



सत्यमेव जयते

**NATIONAL COMMISSION
FOR
SCHEDULED CASTES
AND
SCHEDULED TRIBES**



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CHAPTER I

OVERVIEW OF THE SOCIO-ECONOMIC DEVELOPMENTAL EFFORTS OF THE STATES/UTS FOR SC/ST COMMUNITY

The social and economic position of the Scheduled Castes and Scheduled Tribes has been the concern of the Indian political and social movements even before Independence. Indeed to Gandhiji, the Father of the Nation, freedom was not a mere political objective but raising the masses of people from poverty and degradation. The mainstream political movements were profoundly influenced by the Gandhi an approach which emphasized the need to uplift the economic and social status of the poorest of the poor, particularly the Scheduled Castes and Scheduled Tribes.

1.2 The sentiments of Gandhiji were echoed by the framers of Constitution of India where alongwith political democracy seeds of social democracy have also been sowed. In his final address to Constituent Assembly on 26th November, 1949, Dr. Ambedkar, a crusader of social justice, emphasizing the importance of social democracy, stated that -

“...we must make our political democracy as a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as a separate item in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality; equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is complete absence of two things in Indian society. One of these is equality. On the social plane, we have in India a society based on the principle of graded inequality, which means elevation for some and degradation for others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in abject poverty. On the 26th January, 1950, we are going to enter into a life of contradictions. In politics, we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions?”

1.3 Independent India adopted its Constitution which came into force on the January 26, 1950. The Preamble to the Constitution of India placed ‘Justice-Social, Economic and Political’ as the first among the objectives of constituting India into a sovereign democratic republic. Recognizing this dichotomy of our country, our founding fathers

tried to built within the Constitution a framework, which could enable emergence of a social democracy also.

1.4 As detailed in Chapter III of volume I of this report, Constitution of India contains nearly all the enabling provisions to ensure such an egalitarian society for the country. Constitution of India has also adopted a federal structure where the responsibility for development of the country is shared between the Centre and the States/ UTs. Since independence, a number of initiatives have been taken by Central as well as the various State Governments for the socio-economic development of Scheduled Castes and Scheduled Tribes. In fact, efforts have been made to ensure special packages, viz. reservations in public employment and in elected representative bodies, earmarked budgetary allocations for development of SC/ST inhabited areas by giving high priority in all Governmental programmes. In socio-economic development, one of the major strategies adopted was allocation of funds equal to the percentage of population of SCs and STs in a State under the Tribal Sub-Plan for Scheduled Tribes and Special Component Plan for Scheduled Castes. While States were supposed to ensure allocation of funds under TSP/SCP concept, requisite support was given by Central Government by way of special Central Assistance for scheme under TSP/ SCP as well as funds for Centrally Sponsored Schemes. Another instrument of financing area specific developmental schemes for Scheduled Castes and Scheduled Tribes was through financial Corporations. All the State Governments created specific institutional mechanism for providing assistance for economic development by setting up Scheduled Castes/ Scheduled Tribes Development Corporations to enable the members of these communities to take up viable income generating activities. Through National Scheduled Castes Finance and Development Corporation, set up by the Government of India in 1989, special support was provided to the economic development programmes for the Scheduled Castes.

1.5 Due to above initiatives, the status of Scheduled Caste/Scheduled Tribe communities has improved to some extent. However, it is a matter of concern that in spite of these efforts, the ideals enshrined in our Constitution of establishing a social democracy remains a distant dream. Except for a miniscule minority, vast majority of these communities still live in deprivations. They are the fourth and fifth world in the third world and the development indices for these neglected sections are a blur on our society. The Commission in its earlier reports has reviewed in detail the performance of each of the 32 States and Union Territories. Some of the important lacunae pointed in the Commission's earlier report are given below: -

- i) The State Governments have to ensure that Funds allotted under SCP and TSP are at least in proportion to the percentage of the population of Scheduled Caste and Scheduled Tribes as per the Planning Commission's guidelines and the schemes that are devised for their socio-economic development are truly helpful to the SC/ST families. It is also to be ensured that there is no diversion of funds from the SCP and TSP and the utilisation of the Special Central Assistance and grants from Government of India are fully utilised for the maximum benefit of the SCs and STs.
- ii) Education at all levels viz; primary, secondary, college and professional education should receive the fullest attention of the policy planners and administrators at the State level. With wide gaps prevailing between the levels of literacy amongst SCs/STs and the rest of the population, it is of utmost importance that this sector is given the top most priority.

- iii) Land Reforms is not getting due priority in most of the States and the vulnerable section like Scheduled Castes and Scheduled Tribes, continue to be deprived of the vital resource, so essential for their development. To compound their difficulties further, many developmental projects are leading to loss of ownership of land amongst the Scheduled Castes and Tribals. Rehabilitation of displaced persons has to be an essential component of any development project and they should be involved while formulating major development projects. Government should initiate pro-effective measures to prevent the owners and cultivators of land from sliding into the category of agricultural labourers and marginal landholders.
- iv) The areas of SC and ST concentration often lack basic infrastructure and other minimum amenities such as roads, electricity, dwellings, safe drinking water, health and nutrition care, facilities for public hygiene and sanitation etc. Women and children are the worst sufferers in this regard. There is, therefore, an urgent need to concentrate on these aspects of development in SCP and TSP strategies and also formulate specific schemes and programmes that will help overcome these handicaps.
- v) Maintenance of law and order is primarily the responsibility of the State and UT Governments. While on the one hand the increase in the registration of crimes which has been seen over as an indicator of growing awareness of rights amongst SCs and STs, at the same time it is indicative of conflicts between individuals and communities that have their origin in social and economic relationship. Today land disputes are an important cause behind the atrocities on SCs and STs. The process of economic development has also created rifts amongst SC communities and other 'backward' communities. The State Governments have to take action, not only at the level of police and administration, but also by actively involving the public representatives and the community at large in keeping these disputes under control.

1.6 The Commission has in its earlier reports reviewed in detail the performance of each of 32 States and UTs in respect of the various safeguards provided for SCs and STs as also their performance in bringing these neglected sections of the society at par with other communities. The individual State Chapters were sent to the respective State Governments, with requisite number of copies for placing before the State Legislative Assemblies, alongwith Action Taken Report on the suggestion made by the Commission for improving the situation. However, it is a matter of serious concern that in spite of considerable time lapse, the Commission is yet to receive any feedback from the State Govts, regarding action taken on the suggestions of the Commission. It has, therefore, been decided to place this matter before the Hon'ble President by giving an overview of the State functioning in respect of various safeguards and developmental schemes for SCs and STs as Volume-II of the main Report itself.

1.7 After reviewing the performance of the States in the year 1997-98, we are of the view that the observations and suggestions of the Commission have yet to make an impact. We discuss in the following sections some areas of special concern to the Commission in respect of the States functioning.

1.8 During the 1970s, the Govt. instituted three special mechanisms viz. Special Component Plan (SCP) for SCs, Tribal Sub-Plan (TSP) for STs and Special Central

Assistance (SCA) to SCP and TSP. The major objective of SCP and TSP is to ensure adequate flow of funds and benefits for the welfare and development of these communities in proportion of their population, which is now 16.5% in respect of SCs and 8.1% in respect of STs, as per the 1991 census. Through SCA to SCP and TSP, financial assistance is extended to States and UTs as an additive to the funds mobilised for SCP and TSP though all other sources for filling up the critical gaps in the implementation of development programmes for these communities.

1.9 Statewise flow of funds to SCP and TSP by the State Govts. and SCA to SCP and TSP for 1997-98 and expenditure particulars may please be seen at ANNEXURES 1.I TO 1.IV. It may be seen that at the State level 21 States and 3 UTs were earmarking funds for SCP. Of these, 18 States/UTs have been maintaining separate Heads of Account for SCP to ensure proper quantification of funds and effective utilisation. However, in most of the States, earmarked flow of funds under SCP has not been in proportion to the SCP population in the State. The funds earmarked have not been fully utilized by most of the States. It may also be noted that SCA has also not been fully utilised by most of the States.

1.10 Similarly, in respect of TSP, 18 States and 2 UTs have earmarked funds. However, the funds have not been in proportion to the ST population in the States and earmarked funds have also not been fully utilized. It is a matter of regret that both the schemes of SCP and TSP, which have been in operation for more than 20 years, have not been able to make any significant impact on the socio-economic condition of these communities. **The Commission would, therefore, strongly recommend that all the State Governments be directed to ensure:**

- i) **Since lack of funds has been cited as one of the major reasons by various State Governments for the present condition of SC/ST community in their State, basic guideline of earmarking of funds under SCP/ TSP should be revised. State Governments should be asked to double the allocations of funds for SCP/ TSP vis-à-vis proportion of the SC/ST population in the State and to place it under one authority, as in Maharashtra, so that programmes are specifically drawn up to cater to the felt needs of the SC/ST communities and inter-sectoral prioritization is properly coordinated.**
- ii) **Full and proper utilization of allocated funds and formulation and implementation of schemes with people's participation.**

1.11 Diversion and improper use of resources has adversely affected the performance of programmes and has led to sub-optimal outcomes. A review of certain Centrally Sponsored Welfare schemes by the Planning Commission and other agencies has revealed that diversion of funds from priority areas have been substantial. The Reports of Comptroller & Auditor General of India (CAG) have also hinted at substantial diversion of funds meant for rural development and Welfare programmes. **The Commission would, therefore, strongly stress the need for issuing strict instructions to the State Governments and district authorities against diversion of funds earmarked and allotted for socio-economic development of the SC/ST community.**

1.12 While India is home of 16% of world's total population, India spends 3.8% of its GNP on education and has 46% of its population aged 15 years and above as illiterates. While China spends only 2.6% of its GNP and has only 22% of its population aged 15 years and above as illiterates. According to World Education Report, 1998 and

Demographic Year Book, 1995, United Nations, New York, and as reported by Directorate of Adult Education in their "Literacy Facts at a Glance", slightly less than 1/3rd of world's non-literates of 15 years and above are in India. Since independence, efforts have been made for making our people literate. The total literacy percentage thus has shown an upward trend from 27.76% in 1961 to 48.54% (excluding J&K) in 1991. As per NSSO (52nd) Round 1995-96, the literacy percentage has increased to 54.32%. However, there are lots of differences in the literacy rates in the country. On the one hand, we have Kottayam district of Kerala having 95.72% literacy while in Jhabua district of Madhya Pradesh, it is only 19.01% (according to 1991 census). If we compare literacy rate of SC/ST vis-a-vis general population, the data is really disturbing. The literacy percentage of SCs has increased from 10.27% in 1961 to 37.41% in 1991. The corresponding figure for STs is 8.53% during 1961, which has increased to 29.60% during 1991. Within scheduled castes and scheduled tribes, there is wide disparity in male/female literacy rates. The literacy percentage of female scheduled castes was as low as 3.29% during 1961 which has increased to 23.76% while for female scheduled tribes the literacy percentage has increased to 18.19% during the year 1991 from 3.16% in 1961. While there is no doubt that the enrolment of children belonging to SCs and STs has increased considerably at the primary stage because of affirmative policies of the Government, the literacy percentages clearly bring out a pathetic status of education for these most disadvantaged groups. The data enclosed as ANNEXURE-1.IV give number of SC/ST students pursuing studies, at various stages which clearly bring out the urgent need for far greater effort for increasing the educational opportunities for SC/ST students. As may be seen from the data enclosed at Annexures, the number of dropouts in SC/ST category at various stages of education is alarming. While at primary level 1.84 crores SC and 98 lakhs ST students were enrolled which dropped at middle level to 58 lakhs for SC and 24 lakhs for ST students and at high school level the numbers further came down to 24 lakhs for SC and 10 lakhs for ST students. At graduate level, only about 4.58 lakhs SC students and 1.70 lakhs ST students were found studying. This clearly brings out the dismal state of affairs of education for SC/ST students. The data given is only about quantities, the quality of education available to SC/ST students is another aspect, the details of which may present another sordid state of affairs. The Commission has time and again impressed upon various State Governments the need to increase basic facilities for education along with increase in scholarship rates for SCs/STs. Unless and until the State Governments pay adequate attention to this enabling aspects, the SC/ST students would continue to lag behind vis-a-vis general population.

1.13 As per the details provided by Ministry of Labour over the past 10 year period from 1987 to 1996, Live Register of SC job seekers has increased from 35.8 lakh in 1987 to 52.1 lakh in 1996, amounting to an increase of 45.6%. On the other hand, Live Register of ST job seekers almost doubled from 9.5 lakh in 1987 to 14.7 lakh in 1996. SC and ST job seekers were 13.9% and 3.9% respectively of the total job seekers on the Live Register at the end of the year 1996. The State-wise Employment Exchange statistics on scheduled cast and scheduled tribe job seekers is given at ANNEXURE 1.VI. It may be seen therein that maximum number of job seekers registered are in Tamil Nadu followed by Maharashtra, Bihar, Andhra Pradesh, Uttar Pradesh and West Bengal for scheduled castes. The maximum number of scheduled tribes registered in Employment Exchanges are in Bihar, Madhya Pradesh, Maharashtra, Assam and Andhra Pradesh. Urgent steps are required for creating employment opportunities for scheduled castes and scheduled tribes. It may also be mentioned that the actual number of job seekers may be much more than what is registered in Employment Exchanges.

1.14 Development of infrastructure in tribal areas is essential prerequisite for the development of tribal people. The tribal areas remain cut-off for want of roads. Lack of infrastructure facility and poor accessibility also leads to reluctance on the part of staff to work in these areas contributing to non-provision of essential services for the tribals. Tribals are deprived of supply of essential commodities in times of need. Lack of irrigation facilities even in the areas where it is feasible, is responsible for sub-optimal agriculture and poor productivity. Non-provision of drinking water is responsible for many diseases. Lack of electricity in the tribal areas keeps them in the dark both literally and figuratively. In the circumstances, mainstreaming tribals remains a distant goal. It is obvious, therefore, that development of basic infrastructure holds the key to tribal development.

1.15 The strategy of protective and promotional measures adopted for Scheduled Castes development over successive Five year Plans, particularly from the beginning of the Fifth Five Year Plan, has no doubt resulted in some improvement in their literacy levels, their representation in government services along with increasing access to basic amenities. The poverty alleviation programmes undertaken by the Rural Development Department in association with the States, has also covered a large number of Scheduled Caste families. The Scheduled Caste Development Corporation in cooperation with certain other agencies, including financial institutions, assisted a large number of Scheduled Caste families below the poverty line. However, the lot of SC people, especially those living in rural areas, has not changed much, as along with economic backwardness, they are also victims of social exploitation.

1.16 The Scheduled Castes have been generally identified with certain traditional occupations. This position has not changed in spite of the fact that considerable efforts have been made to extend the benefits of educational programmes for them and also to ensure their upward mobility. The major problems being faced in the area of Scheduled Caste development continue to be economic backwardness and social alienation. The need for special attention for groups like landless agricultural labour, marginal farmers, artisans, sanitation workers, flayers, tanners and leather workers and unorganised labour, continues to be crucial.

1.17 Brief notes on the performance during 1997-98 of the States & UTs and the observation/suggestion of Chairman, National Commission for SCs and STs made during state-reviews, which follow, substantiate the position indicated above.

1.18 In the volume I of this Report detailed analysis of the States functioning in respect of Common Minimum Programmes, functioning of Pachayati Raj institutions, poverty alleviation, employment and income generation has been done, which indicate that while in some States substantial progress has been made many others lag behind in achieving even the meagre targets set out for them Extensive suggestions have also been incorporated for raising their literacy levels, access to basic minimum needs and their economic conditions. Concerted efforts had to be made by each of the States for accelerated development of SCs and STs communities and their integration into the national mainstream so as to realise the Ninth Plan goal of rapid economic growth with proper policies aimed at the correction of historical inequalities.

ANNEXURE-1.I

Statement showing the details of Special Component Plan outlay and Expenditure during 1997-98 and 1998-99

(Rs. in Crores)

S. No	State/UT	%age of SC population	1997-98				1998-99			
			State Plan outlay	SCP outlay	%age of SCP outlay	SCP Expr	State Plan outlay	SCP outlay	%age of SCP outlay	SCP Exp.
1.	2.	3	4.	5.	6.	7.	8.	9.	10.	11.
1.	Andhra Pradesh	15.93	3585.05	339.72	9.48	111.05	4687.94	573.46	12.23	632.48
2.	Assam	7.40	1192.97	88.63	7.43	88.63	1203.00	93.50	7.77	66.38
3.	Bihar	14.55	2200.00	354.79	16.13	0.00	3768.00	627.97	16.67	0.00
4.	Gujarat	7.41	4500.00	171.52	3.81	0.00	5450.00	199.55	3.66	165.38
5.	Goa	2.08	230.00	2.19	0.95	1.99	171.34	1.84	1.07	1.81
6.	Haryana	19.75	1576.04	202.65	12.86	165.63	2260.00	365.37	16.17	315.28
7.	Himachal Pr.	25.34	10008.00	121.11	12.01	126.63	1425.00	172.81	12.13	162.43
8.	J & K	8.30	1550.00	155.40	10.03	84.93	1900.00	0.00	0.00	0.00
9.	Karnataka	16.38	4545.01	385.10	8.47	308.82	5353.00	400.50	7.48	318.24
10.	Kerala	9.92	2855.00	310.23	10.87	306.69	3100.00	304.01	9.81	297.80
11.	Madhya Pr.	14.55	3656.00	307.30	8.41	198.07	3005.42	315.79	10.51	263.09
12.	Maharashtra	11.09	8325.00	600.00	7.21	361.69	11600.73	608.00	5.24	482.65
13.	Manipur	2.02	410.00	4.13	1.01	0.23	425.00	0.22	0.05	0.20
14.	Orissa	16.20	2810.00	282.04	10.04	0	3084.43	322.15	10.44	304.31
15.	Punjab	28.31	2100.01	210.00	10.00	134.54	2500.00	220.00	8.80	57.02
16.	Rajasthan	17.29	3500.00	660.01	18.86	607.42	4100.00	688.74	16.80	606.95
17.	Sikkim	5.93	200.00	4.22	2.11	0.00	193.60	0.06	0.03	0.06
18.	Tamil Nadu	19.18	4042.60	752.23	18.61	224.35	4500.49	825.53	18.34	713.27
19.	Tripura	16.36	437.00	40.58	9.29	41.97	440.00	40.88	9.29	43.45
20.	Uttar Pradesh	21.05	7080.00	1484.00	20.96	1082.55	10260.96	2159.81	21.05	1349.23
21.	West Bengal	23.62	3922.87	300.38	7.66	204.91	4594.85	235.30	5.12	174.69
22.	Chandigarh	16.51	116.87	10.21	8.74	8.31	0.00	12.87	0.00	9.37
23.	Delhi	19.05	2325.00	205.01	8.82	95.16	0.00	0.00	0.00	0.00
24.	Pondicherry	16.25	218.00	35.47	16.27	0.00	241.00	0.33	0.14	0.33
	Total		62395.42	7026.92	11.26	4153.62	74264.76	8168.69	11.00	5964.42

ANNEXURE-1.II

**Special Central Assistance to Special Component Plan for Scheduled
Castes Released**

(Rs in lakhs)

S.No.	States/UTs	1997-98		1998-99	
		Released	Utilised	Released	Utilised
1.	Andhra Pradesh	2680.13	2680.13	3388.78	4335.20
2.	Assam	142.18	112.00	596.66	362.00
3.	Bihar	2808.20	4939.40	3620.07	1820.93
4.	Gujarat	1659.99	680.56	371.40	1136.79
5.	Goa	3.83	1.16	2.72	1.90
6.	Haryana	546.41	644.69	741.77	705.93
7.	Himachal Pradesh	256.91	229.60	259.56	229.60
8.	Jammu & Kashmir	73.87	105.98	132.80	66.69
9.	Karnataka	1389.35	1434.61	1820.07	1820.07
10.	Kerala	645.94	576.05	724.54	561.23
11.	Madhya Pradesh	1945.24	1465.66	2237.08	2437.08
12.	Maharashtra	1922.45	1643.61	1673.92	870.94
13.	Manipur	6.58	6.58	10.62	8.43
14.	Orissa	1925.47	1925.47	2281.57	2295.99
15.	Punjab	0	887.82	1119.74	486.47
16.	Rajasthan	2279.81	2308.28	2575.48	2357.68
17.	Sikkim	4.44	4.44	4.03	6.12
18.	Tamil Nadu	1756.90	1766.97	3236.93	3236.93
19.	Tripura	106.28	106.50	108.72	102.99
20.	Uttar Pradesh	7646.66	5572.47	7518.15	6847.50
21.	West Bengal	2848.78	2848.78	3378.39	3378.39
22.	Chandigarh	18.16	18.16	22.00	22.00
23.	Delhi	135.43	90.69	201.71	78.87
24.	Pondicherry	23.99	25.74	73.29	73.29
00	Total	30827.00	30075.55	36100.00	33243.02

ANNEXURE-1.III

Statement showing State plan outlay and Flow to TSP with percentage during 1997-98 and 1998-99

(Rs. in crores)

S.No.	States/UTs	% of ST population (1991 Census)	1997-98			1998-99		
			State Plan outlay	Flow to TSP	%age Flow to TSP	State Plan outlay	Flow to TSP	%age Flow to TSP
1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	Andhra Pradesh	6.31	3533.00	191.93	5.43	4678.94	158.09	3.38
2.	Assam	12.82	1192.97	132.675	11.12	1128.70	108.66	9.62
3.	Bihar	7.66				2348.42	726.76	30.94
4.	Gujarat	14.92	4500.00	489.06	10.87	5450.00	666.72	12.23
5.	Himachal Pr.	4.22	1008.00	90.72	9.00	1440.00	122.67	8.51
6.	J & K	11.00	1550.00	231.12	14.91			
7.	Karnataka	4.26	4545.01	84.98	1.87	5353.00	76.18	1.42
8.	Kerala	1.10	2855.00	19.42	0.68	3100.00	61.17	1.97
9.	Madhya Pr.	23.27	3657.22	622.21	17.01	3700.00	634.32	17.14
10.	Maharashtra	9.27	5836.20	550.00	9.42	11600.73	561.00	4.83
11.	Manipur	34.41	410.00	160.77	39.21			
12.	Orissa	22.21	2883.95	576.62	21.48	2071.23	642.85	31.09
13.	Rajasthan	12.44	3504.13	390.17	11.13	3800.00	384.55	10.12
14.	Sikkim	22.36	51.57	11.56	22.41	193.60	17.24	8.91
15.	Tamil Nadu	1.03	4000.00	42.45	1.06	4500.00	46.24	1.03
16.	Tripura	30.95	437.00	125.94	28.81	440.00	120.51	27.38
17.	Uttar Pr.	0.21	7080.00	32.00	0.45	10260.96	49.10	0.48
18.	West Bengal	5.59	3922.34	102.79	2.63	4594.85	79.92	1.74
19.	A & N Islands	9.54	255.00	25.52	10.06	320.00	41.22	12.88
20.	Daman & Diu	11.54	5957.57	2.73	4.58	33.39	1.40	4.19
	Total		51490.96	3882.64	7.54	65013.82	4499.58	6.92

ANNEXURE-1.IV**RELEASE OF SCA TO TSP**

S.No.	State/UT	Released 1997-1998	Released 1998-1999
1.	Andhra Pradesh	2581.54	2728.47
2.	Assam	1460.00	2069.56
3.	Bihar		0.00
4.	Gujarat	2632.77	3689.70
5.	Himachal Pradesh	521.89	689.44
6.	Jammu & Kashmir	521.89	739.22
7.	Karnataka	500.00	686.64
8.	Kerala	196.12	408.17
9.	Madhya Pradesh	9207.83	9476.17
10.	Maharashtra	3400.89	3532.21
11.	Manipur	950.00	779.52
12.	Orissa	5576.21	5911.86
13.	Rajasthan	2341.13	3475.72
14.	Sikkim	60.00	60.00
15.	Tamil Nadu	243.71	295.91
16.	Tripura	885.00	977.77
17.	Uttar Pradesh	112.91	57.54
18.	West Bengal	1600.39	2222.10
19.	A & N Islands	118.00	133.90
20.	Daman & Diu	50.75	65.10
	Total	32961.00	38006.00

ANNEXURE-1.V

Statement indicating enrollment of students belonging to Non-SC/ST, Scheduled Castes and Scheduled Tribes category at various stages as per the year 1998-99

Sl. No.	Educational Stages	Non-SC/ST students			Scheduled Castes			Scheduled Tribes		
		Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	2	3	4	5	6	7	8	9	10	11
1.	Primary Stage (I-V)	46275063 (73.79%)	35909502 (73.35%)	62630763 (65.67%)	11122643 (17.74%)	8376932 (18.39%)	19499575 (17.57%)	5312353 (8.47%)	3989384 (8.26%)	9301737 (8.38%)
2.	Middle (VI-VIII)	18672002 (76.44%)	12989875 (79.46%)	31661877 (78.47%)	3747547 (15.61%)	2387673 (14.62%)	6135220 (15.20%)	1588783 (7.94%)	967478 (5.92%)	2556261 (6.33%)
3.	Matric/Secondary Level (IX -X)	9127255 (80.08%)	5792617 (82.12%)	14919872 (80.86%)	1618225 (14.20%)	902010 (12.79%)	2520235 (13.65%)	652184 (5.72%)	359564 (5.10%)	1011748 (5.48%)
4.	Sr. Secondary Level (XI -XII)	3647873 (83.85%)	2285861 (87.08%)	5933734 (85.06%)	499254 (11.47%)	246859 (9.40%)	746113 (10.70%)	203719 (4.68%)	92335 (3.52%)	296054 (4.24%)
5.	Inter, Pre-Univ/Jr College/Pre. Degree	1312120 (86.49%)	732532 (89.05%)	2044652 (87.38%)	144820 (9.55%)	63703 (7.74%)	208523 (8.92%)	60112 (3.96%)	26406 (3.21%)	86518 (3.70%)
6.	B.A., B.A. (Hon.)	1493994 (81.13%)	1345223 (90.29%)	2839217 (85.22%)	249850 (13.56%)	99040 (6.65%)	348890 (10.47%)	97924 (5.31%)	45626 (3.06%)	143554 (4.31%)
7.	B.Sc./B.Sc. (Hon.)	750067 (90.69%)	414510 (92.24%)	1164577 (97.56%)	61539 (7.44%)	28205 (6.27%)	89744 (0.70%)	15469 (1.87%)	6704 (1.49%)	22173 (1.73%)
8.	B.Com, B.Com.(Hon)	859640 (92.58%)	403858 (93.56%)	1263498 (92.46%)	52996 (5.71%)	22688 (5.26%)	75684 (6.00%)	15882 (1.71%)	5053 (1.17%)	20935 (1.54%)
9.	B.E/B.Sc(Engg)/B.Arch	221291 (87.92%)	53813 (88.15%)	275104 (87.97%)	24021 (9.54%)	6172 (10.11%)	30193 (9.65%)	6381 (2.53%)	1063 (1.74%)	7444 (2.38%)

10.	B.Ed./B.T	52901 (80.59%)	43466 (91.58%)	96367 (84.38%)	9366 (14.26%)	3638 (5.43%)	13004 (11.39%)	3378 (5.15%)	1450 (2.99%)	4823 (2.23%)
11.	MBBS/Ayurved	77737 (87.83%)	48578 (88.45%)	126315 (88.08%)	7791 (8.80%)	4824 (8.78%)	12615 (8.80%)	2958 (3.37%)	1516 (2.76%)	4474 (3.12%)
12.	M.A	130017 (75.81%)	120611 (89.37%)	250628 (81.80%)	33489 (19.53%)	10604 (7.89%)	44093 (14.39%)	7985 (4.66%)	3701 (2.74%)	11686 (3.81%)
13.	M.Sc	68473 (89.17%)	45335 (90.56%)	113808 (89.72%)	6877 (8.96%)	3257 (6.50%)	10134 (7.99%)	1435 (1.87%)	1469 (2.93%)	2904 (2.29%)
14.	M.Com	52779 (89.34%)	21867 (93.34%)	74646 (90.20%)	4967 (8.41%)	1467 (6.19%)	6434 (7.77%)	1328 (2.25%)	349 (1.47%)	1677 (2.03%)
15.	Phd/D.Sc/D.Phill	30160 (94.08%)	13050 (94.77%)	43210 (94.28%)	1429 (4.46%)	469 (3.40%)	1898 (4.14%)	468 (1.46%)	252 (1.83%)	720 (1.57%)
16.	Enrolment in teachers training Schools	51873 (76.13%)	50404 (83.18%)	102277 (79.46%)	10756 (15.78%)	6814 (11.25%)	17570 (13.64%)	5512 (8.09%)	3376 (5.57%)	8888 (6.90%)
17.	Enrollment in Polytechnic Instt.	260984 (87.85%)	50545 (84.40%)	311529 (87.22%)	27225 (9.16%)	7838 (13.04%)	35063 (9.82%)	8861 (2.98%)	1721 (2.86%)	10582 (2.96%)
18.	Enrollment in Tech, Indus.,Arts & Crafts school	315222 (87.80%)	49071 (83.11%)	364293 (82.63%)	45237 (6.61%)	7386 (12.51%)	52623 (11.94%)	21341 (5.59%)	2586 (4.38%)	23927 (5.43%)

ANNEXURE-1.VI

**Employment Exchange Statistics on Scheduled Castes/ Tribes Job-
Seekers State-wise - 1996**

(In Thousand)

Sl. No.	State/UT	Scheduled Caste (SC)			Scheduled Tribe (ST)			% of (SC) placement to SC Live Register	% of (ST) placement to ST Live Register
		Registration	Place-ments	Live \$ Register	Regist-ration	Place-ments	Live \$ Register		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Andhra Pr.	76.9	3.3	498.4	12.5	1.5	108.0	0.7	1.4
2.	Arunachal Pr.	@	-	0.2	0.8	@	3.5	-	-
3.	Assam	8.7	0.2	74.0	15.5	0.2	128.5	0.3	0.2
4.	Bihar	43.6	1.0	415.4	33.2	5.1	234.2	0.2	2.2
5.	Goa	0.3	0.1	1.1	-	-	-	9.1	-
6.	Gujarat	31.8	2.1	195.2	25.3	6.2	83.3	1.1	7.4
7.	Haryana	35.7	1.1	118.3	@	-	@	0.9	-
8.	Himachal Pr.	21.7	0.8	123.9	2.0	0.1	13.3	0.6	0.8
9.	Jammu & Kashmir	0.3	@	7.4	0.1	@	1.1	-	-
10.	Karnataka	28.0	2.4	222.8	6.7	0.7	42.3	1.1	1.7
11.	Kerala	17.9	1.0	367.5	1.9	0.1	26.7	0.3	0.4
12.	Madhya Pr.	57.1	2.2	303.4	50.4	3.5	221.7	0.7	1.6
13.	Maharashtra	86.5	4.4	604.9	20.8	1.2	130.3	0.7	0.9
14.	Manipur	0.3	@	2.3	9.6	0	77.4	-	0.3
15.	Meghalaya	0.1	@	0.4	5.4	0.1	22.7	-	0.4
16.	Mizoram	-	-	-	10.6	0.3	49.3	-	0.6
17.	Nagaland	0.1	@	0.3	7.2	0.1	19.7	-	0.5
18.	Orissa	29.0	0.6	130.8	16.8	0.8	81.3	0.5	1.0
19.	Punjab	44.1	1.3	158.7	@	-	@	0.8	-
20.	Rajasthan	37.5	2.1	130.9	17.7	1.3	62.7	1.6	2.1
21.	Sikkim *							-	-
22.	Tamil Nadu	82.1	3.8	669.9	1.1	0.1	8.5	0.6	1.2
23.	Tripura	0.5	-	13.8	0.7	-	16.3	-	-
24.	Uttar Pr.	91.1	3.4	457.4	2.3	0.1	11.3	0.7	0.9
25.	West Bengal	24.3	1.5	511.9	5.3	0.4	93.5	0.3	0.4
26.	A & N Islands	-	-	0.7	-	-	-	-	-
27.	Chandigarh	1.5	0.2	32.5	@	@	@	0.6	-
28.	D&N Haveli	-	-	-	-	-	-	-	-
29.	Delhi	23.1	0.2	166.8	4.7	0.1	25.1	0.1	0.4
30.	Daman & Diu	0.1	-	0.3	@	@	0.3	-	-
31.	Lakshadweep	-	-	-	-	-	6.4	-	-
32.	Pondicherry	-	-	-	@	-	@	-	-
	Total	742.4	31.8	5208.9	250.6	22.0	1467.4	0.6	1.5

Note:- @ Figures Less than 50 \$ At the end of the year

Source: Employment Exchange Statistics 1996-97 published by Ministry of Labour, Directorate General of Employment & Training

CHAPTER II

ANDHRA PRADESH

Introduction

At 6.65 crores, Andhra Pradesh is our fifth largest state in terms of population. The Scheduled Castes constitute 1.06 crores and the Schedule Tribes 0.42 crores, i.e. 15.93 and 6.31% of the total state population, respectively. An analysis of the occupational classification of the Scheduled Castes reveals that the majority of them about (72%) are agricultural labourers. Only 12.8% are cultivators. Likewise, among the Scheduled Tribes, agricultural labourers form 46.57% and cultivators 41.19% of their population. As per the estimate of the Planning Commission, during 1993-94, 79.49 lakh persons in rural areas and 74.47 lakhs in urban areas constituting 15.92% and 38.33% of the population of the state respectively, were living below the poverty line. The break-up of these figures for SCs/STs are not available. However, as per the trend in other states we can expect SCs and STs to constitute large proportions of these figures. As per 1991 census literacy rate of SC/ST in the State was 31-59 and 1716 respectively.

