panchayats of Haryana. **The Hindu Analysis**
- Despite the establishment of Panchayati Raj system, the power of Khumbali has not been challenged.
- He has a good presence in about nine assembly seats in Sirmaur and Shimla regions.
- According to the 2011 Census of India, the total tribal population of Himachal Pradesh is 3,92,126, which is 5.7% of the total population of the state.

#### ***His demands:***

#### **Tribal Status : The Hindu Analysis**

- They have been demanding Scheduled Tribe status since 1967, when tribal status was given to people living in Jaunsar Bawar in Uttarakhand, which borders Sirmaur district.

#### **Challenges : The Hindu Analysis**

- The Hattis living in the Kamrau, Sangra and Shillai regions of Himachal Pradesh have been left behind in both education and employment due to topographical loss.

#### **Status of Scheduled Tribes in India : The Hindu Analysis**

- As per the 1931 Census, Scheduled Tribes are called "Backward Tribes" living in "Excluded" and "Partly Excluded" areas. The Government of India Act of 1935 called for the first time representatives of "backward tribes" in the provincial assemblies.



- The Constitution does not define the criteria for recognition of Scheduled Tribes, so the definition contained in the 1931 Census was used in the early years after independence.
- However, Article 366 (25) of the Constitution provides for the procedure for defining Scheduled Tribes only: “Scheduled Tribes” means such tribes or tribal communities or parts or groups of tribes or tribal communities as defined under Article 342 of the Constitution. **The Hindu Analysis**
- **342(1):** The President shall, in relation to any State or Union territory, when, in relation to a State, by public notification after consultation with the Governor, tribes or tribal communities or parts of tribes or tribal communities in relation to that State or Union territory may designate groups within.
- There are more than 705 tribes which have been notified. The largest number of tribal communities are found in Odisha.
- The Fifth Schedule of the Constitution makes provisions for the administration and control of Scheduled Areas and Scheduled Tribes in states other than Assam, Meghalaya, Tripura and Mizoram.
- The Sixth Schedule deals with the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram.

### **Legal Provisions : The Hindu Analysis**

- Protection of Civil Rights against Untouchability Act, 1955
- Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
- Provisions of Panchayats (Extension to Scheduled Areas) Act, 1996
- The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

### **Related Initiatives : The Hindu Analysis**

- Tribal Cooperative Marketing Development Federation of India (TRIFED)
- Digital Transformation of Tribal Schools
- Particularly Vulnerable Tribal Groups
- Pradhan Mantri Van Dhan Yojana

### **Related Committees : The Hindu Analysis**

- Shasha Committee (2013)

- Bhuria Commission (2002-2004)
- Lokur Committee (1965)

**Swadeep Kumar**