Development

2.2 Development efforts are made through separate plans for SCs & STs under SCP and TSP, respectively. During 1997-98, from the total state plan of RS. 3585 crores, Rs. 340 crores had been earmarked under SCP which is only 9% of the annual state plan as against SC population of 15.93% in the State. Equally seriously, even of the low earmarked amount, only Rs. 111 crores (32.7%) was utilised. The allocation under TSP during this period was Rs.192 crores (5%) and the expenditure from TSP was Rs 94 crores (49%) of the allocation. **Thus not only is the flow to SCP and TSP not commensurate with the population percentage of the state but utilization has also been very poor. The State Government should strictly follow the Govt. of India guidelines while quantifying outlays for SCP and TSP and also ensure that the amounts allocated for the development of SCs/STs are utilised to the fullest extent.**

Literacy

2.3 The 1991 census shows wide variations in the literacy rates among the SCs/STs and the general population. The State ranks 26th in the country in terms of literacy. General female literacy is very poor and the position in respect of Scheduled Caste and Schedule Tribe females is still worse, as can be seen from the figures given below:

Category	All India			Andhra Pradesh		
	Total	Male	Female	Total	Male	Female
General	52.21	64.13	39.29	44.09	55.13	32.72
Scheduled Castes	37.41	49.91	23.76	31.59	41.88	20.92
Scheduled Tribes	29.60	40.65	18.19	17.16	25.25	08.68

2.4 The State has taken many initiatives for improving literacy among this community as also the quality of education imparted to them. The state has set up separate residential School Societies for Scheduled Caste and Scheduled Tribe students. Another programme started by the State Government is admission of bright boys and girls belonging to Schedule Caste and Schedule Tribe communities in Public Schools, and other best available educational institution run by private agencies. The entire expenditure is borne by the Social Tribal Welfare Department. **This appears to be a very innovative scheme, which can also be followed by other states.**

2.5 Similarly a novel programme of "back to school", for drop outs among the SC/ST children has been started in the State. Children are admitted into summer camps and given intensive coaching for a period of two months and later admitted to nearby schools. During 1997-98, about 42,014 children were covered with an expenditure of Rs. 9.45 crores. **This innovative scheme of "back to school". can be considered by other States/UTs also.**

Health

2.6 In the health sector, out of the total allocation of Rs.1872 lakhs during 1997-98, Rs.456 lakhs, i.e. 24.4% was earmarked under SCP but the entire amount was utilised for the establishment of Primary Health Centers in Scheduled Caste and Scheduled Tribes areas. The total number of Health Centers under SCP & TSP in the State of Andhra Pradesh as of 1997-98 is as follows:

Scheme	PHC	CHC	SHC
Total no. of health centers	1254	176	11680
Tribal Sub-Plan	113	8	849
Special Compone Plan	166	17	1122

2.7 The available health indicators in the State of Andhra Pradesh are :

Life Indicators	Andhra Pradesh	National Average
Crude birth rate (provisional)	24.2	28.3
Crude death rate (provisional)	8.4	9.0
Infant Mortality rate	66 in 1,000	72 in 1,000
Life expectances (88-92)	60.2 years	58.2 years

(Source: Economic Survey (1997-98), Govt. of Andhra Pradesh)

2.8 It is clear from the above that only indicators for the population as whole are available. There is no data specifically of SCs & STs nor coverage of other important health indicators e.g maternal mortality, incidence of Communicable diseases on SCs & STs. The State Health Department should collect and compile data on the above indicators in regard to Scheduled Castes and Scheduled Tribes, separately, alongwith gender-related information.

2.9 Epidemics in Tribal areas are rampant. According to State office of the Commission from January to June, 1997, about 60 deaths had occurred due to Diarrhea and Malaria among the Tribals. In July 1997 there were reports of high incidents of Malaria in the Tribal areas of Paderu. There are approximately 900 villages of Primitive Tribal Groups and 600 other villages where the incidence of Malaria is high, which is normally highest in July every year. The State Government has taken necessary measures for improving the public health services in tribal areas, like spraying with synthetic pyrethroids, adequate stock of drugs for treatment of Malaria and Gastroenteritis, prompt examination of blood smears and also by deploying additional Medical and Paramedical staff to Paderu agency. In addition to this, under a special nutrition scheme each affected family was provided with 25 Kg's of rice and 2 Kg of Dal for two months. The state Govt. had also taken following initiatives such as:

- i. 50 additional posts of Medical Officers for ITDA's have been sanctioned.
- ii. All vacant post of (male) Multi Purpose Health Assistant (MPHA) in ITDA areas are being filled up.
- iii. Orders have been issued for appointment of over 8000 Community Health Workers at the rate of one for each habitation in the ITDA areas on honorarium basis.
- iv. PHC level and Sub-Centre level Committees has been established for better monitoring of health services.
- v. Under the Andhra Pradesh First Referral Health Services Project (APERP) total investment in the Tribal areas for PHC is Rs 50 crores.
- vi. A Special World Bank assisted Malaria Programme is under implementation in 79 predominantly Tribal PHCs in the State.

2.10 The Village Health Guide (Gram Swastha Sewak) should be revived in the Tribal areas. The SC/ST Boys and girls should be appointed as Village Health Guide with adequate honorarium in the habitations inhabited by SC & ST so that they can be easily approached by the inhabitants of the area.

2.11 The Woman and Child Welfare Department of the State should also collect and compile statistics on: nutritional levels of infants, primary school going children as also women in the reproductive age group at the State level among Scheduled Castes and Scheduled Tribes, separately. Gender wise details on nutritional level and primary school level will enable one to assess the nutritional status of females since they are marginalised at every stage of development. The statistical base will enable the ICDS Scheme to be made more focused.

Child Labour

2.12 At 16.62 lakhs Andhra Pradesh has the largest number of child labourers in the country. Child labour is mainly due to economic backwardness and acute poverty necessitating the children to help the parents in economic activities rather than go to school. The district-wise details of number of child labour in Andhra Pradesh is as follows:

S.No.	Districts	No. of Child labour	S. No.	Districts	No. of Child labour
1.	Srikakulam	59955	13.	Chittoor	62730
2.	Vizianagaram	62627	14.	Cuddapah	43762
3.	Visakhapatnam	70130	15.	Ananthapur	92255
4.	East Godavari	75970	16.	Kurnool	112037
5.	West Godavari	83397	17.	Mahabubnagar	124617
6.	Krishana	81247	18.	Rangareddy	52160
7.	Guntur	118275	19.	Hyderabad	14930
8.	Prakasam	73920	20.	Medak	65000
9.	Nellore	51443	21.	Nizamabad	58154
10.	Adilabad	55253	22.	Karimnagar	87563
11.	Warangal	75090	23.	Khammam	67015
12.	Nalgonda	74410		Total	16,61,940

Sources: Commissioner of labour, Govt. of Andhra Pradesh.

2.13 The gender bias, against the girl child is more pronounced in hazardous occupations. There is no gender-wise statistical data available on the number of Scheduled Caste and Scheduled Tribe children. It can be presumed however that the number of children per SC/ST family would be disproportionately high due to illiteracy, early marriage, economic incentive to the family by wages brought in by child labour, and overall poverty. The following measures should be taken on child labour:

- (i) Survey should be under taken to identify the SC & ST Component of Child labour with gender wise details.
- (ii) The Survey should include SC & ST Component in hazardous activities and non-hazardous activities
- (iii) The causes for child labour, particularly among SCs/STs should be identified.

2.14 All State Governments and Union Territory Administrations should undertake such surveys in a time bound manner and send them to the Commission accordingly.

2.15 The following measures can also be considered by the State Governments/Union Territory Administrations:

- (a) Identified SC/ST child labour should be admitted in Social Welfare/ Tribal Welfare Hostels/Ashram Schools. To promote this special financial incentive should be given to the parents of child labourers to send them to school after ensuring their full attendance.
- (b) Poverty alleviation schemes need to be vigorously implemented.

- (c) **Strict payment of minimum wages as per the Minimum Wages Act, 1948 to the parents of the child labour should be ensured.**
- (d) **Intensification of enforcement of the Act, 1986 on child labour with sever action against offenders.**
- (e) **A separate cell in the Labour Department of the State Government to implement, monitor and to asses the programme as per policies**

Poverty Alleviation Programmes

Details of Physical and Financial Targets and Achievements under IRDP, JRY, IAY, MWS and EAS during the year of 1997-98

(Rs. in lakhs)

Name of the Scheme	Total Physical Target		Physical achievement			Financial allocation (lakhs)	Expenditure incurred		
	Unit	Number	Total	SC	ST		Total	SC	ST
I.R.D.P.	No.of beneficiaries	151188	73551	59303	14248	8612.26	3864.30	2985.33	78.97
J.R.Y.	-	-	317.82	92.22	45.27	22267.84	19373.94	-	-
I.A.Y.	Number beneficiaries	128133	10411	-	-	18360.44	14792.02	-	-
Million wells Scheme	-	-	126.70	69.94	24.09	5070.61	4390.73	1975.94	92.41
Emp Assurance Scheme	Lakh mandays	-	262.70	181.91	80.79	209.25 (Crores)	-	86.70	33.32

Sources: Panchayat Raj Department, Rural Development Department and Weaker Section Housing Corporation.

2.16 Under IRDP and IAY, achievements have been less than the targets and similarly the expenditure is also less than the financial allocation in all schemes except EAS where details are not available. **The concerned departments must make efforts to maintain complete statistical data of financial target and achievement alongwith expenditure incurred under various schemes of SCs/STs to enable proper assessments to be made.**

Andhra Pradesh Scheduled Castes Cooperative Finance Corporation, Ltd.

2.17 It was set up in the year 1974 to generate Institutional Finance and take up programmes for the economic development of Scheduled Caste families living below the poverty line. It assists SCs/STs in their various economic pursuits like land purchase and Development, Irrigation, Sericulture, Poultry, Dairy, Small Machine Shops, Footwear making, Garments Manufacturing, Handlooms, Handicrafts, Small Hostels, Purchase of goods and Passenger Vehicles etc. It is also imparts training SC/ST persons in various income generating trades. In order to alleviate poverty Scheduled Castes Corporation has spent about Rs.1750.00 crores during the last 24 years whereas number of S.C. families assisted was only 30.10 lakhs. Out of this 97832 families were assisted during the year 1997-98.

2.18 Under rehabilitation scheme of scavengers a total number of 14901 have been identified but only 6764 scavengers were assisted with a cost of Rs. 18 crores. During 1997-98 only 504 scavengers were assisted. The progress of the scheme has been very slow.

Service Safeguards

2.19 In the Government and Allied Sectors, Scheduled Caste employees account for 20.1 percent. The highest percentage of 21.03 was recorded in the State Government, followed by Local Bodies with 20.48 percent, Judiciary with 10.45 percent and Aided Educational Institutions with 7.96 percent.

2.20 The total representation of Scheduled Tribes Employees in the State Government and Allied Sectors was to the tune of 3.78 percent. Here also the highest representation of Scheduled Tribe employees was recorded in State Government with 4.64 percent, followed by Local Bodies with 2.52 percent, Judiciary with 2.04 and Aided Educational Institutions, with 0.7 percent.

2.21 The recommendation relating to non-observation of reservations in promotions as given in Commission's Fourth Report 1996-97 and 1997-98 Volume-II on the State of Andhra Pradesh is reiterated.

Atrocities

2.22 The number of cases in which the Scheduled Castes and the Scheduled Tribes were subjected to atrocities in Andhra Pradesh from 1995 to 1997 has shown an upward trend. The number of cases registered in 1997 was 2149 as compared to 1996. The Govt. of Andhra Pradesh has set up special mobile courts in all districts except Hyderabad, under section 15A of PCR Act, 1955. Most of the posts of Magistrates, Presiding Officers and Assistant Public Prosecutors are however, vacant. As per available information about 919 cases are pending in various mobile courts.

2.23 The State Government has not established exclusive Special Courts in accordance with Section 14 of the Prevention of Atrocities Act, 1989. The State has also not completed identification of atrocity prone areas as per the Act. At the end of 1997 there were 1984 cases pending before various Courts. Districts like Nellore, Kurnool Guddapah, Medak, Karimnagar, Krishna, Nizamabad, Mahabubnagar, Guntur has more pendency. The following are the suggestions of the Commission to improve the situation:

- (i) **A strong monitoring cell is essential for maintenance of data, creation of awareness, and the taking of prompt action.**
- (ii) **Adequate post of Deputy Superintendent of Police for dealing with cases of atrocities must be set up in each District as per the provisions of the POA Act. 1989.**
- (iii) **Time bound Plan of Action on identification of atrocity prone areas need to be drawn up and monitoring undertaken in those areas more intensively.**
- (iv) **Filling up of all sanctioned posts for the Protection of Civil Rights (PCR) Courts should be done on priority.**
- (v) **State level vigilance and monitoring committee under the Chief Minister should be convened every quarter.**

CHAPTER III

BIHAR

Bihar is the one of the richest mineral bearing States of the country. As a result, many large industrial towns having mineral based companies have come up in Bihar e.g. Bokaro Steel City, Jamshedpur, and Ranchi. However, in spite of this, Bihar is one of the least developed States of the country. This is because such industries are highly capital intensive process industries with very little "spread effect" in terms of sub-contractors/ancillaries which could generate significant quanta of employment for the locals.

3.2 As per the 1991 Census, Scheduled Castes constituted 14.6% and Scheduled Tribes 7.7% of the total population of the State.

3.3 The rate of literacy is very low: general literacy being 38.5% (1991) and female literacy being 22.2%. As regards the Sch. Castes and Sch. Tribes, the percentage of literacy is 19.5% and 26.8% respectively. For Sch. Caste females, it is 7.1% and for ST female 14.8%. The rate of literacy among ST's is higher than for SC's due to the impact of Christianity in South Bihar.

3.4 The level of poverty and unemployment in Bihar is alarming. Most seriously affected by these problems are SCs as more than 86% of the SCs subsist on agriculture, though the majority of them do not own any land. They are either completely landless or work on leased land as share croppers. Besides, historically, SCs have been settled on lands where productivity is low and uncertain, ie. Flood prone and drought prone areas. The lack of purchasing power is manifested not only in the quality of their lives, but also in the enormity of their indebtedness. What is more SC & ST dominant villages still lack basic amenities like drinking water, sanitation, electrification, roads, etc. The Law and Order situation is also deteriorating day by day due to which the SCs & STs find themselves highly insecure and constantly exposed not only to harassment but heinous atrocities.

Special Component Plan (SCP)

3.5 The Special Component Plan (SCP), for the welfare and development of SCs is being implemented. The outlay in the SCP has been earmarked in proportion to the population of the schedule castes in the State, It has been observed however that the agencies of the state, which actually implement individual and family oriented development schemes do not in practice reserve and actually spend financial outlays for the scheduled castes in such a proportion. It is appreciated that such a proportion can not be allocated and spent uniformly in all socio-economic sectors. However in sectors such as leather, where the SCs are heavily involved, the SCP should be significantly higher than the average outlay in all sectors, which is not the case. Further more in sector where divisible allocations are not feasible, concerned sectional plans should contain optional share for the SCs in employment, training and other resultant benefits. Tragically, this is also not found to be the case, in practice.

Special Central Assistance (SCA) Under SCP

3.6 SCA which is provided by G.O.I. as additive to the SCs, is intended for augmenting the totality of the States' efforts for the economic development of SCs. However, the performance of the State Government is abysmal. As of the end of 1996-97, the State Govt. had unspent revalidated SCA amounting to Rs. 3240.56 lakhs. Despite this a further Rs. 2803.20 lakhs was provided during the financial year 1997-98. Thus, total amount of Rs. 6048.76 lakhs was at the disposal of the state Govt. in 1997_98. How much of this huge amount has been actually utilised/spent by the State Govt. is not known to the Commission as the State Govt. have not furnished the expenditure incurred during that year.

Tribal Sub-Plan (TSP)

3.7 The State Plan outlay for the year 1997-98 was Rs. 2200 Crores. Information regarding flow of TSP outlays and sectoral quantification of TSP flow and expenditure incurred have not been provided by the State Govt. for the financial year 1997-98.

Special Central Assistance (SCA) Under TSP

3.8 As per information provided by the Ministry of social, Justice and Empowerment the ministry did not release any SCA under TSP during the year 1997-98 to the State of Bihar. However a revalidated amount of SCA of Rs. 8221.73 lakhs was available with the State Govt., of which only Rs. 1359.86 lakhs (16.54%) was actually, utilised during the year. Further, as against the physical target of 42408 persons/ families and 221 units 8557 persons/ families (20.18%) have been benefitted and 66 units (26.86%) have been completed during the year through Schemes like Tractor distribution, provision for Solar pump sets, establishing a milk chilling plant, deep boring in school benefit is provided to a group of people (called unit) in a particular village. Similarly through schemes like bee keeping, poultry farm, fish rearing, mushroom or bamboo cultivation, distribution of sewing machines type writers etc. benefit is provided to individuals/family. In spite of these scheme's the State Govt. Of Bihar failed to utilise fully the SCA available during the year.

Article 275 (1)

3.9 An amount of Rs. 641.8 lakhs was received as grant under Article 275(1) from the Govt. of India during 1997-98. A revalidated amount of Rs. 2185.5 lakhs was also available with the State Govt. from 1996-97. Thus, a total of Rs. 2827.294 lakhs under Article 275(I) was available with the State Govt. Out of this Rs. 2727.294 lakhs (85.85%) was allocated by the State Govt. for implementation of schemes of minimum needs programme of minor irrigation, forestry, horticulture, village and small industries, fisheries, education, health, art, culture sports, self employment and monitoring and evaluation during the year. Through Schemes like distribution of Power Tiller, S.T.D. Booth, Bullockart, typing machine, photocopies financial help for opening of Dhaba, and/magazinel shop, Tent house, decorator shops etc. efforts are made to provide self employment to STs. However, State Govt. failed to fully utilise the funds made available under Article 275(I) also during 1997-98.

3.10 The performance of the state Govt. has shown that the Govt is not serious on the development front. Both the implementation as also financial and physical monitoring system for improving the lot of the SCs and STs have collapsed and no efforts are being made to revive and strengthen them. The Sch Castes and Sch. Tribes have been largely deprived of the benefits intended to accrue to them under SCP and TSP.

Corporations

3.11 Financial assistance for economic upliftment of SCs and STs is being provided through three Corporations, specially constituted for this purpose. Through the Bihar State Scheduled Caste Cooperative Development Corporation, the following schemes were implemented during 1997-98: -

S. No	Name of Scheme	Target		Achievement		
		Physical	Financial	No. of beneficiaries	Subsidy	Margin money loan provided
1.	Subsidy Scheme	15000	709.70	760	38.89	-
2.	Garima Scheme	4000	599.41	72	6.19	2.53
3.	Auto Rikshaw Scheme	-	-	211	12.66	33.09
4.	Training	-	-	536	12.41	-

3.12 By providing Subsidy ranging between Rs 5000 to Rs 15000 depending upon the nature of Scheme corporation helps individuals of SC/ST Community establish themselves in gainful self-employment. Similar self-employment Schemes for rehabilitation of scavengers have been named 'garima' schemes. Financial assistance is provided for purchase of Auto Rikshaws to SC/ST youth of below poverty line families.

3.13 There is a scheme for imparting training in different traders like driving, carpentry, black smith, tailoring etc. Individual's or promoter's share in any project (upto20%) is also given to the SC/ST youth in self employment schemes as margin money loan by the corporation.

3.14 As is evident, Corporation has failed to achieve the targets fixed for the year 1997-98. NSFDC also channelises its funds to SC/ST entrepreneurs through SCDC. To avail of these funds, the State Govt. has to give guarantee for the amount to be borrowed by SCDC from NSFDC. The State Govt. has, however issued guarantee only for Auto Rickshaw scheme. The request of Bihar State SCDC for issuing State guarantees for other schemes has not been paid any heed by the State Govt. The proposal of the Corporation for block guarantee (guarantee for loans raised by the corporation through financial institutions) of Rs. 30 crores is also pending with the State Govt. The Commission has drawn the attention of the State Govt. to this. However, nothing has been done by the State Govt. in this respect so far.

3.15 Through the Bihar State Tribal Development Corporation Ltd, similar assistance is being given for promotion of tribal co-operatives in the Tribal Sub-Plan areas. However,

the Corporation could not take advantage of the funding support by NSFDC, as here also the State Govt. guarantee was not made available. This matter was taken up by the Commission with the State Govt. However, State Govt. has not paid any attention. The corporation is also providing training to ST persons in various trades like beauty-therapy, embroidery, cane / bamboo weaving, computer training etc. During 1997-98 training to 1298 ST persons had been provided on which Rs. 11.83 lakhs were spent. However, since no follow-up action was taken, the future of the beneficiaries is not known.

Review of important sectoral programmes taken by the State Govt. during 1997-98

Rural Development Programmes

3.16 The major schemes under this programme are Integrated Rural Development programme, Jawahar Rozgar Yojna, Employment Assurance Scheme, Drought Prone Area Programme, Community Development Programme and the Panchyats. During the year 1997-98, the State Govt. of Bihar spent a total sum of Rs. 1398.0 crores, out of Rs. 2313 crores provided by Department of Rural Development, Govt. of India under different Rural Development schemes, which is 60.45% of the total amount. The following statement shows the funds available under different Rural Development Schemes and expenditure incurred during the year 1997-98 :-

(Rs. In Crores)				
S. No.	Name of Scheme	Funds Available	Expenditure incurred	%age of expenditure
1.	Jawahar Rozgar Yojna	501.325	361.738	72.16
2.	Indira Awas Yojna	301.691	217.558	72.16
3.	Basic Minimum Services	540.281	276.333	51.15
4.	Employment Assurance Scheme	355.395	241.684	68.00
5.	Jaldhara Yojna	113.171	70.574	62.36
6.	IRDP	192.498	123.964	64.00
7.	TRYSEM	12.197	8.586	70.40
8.	DWACRA	11.457	5.525	48.25
9.	DPAP	14.366	4.781	33.26
10.	MLA/ MLAC Yojna	103.986	29.364	28.23
11.	MP's Local Area Scheme	128.773	57.758	44.86
12.	Ganga Kalyan Yojna	37.213	0.000	-
	Total	2312.353	1397.865	60.45

(Source: Annual Report for 1997-98 of the Rural Development Department, Government of Bihar)

3.17 From the above facts, it may be seen that the State Govt. of Bihar has not been able to utilise the funds available under different types of Rural Development Schemes for the

entire rural population during the year 1997-98. The break-up of expenditure incurred on SCs/STs has not been furnished by the State Govt.

3.18 Physical targets & achievements made under some of the important Rural Development schemes are given below:

Name of the Scheme	Physical target	Achievements Total	%age	SC	%age	ST	%age
Jawahar Rozgar Yojna	546.64 (Lakh man day)	533.04	97.5	212.91	39.94	113.87	21.36
Indira Awas Yojna Units	109983	103506	94.11	52800	51.01	26080	25.50
Million Well Scheme	(In Nos.)	23307	-	7647	32.81	9283	39.83
Employment Assurance	(Lakh mandays)	420.447	-	170.154	40.47	74.298	17.67
Basic Minimum Services	168645	95031	56.35	51490	54.18	7811	8.22
IRDP (main) Families	306348	196849	64.26	57452	29.19	32258	16.39
TRYSEM trainees	56370	36662	65.04	11350	30.96	4451	12.14

(Source: Annual Report for 1997-98 of the Rural Development Department, Government of Bihar).

3.19 It may be seen from the above table that the physical achievements during the year 1997-98 under Jawahar Rozgar Yojna and Indra Awas Yojna are more than 90%, but it is 56.35% under Basic Minimum Services, 64.26% under the IRDP and 65.04% under TRYSEM out of the total targets fixed for the year under review. The SC/ST beneficiaries under Jawahar Rozgar Yojna, Million Well Scheme and Basic Minimum Scheme are around 60% . Only 50% beneficiaries under Employment Assurance Scheme and 40% beneficiaries under IRDP and TRYSEM belong to SCs/STs . The State Government has failed to achieve anything near 100% physical performance during the year.

Agriculture

Crop Husbandry

3.20 Under this sector Rs. 743 Lakhs has been allocated during the year 1997-98; out of which Rs. 223.20 Lakh (30.0%) was earmarked for TSP and Rs. 112.00 Lakhs (15.05%) for SCP. The expenditure incurred under TSP and SCP and physical achievements made during the year 1997-98 are as follows:

Item	Allocation	Expdt. Incurred	% age	Physical	(Rs. in lakhs)	
					Achieve	% age
TSP	223.20	3.89	1.74	8000	296	3.7
SCP	112.00	1.41	1.26	10000	371	3.71

(Source: Information received from the Agriculture Deptt. of the State Government)

3.21 The above facts show that the State Govt. of Bihar has utilised a meagre amount of the funds allocated under TSP and SCP for the above schemes during the year under review.

BONDED LABOUR

3.22 The rehabilitation of bonded labourers is being done under a Centrally Sponsored Scheme on a 50:50 basis with the State Government. Each bonded labourer is rehabilitated at a cost of Rs. 10,000/-. The SC/ST bonded labourers are provided with an additional sum of 6250/- each from the SCA. The bonded labourers are also entitled for social security pension at the rate of Rs. 100/- per month.

3.23 In Bihar, a total of 13742 bonded labourers have been identified and released till the end of the year 1997-98 since introduction of the Bonded Labour Abolition (BLA) Act, 1976. Out of these released bonded labourers, a total of 12279 have been rehabilitated till the end of 1997-98. During 1997-98, only 24 bonded labourers were identified and 75 bonded labourers were rehabilitated.

WELFARE OF BACKWARD CLASSES

3.24 The allocations for the schemes for the SCs and STs under this sector made during the year 1997-98, and expenditures incurred, are as under.

(Rs. In lakhs)

S. No.	Item	Allotment	Expenditure	% age of expenditure
1.	For Scheduled Castes	4574.01	2973.13	65.00
2.	For Scheduled Tribes	3180.02	1740.08	54.72
	Total	7754.03	4713.21	60.78

(Source: Information received from the Welfare Deptt. GOB)

3.25 It is seen from the above that only 65.00% of the allocation made for the Scheduled Castes and 54.72% of the allocation made for the Scheduled Tribes could be utilized by the State Govt. of Bihar during the year. During the year 1997-98 various educational schemes relating to provision of scholarship, construction and maintenance of hostels were implemented.

3.26 The information pertaining to the financial and physical targets and achievements in respect of other important programmes such as Minor Irrigation, Village and Small Industries, Health, Housing and other social service sectors, for the year 1997-98 have not been received from the State Govt.

SERVICE SAFEGUARDS

3.27 In Bihar Reservation Policy for Schedule Castes and Schedule Tribes is guided by the Bihar reservation of Vacancies in posts and Services (For Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1991. According to this Act, all appointments to

service and posts in an establishment which are to be filled by direct recruitment are regulated in the following manners:

- | | | | |
|-----|------------------------|---|-----|
| (a) | from merit category | - | 50% |
| (b) | from reserved category | - | 50% |

3.28 Amongst the 50% reserved category 14% of the vacancies are reserved for scheduled castes 10% of the vacancies are for the Sch. Tribes. A reserved category candidate, who is selected on the basis of his merit shall be counted against 50% vacancies of the merit category and not against the reserved category vacancies.

3.29 The information regarding the representation of SCs and STs in the services of the State Govt. as well as in public sector undertaking under the control of Bihar Govt. have not been provided by the State Govt.

ATROCITIES ON SCHEDULED CASTES AND SCHEDULED TRIBES

3.30 Brief of some important cases of atrocities committed on SCs & STs during the period under review are as under:-

- i. 10 Sch. Caste persons were killed allegedly by the Ranveer Sena on 23-3-97 in Kab-Haibaspur Village under Rani Talab Police Station of Patna District. One Sch. Caste person also sustained injuries in the incident.
- ii. 5 Sch. Caste persons were kidnapped and killed by the extremists in Panki and Balumath Police Stations of Palamu District on 19-8-97.
- iii. 5 Sch. Tribe persons were killed by the landlords in Jhurkusia village under Pirpainti Police Station of Bhagalpur District on 13-8-97. The reason for the incident stated to be land dispute.
- iv. A Sch. Caste person was killed and another was injured in a clash over land dispute village under Pakaribarawan Police State of Nawda district on 23-8-97.
- v. Eight Persons including three Sch. Castes were killed in an attack reportedly of Jehanabad district on 2-9-97.
- vi. 58 persons, including 32 Sch. Castes, were killed and 4 Sch. Castes were injured in Laxamanpur Bathe village under Mehandia P.S. of Jehanabad district in the night between 1 & 2 December 1997, in an armed attack by the supporters of Ranveer Sena.

3.31 The above will indicate how rampant Crimes and atrocities against SCs and STs are in Bihar. The situation is very serious. In spite of various legislative and executive measures taken by the Central Govt. and State Govt., the Scheduled Castes and Scheduled Tribes continue to be the subject of various types of atrocities and harassment due to social and economic reasons. Most of the atrocities are perpetrated on the Sch. Castes and Sch Tribes due to land disputes and the highly feudal nature of the society. A large proportion of the population of Sch. Castes and Sch. Tribes in the State are Agricultural Labourers, who work in the fields of landlords. Demand by the SCs & STs that they be paid the minimum wages prescribed by the Govt. Often result is atrocities against SC/ST workers by the landlords by way of dispossession of their lands homesteads, burning of their houses and in some cases physical assault and murder.

3.32 A SC/ST Cell has been established in Home (police) Deptt. Of the State Government under an officer of the rank of DIG. Such cells have also been established at Divisional, District, Sub-Divisional and Block levels. But they are ineffective as they are not adequately staffed and equipped.

3.33 SC/ST Police Stations have been established in Bihar over past few years, which are located at Patna, Nalanda, Rohtas, Bhojpur, Gaya, Vaishali, Samastipur, Begusari, Bhagalpur, which are atrocity-prone districts. But the impact of these special Police Stations is yet to be seen as the police stations lack basic facilities such as adequate manpower vehicle, wireless telephone, malkhanna etc. To facilitate monitories of these police Station a Harijan cell has also been created in the office of the State Welfare Department. A total of 2054 cases of atrocities on SCs and STs were registered during the year 1996 in the State of Bihar. Of these 1865 (90.8%) cases relating to Sch. Castes and 189 cases (9.2%) of Sch. Tribes. Similarly, a total of 1060 cases of atrocities on SCs & STs were registered in 37 districts of Bihar in the year 1997, of which 1024 cases (96.6%) related to STs. Moreover, the percentage of cases registered under SC/ST (POA) Act, 1989 were 28.58% during the year and even this low percentage fell further to 17.92% during 1997.

3.34 Out of total cases of 3271 during the year 1996, 1830 cases were challaned and 697 cases were finally dropped. Thus, 2527 cases (77.24%) were disposed off by the police during the year 1996. Similarly, out of 1060 cases during the year 1997, 591 cases have been challaned and 88 cases have been finally dropped the percentage of disposal of cases by the police during the year 1997 is much less than the year 1996. The Commission is of the view that necessary steps should be taken by the State Govt. to ensure speedy disposal of cases pertaining to atrocities on SCs/STs by the police. Commission conducted on the spot enquiries into two major incidents of atrocity committed on Dalits during the period under review. The findings of enquiries are as follows:

- i Commission conducted on the spot enquiries into the atrocities committed on the Sch. Caste persons of Haibaspur village under Rani Talab P.S. of Patna district which occurred on 23-3-97. The enquiry revealed that 10 of these persons were murdered on 23-3-97 by so called Ranveer Sena (a group of Upper Caste landlords). The victims were innocent and very poor. They had no relationship with any political party. It was felt that the incident was well planned but could still have been averted if the district administration had been vigilant and quick to respond. The case was registered under sections of the I.P.C., the Arms Act and the SCs & STs (POA) Act. All the families of the victims were provided Rs. 10,000 each as compensation and sanctioned social security pension as provided in the Act and houses under Indra Awas Yojna. However, the victims were not provided relief in cash or kind or both as per the provisions of the Sch. Caste and Scheduled. Tribes (POA) Rules, 1995. It was also found that the case was investigated by an officer of the level of only on Inspector of Police, whereas it should have been investigated by an officer of the rank of Dy. Supdt. Of Police as per the provisions of the POA Rules.
- ii The Commission also conducted an on the spot enquiry into the atrocities committed on Dalits in Laxmanpur Bhate Village under Mehandia P.S. of Jehanabad district which occurred on the night of 1 & 2 December 1997. The enquiry revealed that 58 persons, including 32 Sch. Castes, were

killed and 4 Sch. Castes were injured. The victims were innocent and poor. The incident was pre-planned and well organised. There was no immediate cause for the incident. The crime was reported to be committed by the supporters of so called Ranveer Sena. The case was registered under the provision of I.P.C., the Arms Act and SCs & STs (POA) Act. The case was investigated by a Dy. S.P. rank officer. Financial relief of Rs. 1.00 Lakh to the families of each of the deceased was provided in addition to the provision of social security and pension employment etc. as provided in the POA Rules. Action was also initiated by the state Government for construction of houses under Indra Awas Yojna, provision of social security pension, However, it was observed that the next of kin of SC victims of the incident were not rehabilitated in accordance with the provisions of the SCs & STs (POA) Rules, 1995.

3.35 These enquiries have revealed that the political situation of the state is responsible for creating "Senas" and these Senas owe allegiance to both the higher and lower castes. When Sena of higher Castes kills members of Sch. Caste & Sch. Tribes, the Sena of lower castes take revenge and thus fighting and killing go on periodically. The state police has been ineffective in dealing with such atrocities.

Cases of atrocities dealt with by the State office of the National Commission for SCs & STs

3.36 The State Office of the National Commission for SCs & STs, Patna dealt with a total of 59 cases of atrocities on SCs & STs which came to its notice through representation/complaints received from SC/ST persons/Social Welfare organisations and newspapers reports during the year 1997-98. The crime-wise break-up of the cases of atrocities dealt with by the State Office, Patna during the Year 1997-98 is as follows:

S. No	Nature of crime	Number of cases
1.	Murder	14
2.	Rape	06
3.	Arson	06
4.	Grievous Hurt	12
5.	Other Offences	21
	Total	59

Disposal of cases by the Special Courts

3.37 The State Govt. of Bihar has so far established 15 Special Courts for speedy trial of cases of atrocities under the provisions contained in section 14 of the Sch. Castes and Sch. Tribes (Prevention of Atrocities) Act, 1998. In other districts, the Courts of the 1st

Additional District and Session Judges have been entrusted with additional powers to try cases vide notification No. 340/J dated 10-2-95 of the Law Deptt, Govt. of Bihar.

3.38 The position of disposal of cases involving SCs & STs by the Special Courts under the SCs and STs (POA) Act, 1989 in Bihar during the years 1995, 1996 and 1997 is as given below:-

Year	Total number of cases challaned	Number of cases disposed	% age of disposed	Number of cases pending	Remarks
1995	3138	160	5.09	2839	85 cases Transferred to other Courts
1996	4300	535	12.44	3698	67 cases Transferred to other Courts
1997	5059	428	8.46	4525	106 cases Transferred to other Courts

(Source: Information received from the Registrar General, Patna High Court. Based on information in respect of 40 Judgeships out of 41 Judgeship in Bihar)

3.39 It transpires from the above facts that the disposal of cases by the Special Courts, during the years 1995-97 was not at all satisfactory. The reasons for poor disposal as reported by are as under: -

- i. Non-appearance of accused persons.
- ii. Non-production of witnesses.
- iii. Non-execution of warrants of arrest.
- iv. Special Judges also dispose of cases of Sessions trial, criminal, appeals or revisions, title appeals, etc. beside the cases under SC & ST (POA) Act, and so do not have enough time to deal with more POA cases of SCs & STs.

3.40 Looking into the reasons for poor disposal and huge pending of cases in the Special Courts, the Commission suggests that the State Govt. should take effective steps to enable the Special Courts to achieve speedy disposal of pending cases concurrently more Special Courts should be set up for trying cases exclusively under the provisions of the SCs & STs (POA) Act so that the disposal of cases could be speeded up.

3.41 The commission had held meetings at different levels in the State during the year 1997-98 and discussed the working of different committees, cells, SC/ST Police Stations, Special Courts set up in the State and other issues. In the course of those discussions and visits, the following facts were gathered: -

- Not a single meeting of the Bihar State Sch. Castes Advisory Board or the Protection of Civil Rights Act and Sch. Castes & Sch. Tribes (POA) Act Implementation Committee was held during the year.
- There was a proposal in the State Govt. for setting up 14 more SC/ST police stations in the State on the basis of at least one such police station in each district. But the police stations have not been opened.
- The existing SC/ST police stations are lacking in basic facilities like a vehicle, wireless sets, a telephone etc.
- There is urgent need to strengthen the SC/ST cells in Police Stations for their effective working.
- The sensitive areas for atrocities on SCs & STs were not identified in the State as per provisions of the SCs & STs (POA) Rules, 1995.
- All the cases of atrocities on SCs & STs were not investigated by Dy. S.P. level officers in spite of the provisions to that effect made in the SCs & STs (POA) Rules, 1995.
- The name and sections of the SCs & STs (POA) Act, 1989 were not found correctly mentioned in the F.I. R's lodged by the police in respect of even the cases of atrocities on SC/STs on which such F.I. R's were filed. There is an urgent need for the effective training of the police personnel to impart to them knowledge/guidance necessary to remove this shortcoming.
- More complete registration and then more and speedy disposal of cases registered under the POA & PCR Acts. The SC/ST victims of atrocities were not generally getting financial assistance in accordance with the provisions made in the SCs & STs (POA) Rules, 1995.

3.42 This being the factual position on the ground, the Commission is of the view that the State Govt. of Bihar should take immediate and effective steps/measures for holding regular meetings of the POA implementation committee & other Committees, strengthening and operationalising the SC/ST Police Stations and Cells and establishing and operationalising the Special Courts, in sensitive areas, and removal of the other shortcomings mentioned above.

CHAPTER IV

GOA

In the State of Goa which became 25th State of the Union of India on 30th May 1997, Scheduled Caste population according to 1991 census is 2.08% and Scheduled Tribe population is 0.03%. Since the Scheduled Tribe population is negligible only Special Component Plan is implemented in the State. The literacy rate in the State is one of the highest in the Country and even literacy rate of Scheduled Caste at 58.58% for male and 40.22% for female is higher than all India level.

Economic Development

4.2 As in other States, Agriculture is one of the important occupations of the rural areas of the State. The age-old occupation of two predominant groups among the Scheduled Castes, namely Mahar and Chambhar community is basket making, weaving and tanning of hides.

4.3 Though there are no specific problems of SC/ST in the State, the fact remains that SC community by and large is economically backward viz-a-viz general population. A census survey of the Scheduled Caste families below poverty line was carried out by Government of Goa in 1996. An income ceiling of Rs.11,000 P.A. was fixed for determination of below poverty line families. In all of the 4273 Scheduled Caste families contacted 2285 were reported to be below poverty line. In other words 53.48% of the SCs were living below poverty line. Bardez taluka has the largest number i.e. 607 families below poverty line followed by Pernem 498, Salcete 287 and Bicholim 188.

4.4 The list of the B.P.L. families has been circulated to all the Directorates implementing the schemes under the SCP to render assistance to improve their standard of living. It has also been suggested that these 2285 Scheduled Caste families be given assistance under Poverty Alleviation Programme.

4.5 The State Government has introduced a family card system in July, 1984 to eliminate multiple counting of the beneficiaries and also to see as to how many SC families have been able to cross the poverty line. However, this scheme has not been successful and it is suggested that Government Govt should review the implementation of this scheme.

4.6 The Goa State SC and OBC Development Finance Corporation was registered on 2.4.90 for implementing financial improvement scheme for SCs. Under this scheme, loan upto Rs. 10,000 is granted at 6% rate of interest. This loan is provided for fish vendors, bamboo workers etc. whose only income is less than Rs. 11,000 per annum. Number of beneficiaries assisted through the corporation is still very low.

4.7 Financial Assistance is also given under joint loan scheme with NSFDC for the benefit of SC people. The unit cost is Rs. 1 lakh to 5 lakh. Under this scheme also only 9 beneficiaries have been assisted for purchase for Maruti Van etc. for running Tourist Taxis. It is felt that unless the income limit for availing of these benefits, which is Rs. 11,000 per annum is increased the desired number under the various loan assistance

scheme would not be achieved. The State Government should therefore consider increasing the income limit to enable more SC families to take advantage of this scheme

4.8 The State Government is also implementing various schemes for integrated Rural Development where their performance has been generally good. However, the State Government should ensure the allocation of more funds for development of SC community.

Service Safeguards

4.9 Service reservation as per Government of India reservation policy has been introduced in the State Government. However the required percentage has not been achieved in group 'A; and 'C' category. The State of Goa attained statehood on May, 1987 and until then it was a Union Territory. The reservation for SCs/STs in services was based on the Central Government pattern. When the State was formed, reservation in services was provided at 2% for SCs and 1% for STs in accordance with the proportion of their population. The Scheduled Castes people are particularly aggrieved by this and they are demanding that the earlier higher percentage should be restored.

Atrocities On Scheduled Castes And Scheduled Tribes

4.10 No case of atrocity on members of SC/ST community has been reported in the State in the years under report.

CHAPTER V

GUJARAT

As per the 1991 Census, Gujarat has a population of 4.13 crores. The population percentage of Scheduled Castes and Scheduled Tribes in the State is 7.43% and 14.92% of the total State population.

5.2 While the general literacy rate in the State has increased, the gap between general and SC/ST literacy rates continues. As per 1991 Census, the literacy rate among SCs and STs was 61.07% and 36.45%, respectively. While the literacy among SC males has been at par with general population, (61.29%) the literacy among SC/ST girls and women continues to lag behind. The State Government has to take effective measures to promote literacy amongst SC/ST girls and women.

5.3 While SCs are dispersed in all the districts of the State, Scheduled Tribes are concentrated in the eastern border districts. 92% of the ST and 62% of SC population live in rural areas. While tribals of Gujarat are mainly engaged in agriculture, collection of minor forest produce, handicrafts and working as casual labour also constitute important sources of their livelihood. SCs are engaged in weaving, training, scavenging, basket making, shoe making activities etc. However, the main occupation of both the SCs and the STs is working as landless agricultural labourers. Both the communities suffer from unemployment and under-employment problems. SC community in the State continues to suffer from the stigma of untouchability resulting in atrocities and harassment against them. It has also been noticed that substantial SC population is migrating from villages due to harassment by caste Hindus. Tribals from rural areas have also been migrating to urban areas, mainly for employment. As per a survey done by State Government in 1998, 37.6% of ST families and 9.6% of SC families in rural areas were living below poverty line

Economic Development-Implementation of SCP/TSP

5.4 Under SCP each department formulates need-based programmes for the development of Scheduled Castes. The allocation of funds to SCP and expenditure during 1996-97 and 1997-98 was as follows: -

(Rs. in crores)

Year	State Plan outlay	Flow to SCP			
		Outlay	%age flow	Expenditure	%age
1996-97	3378.00	101.92	3.02	94.43	92.65
1997-98	4500.00	171.52	3.81	120.78	70.41

and SCA to SCP in above years was: -

(Rs. in lakhs)

S. No.	Year	SCA Amount sanctioned	Expenditure
1.	1996-97	278.90	664.58
2.	1997-98	1659.99	680.56

5.5 From an analysis of the outlays earmarked for SCP, it is noticed that the outlays have not been in proportion to the SC population of the State. State Government has stated that as the SC population is scattered throughout the State, area based developmental projects, exclusively for SCs, are difficult to take up. As such, State Government is taking only individual, family based schemes under SCP. The percentage of expenditure during 1997-98 in 28 sectors has been quite satisfactory. It has also been seen that SCA utilization in 1997-98 is less than the funds allocated. The SCP schemes are being implemented by individual departments. Social Welfare Department, which is the nodal department, has no control either over formulation of schemes or their implementation. This Commission in its Fourth Report had recommended that the entire allocation should be placed with the Secretary, Social Welfare, so as to ensure proper utilisation of the funds. This recommendation is once again reiterated.

5.6 The State Government has recognised that general standard of living of SC population is far below the desired levels. As such, the basic objective of Special Component Plan is to accelerate their economic development for which following specific objectives have been adopted by the State Government:

- i Substantial reduction in poverty and unemployment
- ii Creation of productive assets in favour of Scheduled Castes and to sustain the growth likely to accrue through development efforts;
- iii Diversification of the development strategy by providing adequate opportunities in all the sectors;
- iv Human resource development by providing adequate educational and health services; and
- v Provision of physical and financial securities against exploitation. For achieving the above objectives, the State Government proposes to earmark adequate funds under SCP and to give priority to develop agriculture based allied activities, like animal husbandry, dairy, co-operation and farm mechanisation. Attempts would also be made to give priority to Khadi and Village Industries, Sericulture, Handloom and Small-Scale Industries.

5.7 In Gujarat, there are 9 Integrated Tribal Development Project areas, which cover 82.44% of the State's tribal population. A nucleus budget has been set up by the Tribal Development Department at State and Project level under which certain innovative programmes have been taken up to accelerate the socio-economic development of the tribals. From the analysis of the funds allocated by the State Government for TSP, it is seen that the allocation is less than the percentage of tribal population. The utilisation of a SCA is quite satisfactory. As in the case of SCP, the Tribal Welfare Department needs to be given more authority by allocating the entire TSP funds to the Department. This would enable Secretary, Tribal Development Department to scrutinise the schemes of each department for their suitability to STs and also ensure their proper implementation.

5.8 The State plan outlay and Flow to TSP during 1996-97 and 1997-98 and expenditure there on was as follows: -

(Rs. in crores)				
Year	State Play outlay	Flow to TSP	%age to State Plan	Expr. From TSP
1996-97	3378	339.70	11.00%	340
1997-98	4500	475.35	10.56%	431

and SCA to TSP during 1996-97 and 1997-98 was:-

(Rs. in crores)		
Year	Outlay	Expenditure
1996-97	26.43	29.48
1997-98	26.34	29.64

5.9 From an analysis of the development schemes for SCs and STs being implemented by the State Govt., it is seen that during 1997-98, a total of 3906 SCs and 13824 STs people were given houses under Indra Avas Yojana. 6678 house-sites of 100 sq. yards each were given to SCs and STs during 1997-98. Training programme, known as National Scheme for Rural Youth for self-employment, is also in operation to facilitate rural youth to start their own venture and earn their livelihood. During 1997-98, 1553 youth were given training. This scheme also provides facilities for giving finance, tools, equipments, raw-materials etc. For tribal cultivators a subsidized scheme of input kits, containing seeds, fertilizers, sufficient to cultivate half an acre, is being given. Similarly, subsidy of 50% of the cost of improved agricultural implements is also provided. There are other schemes for giving subsidies for purchase of bullocks, bullock-carts, kyari making and paddy cultivation etc.

5.10 The performance of State Government in some major sectors as reported by them is given below:-

Health

- There are 224 CHCs, 894 PHCs and 7274 Sub Centres established in the State. There is a short fall of 57 Primary Health Centres in tribal areas for which the provision is made under the current year budget.
- The Government of Gujarat has filled up most of the sanctioned posts of Medical Officers in all of the Primary Health Centres including Primary Health Centres of tribal areas. Various provisions have been made to attract the medical personnel i.e. higher pay scale (time bound promotion), re-employment, contract base and part time appointment of private practitioners, rural allowance of Rs. 500 to the doctors working in the tribal selected rural areas. The vacant posts of medical cadres are also being filled up by daily walk-in-interview. Moreover the Government has made a provision of a bond from medical students for three years rural health service.

Population and Area Covered by PHCs, Sub-Centres

Item	General		Tribal Area	
	Norms	Achievement	Norms	Achievement
PHCs		739		250
Sub Centres		5345		1929
CHCs		169		55
PHC (population coverage per unit)	30000	28200	20000	25600
Sub Centre (Unit per population)	5000	4100	30000	2900

- 44 Mobile Health Care units are run in tribal areas where establishment of PHC is not possible.

Education

5.11 Apart from implementing various schemes like Pre and Post Matric scholarships, State Government gives food assistance to hostellers. Free uniforms are also given to all SC/ST students. Scholarship ranging from Rs. 350 to Rs. 500 per annum to meritorious students and financial assistance of Rs. 100 per month is also given. 3395 girls have benefitted from these scholarships in 1997-98. About 5.59 lakh tribal students were provided free books and clothes at the rate of Rs. 150 per student, during 1997-98. The State Government took the following initiatives for the development of the SCs/STs:

- Saraswati Sadhana Yojana (Free bicycles to High School Girls)
- Free Uniform to SC/ST students of Primary School (Income ceiling Rs. 1500)
- Dr. Ambedkar Loan Scheme for Foreign Study for SCs.
- Scholarship at Higher rate to primitive group of SC/ST.
- 34 boys (1728) and 9 girls (308) hostels are run by State Government for college going SC students 28 boys (2321 students) 22 (1629 students) girls hostels are run by State Government for College going ST students.
- State Government has reported that there are 81 Ashram School for SC and 515 Ashram Schools for ST. There are 34 Government Hostels for SC and 50 for ST.

Sardar Sarovar Project-Rehabilitation of displaced persons

- State Government has reported that there is no provision for rehabilitation in the Land Acquisition act. But, special provision is made for the families affected by Sardar Sarovar Project.

Agriculture Land

- Minimum 5 acres land to those PAPs whose 25% land submerged subject to land ceiling Act limit.
- The PAPs whose 25% land submerged and wish to acquire rest of the land will also be allotted land as above.
- PAPs to whom agricultural land is allotted, as a part of facility ½ amount of compensation will be recovered and rest of the amount in 20 years installment without interest.

Gramtal Land

- PAP farmer family will be allotted 3 gunthas of land and non-farmer family will be allotted 2 gunthas of land free of charge on the new and undeviable power condition.

School

- At the rehabilitation place one school per 100 farmers.

Panchayat Ghar , Samaj Bhavan or Public Building

- Either one of the three amount 500 families

Dispensary

- 1 dispensary per 500 family's standard condition will be prescribed in consultation will public health.

Children Park

- One plot for part per 500 families.

Tanks

- Benefits of percolation tanks and tanks to groups of PAPs where possible in view of technical point.

Drinking Water

- One well and one havada to PAPs colony and one addition per for families.

Rehabilitation Grant

- Rs. 750/- per family out of which Rs. 400 before migration and Rs. 350/- after migration.

Roads

- Internal roads of metals and approach road of tar keeping in view of traffic.

Status of Drinking Water facilities in SC/ST Villages

5.12 There are about 5884 ST and 5153 SC habitations of the State. As per the survey carried out by Rajiv Gandhi National Drinking Water Mission, ST habitations having drinking water difficulties & position in NC (not covered) and PC (partially covered) category as on 1.4.97 were as under:

1	NPC habitations as on 1.4.97	3205
2.	Coverage of NPC habitations	
	Year 1997-98	487
	Year 1998-99	639
	Year 1998-99	636
	Total	1762
3.	NCPC habitations remains to be covered as on 1.4.2000...(1)-(2)...	1443 habitations
4.	NCPC habitations proposed to be covered during 2000-2001	400 habitations
5.	All remaining NCPC habitations are proposed to be covered by March, 2004	1042 habitations

5.13 During 1997-98 as against target for providing drinking water facilities in 480 ST habitations State Government was able to provide facility in 487 habitations. However provision of Rs. 22 crores was not fully utilized. Actual expenditure was only Rs, 10.07 crores. Performance in SC habitations however was better. As against target for coverage of 250 habitations during 1997-98 423 habitations were provided drinking water facilities. Expenditure incurred was Rs. 10.56 crores vis-à-vis provision of Rs. 8 crores. State Government has assured that all the SC/ST habitations would be provided drinking water facilities by 2004.

5.14 Gujarat Scheduled Castes Development Corporation is providing financial assistance to SC persons living below the poverty line. The Corporation is implementing various schemes as approved by NSFDC, Similarly, Gujarat Tribal Development Corporation is giving various types of loans to Tribal Co-operative Societies for implementing schemes of milch cattle, bullocks and bullock-carts, fisheries, poultry and cottage industries etc. The schemes of NSFDC are also being implemented by the Tribal Development Corporation.

Service Safeguards

5.15 The reservations for SCs/STs in service and posts have been provided at 7% and 14%, respectively. The reservation provisions have been extended upto district level in class III and class IV services in the State. However, generally, the percentage of ST employees has been very low against the prescribed percentage in all classes, except in class IV posts. Special recruitment drive to achieve the prescribed percentage in reservation in State Government and its Public Sector Undertakings is required. The Commission has also found that district level State autonomous bodies are not maintaining rosters properly. State Government should pay attention to these matters.

Atrocities on Scheduled Castes and Scheduled Tribes

5.16 From the details of atrocity cases registered with the Police, it is seen that atrocities and untouchability cases are on the increase in the State. Number of cases involving SC's in 1996 were 1782, which has gone upto 1844 in 1997. Similarly, number of cases of atrocities involving ST's, which came down from 488 to 388 in 1996, has again increased to 400 in 1997. Number of cases registered under the PCR Act, 1955 has also gone up from 18 to 22. Acquittals are very high as compared to convictions, which are negligible. The State Govt. should conduct a review to identify the reasons for increase in the number of atrocity cases, especially rape cases and take suitable remedial measures to avoid recurrence. Deterrent action against the guilty also needs to be taken.

5.17 The machinery to monitor and investigate atrocity and PCR cases in the State consists of a PCR cell headed by a Dy. Director in the Social Welfare Department and DIG (SC/ST & Weaker Sections POA Cell) under the DG and I.G of Police at the State level. At the district level, the special investigation cells are headed by the Dy. Supdt. of Police and there are 15 such posts. 3 Vigilance Officers, each in charge of 6 districts, have been appointed.

5.18 The review and monitoring of atrocities and PCR cases is done by the Vigilance Committees at the district level and Secretary, SWD at the State level. There is a High Power Committee headed by the Chief Minister of the State also to review the cases.

5.19 In the Fourth Report of the Commission, many suggestions were made for preventing the Atrocities against Scheduled Castes and Scheduled Tribes as also for improvement in the day-to-day Police functions. The recommendations are reiterated.

CHAPTER VI

HARYANA

Introduction

State of Haryana has a geographical area of 44,212, sq. kms., the total population of the State is 16,463,648 persons and that of Scheduled Caste is 32,50,933 persons constituting 19.75% of the state population. There is no Schedule Tribe population in the State.

6.2 The literacy rate in the State is 55.85% and the literacy rate among the Scheduled Castes is 39.22%, which is quite low in comparison to the general literacy rates in the State. However, in comparison to the All India literacy rate of 37.41% of Scheduled Castes the State has a slightly better, the female literacy rate among the Scheduled Castes of 24.15% is almost equal to All India Scheduled Caste female literacy rate of 23.76%.

Development and Welfare Activities

6.3 Since there is no tribal population in the State of Haryana, only Special Component Plan has been formulated from the Sixth Plan onwards for the development of Scheduled Castes. The other two instruments for the development of Scheduled Castes are Haryana Harijan Kalyan Nigam and Special Central Assistance (SCA).

Special Component Plan (SCP)

6.4 During the year 1997-98 out of the state plan outlay of Rs. 1576.40 crores, the agreed flow to SCP was 202.65 crores, of which Rs. 165.15 crores, was the actual expenditure. The percentage of SCP outlay to total plan outlay was 12.85% and the percentage of expenditure under SCP to the outlay under SCP was 81.49%. Thus the flow to SCP out of the state plan expenditure of 12.85% is much below the population percentage of Scheduled Castes (19.75%) and even the same was not fully utilized. This calls for gearing up of the implementation process.

6.5 Under the various development schemes of State Government the following picture emerges in respect of funds utilised Outlay State Plan 1997-98 under SCP.

	Development Schemes	% of Funds utilized under SCP
1.	Agri & Allied Services	10.3%
2.	Rural Development	40.6%
3.	Special Area Programme	15.27%
4.	Irrigation Fault	7.02%
5.	Energy	2.29%
6.	Industries & Mineral	10.68%
7.	Transport	0.02%
8.	Decentralised Planning	25%
8.	Science Economic Services	Nil
9.	General Economic Services	Nil
	Total	30.70

6.6 It may be observed that under schemes or rural development the centralized planning and social services the percentage of expenditure is quite satisfactory. However, there are schemes like Irrigation, Energy, Transport, where the actual expenditure ranges between 7.02% to 0.02% and no expenditure in Science Economic Services, and General Economic Services no expenditure has been incurred. Thus it may be interred that the State Government has not been serious enough towards both allocations and utilisation of funds out of the State Plan to the SCP for the Welfare and Development of Scheduled Castes. This requires quantitative and qualitative improvement in both.

Haryana Harijan Kalyan Nigam

6.7 Haryana Harijan Kalyan Nigam was registered under Companies Act, 1956 on 2nd January, 1971 with a sole aim to provide a package of economic benefits to the Scheduled Castes persons in the State. Nigam implements a number of schemes some of which are detailed below: -

National Scheme for Liberation and Rehabilitation of Scavengers and their Dependents

6.8 As per the scheme, the Nigam has conducted survey to identify the scavengers and their dependents in the State of Haryana, As such Nigam provides financial assistance to the identified scavengers/dependents as per survey list.

6.9 The Nigam conducted a third survey in 18 district of the state and observed that there are 40,000 scavengers and their dependents. Nigam launched various schemes for their upliftments. Number of persons trained in various vocations during the last five year were-

S. No.	Year	Training Centres of the Nigam	Private Shop work shop	I.T.Is/Govt. Institution	Total
1.	1993-94	798	35	-	833
2.	1994-95	1325	561	107	1993
3.	1995-96	455	323	49	827
4.	1996-97	472	110	-	482
5.	1997-98	281	94	-	375
		3231	1123	156	4510

6.10 Coverage of scavengers under training programme is very poor and needs wider coverage especially through the I.T.I.'s and other Government Institutions.

Financial Assistance

6.11 The Nigam provided financial assistance to 11090 beneficiaries' upto the year 1997-98 for taking up Self Employment Schemes like Dairy Farming, Readymade Garment Shops, T.V. Repair etc. Details are given below:-

(Rs. in lakhs)

Year	No. of cases	Subsidy	Margin Money	Bank Loan	Total	Average Assistance (in Rs.)
1993-94	1295	54.08	16.11	37.53	107.72	8318.00
1994-95	1411	66.11	21.40	45.06	132.66	9401.00
1995-96	4735	348.22	109.74	265.08	723.04	15270.00
1996-97	1790	147.89	45.97	112.47	306.33	17113.00
1997-98	1859	168.18	56.82	152.21	377.21	20291.00
Total	11090	784.48	250.13	612.35	1646.96	14850.00

6.12 It may be observed that the number of cases covered under the scheme has shown a sharp declining trend in comparison to the 1995-96. The interaction of the Nigam with the identified beneficiaries revealed that 60% of the persons can be assisted and remaining 40% are not eligible as they are either minor or have already availed assistance from the Nigam or were defaulters or had got job, migrated or not interested.

Special Central Assistance

6.13 Under the scheme Govt. of India released Rs. 4582.92 lakhs to the State Govt. during 1992-93 to 1996-97 of which only Rs. 3236.19 lakhs were utilised. The State Government should ensure full utilisation of this assistance.

Education

6.14 No. of SC boys and girl students enrolled in basic, middle and matric levels is given below:-

Enrollment as on 30-9-1997

Class	Boys Total	Scheduled Castes	Girls Total	Scheduled Castes
1.	2.	3.	4.	5.
I to V	11.10	2.85	9.86	2.57
VI to VIII	5.25	0.97	3.92	0.66
IX to X	2.39	0.31	1.55	0.17
XI to XII	1.16	0.12	0.70	0.05

6.15 To improve the educational literacy levels of Scheduled Castes in the State 87 primary schools were up-graded to middle standard during the period 1992-97 and 227 posts of various categories of personnel were sanctioned.

6.16 The drop-out rate among Scheduled Castes students at primary level and middle levels is 28.35% and 24.51% as against the corresponding figures 20.20% and 10.11% for non Scheduled Castes as on 30-9-1997. The drop-out rate should be checked and serious efforts by way of adequate incentives to SCs students and full utilisation of book bank facilities, hostels schemes etc. The State Government should launch special requirement drive to fill up the backlog vacancies of teachers at primary and middle school. State Government provides incentive to the SCs through various scholarships schemes ranging from Rs. 10 to Rs. 425 p.m. for different classes. Merit scholarships are also given to SCs girls in 9th to 12th class. Grant for purchase of stationery articles is also given.

6.17 During the year 1996-97 the enrolment at graduate and post graduate levels for all students was 1,10,288 students out of which 9,271 students were from SC communities. Which is for below the population percentage of Scheduled Castes in the State.

6.18 The wards of the persons engaged in unclean occupations are provided scholarships ranging from Rs. 25/- p.m. to Rs. 50- p.m. in addition to an adhoc grant of Rs. 500/- per annum at Pre-Matric stage. A scheme has been introduced for providing incentive to meritorious Scheduled students ranging from Rs. 1000/- to 2000/- who obtain 1st Division in Post Matric to Post Graduate level classes.

6.19 The State Govt. conduct a district wise survey to assess the impact of these schemes and if necessary the amount of incentive for teachers may also be considered who are dedicated towards promotion of education among Scheduled Castes and more emphasis should be given on female education. The incentive schemes for meritorious students from Rs. 1000/- to Rs. 2000/- from Post Matric to Post Graduate levels for Scheduled Castes is a commendable scheme which other states may also adopt.

Social Development

6.20 The following schemes are being implemented by State Govt. but no information about the funds allocated and utilised was provided to the Commission and therefore, their impact on the Scheduled Caste people cannot be assessed. State Govt. may please furnish this information regularly to the Commission.

- i Subsidy of Rs. 5000/- to those Scheduled caste, who do not have house or plot of land of 50 sq. yards.
- ii Grant upto 50,000/- to Gram Panchayats for basic amenities to improve environmental conditions of Scheduled Caste Basties.
- iii Financial Assistance of Rs. 10,000/- for the marriage of daughters of Scheduled Castes widows below poverty line.
- iv Rs. 25,000/- incentive for inter-castes marriage.
- v Rs. 5,000/- paid to Panchayat doing outstanding work for the Welfare of Scheduled Castes.
- vi Financial Assistance ranging from Rs. 15,000/- to 2 lakhs to Scheduled Caste victims of atrocities under SC/ST (Prevention of Atrocities) Rules, 1995.

Service Safeguards

6.21 The State Govt. has not enacted any legislation to govern the implementation of Reservation in Services and posts under the State and its enterprises. In direct recruitment 20% reservation is provided in class I to IV posts and in promotion 20% reservation is provided only in class III & IV posts.

6.22 Out of 37 Castes listed as Scheduled Castes, Chamar, Jatia, Regar, Raigar Ramdasia and Ravidasi have been kept in Block-B, and rest of the 36 Castes in Block-A. The State Government have classified the Scheduled Castes in Block A & B on the plea that the Scheduled Castes in Block A are comparatively more backward among the Scheduled Castes and out of the quota reserved for Scheduled Castes in direct recruitment 50% are offered to Scheduled Caste candidates from the block-A.

6.23 From the perusal of data on representation of Scheduled Castes in State Government Services as on 1.1.98 it is found that Scheduled Caste employees constitute 6.03%, 6.94%, 12.78% and 27.41% in group A, B, C, and D, respectively, against their population of 19.75% in the State. **This reveals that there is huge back log of Scheduled Caste vacancies in group A & B and also substantial deficiency in group C as well Special efforts are required to fill up the backlog of vacancies.**

6.24 The representation of Scheduled Castes in State owned enterprises on as 1.1.97 is 2.84%, 5.46%, 13.51% and 21.29% in group A, B, C, and D, respectively. **More vigorous efforts by way of Special Recruitment Drives and also further concessions may be considered to improve their representation and the Commission should be informed about the steps taken in this regard.**

Atrocities Against Scheduled Castes

6.25 The Government of Haryana has specified the courts of senior most Additional Session Judge at each district Head Quarters as Special Court to try offences under the Atrocity Act. During the years 1995, 1996 and 1997, 3, 4, and 4 cases were registered by police under P.C.R. Act, 1955. Out of the 16 cases brought before the Court in the year 1997, in 3 cases acquittal was given and 13 were pending trial. Under the Scheduled Castes and Scheduled Tribes (POA) Act, 1989, 21, 16 and 32 cases were registered by police in the years 1995, 1996 and 1997, respectively; Challans in 44 cases including 22 brought forward cases, were filed in the Court in 1997 under the P.O.A. Act. In ten cases resulted in acquittal two in conviction and the remaining 32 cases were pending trial by the end of 1997. Thus, it may be observed that a large number of cases are still pending in the Courts.

6.26 The Government of Haryana adopted the Scheduled Castes and Scheduled Tribes P.O.A. Rules, 1995 from 1.4.96. The State govt. have not appointed Special Prosecutors under Rule 4 of the P.O.A. Rules. However, under Rule 5 of the said Rules it has been provided that after registration of a case, a Gazetted Police Officer will visit the spot of atrocity for investigation and the case will be treated as special reported case. The Commission is of the view that for proper monitoring of the prosecution process, special prosecutors under Rule 4 of the Scheduled Castes and Scheduled Tribes P.O.A. Rules be adopted.

CHAPTER VII

HIMACHAL PRADESH

The State of Himachal Pradesh is rugged and mountainous and has 12 districts over a vast geographical expanse of 55,673 Sq. Kms. The total population of the State is 51.71 lakhs consisting of 47.22 lakhs (91.32%) rural and 4.49 lakhs (8.68%) urban population. The Scheduled Castes number 13.10 lakh which account for 25.34% of total population of the State. Vast majority of the Scheduled Castes, numbering 12.27 lakhs (93.66%), reside in rural areas and only 0.83 lakhs (6.34%) Scheduled Castes reside in urban areas.

7.1 The population of Scheduled Tribe is 2.18 lakhs i.e., 4.22% of the total population of the State. Most of the Scheduled Tribes population (69%) resides in tribal sub-plan areas spread over 23,655 Sq. Kms. in the State.

7.2 As per 1991 Census the literacy rate of general population in the State was 63.86% while for Scheduled Caste and Scheduled Tribes it was 53.20% and 47.09% respectively. The female literacy rates in the State for general category, SC and ST were 52.17%, 41.02% and 31.18% respectively.

Development & Welfare activities taken up for the Welfare of Scheduled Castes under Special Component and Special Central Assistance

7.3 Single-consolidated Demand has not so far been started for the Special Component Plan but a minor head of account has been opened to reflect budgetary provision under Special Component Plan.

7.4 No diversions are allowed from the Special Component Plan and efforts are made to ensure non-divertibility and full utilisation of the earmarked funds under Special Component Plan.

7.5 The expenditure made under SCP during 8th Five Year Plan, 1997-98 and 1998-99 are given as under :-

Year	(Rs. in crores)		
	State Plan	SCP Expenditure	%age
Total VIIIth Plan (1992-97)	2502	303	12.12
1997-98	1008	128	12.74
1998-99	1440 (Anticipated)	173 (Anticipated)	12.00

7.6 It is seen from the above information that expenditure under Special Component Plan during the Eight Plan Period and 1997-98 and 1998-99 remained at lower side as compared to scheduled caste population of the State. **The outlay as well as expenditure under Special Component Plan requires to be stepped up.**

7.7 For improving the socio-economic condition of Scheduled Castes, State Government has following broad objectives which are being pursued during the 9th Plan:-

- i conservation of whatever assets SCs have
- ii transfer of assets (land)
- iii help them in acquiring new skills to improve their employability and productivity
- iv to provide minimum needs and basic amenities in their habitations.

7.8 Following help and concessions are being provided to Scheduled Castes under SCP:

i Help in raising agricultural production by providing production (except fertilisers) inputs to Scheduled Caste farmers at 50% subsidy and fertilisers at 40% subsidy. Besides, they are also being helped in adopting improved farming technology like mechanised farming, use of improved seeds, plant protection measures etc. Similarly, various horticultural inputs are being provided to help them establish their individual orchards. Training is imparted to illiterate and rural Scheduled Caste youths for one year duration and financial assistance at the rate of Rs. 300 per month is also made available during the training period. 50% subsidy on the cost of various horticultural inputs is also given by the State Government.

ii Under the bee-keeping scheme, the Scheduled Castes are given 50% subsidy on the cost of modern beehives with the bee-collies and necessary beekeeping tools and equipment with a maximum of Rs. 1000/- per family. Similarly, subsidy for the establishment of mushroom growing units are made available to the scheduled caste farmers at the following rates:-

- | | | |
|----|--|--|
| a) | Subsidy on trays and compost for a maximum of 400 trays:- | 50% |
| b) | Subsidy on pesticides/plant protection equipment | 50% |
| c) | Subsidy on capital cost of mushroom house: | 10%
Subject to maximum of Rs. 2500/- |
| d) | Subsidy on rate of interest on loan: | 3% |
| e) | Subsidy on transportation on compost upto nearest road head. | 100%
Subject to maximum of 600 trays. |

Animal Husbandry

7.9 Fifty percent subsidy subject to a maximum of Rs. 5000/- per family, besides 100% subsidy on transportation charges on milch cattle and other live stock are made available to the Scheduled Castes. In addition, balanced food for six months to the extent of Rs. 700/- is also provided on 50% subsidy. Equipments like chaffcutters, milking pails etc. are also provided on 50% subsidy.

Fisheries

7.10 Scheduled Caste fishermen are provided 50% subsidy upto Rs. 2500/- for the purpose of fishing equipment viz. boats and nets etc. under reservoir fishermen's programme. 50% subsidy is also available for construction/renovation of ponds/tanks to the pond fish farmers. Such subsidy is also admissible to the fish farmers for undertaking rearing of trout fish. Subsidy upto a maximum of Rs. 5000/- is also made available to the scheduled caste fish farmers for the development of cage culture.

Village and Small Industries

7.11 Following incentives are provided under this sector:-

- i Capital investment subsidy at the rate of 35% subject to the condition that subsidy will not exceed Rs. 10,000/-.
- ii 90% subsidy on preparation of feasibility report.
- iii Margin money at the interest rate of 1% as against 6% and 4% interest in respect of other enterprises; term loans are also given at reduced rate of interest of 4%.
- iv 100% subsidy for the carriage and installation of machinery.
- v enhancement of subsidy portion under R.I.P. schemes from 33% to 50% on the pattern of IRDP coverage for identified families in the blocks.
- vi 75% subsidy for the purchase of generating sets upto a maximum limit of Rs. 50,000/- in the small scale sector.

SCA for SCP

7.12 State Government of Himachal Pradesh received Rs. 18 crores during 8th Plan period (1992-97) from the Central Government against which State Government incurred an expenditure of Rs. 19 crores. The excessive amount was incurred on schemes under agriculture, horticulture, co-operative, energy etc. During 1997-98, the State Government was given Rs. 2.61 crores. However, the expenditure again was in excess i.e. Rs. 2.71 crores. **It is to the credit of the State Government that nearly all the amounts released have been utilised for the purposes for which these were made available.**

Development & Welfare activities taken up for the welfare of Scheduled Tribes under Tribal Sub-Plan and Special Central Assistance

7.13 Whole of the tribal areas of Himachal Pradesh have been declared as Scheduled Areas. For the purpose of development administration the entire Tribal Sub-Plan area is divided into five Integrated Tribal Development Projects (ITDPs). The five ITDPs are Kinnaur, Lahoul, Spiti, Pangi and Bharmour. Except Kinnaur which is spread over three C.D. Blocks, rest of the Integrated Tribal Development Projects (ITDPs) comprise one C.D. Block each. For the dispersed tribals, Modified Area Development Approach (MADA) was devised during the Sixth Plan to cover such pockets of tribal concentration which had a population of 10,000 and of which 50% or more are tribals. Two such pockets

were identified in Chamba district. These pockets cover an area of 891 Sq. Kms. and 61% population of the total Scheduled Tribes population resides in MADA pockets.

7.14 The Single Line Administration was first introduced in Pangi in 1986 and from 15th April, 1988 this was introduced in all the five Integrated Tribal Development Projects (ITDP's).

7.15 Himachal Pradesh embarked upon the strategy of Tribal Sub-Plan(TSP) in 1974-75 and by 1987-88 entire tribal population was brought under its ambit. To begin with, the size of TSP in 1974-75 was Rs. 111.81 lakh (3.65%) of the total State Plan.

7.16 The State Government has decided from 1996-97 onwards that 9% of the total State Plan outlay shall be kept at the disposal of the Tribal Development Department which shall be further allocated to the 5 Integrated Tribal Development Projects (ITDPs). Every ITDP shall be free to fix its own priorities and allocate funds to only those schemes, which are relevant to the area.

7.17 The allocation & expenditure under TSP during VIIIth Plan Period & 1997-98 has been as under:-

(Rs. in crores)					
Year	State Plan	Allocation to TSP	Expenditure	SCA	Total Expenditure
VIIIth Plan (192-97)	3340	300	298	20	318
1997-98	1008	90	90	3.43	93.43

7.18 Besides the amount of Rs. 20 crores under SCA, a large amount of Rs. 56.51 lakhs & Rs. 107.08 lakhs were spent for the development of Scheduled Tribes living in Tribal Pockets and those who are dispersed outside the tribal areas and the tribal pockets.

7.19 Apart from General schemes covered under SCP/SCA following main schemes have been taken up by the State Government for the development of Scheduled Castes.

Himachal Pradesh Scheduled Castes/Scheduled Tribes Development Corporation.

7.20 The present authorised share capital of the Corporation is Rs. 30.00 crores which is to be contributed by the State and Centre Governments in the ratio of 51:49. The total paid up share capital of this Corporation as on 31-3-98 was Rs. 1954.45 lakhs. The Corporation received Rs. 1110.02 lakhs as Centre's contribution upto 31-03-1998.

7.21 The Corporation at present arranges financial assistance either from the commercial and Co-operative banks for the SCs/STs and their organisations or from the National Schedule Caste and Schedule Tribe Finance and Development Corporation set-up by the Government of India. The Corporation implements the following Schemes.

Swarojgar Yojana

7.22 Since its inception 1,61,314 Scheduled Castes and 14,449 Scheduled Tribes were given financial assistance to the tune of Rs. 2038.92 lakhs and Rs. 239.86 lakhs, respectively, on account of margin money loan. Besides, Rs. 866.04 lakhs and Rs. 67.63 lakhs was disbursed as Capital subsidy to 23,356 Scheduled Caste and 1696 Scheduled Tribe families, respectively, till the end of March, 1998.

Himswablamban Yojana (NSFDC Scheme)

7.23 Under this scheme loan was sanctioned to 586 Scheduled Castes/Scheduled Tribes to the tune of Rs. 1233.98 lakhs during the year 1991-92 to 1997-98.

Interest Free study loan for higher studies

7.24 This scheme was started in the year 1992-93 and 157 students were provided loan to the tune of Rs. 29.23 lakhs till the end of March, 1998.

Other Promotional & Supportive activities

7.25 2949 Scheduled Castes and Scheduled Tribes were imparted training in various trades till the end of 1996-97. In 1997-98 new scheme namely "Dalit Varg Vaivsaik Prashikshan Yojana" was launched and 1040 Scheduled Castes and Scheduled Tribes youths were inducted for training under this scheme during the year 1997-98.

Laghu Vikray Kendra Yojana (Shop-shed scheme)

7.26 Under this scheme the Corporation provided loan @ 4% per annum interest to the Municipal Committees/N.A.C.s/Block Samities and Gram Panchayats for construction of shops/sheds etc. for allotment to Schedule Caste and Schedule Tribe families. So far 17 local bodies have been assisted to the tune of Rs. 43.03 lakhs for construction of 234 shops/sheds. 163 shops were constructed of which 141 shops allotted to the eligible Schedule Caste and Schedule Tribe beneficiaries till the end of March, 1998.

Hast Shilp Vikas Yojana

7.27 This scheme was started in 1997-98 and during the year 91 Schedule Caste and Schedule Tribe beneficiaries were given financial assistance of Rs. 3.29 lakhs.

Rehabilitation of Scavengers

7.28 1142 Scheduled Caste were given funds to the tune of Rs. 192.32 lakhs and training in various trades was imparted to 1582 youths with an expenditure of Rs. 69.10 lakhs till the end of March, 1998.

7.29 The Himachal Pradesh Scheduled Castes Development Corporation provides direct loan in cases of self-employment and certain other schemes. Out of the total Annual Plan of Rs. 128.53 lakhs and Rs. 32.00 lakhs under SCP/TSP, the Corporation incurred an expenditure of Rs. 44.62 lakhs (34.72%) and Rs. 14.02 lakhs (43.81%) under SCP/TSP, respectively, from April to December, 1998.

Education

7.30 With a view to bring more and more children under the formal system of education, State Government of Himachal Pradesh has initiated a number of incentive schemes for the students belonging to Scheduled Castes. Apart from scholarships to primary, middle, pre-matric students, IRDPs scholarships are also being provided to Schedule Caste/Schedule Tribe students. IRDP scholarships range from Rs. 250 for boys in middle schools to Rs. 2,400 per annum for hosteller boys in colleges, for girls middle school scholarship is Rs. 500 per annum and for hosteller girls, scholarship is Rs. 2,400 per annum. 4 free hostels at school stages have been established for Scheduled Castes. Coaching Classes for Schedule Caste/Schedule Tribe students in Maths and Science subjects are also given. Free textbooks are provided to all students studying in tribal areas along with free writing material. Uniforms, are also provided to the girl students in the tribal areas. Education is free to all upto school level. Special incentives and merit scholarships are also being given for Scheduled Tribe students. **With all these measures the drop-out rate among SC/ST students has come down considerably, as compared to the national average. However, State Government has to make more concentrated efforts to minimise the difference in literacy rate between the general population and Scheduled Castes and Scheduled Tribes. Special attention is also required for promotion of literacy among Scheduled Castes and Scheduled Tribes families. State Government may consider increasing the scholarship rates for students from these communities.**

Reservation Policy

7.31 Each Head of Department has nominated an officer to act as a Liaison Officer in respect of service matters relating to Scheduled Castes and Scheduled Tribes in offices under his/her administrative control.

7.32 No instance of obtaining employment in the State Service on the basis of false Scheduled Castes and Scheduled Tribes certificates has come to the notice of the Government of Himachal Pradesh during the year 1997-98.

7.33 Following information was furnished in respect of Representation of Scheduled Castes and Scheduled Tribes in State Government services as on 01-01-1996.

Group	Total employees	Number and Percentage of			
		Scheduled Castes		Scheduled Tribes	
		No.	%age	No.	%age
I	5389	573	10.63	265	4.91
II	2251	266	11.83	106	4.70
III	92910	14272	15.36	3841	4.13
IV (Excluding Sweeper)	18882	4100	21.71	1124	5.95

7.34 It is observed that except in Group IV service, percentage of Scheduled Castes in all other group is less than the prescribed quota. The position in the State Public Sector Undertakings is even worse.

7.35 Concerted efforts should be made to fill backlog vacancies of 661 (SC), 285(ST) in the State Government Services and 496 (SC) and 302 (ST) in Boards & Corporation in Group A, B, C & D posts.

Atrocities

7.36 The Government of Himachal Pradesh vide notification No. Home (C) F (II)-16/89 dated 30.1.1990 specified District and Sessions Courts of Shimla, Mandi, Sirmour, Solan, Hamirpur, Kangra, Una and Chamba as Special Courts to try offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

7.37 State Government has informed that due to a number of preventive measures taken by them, offences against Scheduled Castes and Scheduled Tribes are decreasing day by day. State Government has set up special cells at Police Headquarters at the State and District levels to look after the grievances of Scheduled Castes and Scheduled Tribes. Cases of atrocities on Scheduled Castes and Scheduled Tribes have been brought within the purview of the Committee of Himachal Pradesh Vidhan Sabha on Welfare of Scheduled Castes and Scheduled Tribes. In the investigation of such cases, police officers have been instructed to deal personally with such cases. Directions have also been given to provide free legal aid to Scheduled Castes and Scheduled Tribes in deserving cases. Cases of atrocities and harassment can be reported by Scheduled Castes and Scheduled Tribes directly to the district revenue/civil officials as well as to the State/District Police Headquarters and to the Home Department in addition to the nearest Police post/Police Station. **Copy of protection of Civil Rights Acts 1955 and POA Act, 1989 have been ordered to be displayed at the Police Stations/Block Headquarters so that not only the officials of the Police Station but also the general public is made aware of the provisions of the said Act.**

7.38 As per the information provided to the Commission by the State Government, during 1997 & 1998, 57 and 47 cases were registered with the Police of atrocities on Scheduled Castes. With the advancement of education and socio-economic development, untouchability is waning in Himachal Pradesh. Under POA Act, during 1997 & 1998, 19 & 13 cases were registered. The pendency of cases, however, with the Courts is quite substantial. During 1997 and 1998, out of total 104 cases which were registered, challans in 77 cases of atrocities were put up in the Courts by the Police. Out of these 77 cases, 74 cases were pending trial. One case resulted in conviction and in two cases accused were acquitted. Similarly, out of the total 32 cases registered under POA Act, 1989, 9 cases were pending in the Court and the remaining cases were disposed off.

7.39 State Government has to take suitable action for avoiding accumulation of cases in the Courts.

CHAPTER VIII

JAMMU & KASHMIR

The State of Jammu & Kashmir consists of 14 Districts, 119 Blocks and 6445 inhabited villages. According to 1987 Special Census conducted by the Registrar General of India, out of 77.19 lakhs total population in the State, the Schedule Castes are about 6.41 lakhs constituting about 8.30% and Schedule Tribes about 7.90 lakhs constituting 11.00% of the total population in the State. The Scheduled Castes are mainly concentrated in Jammu Division. Majority of them are in Jammu, Udhampur & Kathua districts. The Scheduled Tribes concentration is 100% in Kargil, 93% in Leh, 40% in Poonch, 14% in Udhampur and Doda districts and 12% in Kupwara. Their concentration in other districts range from 2 to 8%. Under the Constitution (Jammu & Kashmir) Scheduled Tribes Order, 1989 12 communities have been declared as Scheduled Tribes and 13 communities have been notified as Scheduled Castes.

Flow of Funds to Special Component Plan (SCP) and Tribal Sub Plan (TSP)

Special Component Plan

8.2 The total State Plan outlay during 1997-98 was Rs. 1550.00 crores and the flow to SCP was Rs. 155.44 crores i.e. 10 %. From the flow to SCP the percentage of utilisation was only 54.83%. During 1998-99 the proposed State Plan outlay was Rs. 1900 crores and flow to SCP Rs. 103 crores i.e. only 5.42%. The flow towards SCP has not been in accordance with the Government of India guidelines during 1998-99. **Hence, the recommendation as given in the Commission's Third Report 1994-95 & 1995-96 (Volume-II) of Jammu & Kashmir is reiterated.** The State Government should enhance the flow of funds to SCP keeping in view the SC population percentage in the State so that the Scheduled Castes could get their due share Further the State Government should find out the reasons for shortfall in expenditure and take remedial action.

8.3 The State Government has devised a strategy with the objective to remove the deficiencies experienced in formulation and implementation of SCP programme during 8th Plan and to take corrective measures in relation to administration, implementation and evaluation of the programmes. Accordingly specific responsibilities have been given to District Development Commissioners in the implementation of SCP programmes, communication of separate physical and financial targets to districts, regular inspections and so on. Efforts will be made to identify specific schemes which are relevant to the target groups.

8.4 In order to ensure balanced development of the economy of the State, Planning and Development Department, after deciding the annual plan outlay, sectoral allocations and identifying the thrust area/priorities, have conveyed the plan ceiling to each District Development Commissioner alongwith Sectoral break-up, broad priorities and detailed guidelines for formulation of district plans. All the Sectors like Agriculture, Horticulture, Rural Development, Forest, Minor Irrigation, Animal/Sheep Husbandry, Small Scale Industries, Roads and Bridges (Rural), Public Health Engineering, Welfare of Scheduled Castes and other Backward Classes, Education, Health etc. are included in the district plans.

Tribal Sub Plan

8.5 The Tribal Sub-Plan strategy was introduced in the State during 1990-91, soon after certain ethnic groups of the population were declared as Scheduled Tribes. TSP strategy has been aimed at laying special emphasis on the tribal development and to ensure their socio-economic upliftment as also for lending speed to the developmental programmes so as to bring the tribals at par with other developed sections of the society.

8.6 The flow of funds towards TSP, during 1997-98 from State Plan outlay was Rs. 231.12 crores which was 14.91%. The details of expenditure have not been provided by the State Government.

8.7 State Government has adopted different strategy for formulation of TSP and SCP from this year, the parameters of which are:-

- i The Plan will be based on the segregation of out-lays from each sector in a district or Area exactly in proportion to the population of STs/SCs/ to the total population.
- ii Sectors with substantial Capital component and rural base like Agriculture, Horticulture, Animal/Sheep Husbandry, Forests, Minor Irrigation, IRDP, JRY, G & B, Education, Health, P.H.E. Social Welfare, O.B.C., Nutrition and Self-Employment will mainly be taken up.
- iii SCP and TSP shall be inclusive of the programmes/schemes to be taken up under SCA to SCP and TSP.
- iv Separate schemes will be identified for areas pre-dominantly inhabited by these communities by the respective District Development Commissioners and got approved by the respective District Advisory Boards.
- v All preliminaries shall be completed at par with the District Plan and procedure for preparation of SCP/TSP shall be the same as for District Plan.

8.8 The flow of funds towards SCP & TSP have been only from Capital Component and not from Revenue Component except for Leh & Kargil. It is suggested that the flow of funds under SCP & TSP should be as par population percentage of SCs & STs from total State Plan outlays inclusive of Capital Component & Revenue Component.

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

8.9 SCA is provided by Government of India and is additive to the State Plan efforts. It is primarily meant for family oriented income generating schemes in sectors like Agriculture, Horticulture, Sericulture, Animal Husbandry, Sheep Husbandry, Co-operation, Minor Irrigation, Soil Conservation and so on and part of the assistance can be used for infrastructure development incidental to income generating schemes. As per available information from the year 1997-98 SCA has been made a part of State Plan outlay. **SCA should not be included in the State Plan outlay. The flow towards SCA to SCP & TSP should be indicated separately alongwith its expenditure and should not form a part of the State Plan Budget of SCP & TSP.**

8.10 The amount of SCA to SCP during 1997-98 & 1998-99 is as follows: -

(Rs. in lakhs)

Year	Released	Utilised
1997-98	73.87	105.98
1998-99*	81.41	53.53
	(upto September'98)	

8.11 The amount of SCA to TSP during 1997-98 & 1998-99 is as follows: -

(Rs. in lakhs)

Year	Released
1997-98	521.8
1998-99	412.97

8.12 The details of utilisation have not been provided by the State Government.

J & K SC/ST/OBC DEVELOPMENT CORPORATION

8.13 The J & K SC/ST/OBC Development Corporation Limited was established in the year 1986 with broad objective of upliftment of SCs/STs/ OBCs, who are living below the poverty line.

8.14 The authorised Share Capital for this Corporation is Rs. 10.00 Crores which is shared between the Central and State Government on 49:51 basis respectively. The paid up capital for the year ending 3/97 was Rs. 928 lakhs (Rs. 489.32 lakhs by the Government of India and Rs. 439.76 lakhs by the State Government). The State Government is committed to provide remaining matching share Capital contribution of Rs. 70.00 lakhs during the financial year. During 9th five year plan period i.e. (1997-2002) the Corporation proposes to enhance the share Capital from Rs.10.00 crores to Rs. 20.00 crores due to many fold increase in its activities. The source of the funding of the Corporation for taking of income generating schemes for upliftment of Scheduled Castes is through: -

- i Share Capital provided by the State and Central Government in the ratio of 51:49 basis. For 9th plan period Rs. 3.00 crores is proposed in the Plan as matching State Government Share.
- ii Subsidy that is received from Government of India in the shape of Special Central Assistance (SCA) under Special Component Plan (SCP) for Scheduled Castes.

8.15 The Corporation has framed 37 Farms Sector Schemes, 35 in Industry Sector and 49 in Services Sector for poverty alleviation and is providing subsidy (margin money) to the Schedule Caste beneficiaries through bank-tie-up for setting up of various types of income generating units. Each Schedule Caste beneficiary is being provided subsidy at 50% of unit cost subject to a maximum of Rs. 0.06 lakhs. The number of income

generating units established and subsidy provided during 1997-98 and 1998-99 is given as under: -

Number of Units Established Community-wise

S. No.	Year	SC	OBC	ST	Total	Subsidy
1.	1997-98	782	251	684	1717	Rs. 88.01 Lakhs
2.	1998-99	758	154	564	1476	Rs. 79.57 Lakhs

8.16 During 8th five year plan period, 8272 SC, ST and OBC beneficiaries were benefited and subsidy amounting to Rs. 376.61 lakhs was provided for setting up income generating units for them. For 9th Plan Period, 20800 income generating units are proposed to be set up with an expenditure of Rs. 12.48 crores. For 1997-98, 3200 income generating units are targetted to be set-up by the Corporation for SC/ST/OBC beneficiaries with an expenditure of Rs. 176.00 lakhs (Subsidy Component).

Service Safeguards

8.17 The Scheduled Tribes (Reservation in Service) Rules, 1990 as amended vide Notification No. SRO-205 dated 2-7-1991 provides 10% reservation in services in case of direct recruitment for each category and grade of posts for Scheduled Tribes in the State. Similarly 5% reservation has been provided to the ST's in services for all categories and grades of posts where maximum pay scale does not exceed Rs. 3,800/- in case of promotion. The J & K Scheduled Castes and Backward Classes (Reserved) Rules, 1970 sanctioned vide Notification No. 37 GR of 1970 and Notification No. 60 GR of 1970, provide 8% reservation for Scheduled Castes in services in case of direct recruitment and 4% to 8% in case of promotion in different establishments of the Government.

8.18 The details of SC/ST representation in Services has not been provided by the State Government.

Atrocities

8.19 The details of cases of incidence of crimes committed against SC & ST during 1997 is as follows:-

Category	Murder	Hurt	Rape	PCR Act	POA Act	Other	Total
S.C.	-	-	2	0	0	6	8
S.T.	-	4	2	-	-	5	11

Source: Monthly crime statistics (National Crime Records Bureau, Ministry of Home Affairs) Figures are provisional. Annual Report 1998-99 of the Ministry of SJ&E.

8.20 The field office of the Commission for Scheduled Castes and Scheduled Tribes at Chandigarh has been requesting the State Government of Jammu & Kashmir for a detailed report on matters concerning Schedule Castes & Schedule Tribes. But inspite of repeated request, it is very sad to point out that the Government has not furnished any information. It is, therefore, requested that the State Government may kindly make special efforts to collect details and submit a report on matters relating to SCs & STs.

CHAPTER IX

KARNATAKA

The population of Karnataka as per 1991 census was 449.77 lakhs. Out of this 73.69 lakhs were Scheduled Castes and 19.16 lakhs were Scheduled Tribes, which is 16.38% and 4.26%, respectively, of the total population of the state. The Scheduled Castes and Scheduled Tribes are spread over 27 districts of the state. More than 16% of the Scheduled Tribes live in Chitradurga district followed by Raichur and Bellary districts. Only 2.75 lakhs i.e. 14% of the tribals live in ITDP areas as per the 1991 census. There are 5 ITDPs in five districts namely Dakshina Kannada, Udupi, Mysore, Chickmagalur and Kodagu, which are divided into 23 community blocks. The literacy levels for SCs and STs are much lower as compared to the general literacy level in the state. As per 1991 census, as against 56% literacy in general population, literacy rate of SC is 38%, while for ST, it is 36%. Literacy rate in females is 40% for general while for SC women, it is 26% and for ST women, it is 24%. It is estimated that 35% of the people in the state live below the poverty line and 60% of them belong to the SC/ST community.

Sectoral Analysis of SCP and TSP

9.1 A sectoral analysis of the performance of some of the major departments on implementation of the schemes under SCP during 1997-98 is as follows: -

SCP Sectoral Analysis 1997-98

Sl.No.	Department	(Rs. in lakhs)	
		Allocation	Expenditure
01.	Agriculture	298.28	191.64
02.	Horticulture	265.75	256.34
03.	Animal Husbandry	212.36	199.27
04.	Soil Conservation	86.13	67.36
05.	Fisheries	37.70	32.40
06.	Forest	190.75	176.39
07.	Co-operation	96.24	154.65
08.	IRDP	1134.29	680.14
09.	TRYSEM	114.98	74.54
10.	Sericulture	263.52	251.18
11.	Khadi & Village Industries	792.43	177.54
12.	Housing	2744.25	1305.31
13.	SC Welfare	16461.12	16371.95
14.	Slum clearance	1400.00	604.17

9.2 It can be seen from the above table that, while the Co-operation Department has exceeded its target, the performance of some of the sectors like Agriculture IRDP, Khadi & Village Industries, Housing, Slum Clearance needs to be improved substantially as these sectors have utilized only 50 to 60% of the funds allocated to them. Similarly, other sectors also need to ensure that funds allocated are utilized fully. Physical achievement is also lagging behind the targets in all the above departments, except Social Welfare, Fisheries, Sericulture and Housing.

9.3 The funds under TSP have been mainly utilised for poverty alleviation, infrastructure development, socio-economic development, protection and promotion of tribal culture and welfare. During 1997-98 an amount of Rs. 8858.09 lakhs was allocated for TSP. This constitutes the flows from the State Plan and SCA. Out of this only Rs 7369.55 lakhs have been spent (tentatively). Against the target of 23900 beneficiaries, 22455 STs have been assisted under Various Schemes in the fields of agriculture development, horticulture development, animal husbandry, fisheries, Forestry and Wild Life, IRDP, Industries, Commerce, Sericulture, and soil conservation etc.

TSP Sectoral Analysis of 1997-98

(Rs. in lakhs)

S. No.	Department	Allocation	Expenditure	Physical target	Physical achievement
01.	Agriculture	191.92	67.15	488	809
02.	Animal Husbandry	140.65	108.72	138	1083
03.	Sericulture	87.03	85.25	1415	1362
04.	Welfare of ST	-	-	1063	5138
05.	Horticulture Department	154.81	146.20	3249	3063
06.	Soil Conservation	19.90	18.41	331	98

9.4 In all the above Departments, the expenditure incurred from the TSP flow has not been in accordance with the allocation made. But it is encouraging to note that the achievement has been quite substantial by some of the Departments, like Animal Husbandry and ST Welfare. A review of SCP and TSP in Dakshina Kannada and Gulbarga districts reveal that there were vacant posts at the ITDP level needing immediate intervention. The release of funds at the end of the financial year is reported to be the main reason for a lower utilisation of funds. **The review report reveals that Koraga tribe, whose traditional occupation is basket making, have taken to Beedi rolling. This change from their traditional occupation has exposed them to health hazards. They are afflicted with contagious diseases like T.B. This calls for greater health awareness and some innovative steps to make this occupation less hazardous.**

9.5 The district administration of Gulbarga has relaxed the norms for the wards of Safai Karamcharis for plying auto rickshaws as a policy for their rehabilitation. The district administration needs appreciation for this act.

9.6 Through the Nirmala Karnataka Yojana, the Government is spreading awareness about personal hygiene and use of toilets. But it is felt that the scheme is being implemented without proper involvement of the beneficiaries' in the rural areas.

Education

9.7 In the centrally sponsored schemes of Post -Matric Scholarship, fees are reimbursed by the state welfare department to SC and ST students studying in Medical, Engineering, Dental, B.Ed. and Technical Courses. As the prescribed fees for these courses was found to be too high, the parents were finding it difficult to pay the full fees at the time of admission, even though, fees paid are reimbursed by the Govt. later. The reimbursement used to take a very long time, sometimes, years. To overcome this difficulty the Govt. of Karnataka, vide its order dated 11.8.97, has agreed to release the amount of fees payable by SC/ST students at the time of admission in advance. This step by the State Govt. is in the right direction in helping SC/ST students and will reduce dropouts at the higher education level.

Economic Development

9.8 To commemorate the 50th Year of Independence, the Karnataka Government has introduced a new scheme called SWASTHI Gram Yojana w.e.f. 15.8.97. SWASTHI stands for Soil, Water, Sanitation, Trees, Housing and Infrastructure. The funding pattern for development of a SWASTHI village is 40% from private promoters, 50% State contribution and 10% from local sources. The implementation machinery consists of SWASTHI Sangha at Village level, SWASTHI Samiti at District level and SWASTHI Pradhikara at State level. Udbur village in Mysore district where a major incident of SC/ST atrocity took place in August 1997 has been taken up under the SWASTHI Yojana for development w.e.f. 14.9.97. Bhoruka Steels has adopted 3 villages, HUDCO two villages, MSIL one village under SWASTHI Yojana. It is also understood that ITC, TATA etc. have come forward for promoting villages under SWASTHI.

9.9 With the introduction of the Ganga Kalyana Scheme by the Centre as a general scheme, the "million wells scheme" from which the maximum benefit was derived by the SC/ST (86% in VIII Plan and 81% in 97-98) has been wound up. Hence, it is necessary to ensure SC/ST's share remains at the above level while the Ganga Kalyana is implemented as a general scheme by agencies other than the SC/ST Corporation.

SC/ST Development Corporation

9.10 A review of the performance of the SC/ST Corporation reveals that the physical achievement has fallen short of the target in all schemes except individual irrigation wells. The allocation and expenditure of the corporation from 1994-95 to 1997-98 is as follows: -

Allocation and expenditure

(Rs. in lakhs)

Year	Amount released	Expenditure	No. of beneficiaries
1994-95	3981.03	1988.65	38017
1995-96	4890.02	4397.72	57369
1996-97	6629.65	4799.01	40069
1997-98	3976.97	7475.64	39142

9.11 During 1997-98 NSFDC assisted 20528 units costing Rs. 7081.82 lakhs. Rs. 145.96 lakhs has been refunded to NSFDC as on 31.3.98. Out of 3720.13 lakhs total funds provided in the form of term loan/seed capital, Rs. 2836.20 lakhs is the net disbursement. The actual fund utilization is only Rs. 1600.89 lakhs as on 31.3.98. **The KSCSTDC should try to make all efforts to ensure use of the funds provided by NSFDC.**

9.12 The processing of applications takes a long time due to the procedure evolved. There is also shortage of processing staff in the corporation. The numbers of applications have increased many fold in recent years. **In some states, applications received by district offices of the State Corporations, are directly sent to their head offices for onward transmission to NSFDC, which saves the processing time at every level and avoids delay. However, scope to streamline and simplify further procedures exists and should be taken up on priority.**

9.13 The loan application of the Karnataka SC/ST Development Corporation does not give any details about the various sources of finance, the rate of interest involved, the approved schemes of the Corporation and NSFDC, the processing procedure and the time limits etc. **It is suggested that the loan application should contain all this information.**

9.14 The SC/ST Development Corporation provides finance to SC/ST beneficiaries through Banks, KSFC and NSFDC. A study of SC/ST beneficiaries financed by KSFC reveals that 60% of the SC/ST beneficiaries are getting loans in the below Rs. 2 lakh category only and the total loan disbursed under this category during 1994-95 and 1995-96 was only 4% of total loans, whereas the SC/ST population is more than 20 percentage of the total population. From the inception of KSFC, till 1995-96, the SC/ST share in the total loan was only 2.8% and the number of SC/ST beneficiaries was 12.2% of total beneficiaries of KSFC. The interest charged by KSFC is very high (14% and above). **There is more scope for greater involvement of NSFDC in Karnataka. The KSCSTDC should make extensive use of NSFDC assistance.**

9.15 In the priority sector, nationalized banks assist the rural poor and weaker sections of society with financial assistance as per the guidelines of RBI and NABARD. However, the total advances given to SC/ST in the priority sector has come down over the years in Karnataka. As on 31.3.98 the share of SC/ST was only 4.36%. **The Banking authorities must see to it that the advances to SC/ST in the priority sector should improve in the coming years.**

9.16 **The State of Karnataka has introduced a scheme of Green Ration Card for people living below the poverty line. There is also a vigilance committee at the**

Ration Shop Level consisting of 7 members, including one each from SC, ST and OBC. Other states may also like to introduce such a system.

Housing

9.17 Three types of houses are being constructed for allotment to SC's/ST's in the State. They are Ashraya Houses, Dr. Ambedkar Houses and Indira Awas Yojana (IAY) Houses. In addition to these schemes, the State Govt. has introduced another scheme called "Neralina Bhagya" to improve the condition of thatched houses. The Ambedkar Houses are constructed for distribution to SC's and ST's exclusively. The unit cost of Dr. Ambedkar houses is Rs. 20,000/- of which Rs. 19,000/- in urban areas and Rs. 10,000/- in rural areas is given by the Social Welfare Department from SCP/TSP funds. Rs. 1000/- is given by the Central Government for construction of sanitary latrines. Against a target of 25,000 of Dr. Ambedkar Houses at the end of December 1997, the actual achievement was 585 and against a target of 37652 IAY houses, the achievement at the end of December 1997 was only 29,809. The scheme has also been extended to STs from the year 1996-97. As per available information Rs. 200 lakhs has been spent for construction of houses for ST people, Rs. 457.30 lakhs for construction of Dr. Ambedkar houses in rural areas and Rs. 200 lakhs for construction of Ashraya Houses in urban areas. Rs. 216.70 lakhs has been given as subsidy to the Ashraya scheme and Rs. 25 lakhs for rural housing under TSP.

9.18 According to the instructions of the state Housing Department the Karnataka Land Army Corporation constructs the houses of all the three types mentioned above in six districts i.e. Bidar, Gulbarga, Raichur, Bellary, Bijapur and Uttara Kannada. In the rural areas of other districts, the PWD wing of Zilla Panchayat or BDO take up the work. **The Government has decided to have single agency for construction of houses in each district. This decision will go a long way in fixing responsibility and ensuring accountability in the completion of houses and achievement of targets.**

9.19 Some houses under the Ashraya Scheme, which are under construction in Cement Lane and Jairajnagar of Austin Town within Bangalore city, have not been completed even after 7 years. The people who were evicted from the land for the construction of these houses are facing hardship due to delay in completion of construction. Efforts should be made to expedite the process of construction. The field office of the Commission has taken up the matter with the concerned authorities of the State Government, but no action to improve the situation has been taken.

9.20 In the course of inspection of housing scheme in Belthangadi taluk, it was found that the Social Welfare Department had assisted many Koraga tribals by sanctioning them new houses at a unit cost of Rs. 20,000/-. The method followed for construction of the houses is beneficiary participation. In many cases the beneficiaries have not occupied the houses for the simple reason that the beneficiary does not have the money to buy the main door of the house. The Department officials were of the view that the balance amounts for the house could be released only when this portion of the work is completed by the beneficiary. However, the Department could have supplied the doors and adjusted the amount against the balance to be paid to the beneficiaries in order to complete the house and put it into use. **There is a need for a change in approach. The houses that are remaining incomplete may be reviewed immediately and action taken to complete the construction after identifying the needs in each and every case.**

Land

9.21 The SC/ST (Prohibition of Transfer of Ceiling Lands) Act, 1978 prohibits transfer of land without the prior permission of the government. The Land Grant Rules, 1969 provide that the granted lands can be sold after 15 years of allotment, and, with prior permission from the Deputy Commissioner of the District, after 5 years of allotment. This procedure, though well intentioned, has created a lot of hardship to SC/ST people who were genuinely interested in the disposal of their lands. Due to the difficulties faced by the SC/ST people in transferring the granted lands, the Land Grant Rules provisions have been made applicable to SC/ST lands also permitting transfer after 15 years with the prior permission of the government. Now the Govt. of Karnataka vide its Order No. RD 24 LGP 97 dated 9.3.98 has delegated this power to the Divisional Commissioners. The Divisional Commissioners can grant permission for transfer of land if 15 years are over. However, it is also laid down that in cases in which 15 years are not over prior permission of the Government is mandatory. It is also laid down that an SC/ST who wants to dispose off his land will be granted permission subject to the condition that he will buy agricultural land in another place with the money earned. In this way, the dispossession of land from SC/ST is being prevented. **However, to what extent the SC/ST are in possession of granted land is a subject worth studying.**

9.22 Under the provisions of the Karnataka Land Reforms Act, 1961 out of 131024 acres of land distributed 94,571 acres had been distributed to SC/ST up to the end of 1996-97. As per the latest information (1997-98) an extent of, 119107 acres has been distributed to landless agricultural labourers and other eligible SC/ST persons.

9.23 According to the NSS Sample Survey 26.46% SCs and 34.74% STs do not own any land as compared to 45.92% among others. Most of the SC/ST landowners are small and marginal farmers. In spite of various legislation on land distribution and regularization, SC/ST land ownership is quite poor. The surplus land and Govt. land available for distribution is also on the decline. Realising this the Karnataka SC/ST Development Corporation has introduced **the land purchase and distribution scheme**. Under this the Corporation purchases land from those who desire to sell it and then distributes the same to SC/ST. The present purchase rate is Rs. 50000/- per acre. The Corporation allots 2 acres of dry land or 1 acre of wet land. This is a 50% loan and 50% subsidy scheme. The loan is repayable in 10 equal annual installments at 6% interest per annum. Between 1990-98 the Corporation distributed 16918.6 acres of dry land and 3103 acres of wet land. In the year 1997-98 the Corporation had a target of 1650 SC and 780 ST beneficiaries (backlog + current). It was proposed to give Rs. 625 lakhs assistance as subsidy and loan to SC and Rs. 390 lakh assistance as subsidy and loan to ST's. The land is registered in the name of the housewife. Moreover, the potential beneficiary is shown the land under consideration before its purchase, to avoid purchase of bad land.

Service Safeguards.

9.24 There is 15% reservation for SC and 23% reservation for ST in the state of Karnataka in direct recruitment and also in Promotions in State Services and undertakings. However in the state services and undertakings representation of SC's and ST's in group A and B is yet to reach the prescribed percentages. **The State Govt has to take special measures to ensure proper representation of SC/ST in grade A and B cadres also.**

Atrocities on SC's/ST's

9.25 In the year 1997-98 as many as 1303 cases of atrocities against SC/ST were registered under the Prevention of Atrocities Act, 1989. The breakup of these cases is as follows:-

Nature of Atrocities on SC/ST

S. No.	Nature of Atrocities	No. of cases registered during 1997-98		Total
		SC	ST	
01.	Murder	25	7	32
02.	Violence	5	2	7
03.	Rape	20	1	21
04.	Arson of mischief to property	21	-	21
05.	Other POA Act cases	1176	46	1222

9.26 Govt. of Karnataka has established four Special Courts at (1) Gulbarga; (2) Raichur; (3) Bijapur and (4) Kolar, in addition to Designated Special Courts in other districts. The Govt. of Karnataka has a proposal for creation of Special Courts at Bangalore Rural, Tumkur and other places (places under consideration of the Govt.) where pendency of cases is more. During 1997-98, 7 new districts have been created taking the number of the Districts in Karnataka to 27. However, no Special Courts has been set up after re-organization of the districts in the State.

9.27 The disposal of POA Act cases by the Special Courts and other courts in Karnataka at the end of April 1998 is as follows:

Disposal of cases under POA Act

No. of cases Brought Forward	3615
No. of cases received	348
Total	3863
Convicted	3
Acquittal	204
Other disposal	4
Total	211
Pending at the end of April 1998	3652

9.28 The disposal of cases under the PCR Act, 1955 by the Special Courts and by other designated courts is as follows:

Disposal of cases under PCR Act

No. of cases Brought Forward	3613
Received	63
Total	3676
Conviction	1
Acquittal	42
Other disposal	2
Total	45
Pending at the end of March 1998	3651

9.29 The pendency of POA and PCR cases is large in the districts where special courts have been set up and this requires a review of their functioning.

Devadasis

9.30 The Govt. of Karnataka vide its order No WCD 252 WCD 97 in the year, 1998 has reconstituted the State Level Advisory Committee for monitoring the abolition of Devadasi system. The Committee consists of 8 official and 8 non-official members. The Committee has been given the task of preparing an action plan and to suggest measures for abolition of the Devadasi system. It is estimated that there are 30,000 Devadasis in Karnataka. The SC/ST Development Corporation has a target of assisting 2568 Devadasis during 1997-98 but the physical achievement at the end of March 1998 was only 320. i.e. an achievement level of only 13%. However, against the financial allocation of RS. 10 lakhs, the Corporation has spent RS. 12.69 lakhs as subsidy and RS. 6.29 lakhs as margin money. The Women's Development Corporation has assisted 677 Devadasis during April 1997 to February 1998 spending Rs. 66.57 lakhs by implementing schemes like construction of living cum work sheds, setting up of self-help groups and other awareness programmes.

CHAPTER X

KERALA

Kerala is one of the smaller states with a population of 290.98 lakhs as per 1991 census. The Scheduled Caste constitute about 28.87 lakhs and Scheduled Tribe about 3.20 lakhs i.e. 9.92% and 1.10% of the total population in the State. It has however the highest literates in the country. The total literacy being 89.81% as against All India rate of 52.21%. The SC and ST literacy rates are 79.66% and 57.22%, respectively, in the State. The female literacy among Scheduled Castes is 74.31% and among Scheduled Tribes it is 51.07% against the general female literacy rate of 86.13%.

Flow to SCP & TSP

10.1 The flow to SCP during 1997-98 has been in accordance with the Govt. of India guidelines and is proportion to the Scheduled Caste population in the State. The outlay and expenditure during the first year of the Ninth Plan Period is as follows:

(Rs. in Crores)

Year	State Plan Outlay	SCP outlay	SCP expenditure
1997-98	2885	283.27(9.92%)	310.12*

*This includes central share and therefore the expenditure is high.

10.2 The schemes have been decentralised and allotted to the district level as per 'Peoples Plan Campaign' since 1997-98. Majority of the schemes were transferred to local bodies for implementation. The schemes are implemented by Village Panchayat, Block Panchayat, District Panchayat and Municipalities or corporations. The areas of work for implementing agencies have been clearly laid down, as may be seen from details given below:-

- i The Adult Education Schemes, providing Street lights, drinking water wells in the SC and ST colonies in the villages will be done by the 'Grama Panchayat'.
- ii To provide financial assistance for construction of SC/ST houses, to improve the housing facilities for SC and ST persons will be the work of 'Block Panchayat'.
- iii To provide better educational facilities to talented SC/ST students, to establish ST/ST Co-operative Societies will be the work of 'District Panchayat'.
- iv To provide Legal Aid Cells to the weaker Sections of the Society, to start Adult Education Schemes for SC and ST people in the urban areas is the work of the Municipalities and the Corporation. Although the decentralised system of planning or people's plan has been lauded by the Central Planning Commission and others, but at the district level review meetings by the officials of the Ministry of Social Justice and Empowerment, it was noticed that there was still shortage of staffs, lack of expertise among the

officials in drawing up schemes etc. in Panchayat Offices. **State Government should therefore ensure posting of adequate state for effective implementation of schemes by local bodies.**

TSP Flow

10.3 The TSP is in operation since 1976. At present there are 7 ITDPs in Kerala. There are 8 Tribal Development Offices and 48 Tribal Extension Offices. The Tribal Extension Offices (TEO) is the primary agency at the lowest level to co-ordinate with the Development Departments for implementation of the schemes. As per the findings of the field office of this Commission they were not able to effectively carry on their job because of shortage of staff. During 1997-98 under TSP an allocation of Rs. 63.08 crores (2.21%) has been made. The State has introduced pooling system under TSP since 1996-97. **The system envisages segregation of around 2 % of the State Plan funds for TSP at the very beginning of the financial year and this amount is placed at the disposal of the Scheduled Tribe Development Department. Single budget head has been allotted. The Director of Scheduled Tribe Development Department as well as the heads of Departments can simultaneously operate the funds but intersectoral adjustment of pooled funds is done only with the permission of Secretary, SC/ST Department. Since the introduction of the 3 Tier Panchayat in the State during 1995-96, TSP funds are given directly to the local bodies. In 1997-98, 67% of the TSP funds were given to the local bodies. Rs. 39 crores was given as grant-in-aid to local bodies during 1997-98.**

10.4 The analysis of TSP funds allotment reveals that out of Rs. 2216.82 lakhs outlay for State level schemes Rs. 1418.00 lakhs was given to ST development Department and Rs. 423 lakhs were allotted to Rural Development. At the end of 31.12.98 the expenditure was only Rs. 1111.58 lakhs in state level schemes.

SCA to SCP & TSP

10.5 During the VIII Plan Rs. 2312.05 lakhs was released and Rs. 2351.87 lakhs was spent due to carry forward of unutilised SCA amount to SCP over the years. During 1997-98, i.e. the first year of the Annual Plan also utilisation of SCA under SCP has been 89% only. **Full utilisation of SCA should be ensured.** Utilisation of Special Central Assistance to SCP during 1997-98 is as follows

Year	SCA released	(Rs. in Lakhs)
		SCA utilised
1997-98	647	576 (89%)

10.6 The field office of the Commission undertook a study on random basis during 1997-98 on the actual utilisation of SCA to SCP. Rs. 5.75 lakhs were spent for renovation/repairs of wooden platform of the Boat Club at Akkulam and purchase of pedal boat, row boat, water cycle etc. The fund was placed at the disposal of District Tourism Promotion Council, Trivandrum by the District Collector. Till January, 99 the boats were not supplied to the beneficiaries. **The Government should look into the reasons for the delay and take steps to streamline the system.**

10.7 The utilisation of SCA to TSP during 1997-98 is as follows:

Year	(Rs. in lakhs)		
	Budget Provision	Allocation	Expenditure
1997-98	250	196	232

10.8 The Commission's our Trivandrum field office visited a Single Teacher School in a tribal belt in Trivandrum district during March 1999. The Single Teacher Schools are run out of Special Central Assistance to Tribal Sub Plan. It was observed that this School was closed for many days without the knowledge of his superior, as the Teacher (a Scheduled Tribe) had to travel a long distance by foot in the forest area which is prone to elephant menace. In such situation, it is desirable to appoint a local tribal as Teacher. There was no supervision by the State Government Officers. The records showed that salaries of teachers and 'ayah' were paid and payment towards supply of Nutrition food (like mid-day meal scheme) was made. But in practice the School was not working. There are 22 single teacher schools functioning in tribal areas. **It is recommended that the Government should review the functioning of single teacher schools. The State Government should monitor the working of SCA scheme under TSP.**

10.9 Out of Rs. 250 lakhs of SCA outlay, the District Sector outlay was Rs. 172.35 lakhs and the State Sector outlay was Rs. 77.65 lakhs. As on 31.12.98, in the District Sector the amount was fully utilised, whereas in the State Sector the utilisation was to the extent of Rs. 59.43 lakhs only. The amount of Rs. 32.65 lakhs was reserved for need based schemes at the Headquarters and only Rs. 2.75 lakhs out of this amount has been spent during the year. **The balance amount has been surrendered. There is need for full utilisation of SCA.**

10.10 Under the District Sector priority has been given for establishment of single teacher schools (Rs. 10.18 lakhs), Development of Primitive Tribes (Rs. 38.92 lakhs) and rehabilitation of single mothers of Thirunelli (Rs. 37.90 lakhs). As for as the Headquarters scheme is concerned priority has been given to Rubber Cultivation (Rs. 35 lakhs) and training of tribal volunteers.

Land Alienation of Tribals

10.11 This is one of the major issue facing the tribals in Kerala. The problem relating to alienation of tribal land in Kerala has been discussed in detail in the Commission's Third & Fourth Report (Vol II). **The suggestions as given in these reports are reiterated.**

10.12 As per available information from Kerala Land Board, 1,37,744 acres of land was declared surplus. But actually 94,845 acres of land was taken possession by the Government. During 1997-98, 143 acres of land were distributed to Scheduled Castes, 3 acres to Scheduled Tribes and 148 acres to others.

Liberation of Sweepers & Scavengers

10.13 As for as the implementation of scheme of liberation and rehabilitation of scavengers is concerned, so far 1339 scavengers have been identified for assistance. The corporation authorities have informed that only 235 scavengers are interested in

rehabilitation and the remaining have expressed their unwillingness in writing or orally. Out of 235 cases recommended to the banks for assistance only 145 cases have been cleared and remaining cases are pending with the banks. Non-co-operation by the Bank authorities seems to be a serious problem in the implementation of the scheme. **It is recommended that the KIRTADS (State Government Agency Similar to TRI) may study the reasons for the unwillingness on the part of scavengers for rehabilitation & take suitable remedial measures.**

Monitoring and evaluation of SCP/TSP Schemes.

10.14 Review of the SCP/TSP Schemes is done by the SC and ST Department periodically. The Principal Secretary, SC/ST Department convenes the Meetings which are attended by the Heads of all the implementing departments. **However, the State Office of the Commission is not invited to attend these Review Meetings. State Government must ensure participation of Commissions local officers in these review meetings.**

10.15 As regards evaluation, the State Planning Board and KIRTADS (similar to TRI's) are the two agencies that conduct evaluation studies.

Poverty Alleviation Programmes

10.16 Under the IRDP, 44191 families have been assisted during 1997-98 against a target of 25800. The number of SC families assisted was 14460 (56.04%) and ST families assisted was 1096 (4.24%) at a cost of Rs. 814.98 lakhs and Rs. 62.66 lakhs, respectively. Out of 12834 houses constructed Under Indira Awas Yojana (IAY), 7122 (55.49%) and 926 houses (7.21%) have been allotted to SC and ST, respectively. Similarly, under the Million Wells Scheme (MWS) out of 3976 wells dug, 2475 (62.24%) and 329 (8.27%) have been given to SCs and STs, respectively.

Education

10.17 Kerala is a highly literate State. The general literacy rate is 90% but SC literacy rate is low at about 79% and Scheduled Tribe literacy rate is still lower at 57%. Disparities in the literacy levels between SCs, STs and total literacy rate are continuing inspite of various educational concessions extended to SCs and STs. There are two specific reasons for this, low enrolment ratio of SC and ST children at the School level and high drop out ratio of SCs and STs as compared to non SCs and STs. Data in this regard is given in **Tables 1 and 2** below.

TABLE- 1
Enrolment Ratio

Level of Education	Scheduled Castes		Scheduled Tribes		Non-SC/ST	
	Boys	Girls	Boys	Girls	Boys	Girls
a) Primary level (1-IV)	10.96	10.68	1.38	1.34	87.66	86.98
b) Middle level (VI-VIII)	11.03	10.93	1.00	0.99	87.97	88.08

TABLE-2**Extent of Drop-outs****(As on 1995-96)**

Level of Education	Scheduled Caste		Scheduled Tribe		All Communities	
	Boys	Girls	Boys	Girls	Boys	Girls
Primary	1.6	2.8	7.9	10.6	1.08	1.13
Middle	8.7	6.5	12.6	10.4	5.07	3.26
Secondary	23.2	15.2	28.0	18.7	17.3	10.00

10.18 For Scheduled Tribes, there are 115 Pre-Matric Hostels, 9 Model Residential Schools, 2 Ashram Schools and 22 Single Teacher Schools. All these Institutions are controlled and managed by the Scheduled Tribe Directorate. During January, 1998, State Office of the Commission at Trivandrum had visited an Ashram School at Manjeri in Malappuram district. It is a Pre-Matric School-cum-hostel exclusively for the Primitive Tribes viz. Kattunayackens. It was observed that the accommodation was not enough. The Scheduled Tribe Directorate has plans to Construct a new building near Nilambur to solve this problem. In the Ashram Schools, the total enrolment capacity is 820. But during 1997-98 only 763 seats were filled. **Efforts should be made for full utilisation of seats.**

10.19 To encourage enrolment and control drop out rate, the ST Development Department implemented two schemes in 1997-98. Students studying in 100 tribal schools were provided a pair of clothes free of cost. A new plan scheme called 'Assistance for enrolment of Tribal children' has been introduced from 1997-98. Under this scheme clothes, scholarships, Chappals, umbrella etc. are provided. Rs. 10/- per month, per student is given to parents as an incentive for sending their children to school. Rs. 30 lakh was earmarked for this purpose. **The impact of the incentive scheme should be monitored for its effective implementation.**

10.20 The representation of SCs and STs in the cadre of teachers is very low. During 1997-98, out of 187088 teachers upto the High School Level, there were 6642 (3.5%) belonging to SC and 354 (0.18%) belonging to ST. At the Primary, Middle and Secondary levels the representation of SC teachers was 3.45% 0.3% and 4.45% and that of ST teachers 0.1% and 2.7% and 0.18%, respectively. **It is also seen that there is no in service training for tribal teachers. The need for Special Training to understand the tribal traits for teachers in the tribal areas should be considered. The State Government should make efforts to fill up the prescribed percentage of reservation of 8% and 2% for SCs and STs, respectively, in the teaching profession.**

Service Safeguards

10.21 In Kerala State Government Services there is 8% and 2 % reservation for SCs and STs, respectively, in recruitments. There is no reservation in promotions. The data has not yet been made available for the years 1997 and 1998 by the State Government.

10.22 The Commission in the IV report (1994-95 and 1995-9-Vol. II) had recommended that the State Government should compile information in respect of group A, B C and D instead of the present group system. The information has not been provided to state office of the Commission.

Atrocities

10.23 There is a Special Cell headed by a Superintendent of Police in the Office of the Director General of Police. This Cell deals with all atrocity cases of SCs and STs, receives complaints from SC and ST persons and takes necessary follow up action. The Cell also liaises with the District Superintendents of Police on various matters including collection of data on atrocities. The Superintendent of Police of this Cell is assisted by two-three staff members and the Cell is not able to discharge the functions effectively and promptly. Many cases of atrocities are referred to the Police Stations concerned for enquiry and report. The complaints of atrocities received from SC's and ST's are not properly enquired into. The Cell is not able to make independent enquiries. Besides, there is also a post of Additional Director General of Police (PCR). In practice, however, no case goes upto ADG level, who is supposed to monitor the atrocity situation.

10.24 There are three Special Mobile Squads, one each in Kasargod, Wayanad and Palakkad districts. Each Cell is headed by a Circle Inspector with Supporting Staff to receive complaints from SC and ST persons, to investigate FIR Cases registered in the Police Stations and to educate the SCs and STs on the provisions of SC and ST (POA) Act, 1989 etc. and help them in registering the cases with concerned Police. Recently, the Government of Kerala has upgraded the posts of Circle Inspectors to that of Deputy Superintendent of Police, has also constituted a High Power Committee to review the SC/ST Act, 1989.

10.25 Total number of Atrocity Cases registered in the State during 1997 and 1998 on SCs were 785 & 753 & STs were 149 & 142, respectively.

S. No.	Type of Offences	1997		1998	
		SCs	STs	SCs	STs
1.	Murder	7	6	5	-
2.	Grievous hurt	16	-	16	2
3.	Rape	90	26	77	20
4.	Arson	6	2	11	2
5.	Other Offences registered under				
	(a) IPC only or IPC with POA or PCR Act	421	90	419	89
	(b) SC/ST (POA) Act 1989 only	238	25	222	29
	© PCR Act 1955 only	7	0	3	-
	Sub Total (a)+(b)+©	666	115	644	118
	Grand Total	785	149	753	142

10.26 The above figures indicate that there is hardly any reduction in Atrocity cases during 1998 as compared to 1997. State Government should take strongest measures to prevent atrocities on SCs & STs.

CHAPTER XI

MADHYA PRADESH

The State of Madhya Pradesh is a colossus both in terms of its size and in terms of Tribal and Scheduled Caste population. The State is situated in the heart of the country, and therefore, the socio-cultural linkages with the neighboring States influence the pace and nature of the socio-economic development of various regions of the State, giving a distinctive flavour to the development and social dynamics of the State. Therefore, any attempt to review the process of development of Scheduled Tribes and Scheduled Castes in M.P. must be seen against this backdrop of diversity. The State is spread over an area of 4.43 lakh sq. kms. having 71526 inhabited villages. For administrative purposes, it has 61 districts, 384 tahsils and 530 development blocks. As per 1991 Census, the population of the State was 661.81 lakh, of which the Scheduled Caste population was 14.54% and Scheduled Tribes population 23.27%.

11.2 As per 1991 Census, the percentage of literacy among the Scheduled Caste and Scheduled Tribes in the State was 35.08% and 21.54%, respectively, while for the State as a whole, it was 44.20%. As regards male and Female literacy for the entire State it was 58.12% and 28.85%, respectively. The literacy among Scheduled Tribes males and females was much lower at 32.16% and 10.73%, respectively.

The Problems And Constraints

- i Under the strategy of Tribal Sub-Plan a fool proof mechanism has been devised, but the Tribal & Scheduled Caste Welfare Department has not yet been able to effectively implement it. Under the Panchayat Raj System, a broad understanding towards the Tribal Sub-Plan strategy and approach needs to be arrived at among the development departments;
- ii Implementation of the developmental programmes to benefit the tribals in the Tribal Sub-Plan areas of the State requires closer co-ordination among various Agencies of the State as well as with the Central Government;
- iii The symbolic relationship between forests and the tribals slowly weakening. A large proportion of tribals continues to depend on the forests and minor forests produce for their livelihood. But due to increasing degradation of forests and restrictions imposed by the Forest Conservation Act, and other laws and rules, policing of forest areas have become stricter, giving rise to conflicts between the tribals and forest managers. Various commissions appointed by the Government have stressed the need to rationalise the inter-relationship of forest economy with tribal economy and forest operations and their utilisation. The attention of concerned Ministries of Government of India is very much needed to solve this problem. Similarly, a serious thinking and action are required to provide all the facilities to 1358 Forest Villages of the State of Madhya Pradesh, which are being given to Revenue Villages. The socio-economic condition of tribals living in these Forest Villages is extremely poor;
- iv The Scheduled Caste farmers generally possess small and marginal holdings, which is 72.25% of the total Scheduled Caste land holdings.

Average size of Scheduled Caste land holding is 1.82 hect. Thus, they are not in a position to adopt intensive and developed practices of agriculture, and they need to be provided with sufficient financial resources and package of schemes. Irrigation potential also will have to be increased;

- v The Scheduled Caste agriculture labourers are highly disorganised and exploited. The burden of debt has further worsened their condition;
- vi The Scheduled Castes live in separate localities and are segregated from the main village. These localities generally lack the minimum civic amenities. In the towns and cities they live mostly in the slums devoid of basic amenities. The Scheduled Caste are susceptible to various diseases due to malnutrition, unhygienic living and working conditions, which need immediate attention; and
- vii The problems of seasonal migration in the western Madhya Pradesh and in the Chhatisgarh areas is acute. In western Madhya Pradesh, the tribals migrate temporarily during the slack season and maintain their linkages with their native place, whereas, the labours are migrating permanently from the Chhatisgarh area. In the absence of proper law, these tribals / Scheduled Caste migrating labourers and their families are exploited by the contractors.

Implementation of TSP & SCP in 1997-98

TSP

11.3 A comprehensive budgetary mechanism has been developed in the State to implement the Tribal Sub-Plan, i.e., The flow of tribal Sub-Plan from the State Plan, allotment given, expenditure incurred and funds lapsed for the financial year 1997-98 is as under: -

(Rs. in crores)

a.	Budget Provision under Tribal Sub-Plan	622.21
b.	Allotment given to departments	561.99
c.	Percentage (a) to (b)	90.32%
d.	Expenditure	531.68%
e.	Percentage of expenditure from the provision (d to a)	85.45%
f.	Percentage of expenditure from the allotment (d to b)	94.61%
g.	Saving/Lapse	40.14%
h.	Percentage of saving / lapse from the allotment (g to b)	7.14%

11.4 It has been observed that after the adoption of Three Tier Panchayat Raj System, the integrated Tribal Development Approach is not effective even after constitution of Pariyojna Salahkar Mandal at the Integrated Tribal Area Project level. The effective monitoring system could not be developed, but mechanical and routine type of working is going on with the result, the performance under Tribal Sub-Plan has not been satisfactory as indicated below: -

- Even after adopting the Maharashtra pattern, the funds equal to tribal population percentage (23.27%) of the State were not earmarked under Tribal Sub-Plan;
- Against Rs. 561.99 Crores, only Rs. 531.68 Crores was utilised, which is 85.45% of the total budget under Tribal Sub-Plan.
- Rs. 40.14 Crore was either surrendered or allowed to lapse at the end of the financial year by the 13 development departments. Public Distribution Sector and Tribal Welfare Sector surrendered the maximum amount, i.e. Rs. 7.69 Crores and Rs. 18.35 Crores, respectively.

Special Central Assistance to TSP

11.5 Under Special Central Assistance Rs. 102.75 Crores was allocated. Against this, the Government of India Released Rs. 92.08 Crores, out of which only Rs. 71.39 Crores i.e. 77.55% could be spent and Rs. 23.36 Crores were surrendered due to non- release of funds to Fisheries sector & delayed issue of financial/administrative sanctions.

Article 275(1)

11.6 As per the provision made under Article 275(1) of the Constitution, Government of India released Rs. 5.62 Crores during the year 1997-98. Allotment made for different projects was Rs. 12.00 Crores against which expenditure incurred was Rs. 13.90 Crores (115.83%). Rs. 6 Crores had been provided to construct roads in South Bastar but only Rs. 1.08 Crores could be utilised. Rs. 100 Crore was provided for other welfare works in Bastar and against that Rs.6.9 Crores was spent. It is clear that State Government have not planned properly the projects in Bastar and diverted funds from one scheme to another.

SCP

11.7 The provision under Special Component Plan has been Rs. 307.30 Crores, which is 11.71% of the total net State Plan allocations. The analysis of the allotment made and expenditure incurred reveals that:-

- Rs. 228.00 Crore, i.e. 82.78% of the total allocation has been utilised;
- Only under Agriculture and Allied Activities and Energy Sectors, the utilisation has been more than 100%;
- Expenditure under Irrigation and Flood Control, Rural Development, Industries and Mining and Social Sector has been between 85% to 88.76% ; and
- Out of total expenditure incurred under Social Services, 66.76% has been under the welfare schemes of Scheduled Caste sector, 81.77% under School Education and 47.19% under Health & Family Welfare. Thus, overall expenditure pattern has been satisfactory.

Special Central Assistance to SCP

11.8 The Government of India released Rs. 19.45 Crores, out of which Rs. 9.58 crores could be utilised under Special Component Plan by various sectors to whom the funds

were allocated in the budget. Rs.9.87 Crores was surrendered/allowed to lapse due to ban imposed by Finance Deptt. on drawal and delayed administrative sanction.

Corporations

11.9 Financial assistance to SC ST people is provided by Madhya Pradesh Co-operative Scheduled Castes Finance and Development Corporation Ltd. (MPSFDC) & Scheduled Tribes Finance & Development Corporation. However, it is seen that both these organisations could not take advantage of the loans given by NSFDC/NABARD. Out of Rs.13.81 Crores given to MPSFDC for implementation of various NSFDC sanctioned schemes, it could utilise only Rs. 4.24 Crores. Similarly, MPSFDC could utilise only Rs. 6.13 Crores against Rs. 13.89 Crores given to it by NSFDC. The performance of Madhya Pradesh Leather Development Corporation has also been disappointing. Out of Rs. 35 lakhs provided by State Govt. to the Corporation in 1997-98, it has not spent any money for the benefit of SC families in leather profession.

Evaluation Of Pratishtha Programme

11.10 The State Scheduled Castes Finance and Development Corporation had entrusted an Evaluation Study to Council for Social Development, New Delhi in 1996, to assess various facets of the National Scheme of Liberation and Rehabilitation of Scavengers and its Implementation, strategy in Durg and Raipur districts of the State. In this Study, samples of 200 beneficiaries in two districts were taken. The major findings of the Evaluation Study had been as under: -

- While imparting training course to selected Scavengers in these districts under various trades, their (Trainees) Mental Aptitude and Ability to grasp the practical know-how were not taken into consideration. Therefore, the purpose of training could not be fulfilled:
- The period of training had also not been specified Trade-to-Trade as the training depends upon the type of trades and the minimum level of proficiency:
- While selecting the trainees due consideration was not given to local needs of the area. As a matter of fact, need based survey was not done for the Trades in which trainees had to be trained. After imparting training the follow up steps were not taken. For example, the trained trainees should have been sponsored to the various organisations/Government and non-Government as apprentice for some time. This was one of the reasons that the trained trainees could not develop market proficiency in that particular trade in which they are / were trained:
- NSFDC Corporation did not periodically monitor the activities of the trained scavengers:
- The rate of stipend is less in comparison to other training programmes viz. TRISEM etc., Therefore, the training could not attract the scavengers:
- A parity has not been maintained in respect of loans sanctioned for the projects under different schemes. For example, the maximum limit for loan under Prime Minister's Rozgar Yojna is Rs. One lakh, whereas the maximum limit for loan amount under the scavenger scheme is Rs. 50

thousands. Under this scheme, maximum subsidy is Rs. 10,000 and Margin Money is Rs. 7,500. The Banks provide less amount of loan, employment profession / occupation: and

- No follow up measures have been adopted to ensure their (trainees / beneficiaries) gainful employment in a sustainable manner.

Education

Enrolment Ratios

11.11 The Enrolment Ratio among the Scheduled Tribe girls at Primary level is not satisfactory. At middle level the Enrolment Ratio of Scheduled Caste/Scheduled Tribe boys and girls is also poor. One of the reasons is that the number of middle school are less; not in proportion to the primary schools.

11.12 During the year 1997-98 the State scholarship has been given to 11.07 lakh Scheduled caste and Scheduled Tribe students. Here it needs special mention that to promote the female literacy at the secondary level the scheme called "Kanya Saksharta Yojna" has not been implemented as no budget provision was made till December 1997. For the universalisation of Primary Education under DPEP, 34 districts have been covered and 7,456 Primary Schools have been opened. Even then, as mentioned above, the enrolment ratio is not fulfilled.

11.13 The residential facilities viz. Pre-matric Hostels, Ashram Schools, Post-matric Hostels etc, have been provided separately for Scheduled Caste/Scheduled Tribe boys and girls. But the number of these residential institutions are not sufficient for the girls in the State. Besides, it has been found that these residential institutions are not opened in a planned manner at block, tahsils, district and divisional headquarters.

Drop Outs

11.14 The drop out rates at Primary and Middle level among the Scheduled Castes and Scheduled Tribes is quite high. As per the figures available as on 30.09.97, the position of dropouts among Scheduled Caste/Scheduled Tribe in the state is as under:

Category	Primary	Middle
Scheduled Caste	32.74	21.78
Scheduled Tribe	47.80	22.90
Non-Scheduled Caste/Scheduled Tribe	23.22	16.52

Broad Reasons For Stagnation And Drop Out

Reasons for Stagnation

- Irregular attendance;
- Lack of atmosphere of study in the houses; and
- Stagnation in Middle level is more because the examination is conducted by the department board and number of students' who fail increases.

Reasons for Dropouts

- Mainly poor economic condition of the parents;
- Parents prefer to send their children for labour works in order to get additional income;
- Children help their parents in agricultural activities;
- Migration of parents;
- Children find no interest in studies;
- Early marriage;
- Distance of the school; and
- No separate Middle School for girls.

Reservation in services for SCs & STs

11.15 Prescribed quota in reservation in services for SCs and STs in various categories of post in the State is given below :-

	Category of post	Direct Recruitment	Promotion
SC	Category I & II	15%	15%
	Category III & IV	16%	16%
ST	Category I & II	18%	18%
	Category III & IV	20%	20%

11.16 The State Government has promulgated an Act to provide for the reservation of vacancies in public services and posts in favour of the persons belonging to the Scheduled Caste, Scheduled Tribe & OBC of the State and for matters connected therewith or incidental thereto. The Act, called the MP. Lok-Sewa (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 came into force w.e.f. 1st July, 1994. The percentage of reservation as mentioned above have been given legality by incorporating necessary provisions in the above Act. An important provision incorporated in this Act relates to punishment for not carrying responsibilities under the Act. from 01.01.97 to 01.01.98, out of the total backlog (existing as on 31.12.97); 77.93% posts of Scheduled Castes and Scheduled Tribes have been filled through special drive made to fill up the Scheduled Caste/Scheduled Tribe vacant post. Out of this 91.93% of Scheduled Caste posts and 84.10% Scheduled Tribe posts have been filled up during the period. As on 01.01.98 2716 posts of Scheduled Castes and Scheduled Tribes were still vacant. The Government should try to fill up all backlog posts.

Atrocities On Scheduled Castes And Scheduled Tribes

11.17 In the calendar year 1997, total crime reported, including under atrocity and other IPC offences, has been 7747; out of it 1277 i.e. 16.48% has been reported under atrocity and remaining 6470 i.e. 83.52% under other IPC offences. Further out of 1277

atrocities cases 811 i.e. 63.50% has been against Scheduled Castes and remaining 466 i.e. 36.50% against Scheduled Tribes. The analysis of the nature of atrocity cases has revealed that 709 cases i.e. 55.52% has been reported under rape; and out of it 395 (55.79%) against the Scheduled Caste and remaining against the Scheduled Tribes. Under other IPC offences out of 6470 cases, 4688 (72.45%) have been reported against Scheduled Caste and remaining against Scheduled tribe.

11.18 To study the nature of cases reported under atrocity and other IPC cases the State Office has collected information from 26 districts. The analysis of the data has revealed that:-

- i Total 3385 cases have been reported under atrocity and other IPC offences in these 26 districts: out of these total cases 2257 (66.87%) cases have been in which Scheduled Caste were victims and in remaining scheduled Tribe:
- ii Sehore, Ujjain and Guna districts stand 1st 2nd and 3rd in rank, where Scheduled Caste / Scheduled Tribe atrocity cases have been reported maximum. Total 844 cases i.e. 24.93% have been reported in Sehore; in Ujjain 650 i.e.19.19% ; and in Guna 401 i.e. 11.84%; and
- iii Under atrocity cases maximum rape cases has been reported in Sagar district, i.e. 23 in which Scheduled Caste women are victims; next is Sehore where 17 Scheduled Caste women have been raped. As regards Scheduled Tribes, maximum rape cases i.e. 15 each has been reported in Shahdol and Mandla districts; next, 14 cases in Dhar, 12 in Raisen and 10 in Seoni district.

Observations Made/Instructions And Suggestions Given By The Hon'ble Chairman During His Visit To Raipur, Kanker, Baster, Indore, Ratlam, Dhar , Jhabua, Khargone And Bhopal.

Post Matric Hostels/Ashram

- i The hostels/ashrams already opened for the Sch. Caste and Sch. Tribe boys and girls are not been properly maintained.
- ii The arrival allowance (agaman bhatha) given to the students, is not sufficient to meet their basic requirements in the hostel.
- iii The maintenance of buildings are extremely poor. The new building of Post Matric Hostel constructed in Raipur by the Laghu Udyog Nigam is extremely poor, specially in its technical construction.
- iv The electric bills of the hostels have been found pending for so many years. The stipend at the rate of Rs. 20/- per month is paid to each student to meet the expenditure incurred on electricity which is very inadequate. The common mess is not run by the students & therefore they use heaters for their snacks, tea/coffee etc. Due to this electric bill is pending. State govt. should increase the stipend for electricity.
- v The students of BA final and MA (English, Math. and G.K. in full) clearly need coaching which should be arranged through NGOs.
- vi The pre-examination training centre Raipur , where the coaching is imparted to SC/ST boys for preparing them for the All India

Competitions is highly mis-managed. Urgent remedial action is called for by the State Government.

- vii A number of SC/ST posts of different cadres are lying vacant in Raipur University. The State Government is not paying attention for filling them up.
- viii In all the districts the rate of drop out and stagnation is higher at the primary and middle school level for SC/ST children as compared to general category children. The rates of gross enrolment, retention and achievements are also not satisfactory. Overall the rate of literacy among girls and women in the rural areas is between 0 to 5%.

Drinking Water

11.19 The position of drinking water is also serious in district. In Jagadapur (Bastar) 1200 villages and 5800 hamlets are facing the problems of potable drinking water. In Abujhmarh, the position is worst. Due to Naxalite the development works are stand still. There are 5501 problem hamlets in Ratlam district. About 30% handpumps remain out of order during summer. In Jhabua 1326 villages are problem villages.

Health

11.20 More than 50% post of Doctors are lying vacant in Raipur, Kanker, Bastar, Dhar, Ratlam and Jhabua districts. The funds given for the purchase of medicines are not sufficient. The traditional 'Dais' attend the delivery cases in Tribal areas. They are paid only Rs. 25/- which is quiet meagre. These 'Dais' should be paid at the rate of minimum wages. The infant mortality rate in Jhabua is at higher side, which shows serious trend.

Personal Policy

11.21 The personal policy framed for the personnels working in Scheduled /Tribal areas is not effective and not being followed. The State Government should pay immediate attention.

Minor Irrigation

11.22 The position of minor irrigation is not satisfactory. In these districts the land under irrigation is hardly between 5 to 10%. In Bastar about 90% agriculture land is monocarps. Due to Forest Conservation Act, 1980, 80% minor irrigation schemes are not been sanctioned in Bastar district. In Jhabua district for better irrigation large number of dug wells and tanks are required. In Ratlam district the scheme of micro minor irrigation is not being implemented properly.

Naxalite Problem

11.23 The following line of action is suggested to solve the Naxalite problem:

- **Sound awareness/knowledge of the area and the people;**
- **Policing with good rapport and associated with development activities; and**
- **Formulation and implementation of people/area need based programme, basic amenities under Human Resource and creation of infrastructure.**

The above approach is to be followed simultaneously.

CHAPTER XII

MAHARASHTRA

In the State of Maharashtra, as per 1991 Census, the Scheduled Castes population is 11.09% and Scheduled Tribes population is 9.27% of the population of the state. The majority of SC and ST people live in rural areas. As against the general literacy rate of 64.87% of the State the literacy rate among SCs and STs are 56.46% and 36.79%, respectively. The female literacy of STs in the State is very low at 24.03% viz-a-viz the female literacy rate of 52.3% of the State as a whole.

12.2 The SCs and STs form the most deprived sections of the population. The Scheduled Castes suffer from deep rooted social stigma and inferiority complex from generations. Although the Government has been making sincere efforts to expedite their socio-economic development there are many hurdles which block their speedy development.

12.3 The Scheduled Tribes suffer from a sense of isolation as they inhabit inaccessible tracts deep in the forests and on hills and are generally cut off from the mainstream. Hence, the pace of tribal development is rather slow.

Economic Development

12.4 Due to various social reform movements since the time of Dr. Babasaheb Ambedkar, the SC and ST people are increasingly becoming organised to ventilate their grievances. This upward movement both in economic and social terms is not welcomed by the vested interests which is the main reason behind atrocities, riots and clashes in the State. The tribals are also facing a major threat from Mega Projects like dams, and rehabilitation of displaced person is often found to be slow and ineffective. As a result of the Naxalite activity in the forests in Chandrapur and Gadchiroli, these areas have been inaccessible to the implementing agencies involved in Tribal Development. Melghat, Darni and Chikaldhara of Amaravati district are hitting the headlines every year for infant mortality and starvation deaths among tribals, which calls for sustained health and nutrition intervention.

Special Component Plan

12.5 Generally, it has been seen that, the allocation under SCP has never reached the level of percentage of the population in the State. Even the utilisation of funds in the important sectors like Agriculture and Allied Services and in Rural Development has been only 73% and 74%. In the earlier reports of the Commission the need for allocation of resources under the SCP as per population percentage and its proper utilisation have already been emphasised. Similarly utilisation of SCA also has been less than the funds allocated. **On inquiry it was found that there has been undue delay by the State Government in releasing funds to the implementing agencies. The State Government therefore has to ensure timely release of funds.**

Tribal Sub-Plan

12.6 The Tribal Development Department in the State was reorganised in 1992 so as to be more accountable. It has also been ensured that all the schemes for welfare of tribals are formulated in consultation with Tribal Areas Project Administration. 85% of the TSP outlays are given to District Project Development Commissioner for district levels schemes. Strict monitoring and review has also been envisaged through project level Implementing Committees. With the implementation of a new scheme from 1.5.95, namely Nav Sanjivan Yojana, coordinated and faster implementation of all schemes in the fields of the Health, Nutrition, Food, Employment, Grain Banks etc. has become possible.

Corporations

12.7 Government of Maharashtra has set up the Shabari Adivasi Vikas Mahamadal for the economic development of tribals through financial assistance. The Corporation helps them to start their own business by giving them loans and technical assistance.

12.8 For economic development of Scheduled Caste and Nav Budha Communities, another similar Finance Corporation is implementing various schemes viz. Loan Subsidy Scheme, Commercial Pilot Training Scheme, Training Scheme for School Drop Outs in various field like Typing, Stenography, Driving, Repairing etc. This Corporation is also channelising agency for NSFDCs schemes.

12.9 The State Government of Maharashtra has taken a number of initiatives for Socio-Economic Development of SC and ST communities. It has been seen that with more emphasis on education, the number of Primary Schools have increased, alongwith higher enrolment in Secondary Schools. Girl's enrolment in education has also increased in 1997-98 viz-a-viz the earlier years. The facilities provided by the State Government for Drinking Water, Health, Housing etc. have received adequate attention. The State Government has also taken initiatives for improving the skills and earning capacity of tribals through training courses and other forms of help provided through the Scheduled Tribes Corporation. TDC has opened a number of procurement centres at remote places in tribals areas so as to enable the tribals to sell their agricultural and minor forest produce at reasonable prices. TDC ensures immediate payment for the commodities, and has identified 26 new Minor Forest items under the monopoly procurement scheme, to promote self employment among tribals.

12.10 However keeping in view the fact that in Maharashtra, nearly 85 percent of the tribal population (40 percent are farmers and 40 percent are agricultural labourers) is engaged in agriculture, concerted efforts are required for increasing agricultural productivity. Although, most of the tribal families depend on agriculture as their main source of income and occupation, Tribal agriculture is characterised by low technology and low inputs of resources and therefore agricultural productivity of various crops in the tribal areas is not high. Moreover, irrigation facilities in the tribal area are also extremely limited.

12.11 The State Government must provide more resources as well as irrigation facilities in the tribal areas.

Service Safeguards

12.12 As has been noticed in other States, there is a lot of backlog in fulfilling the requisite quota of reservation in services for SCs & STs. The Commission reiterates its strong view that the backlog should be cleared without any further loss of time.

Atrocities

12.13 The civil rights enforcement machinery in the State is headed by the IGP, PCR at Mumbai State Police Headquarters. There are six range headquarters and a separate one at Great Mumbai Commissionerate. These are headed by Dy. SP's (PCR). The Civil Rights Enforcement organisation is working for the enforcement of the Protection of the Civil Rights Act, 1955 and SCs and STs and the (POA) Act, 1989.

12.14 The Government has issued notification in Jan., 1990 specifying the Court of District and Session judge in each district as a Court to try offences under the POA Act, 1989. Similarly, all the District Government pleaders have been designated as Special Public Prosecutors for conducting atrocity cases. The Court and Public Prosecutors have to handle sensitive issues like atrocity cases along with other cases. **The State Government should consider the suggestions of the Commission to set up exclusive Special Courts.**

12.15 It is also seen that during 1997 1114 cases were registered. Together with earlier pending cases, the total number of cases pending with Court was 7305. While the State government has informed the Commission that steps are being taken to set up Special Courts in six districts, no Special Court has been set up as yet. The National Commission had called for some details about the cases registered under (PCR) Act, 1955. which were proposed to be with-drawn by the State Government after a review. However no information has been received by the Commission till now.

12.16 The State Government should also give details about the rehabilitation measures to the victims of atrocity as per (POA) Act, 1955.

CHAPTER XIII

THE NORTH EASTERN REGION

The North Eastern Region comprises of seven states- Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Tripura. It covers a total area of about 2,55,037 Sq. k.m. The North Eastern Region is inhabited by a population of 3,15,47,314 belonging to a number of religious, linguistic and ethnic groups. It is here that one finds more than a hundred tribes living together, speaking hundred different dialects and possessing different cultural characteristics each distinct from the other. Yet, it is a single region where an underlying sense of oneness and uniformity has woven all strands of different texture and shades into a composite whole. The North East is a unique example of unity amidst diversity. Basic facts of the 7 States as per 1991 Census are given in **ANNEXURE 13.I**. Those facts indicate that the North East remains a backward region within the general framework of under development of the country as a whole. Although the North East is full of potential, it continues to provide an interesting case of backwardness. The region is richly endowed with natural resources, but due to lack of proper utilisation, most of these resources are yet to be fully utilised for the benefit of the common people. In other words, it is a rich land where poor people live. The fact that it shares more than 4000 kilometres of our international borders with Tibet, Myanmar, Bangladesh and Bhutan makes the case even more complicated.

13.2 The ethnic situation in the North East is unique. The region is at present having 109 broad based categories of Scheduled Tribes-Assam-23, Arunachal Pradesh-12, Manipur-29, Meghalaya-14, Mizoram-7, Nagaland-5 and Tripura-19. As far as Scheduled Castes is concerned the following numbers have been enlisted against each state, Assam-16, Arunachal Pradesh-16, Manipur-4, Meghalaya-16, Mizoram-4, Tripura-12. Though 16 Scheduled Castes have been recognised/enlisted in the states of Arunachal Pradesh and Meghalaya and 4 in Mizoram, their population in these states is negligible. Apart from the above, the region is inhabited by a number of other ethnic groups, not recognised as STs though many among them are gradually becoming vocal about the justification of their exclusion from the list of Scheduled Tribes.

Literacy

13.3 Incredible it may seem, it is a fact that "the seven sisters of the North East" have shows remarkable strides in the campaign against illiteracy. According to the Fifty-Third Round of the National Sample Survey (NSS) undertaken in 1997, the tiny tribal state of Mizoram has toppled Kerala to emerge as the most literate state in the country. If Mizoram is the number one state in terms of literacy, the North East as a whole is the most literate region, in stark contrast to the region's, health, power, communication, transportation and other developmental indicators.

13.4 Over a period of 6/7 years (1991 and 1997) the North Eastern states, without exception, have made tremendous progress in improving their rankings in the national literacy scale. While the average national literacy rate increased from 52.2 percent in 1991 to 62 percent in 1997, the average literacy rate in the North East rose from 58% in 1991 to 77% in 1997. With the exception of Arunachal Pradesh, all the other North Eastern states

are way above the national average of 62%. The following table shows the improvement in literacy in the North East

States	Literacy rate during 1991	Literacy rate during 1997	% of increase
Mizoram	82.27	95	12.7
Nagaland	61.65	84	22.4
Meghalaya	49.10	77	27.9
Manipur	59.89	76	16.1
Assam	52.89	75	22.1
Tripura	60.44	73	12.6
Arunachal Pradesh	41.59	60	18.4

Problems

13.5 The problems of the North Eastern Region are innumerable, of which some of the major ones are listed below:

- i Geographically, historically, socially, politically and economically, the people of the North Eastern Region living in the hills and plains, have been interdependent on each other from time immemorial. All of them share a common destiny. The practical needs of economic development underline the truth that inspite of the region's now being constituent of seven separate political units, none of them, can live in isolation from the other.
- ii Four foreign countries surround the North Eastern Region on all sides. The people of the region are exposed to hostile propaganda by foreign media which is often prejudicial to the sovereignty and integrity of the country. No other region of the country occupies such a vital strategic position as the North East. From the defense point of view, it is a very sensitive and vulnerable part of the country. Any danger to any area of the North East is a danger to the whole of India.
- iii The states of the Region have also been afflicted by the problems of influx of foreigners. The fear and apprehension of the local people of loosing their identities must be allayed.
- iv A common economic backwardness marks the general standard of life in all the states of the region. The region is richly endowed with natural resources but lack of proper utilisation has deprived the common people of its benefits.
- v Transport bottlenecks have been one of the major impediments to the growth and development of the North East.
- vi The unemployment problem consequent to economic backwardness has hit the region very hard. With many states having no industries, factories, developmental projects poor job avenues especially for educated and

uneducated unemployed youth, plus the already existing problem of economic stagnation are the factors responsible for a growing sense of alienation, neglect and deprivation, which has given rise to frustration in the minds of a section of youths a frustration which shows it self in the youth taking up the path of violence. The problems of economic backwardness has thus been further aggravated by terrorist and secessionist activities in the region.

- vii A climate of peace and progress is the pre-requisite for the development of the people of the North East. If the North East is developed at par with other more advanced parts of the country, the present sense of deprivation, neglect and alienation would be automatically removed, thereby contributing toward the strengthening of their emotional integration with the rest of the country.

Observations/ Suggestions of the Commission:

13.6 The North East is economically under-developed. The remoteness of the area has created a wide gap between the North East and the rest of the country. The insurgency problem which has gripped the region for the past many years has hindered the progress of development activities. The various measure of counter insurgency, coupled with enhancing the range of development measures, and steps to enhance emotional integration with the rest of the country, which the State and Central Government have been pursuing for many years now, have to be further intensified so as to bring normalcy back to the region as the precursor for accelerated development of the Region.

13.7 As may be seen from the details given in ANNEXURE 1.I TO 1.IV on SCP/TSP expenditure, in various States in the North-East full expenditure of the allocated fund's is not being achieved. In many cases, SCA is also not being utilized to the full extent. The State Governments must ensure full utilization of TSP/SCP funds as well as SCA for development of STs and SCs in the States.

13.8 Keeping in view the lack of basic infrastructure in the State and the unemployment problem which have led to various agitations, the Commission feels that rapid industrialisation can solve many problems of the States. It reiterates its earlier recommendations for implementation of the following schemes be taken to mitigate the problems of the Region:

- i Opening of Medical Colleges.
- ii Speedy completion of I.IT. Guwahati.
- iii Opening of Processing and Marketing Co-operative Societies with the full involvement of the local population to process the immense horticultural and aromatic & medicinal raw material, including converting them into value-added products for marketing not only in the rest of the country but exporting them to Bhutan, Bangla Desh & Myanmore if not further a field. This will also generate substantial additional employment in the Region. Setting up Software Technology Parts particularly in Meghalaya & Mizoram with their high

proportion of unemployed youth who have completed secondary school.

- iv Improvement of Roads and Telecommunications within the Region & between the Region & the rest of the country.**
- v Setting up projects of central Public Sector Enterprise like ONGC and Oil India Ltd. to generate employment.**

13.9 It is estimated that Jhum cultivation is practised over an area of 90,000 hectares, in the hills of the North East. This has resulted in large-scale deforestation and consequent soil erosion and other forms of environmental degradation. Therefore, the State Government has taken steps to persuade the tribal people to take up settled agriculture. To assist the State Governments in this direction, the Govt. of India has started a Centrally Sponsored Scheme viz. National Water-Shed Development Programme in shifting cultivation areas. However, it should be kept in mind that Jhum cultivation has become a way of life of tribal people in the Region & Region these people will have to be provided alternative sources of livelihood such as those suggested in the previous paragraph if they are to be weaned away from the practice of such cultivation.

13.10 The Commission urges upon the States, the Central Govt. and leaders of the tribal groups engaged in ethnic clashes, to find out a solution to restore normalcy. The tribal people affected by the clashes should be suitably compensated and all efforts made by the State Govts. to cover them as beneficiaries under the Tribal Sub Plan.

13.11 The North Eastern Council (NEC) should involve the Commission while formulating its schemes.

ANNEXURE 13.I

BASIC FACTS OF THE NORTH EASTERN STATES AS PER 1991 CENSUS

STATE	TOTAL POPULATION	SCH. CASTE POPULATION	%	SCH. TRIBE POPULATION	%	LITERACY RATE	NUMBER OF DISTRICTS
ASSAM	2,24,14,332	1,659,412	7.40	28,74,441	12.87	52.87	23
ARUNACHAL PRADESH	8,64,558	4,052	0.47	5,50,351	63.66	41.59	13
MANIPUR	18,37,149	37,105	2.02	6,32,173	34.41	47.60	8
MEGHALAYA	17,74,778	9,072	0.51	15,17,927	85.53	49.10	7
MIZORAM	6,89,756	691	0.10	6,59,565	94.75	82.27	9
NAGALAND	12,09,546	Nil	Nil	10,60,822	87.70	61.65	8
TRIPURA	27,57,205	4,51,116	16.36	8,53,345	30.95	60.44	4

CHAPTER XIV

ORISSA

Orissa has the third largest of Tribal population in the Country. Out of the total population of the state of 3.17 crores, SC/ST population are 16.20% and 22.21%, respectively. As per 1991 census the literacy rate of SC & ST in the State was 36.78 and 22.31% respectively.

Flow to SCP and TSP

14.2 The percentage of flow of funds to the TSP was less than the ST population percentage in the State during 1996-97 and 1997-98. The utilization of funds under TSP was also very low during 1997-98, being only 66%. The flow to SCP from 1995-96 to 1998-99 is also very low as compared to the population percentage of SCs in the State. But the expenditure has been relatively better, though even in that / those years the entire amount allocated has not been utilised. Need base programmes have been taken up for the main occupational groups among SCs like Weavers, Leather Workers and Fishermen. Sericulturist and Cultivators with greater emphasis on increase in production, marketing of products and development of human resources. Special attention is also being given for economic development of vulnerable groups among Scheduled Caste. In order to restrict diversion of funds allocated to SCP and TSP for their effective and proper utilisation separate minor head of account under respective functional heads created. With of this step, it is seen that while utilisation of funds under SCP has been quite encouraging as can be seen from the expenditure position stated above. But under TSP it has been only 54% in 1995-96, 98% in 1996-97 & only 66% in 1997-98.

Education

14.3 The SC and ST children are awarded pre-matric and post matric scholarships to pursue education. During the year 1997 an expenditure of Rs. 39.06 crores was incurred under the scheme of pre-matric scholarships to 5.57 lakh SC and ST children. A sum of Rs. 8.04 crores was incurred under the scheme of post-matric scholarship for the benefit of 55782 SC and ST students. A review of the scheme suggests the need for more timely release of scholarships by SC and ST Development Department

Economic Development & TDCC

14.4 "A major portion of the income of tribal is from the sale of Minor Forest Produce (MFP) So, right from its inception in 1973 the Tribal Development Cooperative Corporation of Orissa Ltd., has been helping in the purchase and sale of MFP and surplus agricultural produce collected by the tribals and supplying them to procure essential commodities at a fair price. This protects the tribals from exploitation by unscrupulous traders and middle men. The Corporation is engaged in the collection of MFP from the tribals directly and ensuring payment of reasonable price as approved by the State Government, The State Government it is learnt is reimbursing whatever amount is paid by the TDCC on account of forest royalty and purchase / sales tax. However, the procedure being followed is that the reimbursement facility from the State Government can only be availed by the TDCC only after actual payment of these dues. Due to constraint of funds,

the TDCC is unable to deposit the entire required amount of Rs. 55.00 lakhs on account of forest royalty and taxes and has only been able to deposit a part of forest royalty and taxes. It is suggested that instead of first insisting on TDCC to deposit the forest royalty and taxes and subsequently reimbursing the same, forest royalty and taxes can be paid by the Welfare Department to the Forest Department by allocating a separate fund under TSP. If this is done the TDCC will be able to start the collection of MFP items from the tribals right at the commencement of the procurement season by utilising all the funds available with them. There is however, the larger issue that TDCC is presently by passing through a severe financial crisis the main reasons for, which are mismanagement, apathy of concerned officers and huge salary bill. State Government should come forward to rehabilitate TDCC by giving suitable financial reliefs. Certain important MFP like Mohu Seed, Neem Seed, Kusum Seed, Karanja Seed and Sal Seed etc. are presently collected by agencies other than the TDCC. The State Govt. should consider allowing the TDCC to collect all these important MFP abundantly available in the State also. Many a time the tribals are compelled to dispose of the MFP collected by them to mobile procurers who come to their door steps and to road side procuring agencies at a lower price than offered by TDCC to meet their immediate cash requirement. To over come this, TDCC should extend their Collection right down to the village/hamlet level.

14.5 The Nabakrushna Choudhary Centre for Development Studies, Bhubaneswar had conducted a study during 1997-98 among the Juangs residing in Gonasika, Guptaganga and Upper Baitarni villages of Bansapal Block in Keonjhar District on " Dimension of Commercialisation of Minor Forest Produce". The study revealed that the collection, consumption and marketing of MFP are directly influenced by the taboos, rituals, social regulations and cultural norms of the tribal communities. It also argues that both a free marketing strategy through traders and state procurement through TDCC have negatively affected the bargaining level of the primary tribal collectors. The study therefore suggests that cooperatives at village and inter village levels should be promoted alongwith entrusting a single agency to market MFP available in the area with minimum price support to each product.

14.6 An interesting case has come to light on the issue relating to collection of MFP by Mandibisi Mahila Mandal of Kashipur Block in Rayagada district where women decided to buy broom grass from the primary collectors. This was done to save the tribal collectors who were otherwise being forced to sell their collection to traders and accept the price dictated by them. The Mandibisi Mahila Mandal with support from Aerogramme (a local NGO) took up training the tribal women for binding the brooms, with a promise from Orissa Rural Development of Marketing Society (ORMAS) to purchase the brooms. On 28th May, 1995 after the broom binding training had gone on for just one week or so, the Forest Department alongwith their law enforcing officer and the TDCC came and forcibly took away the entire stock of the Mandibishi Mahila Mandal, breaking open the lock of the storage godown. As the Members of the Mahila Mandal protested and sat on the road they were abused and threatened and finally booked in false police cases. After a lot of agitation the forest department was ordered by state govt. to return the stock of seized brooms to the Mahila Mandal with the suggestion that they should sell the stock to the TDCC at 2% commission. Insisting that their goods should be allowed to be sold in the open market at competitive prices, the women refused to submit to the monopolistic repression, by the State Authorities left with their years' stock unsold. As a measure of solidarity, women all over the area joined hands with women of Mandibisi and applied for registration of a Block level federation called 'Ama Sangathan'. The then Forest Secretary

ensured that the women got the lease for broom grass for the Kashipur range for the period 1996-97. As a results this federation is reported to be doing commendable work and employing more than 100 people for binding brooms.

14.7 The State Govt. may consider the following suggestions:

- i The entire cooperative structure in the State for marketing of tribal produce should be revamped based on past experience.
- ii The procurement price should be fixed with reference to the market conditions and collection of MFP items should be encouraged as per demand.
- iii The Tribal may also be trained in production of value added / processed / finished goods using the MFP as raw material. This would generate employment for the tribal.
- iv The packaging, marketing and sale of MFP can be entrusted to tribals through State TDCC.
- v The State TDCC should not merely be a collecting agency for MFP but should also help the tribals in all fields of economic activity so far MFP is concerned e.g. by setting up processing / value adding facilities and by training the tribal women in running these facilities.
- vi Tribal women can be encouraged to form women's cooperatives for collection and marketing of MFP.

14.8 The other States where tribal are engaged in collection of MFP can form similar federation of men and women and undertake economic activity like the one initiated by the 'Ama Sanghthan' of Orissa.

Bonded Labour

14.9 The details of identification, release and rehabilitation of freed bonded labourers since its inception in 1976 till October 1998 are as follows:

	SC	ST	Others	Total
No. of persons identified	13591	19834	16693	50118
No. of persons released	13297	19167	16563	49027
No. of persons rehabilitated	12791	18411	15705	46907

Child Labour

14.10 There are 8,31,664-child labours in Orissa as per the 1991 Census. This includes 6,04,817 boys and 2,26,847 girls. The break-up of child labour among SCs and STs is not available, but it can be presumed that the majority of the child labour would be from SCs and STs.

Housing

14.11 In the year 1997-98, 50023 houses were constructed under Indira Awas Yojana, out of which 19066 (38.11%) were for Scheduled Caste and 20393 (40.76%) for Scheduled Tribes.

IRDP

14.12 The target number of families under IRDP during 1997-98 was 74874 and the achievement was 75343. The coverage of SC families was 17979 (24%) and ST families 18934 (25%).

Land

14.13 The Orissa Sch. Areas Transfer of Immovable Property (by Sch. Tribes) Regulation, 1956 (Regulation 2 of 1956) Act was given operational effect from 4th October, 1956 to check and regulate alienation of land belonging to Sch. Tribes in Sch. Areas of the State. Under Regulation 2 of 1956, the competent authority has been empowered to initiate proceedings suo-motu or on any application filed by any party interested and restore land to the transferer in case of illegally alienated land. The competent authority has also been empowered to evict the persons in unauthorised occupation of land belonging to STs and provision has also been made for imposition of penalty and rigorous imprisonment of the offenders.

14.14 In order to plugged loopholes in laws and preventing illegal alienation of tribal land in Scheduled Areas, the following protective provisions have been made in Regulation 2 of 1956 by an amendment in Orissa Regulation 1 of 1997, "The Orissa Scheduled Area transfer of immovable property (By Scheduled Tribes) Amendment Regulation, 1996" in Government of Orissa, Law Department Notification No. 7894/Legis. dated 27.03.97.

- i) A member of a Scheduled Tribe shall not transfer any land if the total extent of his land remaining after the transfer will be reduced to less than one standard acre.
- ii) Suo-motu revisional power is vested with RDC/Collector so that illegal orders passed by the original Courts can be rectified within a period of 5 years.
- iii) Penalty has been enhanced from Rs. 200/- to Rs. 2000/- per acre for each year for unlawful possession of tribal land.
- iv) In order to prevent Civil litigation, it has been provided that no Civil Court shall have jurisdiction to try and decide any suit or proceeding so far as it relates to any manner which any officer or other competent authority is empowered by or under this Regulation to decide.

14.15 There is no prescribed time-gap specifically provided under the Law-in-force to take-up the revisional Survey and Settlement operation. After completion of the first round operation in respect of any area a twenty-year's gap is the usual practice for taking up the 2nd round revisional operation.

14.16 Up-dating of land Records of tribals are not taken-up separately by segregating them from others as the unit of survey and settlement is the village and the operation is taken up in a ground of contiguous villagers simultaneously.

14.17 Achievement under this Regulation since inception till the end of June, 1998 is as follows:

Total No. of cases instituted	84,941
Total No. of cases disposed	81,875
Total No. of ST benefited	44,142
Total area ordered to be restored (in acres)	40048.44

14.18 The following table shows the number of cases detected and disposed of under regulation 2 of 1956 during 1995 to 1998.

Year	No. of cases detected.	No. of cases disposed off
1995-96	2982	2157
1996-97	1138	1084
1997-98	659	1806

14.19 Total cases instituted, disposed of and number of SCs/STs benefited u/s 23 and 23(A) of O.L.R. Act, 1960 during 1995-96 to 1997-98 is given below:

Year	Total cases instituted		Cases disposed of.		Persons benefited.		Area restored (in acre)	
	SC	ST	SC	ST	SC	ST	SC	ST
1995-96	636	811	611	665	33	319	647	445
1996-97	1762	735	1835	977	2402	1128	2230	2398
1997-98	590	279	722	509	779	326	70	792

Allotment of Ceiling Surplus Land

14.20 Under the Ceiling Law, 70% of the surplus land vested in Government are set apart for settlement with the landless SC/ST persons. Where the population of SCs & STs in a village exceeds 70% of the total population of that village, the percentage of land to be reserved for persons of the said community shall be equal to the percentage of their population. An area of 0.70 standard acre of surplus land is settled with a landless person. If a person including all members of his family has some land, the surplus land to be settled with that person including the land held by his family should in no circumstances exceed 0.70 standard acres. Following table gives details of the distribution of ceiling surplus land to the members of SCs / STs during 1995-96 to 1997-98.

Year	Scheduled Castes		Scheduled Tribes	
	No. of beneficiaries	Area in Acres.	No. of beneficiaries	Area in Acres.
1995-96	344	265	341	365
1996-97	731	363	407	297
1997-98	254	179	304	242

Allotment of Government Waste Land and House Sites

14.21 To uplift the economic status of the landless persons Government have taken steps to allot Government Waste Lands for agricultural purposes to the extent of 2 Acres to each landless family. For this purpose a landless person is defined as one whose total extent of land along with the land held as a tenant or raiyat by all members of his family living with him in one mess is less than 2 Acres and he has no profitable means of livelihood other than agriculture. No salami is charged for such settlement of land for agricultural purpose except in case of land benefited or capable of being benefited by an irrigation project. The following table shows allotment of Government Waste Land for Agriculture purpose to SCs/STs during 1995-96 to 1997-98.

Year	Scheduled Castes		Scheduled Tribes	
	No. of Beneficiaries	Area allotted Acres.	No. of beneficiaries	Area allotted Acres.
1995-96	1189	1399	3641	3947
1996-97	1224	1527	2906	3162
1997-98	772	605	1365	1271

14.22 The following table shows allotment of House Sites to SC/ST people during 1995-96 to 1998-99.

Year	Scheduled Castes		Scheduled Tribes	
	No. of beneficiaries	Area allotted in acres	No. of beneficiaries	Area allotted in acres
1995-96	6559	270	9249	370
1996-97	10637	-	15977	-
1997-98	9402	-	12470	-
1998-99 (upto 31.1.99)	63215	2294	86374	3217

14.23 The State Government launched an intensive campaign from 15 August, 1989 to 26 January, 1999 for settlement of unobjectionable encroachments of home stead lands in rural areas. **The beneficiaries under the ceiling surplus land should be provided with**

proper irrigation facilities and encroachments if any by previous owners should be severely dealt by the law enforcing agencies.

Acquisition of Tribal Land for the Alumina Projects in Rayagada District

14.24 There are three proposed Alumina Projects in Rayagada District of Orissa centered around Baphlimal hills in Kashipur area which has a rich deposit of Bauxite. At present Utkal Alumina International limited, a joint venture of Tata-Indal -Action of Canada and Norsh Hydro of Norway has applied for acquisition of 2155 acres of private land in Kashipur Tahasil of Rayagada District. Out of the other two groups, i.e., L & T and Aditya Birla who have proposed to set up alumina projects in the same district, Aditya Birla Group has filed necessary requisition for acquisition of 988 acres of private land through IDCO (Orissa Industrial Infrastructure Development Corporation) in village Puhundi and Phuljuba. L & T has not yet filed any requisition for land acquisition so far.

14.25 As per information available from Rayagada District Administration, Utkal Alumina International Ltd. (UAIL) has so far acquired 2155. acres of land out of which 858 acres belong to STs and 712 acres belong to SCs. No. of Scheduled Tribes and Scheduled Castes persons whose land have been acquired by UAIL are 913 and 634 respectively. The amount of compensation given to STs and SCs for acquisition of their land are Rs. 2.60 crores and Rs.2.22 crores respectively. The detailed plan for rehabilitation and re-settlement of displaced tribals and other affected people by Utkal Alumina International Project is still under consideration of Government of Orissa. However, the problems likely to be faced by the tribals are mentioned below:

Social Impacts of the Project

14.26 Most of the landowners are farmers and depend upon agriculture and this is their main source of livelihood. 60% are reported to have incomes below the Poverty Line. According to Utkal Alumina International Limited the number of affected person is

Type of loss	Nos. of affected
Privately owned land (for homestead and/or farming)	1024 registered owners
Homestead (Causing relocation)	110 household/ families + an additional 3% adult men defined as separate families.
50% or more of total land-holding (seriously affected)	315 households (including 69 of the homestead losers above)

14.27 Official project documents only record as 'affected people' those who lose land and homesteads. There is neither mention of losses relating to sharecropping, or employment opportunities that will be lost as a consequence of acquisition.

14.28 There are three villages (Remibeda, Kendukunti and Domkorol) that will be relocated. One of them is tribal (Remibeda) with Khond people. It constitutes 39 households. The other two are made up of people belonging to Scheduled Castes.

14.29 The promise of jobs to one member of each displaced family or the compensation money has not satisfied the affected people at large. The team of the Council for Social

Development, led by Shri Muchkund Dubey (the other team members being Shri D. Bandopadhyay, Shri B.N. Yugandhar and Dr. B.S. Nagi) which visited Bhubaneswar and Rayagada from January 11-18, 1999 has put it succinctly: "Almost all the villagers appeared to be deeply attached to their land. They were not at all prepared to give up their land for an uncertain future. They were highly skeptical about their being given jobs under the companies. In any case, jobs were not like lands which could be handed down to posterity Compensation money was even more ephemeral.

14.30 There is thus a complete lack of trust between the people likely to be affected by the projects on the one hand and the State Government and the companies, on the other. This is partly because of the frustrating experiences in the past, partly because of the shabby way in which they are being treated now and partly because of the economic and social uncertainties surrounding their existence."

Environmental Impacts

Project Component	Type of Impact
Mining	<ul style="list-style-type: none"> a) Increased siltation of Indravati river b) Reduced water quality in rivers/ creeks c) Reduced seasonal water flow d) Lowering of ground water level e) High noise and vibration levels f) High So₂/No₂ levels in the air
Alumina Refinery	<ul style="list-style-type: none"> a) Discharge of suspended particulate matter from bauxite/ lime handling, crushing, calcinations etc. b) SO₂/ No₂ discharge c) Discharge of effluents from refinery d) Run-off from coal yard with traces of coal dust.
Redmud stacking area and ask pond	<ul style="list-style-type: none"> a) Excess run-off water during rainfall b) Ground Water contamination caused by heavy metals present in ask.
Township area	<ul style="list-style-type: none"> a) Discharge of effluents to Barhanadi river b) Pollution from solid waste generated at the township

14.31 The Rayagada and Koraput districts are Fifth Scheduled Areas. The Governor of Orissa, under the Constitution of India, has special responsibility for the "Welfare and advancement of the Scheduled Tribes" and for "peace and good government" in the areas under the Fifth Scheduled as declared by the President of India. The people affected by the projects were not consulted properly regarding either the area of land to be acquired, or the rehabilitation and resettlement (R&R) package or programme or the social, economic and

environmental impact of the projects. Community participation in formulating an acceptable package of R & R has been almost totally absent. In addition, the legal requirement relating to consultation with the Gram Sabhas, envisaged in the extension of Panchayats (Scheduled Areas) Act, 1996 of the Government of India has not been followed or given due regard.

14.32 None of the recent trends and requirements of rehabilitation, such as land-to-land exchange, whenever possible, community resettlement, employment security, protection of livelihood needs, entitlements in common resources have been taken into account. Neither the companies nor the Government have made the information available to the affected people or to the voluntary organisations working amongst them. **The displaced people should be taken into confidence and Relief and Rehabilitation packages must be formulated in consultation with local community groups in shortest possible time to minimise their hardships.**

Reservation in Services for SC/ST

14.33 The Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 has been in force since 1st July, 1976 to ensure adequate representation of Scheduled Castes and Scheduled Tribes in posts and services of the State Government and its undertaking. The percentage of reservation of STs and SCs for initial appointment and promotions for all categories of posts is 22.50 percent, and 16.25 percent respectively. However, the representation of ST's in all 4 categories of posts is much less than the prescribed percentage of reservation and in the case of Scheduled Caste, the position is same except in respect of group C and D posts. The State Govt. may take necessary steps to ensure implementation of the reservation policy both in letter and spirit. State Govt. may also fill-up all the vacancies reserved for SCs/STs through Special Recruitment Drives.

Excise Policy in Tribal Area

14.34 In the Scheduled Areas tribal have been allowed to brew liquor for their bonafide consumption within prescribed limits but not for sale. In order to exploit as also the abundance of Mohua Flowers which grow in abundance in tribal areas and which also provides a source of income as also to check illicit distillation, the out still system based on Mohua Flowers system has been reintroduced in the State with effect from 1st July, 1996 in 9 districts of the State viz., Sambalpur, Bargarh, Jharsuguda, Deogarh, Bolangir, Sonapur, Kalahandi, Nuapada and Boudh. **The blunt of the ill effects falls of on the females of the households. Hence, awareness and the adverse effect of using of liquor should be generated so that in a period of time the diehard habits of tribals weans away.**

Atrocities on SCs and STs.

14.35 As per available information, till the end of June, 1998, 4606 cases were lying pending for trial in Special Courts. A comparative analysis of cases disposed off by Special courts reveals that approximately 112 cases, on an average have been disposed off in a year since the inception of the POA Act, 1989 and till the year 1997. Apart from the rate of disposal of cases being very slow the majority of the cases end in acquittal. The victims under this Act are also not being paid monetary relief as per prescribed rules.

Inordinate delay in conducting inquiry deprive the victims to get relief in time. During the whole of 1998-99 only an amount of Rs. 3.90 lakhs has been paid as monetary relief to 100 SC and ST persons. Under Rule 7 of POA, Act the powers of investigation are vested with Dy. SPs. The number of Dy. SPs in the State is limited and they are over burdened with other work. So, they experience considerable difficulty in investigating atrocity cases let alone doing so speedily and effectively. Hence the State Govt. of Orissa is of the view that the Rule 7 of the POA Rules, 1995 be amended to authorise Officer In charge of police stations to investigate such cases. This in turn would help in prompt disposal of cases and reduce pendency. **The Ministry of Social Justice & Empowerment may call for comments in this regard from other concerned State Governments/ U.T. Administrations and accordingly frame rules.**

14.36 It is necessary to have a standing scheme of comprehensive rehabilitation for victims of atrocities so that it will automatically come into operation as soon as an atrocity takes place. This would be of real help to the victims. The scheme should provide for restoration of full income earning capacity of the family of the diseased or incapacitated victims of atrocities through provisions of employment or self-employment and to meet the consumption requirements of the victims families till income earning capacity is fully restored. Special arrangements for rape victims keeping in view the psychological trauma suffered by them, pucca houses for victims of arson and delegation of full powers to the Collectors to grant immediate relief and all assistance are some of the important points which can be considered. This can instill a sense of confidence and security among the members of SC and ST.

CHAPTER XV

PUNJAB

The State of Punjab has a geographical area of 50,362 sq. kms with 17 districts. The total population of the state as per 1991 census is 2.03 crores including 0.57 crores (28.31%) Scheduled Caste population. There is no Scheduled Tribe population in the State. As per 1991 census, literacy rates of general population in the State was 58.5% while for Scheduled Castes it was 41.09%. Literacy rate of female SC was 31.03% vis-a-vis 50.41% of females from general population.

Development of Scheduled Castes

Special Component Plan

15.2 The Special Component Plan has been formulated from Sixth Plan onwards for the development of Scheduled Castes. The other two instruments for the development of Scheduled Castes are the Punjab Scheduled Castes Land Development and Finance Corporation and Special Central Assistance to Special Component Plan.

15.3 The allocation of expenditure under SCP during Eight Five Year Plan (1992-97) & 1997-98 were as follows:-

(Rs in crores)					
Year	Total State Plan Outlay	Agreed flow to SCP.	% age of SCP outlay to total plan outlay.	Expenditure incurred under SCP for the year.	% age of expenditure under SCP to the outlay under SCP.
VIII Plan (1992-97)	7375.00	961.06	13.07	447.98	46.46
1997-98	2100.00	210.00	10.00	134.59	64.09

15.4 Allocation under Special Component Plan during the Eight Five Year Plan was only 13.07% funds out of the Total State Plan Outlay and out of this only 46.46% was actually utilised against the population percentage of Scheduled Castes of 28.31%. This indicates a very low towards the development of Scheduled Castes and even out of this meager allocation the utilization was only 46.46%. Similarly, during the year 1997-98 only 10% allocation was made to the Special Component Plan and only 64.09% of this was actually utilized. This calls for both stepping up of allocations from the State Plan to the Special Component Plan and also full utilisation of funds allocated. The State Govt. did open Separate Budget Head 789-SCP in the State Budget but there is no check on diversion of funds from Special Component Plan to General Sector Schemes. The State Government Welfare Department and specially the Directorate of SCP should regularly monitor the progress of implementation of schemes for development of SCs for ensuring full utilisation of funds allocated and also check diversion these funds to other sectors. The Directorate of SCP should be strengthened for proper monitoring of the development

schemes being implemented for SCs at District Levels and also to work as a link between the District Administration and various Departments at the State Headquarters. Diversions/Surrenders of SCP Funds should be completely banned and poor utilization of these funds should be reflected in the ACRs of officers concerned at the District and State Level.

Special Central Assistant

15.5 The Special Central Assistance for SCP released to State by Government of India and the Expenditure Incurred During Eighth Plan & 1997-98 was as follows:-

(Rs. in crores)		
Year	S.C.A. released	Expenditure incurred
VIII Plan (1992-97)	46	32
1997-98	0.00	9

Source: Annual Report of 1998-99 of Ministry of Social Justice & Empowerment.

15.6 The State Govt. should take timely action to get the Special Central Assistance released in time and utilise the Special Central Assistance year to year basis.

Welfare of Scheduled Castes

15.7 The State Government of Punjab implements a number of schemes for Welfare of Scheduled Caste in the State. The details are given below:-

- I Under various Educational Programme following funds were spent by State Government during 1997-98:-
 - i Rs. 20.00 lakhs for construction of two hostels.
 - ii Rs. 30.80 lakhs was provided to cover 10265 schedule caste students under award scheme for sports.
 - iii Rs. 1550 lakhs was provided to cover 3.10 lakhs Scheduled Caste girl students under attendance scholarship scheme for schedule caste primary girl students. Information regarding the exact achievement in terms of financial and physical achievement has not been provided by the State Government.
- II Under scheme of Shagun to SC Girls at the time of their marriage Rs. 1973.59 lakhs was released by the District Development and Planning Boards against the provision of Rs. 2000 lakhs. Rs. 1420.76 lakhs was given up to 31.3.1998 to 27,858 beneficiaries.
- III Under the Scheme of Construction of Schedule Caste Dharamshalas 12099 villages out of 122342 villages in the State have been provided with Scheduled Caste Dharamshalas.

- IV Under the scheme of House For Houseless SC's in Rural Areas 60000 housing unit (12000 per year) are proposed to be provided during Ninth Five Year Plan (1997-2002). During 1997-98, an amount of Rs. 60 crores was earmarked for construction of 12000 housing units. This amount was revised to Rs. 44 crores, out of which Rs. 20.44 crores have been spent upto 21.3.98. Details of units constructed with this amount have not been provided.
- V Under the scheme of Social Security to Girls Child (Kanya Jagriti Jyoti Scheme). Girls of Below Poverty Line (BPL) families born on or after 26th January, 1996 are provided social security by purchasing five hundred units of LIC worth Rs. 5000/- in the name of the mother. At the age of 6 years, the child will start getting a scholarship of Rs. 1200/- P.A. upto age 12 years, which will be increased to Rs. 2400 P.A. upto age of 18/21 years. The units on maturity are encashed by mother after the girl has passed her matriculation examination. This scheme is available to families adopting 2 children family norms. In case girl drops out before metric or there is third child in the family, units are taken back by the Social Welfare Department. An amount of Rs. 25.00 lakhs has been spent to benefit 500 beneficiaries during 1997-98. The State Govt. should identify the number of such children in the State and earmark funds in each Annual Plan. Other States should also adopt such types of schemes for girl child especially of Scheduled Castes and Scheduled Tribes families.
- VI About 70% children in the Anganwadis belong to Schedule Caste families to whom Diet is provided for 300 days in a year. An amount of Rs. 205.80 lakhs has been spent to cover 2.98 lakhs beneficiaries during 1997-98.

Punjab Scheduled Castes Land Development & Finance Corporation, Chandigarh

15.8 Punjab Scheduled Castes Land Development and Finance Corporation (PSCFC) has been entrusted with economic development/upliftment of Scheduled Castes. The paid up Share Capital upto 1997-98 is Rs. 30.19 crores (Rs. 18.18 crores(State Govt.) + 12.01 crores Govt. of India). During 1997-98, against an approved outlay of Rs. 500.00 lakhs (State Share), Rs. 200.00 lakhs (State Share) has been spent to benefit 115 beneficiaries under Direct lending scheme.

15.9 Since its inception in the year 1970 and upto 31-3-1998 the Corporation has covered 438673 beneficiaries and provided Rs. 390.64 crores. This includes subsidy of Rs. 114.38 crores, bank loan Rs. 193.89 crores and loan by Corporation Rs. 82.37 crores.

15.10 During 1998-99 the Corporation has a programme to cover 28900 beneficiaries by disbursing loan to the tune of Rs. 68.45 crores including subsidy of Rs. 20.42 crores and bank loan of Rs. 25.40 crores. Against this the corporation has covered 8946 beneficiaries upto 28.2.1999 and sanctioned loan to the tune of Rs. 17.55 crores including bank loan Rs. 9.37 crores; subsidy Rs. 5.85 crores and Rs. 2.33 crores loan by the corporation. The lesser coverage is due to the scarcity of share capital.

National Scheme Of Liberation And Rehabilitation Of Scavengers And Their Dependents.

15.11 The rapid survey of scavengers, in the State, was conducted during 1992-93 and the result is as under:-

a)	No. of families surveyed	12444
b)	No. of Scavengers who have indicated their choice for other occupation as under:	14283
	(i) Farm based activities	5792
	(ii) Industry based activities	658
	(iii) Trading based activities	7734
	(iv) Auto-mobile driving	99

15.12 After the completion of training, loan up to Rs. 50,000/- is provided. Subsidy of 50% or Rs. 10,000/- whichever is less and margin money @ 15% with 4 % rate of interest is provided by Corporation and loans are arranged through the banks. Under this scheme, a sum of Rs. 408.00 lakh provided by the Corporation on 12.03.1993.

15.13 The schemes has not made the desired headway due to various inherent difficulties/irritants. Some of these are listed here under:-

- i Out of 1291 cases sanctioned by the Banks under this scheme, no case has been sanctioned beyond Rs. 20,000/- inclusive of capital subsidy amounting to Rs. 10,000/- and margin money contribution by the Corporation averaging about Rs. 3,500/-. In this way, Bank's contribution in the shape of loan has been grossly inadequate.
- ii Contrary to the instructions, specially issued for this scheme by the RBI, banks have insisted on surety/security of the loan amount sanctioned to the beneficiary.
- iii Under this scheme, an individual, and not family is to be treated as the unit. However, the banks have not entertained more than one member of any scavenging family.
- iv The loan component ought to be advanced alongwith the capital subsidy plus margin money so as to enable the prospective beneficiary to launch his/her venture smoothly. However, in number of cases , the banks have released only the Capital Subsidy and Margin Money amount withholding the banks own contribution.
- v The scavengers are living in big cities is some pockets. Under the service areas approach, the concerned banks are reluctant to advance loan to all the persons of the locality.. The nearest bank branches are, therefore, required to be instructed to entertain the cases of the scavengers.
- vi A dominant majority amongst the target group consists of women and about 90% of them are totally illiterate. They are in their late forties, With the provision of training facility extending between 15 days to one month,

it is well-nigh impossible to impart any proper skill or even upgrade any existing skill. The dwelling places/residences of the beneficiaries create another problem. The beneficiaries generally reside in small kacha/pucca houses in cluster with hardly any open spaces. Consequently, it is not possible to run any venture/vocation from their homes while, at the same time, they are not willing to run independent shops located outside their mohalla/basti because of the fact that the majority of the beneficiaries happen to be women.

15.14 The following steps are suggested for implementing the scheme more meaningfully:-

- i It should suffice to rehabilitate in sound, viable economic venture only one eligible male/female member of the ex-scavenging family. Once a person of the family is rehabilitated, he/she should be able to support the family economically.
- ii Specially designed training courses of 6 months to one year duration should be undertaken with the help of SCA funds. The stipend amount requires to be enhanced to Rs. 500/- p.m. against Rs. 150/- p.m. admissible at present. Those beneficiaries who have already been trained for 15 to 30 days either by NITCO or other State Government Departments, require to be re-trained.

SCAVENGERS REHABILITATED

YEAR	NO. OF SCAVENGERS REHABILITATED
1992-93	NIL
1993-94	1138
1994-95	375
1995-96	308
1996-97	552
1997-98	143

Schemes For Improving Educational And Literacy Levels Of Scheduled Castes

15.15 With a view to improve the enrolment of Scheduled Caste students and minimize their wastage and stagnation, the State Govt. has introduced following schemes under welfare sector.

I Free Books to Scheduled Caste Students

An amount of Rs. 495.00 lakhs was incurred during 1996-97 benefiting 11.00 lakhs Scheduled Caste student.

II Grant for purchase of Medical/Engineering/Veterinary/Agriculture/Polytechnic Books

During 1996-97, medical books comprising of 290 sets and Engineering Books to 22 Institutions were provided comprising for Scheduled Caste student in the State.

III Grant for Purchase of Law Books

An amount of Rs. 1.00 lakhs has been spent for this purpose during 1996-97.

IV Award to Brilliant Scheduled Caste Students.

3333 students were awarded with a total amount of Rs. 40.00 lakhs, during 1996-97.

V Coaching for Stenography

Rs. 1.33 lakhs has been spent during 1996-97.

VI Award to Scheduled Castes Sports Students (6 to 12 classes)

During 1996-97 an amount of Rs. 19.18 lakhs has been spent under the scheme benefiting 9433 students.

15.16 The admission to Scheduled Castes students into professional courses like MBBS, BE/B.Sc.(Engg.).B.Arch. and Polytechnic Institutions etc. is less than the prescribed percentage of seats reserved for them, but the situation is worse in case of admission in B.Ed courses. Similarly, admission in higher education classes-M.Com., M.Phil., Ph.D. etc. is very poor. The State Government should ensure that prescribed number of seats reserved for Scheduled Caste persons are filled up in full.

15.17 The representation of the Scheduled Caste teachers is 14.01% at Primary level, 11.22% at Middle level and 8.87% and 7.27% at High School and Senior Secondary (10+2) Schools respectively. This needs to be improved keeping in view Scheduled Caste population in the State.

Reservation in Services

15.18 The quantum of reservation in service for scheduled castes is as under:-

Direct Recruitment:	Class I to IV	25%
By Promotion:	Class I & II	14%
	III & IV	20%

15.19 For the purpose of reservation in services, out of the 37 castes listed in Scheduled Cast list for the State, 50% reservation of the reserve quota in direct recruitment is provided to Balmiki Mazbi Sikh with contention that this caste is more backward among the Scheduled Castes. As observed in the Fourth Report (Vol.II-Punjab) of the Commission, it is reiterated once more that the State Govt. should conduct a study on their entry into services during last five years.

15.20 The % Schedule Caste employees in various categories as on 31.3.1997 were as follows:-

Class	Total employees	Scheduled Caste employees	% age
I	9650	1472	15.24
II	5343	1019	19.07
III	248884	47224	18.97
IV	60773 (Including Sweepers)	25829	42.50

15.21 It is observed from the above that except in Class IV services, percentage of Scheduled Castes in Class I, II, & III posts is neither according to prescribed quota nor to the Scheduled Castes population (28.31%) in the State though the Scheduled Caste representation in State Services has slightly improved in all the groups as on 31.3.97 as compared with earlier..

Atrocities against Schedule Caste

15.22 A special scheduled caste and scheduled tribe cell headed by Superintendent of Police is functioning in Police Department at State Headquarters, Chandigarh, under the supervision of A.D.G.P. (Crime), Punjab and at districts level, scheduled castes/scheduled tribe cells are functioning under the control of Senior Superintendents of Police. A Standing Committee Consisting of Principal Secretary, Home Secretary, Social Welfare Department, Inspector General of Police (Crime) and Financial Commissioner Revenue has been constituted by the Government to review the progress regarding Social and Economic Justice to scheduled caste/scheduled tribe in the State. A Special Committee has also been set up under the Chairmanship of Home Secretary to monitor and evaluate cases of atrocities. Special Courts have been designated and the cases being tried in these courts are defended by the Public Prosecutors. Free legal aid is provided to scheduled castes for legal services. There is no specific area prone to untouchability/atrocities in this State.

15.23 During 1996, 1997 & 1998 24, 27 & 48 cases respective were registered with the police under different nature of atrocities on scheduled castes. Rape is the major offence being committed on Scheduled Castes out of the total 48 cases registered by the police in 1998, 22 cases were of challaned, 8 cases were closed & 12 cases were pending.

15.24 Of the 73 cases, 19 cases were disposed of by the Courts resulting in 2 convictions and 17 acquittals. The number of cases pending trial has mounted to 54. No Special Courts have been set up in the State for trial of Atrocity cases against members of Scheduled Castes, however, the courts of the senior most Additional Session Judge have been designated as Special Courts to try atrocity cases.

15.25 It has been informed that the Government of Punjab is not providing any monetary relief to the victims of atrocities on the plea that the Central Government should bear the entire expenditure on account of providing relief instead of asking the State Government to contribute 50% share of the expenditure.

15.26 It is surprising to observe that the number of atrocity cases against the scheduled castes is very low. It would imply either of two things (a) that all the communities live in great harmony and there is almost no caste feelings among different communities (which appears to be very unlikely situation), or (b) though cases of atrocities take place, these are not registered by the police department. Whatever be the case, this phenomenon of very low number of atrocity cases needs to be verified through an independent agency (any reputed social/voluntary organisation). Secondly, the State Government needs to be persuaded to provide monetary relief to the atrocity victims as is done by other State Governments.

CHAPTER XVI

RAJASTHAN

According to the 1991 Census, Scheduled Caste/Scheduled Tribes population was 17.29% and 12.44% of the total population of the State. The Scheduled Caste and Scheduled Tribes population is mainly dependent on agriculture and allied activities and more than half of them are still below the poverty line in rural areas. The literacy rate among SCs and STs as per 1991 Census, was 26.29% and 19.44% respectively vis-à-vis 38.55% for other communities. Literacy rate in SC female was 8.31% while for ST female literacy rate was only 4.42% as compared to general literacy rate of 20.44%

Tribal Advisory Councils

16.2 Rajasthan Tribal Advisory Council was constituted in the year 1952 as per the provision of the Fifth Schedule of the Constitution of India. It is required to meet at least twice in a year as per the policy of the Govt. of India. The State Govt has made a provision that the Council should meet at least once in a quarter. However, Commission has observed that the meetings of the TAC are not being held regularly, There are even instances when not even a single meeting was held during the year. TAC should give special attention to following areas for the development of the tribal people in the State:

- i Rehabilitation Policy of displaced tribals
- ii Matters relating to alienation of tribal land
- iii Migration of tribal people and their problems
- iv Forest tribal inter-related matters like forest land allotment, Minor forest produce etc.
- v Regular review and approval of developmental programmes for the tribal people in the State
- vi State Education policy
- vii To improve infrastructural amenities in tribal dominated areas and villages in the state.

Economic Development – Implementation of SCP/TSP

16.3 During 1997-98 and 1998-99, funds allocation and utilization under SCP and SCA to SCP was as under:-

(Rs. In crores)

Year	State Plan outlay	Flow to SCP	%age of allocation	SCP expenditure	SCA to SCP	
					Released	Utilized
1997-98	3500	660	18.86	607.42	22.80	23
1998-99	4100	689	16.80	607.00	26.00	24

16.4 In spite of the large SC/ST population, the Budget provisions by the state under SCP/TSP have not been commensurate with their population percentage. Similarly, the utilisation of funds is less than the funds allocated. It has also been observed that the nodal department in the State which has been entrusted with the task of co-ordinating and monitoring the SCP programmes is not effective in ensuring proper utilisation of funds by sectoral development departments. In the same years, flow of funds to TSP and SCA to TSP was as under:-

(Rs. In crores)

Year	State Plan outlay	Flow to TSP	%age of allocation	TSP expenditure	SCA to TSP	
					Released	Utilized
1997-98	3500	398	12.00	386	23.41	N.A.
1998-99	4100	507	12.50	300*	34.75	N.A.

*upto February, 1999

16.5 It has been seen that progress on implementation of various programmes has been slow during 1998-99. Performance of sectoral Departments like Transport, Communication, Social and Community Service, Agriculture and Rural Development was found poor.

MADA

16.6 There is a sizeable tribal population living in different parts in the State, which has not been included in the Tribal Sub-Plan Area. The tribal population living in the MADA area is about 55.32% of the total tribal population in the State. During the year 1998-99, a total provision of Rs.590.66 lakhs was made under Special Central Assistance for the implementation of various tribal beneficiaries schemes. Out of that only Rs.482.62 lakhs was actually spent which is about 81.71% of the total allocation. The sector-wise expenditure was very low in minor irrigation and education whereas in the cooperation, rural drinking water facility, expenditure was higher than the allocation of the budget during the year.

16.7 It is only one or two schemes like lift irrigation, tubewell, individual and group diesel pump sets where tribal people are getting benefits, which may increase their income increasing irrigation facilities and hence the agricultural produce. However, target is only 4 lift irrigations, 5 tube wells and 120 diesel pump sets for the MADA areas. Remaining schemes are not directly related to income generating/oriented schemes. The State authorities must increase the allocation under these schemes so that more tribal farmers are benefited.

Scattered Tribal Population

16.8 The scattered tribal population is living in 30 districts of the State. The total population of the scattered tribal was 17.31 lakhs in the 1991 census. During the year 1998-99, Rs.138.27 lakhs were spent against an allocation of Rs.109.14 lakhs under the Scattered Tribal Population Development programme. The higher expenditure was in the

social, community services and assistance to tribals for purchase of share capital of cooperative societies. The schemes are similar to the MADA.

Saharia Development Project

16.9 In Rajasthan, Saharia is the only primitive tribe, which predominantly inhabit Shahbad and Krishanaganj Panchayat Samities of Baran district. The Saharias are living in villages and do not have disperse pattern of living as Bhils and Minas in south Rajasthan. The project area covers 439 villages, 1.91 lakhs total population out of which Saharia population was 0.48 lakhs as per 1991 census.

16.10 A sum of Rs.193.55 lakhs was received during the year 1998-99, out of which Rs.184.35 lakhs was as Special Central Assistance. Out of that Rs.110.55 lakhs was spent which is only 57%. The project authorities have hardly utilised full allocation of the budget under the Saharia Development Project.

General Problems

- (i) The agricultural land man ratio in tribal areas is low, farm landholding size is getting smaller and smaller over a period of time in the tribal sub-plan area. The total agricultural land utilisation is about 26 per cent of the total geographical area in TSP against State percentage of 47.
- (ii) Tribal farmers cultivate on hill slopes where irrigation is difficult as such only 33 per cent land is under irrigated category. This has forced the tribals to adopt low farm technologies. Apart from this, due to their socio-economic and cultural patterns of living, the transfer of technology is slow. Consequently, there is low productivity due to limited use of improved agricultural practices.
- (iii) Tribals are the children of the forest and accordingly they designed their way of life and culture. The massive deforestation has already taken place in the tribal areas which is leading to soil erosion, lowering of the water level and to other forms of environmental deterioration in the State. Due to the over-exploitation of forests, tribals are fast getting marginalized too.
- (iv) The educational and medical facilities in the tribal areas and average population covered by them is higher than the State level coverage of the population.
- (v) Safe drinking water is one of the important problem in the hilly and desert areas for the tribals living in these areas in Rajasthan.
- (vi) The difficult terrain and inaccessibility of hilly villages, dhanies and majara, the marketing network in tribal areas is not well developed. The local traders charge higher margins on sale and purchase and people have to pay more for obtaining their daily necessities and get less for their produce.
- (vii) Apart from that the diversion of TSP budget is one of the basic problem in the State as the nodal department has no control over the allocation of the budget and expenditure to be incurred as the implementation of the programmes is fully done by the respective departments.

Education

16.11 State Govt. has taken a number of steps for increasing literacy level in the State. 533 Government Hostels and 78 Aided hostels for scheduled castes and scheduled tribes, nomadic and denotified tribes and scavengers are being run by the Department of social Welfare in the State. Free boarding and lodging facilities are provided to the inmates of the hostels. 136 hostels for Scheduled Tribe boys and girls are being run by the Tribal area development Department. A number of these hostels were visited by the Hon'ble Member of the Commission as well as the State Office of the Commission. Generally, it has been found that the stipend given for food and clothing is very low and it needs to be increased. It was also seen that a large number of SC/ST hostel buildings were sanctioned by the Govt., which were to be constructed by various agencies for which the funds have also been given. However, the pace of construction of these hostel buildings is very slow. It is recommended that State Govt. must review the construction of SC/ST hostel buildings given to various agencies on an urgent basis and suitable corrective measures should be taken immediately. Many of the hostels have not been provided with wardens and this is leading to there poor management. The State Govt. must post one hostel warden on the regular basis in each hostel. Given the poor literacy levels in the State, the State Govt. must pay adequate attention to the proper maintenance of the SC/ST hostels.

16.12 There is additional problem of high drop-out rates amongst SC and ST boys and girls. The State Govt. should make concerted efforts to enhance the SC and ST literacy rates by making specific programmes for rural areas and by allocating higher budget for this purpose.

Health

16.13 The majority of the scheduled castes and scheduled tribes are living in poor hygienic conditions, with unsafe drinking water, poor sanitation, inaccessibility of medical facilities, resulting in higher mortality and morbidity rates.

16.14 As on 1.4.97, there were 613 PHCs in the scheduled caste concentration areas and tribal areas against the total of 1616 PHCs in the State. Similarly, 3579 Sub Centres were in operation in these areas. In tribal areas incidence of T.B. and V.D. is much higher. On the National Highways, passing through the tribal areas, incidence of immoral trafficking is usually very high leading to increase in AID case. The truck drivers often exploit the young tribal girls. It is recommended that a system of regular check up of the tribal families living along the National and State Highways should be introduced by the Medical Department.

Rajasthan Scheduled Caste Scheduled Tribe Finance and Development Cooperative Corporation Limited

16.15 Rajasthan Scheduled Castes Scheduled Tribes Finance and Development Cooperative, Jaipur is implementing various income generating schemes and training programmes for scheduled caste person. From 1998 corporation have started a few programmes for scheduled tribe beneficiaries also. Rs. 510.00 lacs are proposed to be contributed as share capital from State Govt. during the Ninth Plan and equal amount will be contributed by the Govt. of India.

16.16 From the physical progress of the various schemes implemented by the Corporation during the 1997-98, it is seen that the Corporation has done commendable work in some areas viz; providing rural POP, modern agricultural implements, community pump sets, work sheds for weavers, training programmes and schemes for Rajasthan Finance Corporation. In other areas like rehabilitation of scavengers, training to scavengers, providing auto-rickshaws, Corporation needs to improve its implementation.

Reservation for SCs/STs in Services and Posts

16.17 The percentage of reservation in services and posts under the State Govt. for Scheduled Caste and Scheduled Tribes is 16% and 12%, respectively, whereas for local recruitments in the Central Govt. departments working in the State, the reservation for Scheduled Castes has been fixed at 17 percent as per the Government of India orders. The enhanced percentage from 16 to 17 has not been implemented by the State Government. Therefore, it is recommended that the State Govt. should enhance the percentage from 16 to 17 withers the State also.

16.18 The State Govt. has not furnished the group-wise total number of employees and within each group, the number of Scheduled Caste and Scheduled Tribe employees. They have only given the Commission partial information as on 1.1.1996. It was observed from that information that there was a shortfall in the SC/St representation in all Groups, except in Group 'D'.

16.19 The Commission's State Office at Jaipur had conducted an inspection of the office of Deputy Director (Education) (M), Jaipur Zone to assess the implementation of the reservation policy in that department. It was noted that the rosters are not being maintained as per prescribed formats and the backlog of SC/ST for various posts have not been recorded correctly. The Liaison Officer has not inspected the rosters maintained by the Education Department and no grievance roaster is being maintained by him. **It is recommended that State Government of Rajasthan should take necessary corrective measures to implement the reservation policy as per the Rules and should also ensure the proper maintenance of the rosters etc.**

SC and ST (Prevention of Atrocities) Act, 1989

16.20 The cases registered under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, during the last three years i.e. 1995 to 1997, has declined. During the year 1995 the number of cases registered with the police was 1567 which came down to 951 in 1996 and fell further to 808 in 1997.

16.21 The Govt. of India under sub-section (I) of Section 23 of this Act notified Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 on 31.3.1995 and circulated them to State Governments for implementation of the provisions made under the Rules. The progress on the implementation of the Rules was taken up with the Government of Rajasthan. The Social Welfare Department informed the Commission in the month of December 1998 that the State Govt. was studying the practicability of various provisions of those rules and a communication has been sent to the Government of India Ministry of Social Justice and Empowerment, in that regard. The Home Department of the Govt. of Rajasthan responded that a High Level Committee had been constituted under Clauses 16 and 17 of the said Rules and consent was being taken from the MP's and MLA's to be Members of the Committee. It is clear that the State is yet to implement the

Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Rules, 1995. **The State Government must expedite bringing these Rules into the Force.**

16.22 The State Govt. is providing monetary relief to the scheduled caste and scheduled tribe victims under the POA Act, 1989 as per rates fixed by the Social Welfare Department, on the recommendation of the Vigilance Committee, but not all the victims are being given monetary relief in the State. The monetary relief has been provided for 10 murder cases @ Rs. 10,000, 5 cases of rape @ 5,000 and 3 cases of grievous hurt @ 2,000 to victim or his kith & kin. The State Govt. is not extending monetary relief to all the scheduled castes and scheduled tribes victims under the POA, Act 1989 and only in a few selected cases relief is provided as it is a discretionary power with the District Collector under the Rules. **The State Govt. must ensure reliefs as per the provisions of POA Act 1989.**

Special Courts for Scheduled Castes & Scheduled Tribes

16.23 Under Section 14 of the Scheduled Castes and Scheduled Tribes (POA) Act 1989 16 Special Courts have been functioning while for the remaining Districts, Session Courts of the respective districts have been designated as Special Courts to hear cases registered under Scheduled Castes and Scheduled Tribes (POA) Act 1989, along with other cases under their jurisdiction. The cases registered and pending at the end of December, 1997 were 7156. Out of these cases, 2020 cases were disposed of by these Courts and as 5136 were pending.

CHAPTER XVII

SIKKIM

Sikkim is one of the smallest states of Indian Union with an area of 7096 Sq. Kms. As per the 1991 census the total population of the state is 406457 of which Scheduled Castes and Scheduled Tribes are 24084 and 90901 representing 5.93% and 22.36% respectively. It is bounded by Tibet on the North, Nepal on the West, Bhutan on the East and West Bengal lies on the South. The State is divided into four districts, which are divided into 9 subdivisions.

Tribal Sub-Plan

17.2 The Tribal sub-Plan strategy has been adopted since the inception of Sixth Five year plan. There are about 18,000 tribal families in the State with the average family size of 5 members. All the TSP schemes are being implemented by the Welfare Department. This Department is under the charge of full fledged Minister for Welfare. There is a separate project office at Gangtok headed by a Project Director having 4 District Welfare officers and Inspectors. The Project Director is responsible for formulation of schemes in consultation with the District officers of sectoral Departments, which are forwarded it to the Secretary, Welfare Department for sanction a Project officer is also responsible for implementation of schemes/projects. The implementation of all departmental schemes under the State Plan is done through the Project officer and the Welfare officer of the district. The schemes funded out of SCA to TSP are usually implemented through the sectoral Departments under the supervision of the Welfare officers.

17.3 The tribal population of Sikkim is dispersed over the entire State excepting North District where tribals live in a compact area. As they live alongwith the non-tribal population, the benefits received by tribals cannot be easily quantified in case of infrastructural development schemes. Despite these ground realities all revenue blocks with more than 50% population have been grouped and declared as ITDP areas. The North District is having 19.03% of Scheduled Tribe population of the State and is covered under Tribals Sub-Plan. The tribal sub-plan for the State covers tribals in all four districts, including the dispersed Tribals outside the ITDP areas.

17.4 The following statement shows State Plan Outlay and flow of funds to TSP for the years 1994-95, 1995-96 and 1996-97. The quantifications are made only for the sectors of Agriculture, Animal Husbandry and Veterinary Services, Social Welfare, Irrigation, Education and Welfare of SC/ST. The Govt. of Sikkim has opened a separate budget head 225-02 for TSP.

Allocation and expenditure under TSP during VIIIth Plan

Year	Total Plan Outlay	Agreed flow to TSP	%age of TSP outlay to total	Expenditure incurred under TSP in the year	%age of expenditure under TSP to agreed flow to TSP
1994-95	9795.52	1700.30	17.35%	1700.30	100%
1995-96	8123.80	1300.27	16.10%	1300.27	100%
1996-97	4801.30	1155.86	22.41%	1155.86	100%

17.5 It is encouraging to note that during the year 1996-97 the flow to TSP was in proportion to the S.T. population of the state. The State Government should keep up this tempo in the subsequent years.

Occupational category	General population	SC	ST
1. Main Workers	40.79%	37.70%	39.49%
(Distribution of workers among Main Workers)			
1. Cultivators	58.22%	52.66%	24.85%
2. Agrl. Laborers	08.01%	08.89%	1.90%
3. Household Ind. etc.	01.75%	03.65%	0.22%
4. Other Services	32.02%	34.02%	34.81%
II Marginal Workers	12.29%	0.85%	0.96%
III Non-Workers	46.92%	61.45%	59.55%

17.6 The above table indicates that out of main workers Scheduled Castes constitute 52.66% and Scheduled Tribes constitute 24.85% as cultivators. The rugged terrain with steep hillsides and deep ravines are other factors which compel the majority of the population to engage themselves in cultivation. The state Government should therefore promote with special care all schemes relating to agriculture and horticulture which can go a long way in improving the Socio-economic conditions of SC and ST communities.

Special Central Assistance to TSP

17.7 The Special Central Assistance (SCA) to TSP is an additive and mainly utilized for implementation of various family oriented economic benefit schemes linked with margin money and institutional finance during the 7th Five Year Plan period and onwards. The primary aim of this assistance is to help poor ST in crossing the poverty line by way of increasing their family income out of SCA. The Govt. of India has released SCA to Govt. of Sikkim at the tune of Rs. 84.85, 109.94, 148.66 and 163.25 lakhs to TSP for the year 1994-95, 1995-96, 1996-97 and 1997-98 respectively and expenditure incurred by the State out of SCA during the year a sum of Rs. 79.79, 82.91, 93.75 and 165.16 lakhs. It is observed that Govt. of Sikkim could not fully utilize SCA every year excepting for the year 1997-98.

Special Component Plan

17.8 The four main Scheduled Castes in the State who constitute about 5.93% of total population are distributed all over the State. However, they are mainly concentrated in South Sikkim Legislative Assembly constituencies viz., Ratepani and Khamdong. These two areas are declared as SC constituencies by the Government and selected for special development measures under SCP. The Government has proposed to implement intensive integrated development programmes in these areas under the SCP. Schemes, under SCP are formulated and implemented by the sectoral departments like Agriculture, Social Welfare, Education etc. The quantification of funds is based on the SC population of the State, who are 6% of the total population and are predominantly agriculturists and rear domestic animals like pigs, goats, poultry etc. for supplementing their income. SCP is

designed as per people's needs and priorities with a view to improve their socio-economic condition through these development schemes.

17.9 The sectorwise flow of funds to SCP during 1997-98 is given below:

Name of the Sector	State Plan Actual	Flow to SCP	(Rs. in lakhs)
			%age
Agriculture	733.00	52.18	7.12
AH & VS	446.00	25.65	5.75
Horticulture	257.00	15.43	6.00
Irrigation	195.00	8.00	4.10
Education	2982.00	178.92	6.00
Welfare	137.00	41.45	37.25
Social Welfare	50.70	3.04	5.99

17.10 The above table indicates that flow to SCP under various sectors have been commensurate with the Scheduled Caste population in the state except in the case of irrigation. It is, therefore, suggested that the State Government should increase the allocation under irrigation also.

17.11 SCA to SCP is an additional source of funding mainly utilized for implementation of various family oriented economic development schemes, linked with margin money and institutional finance. A sum of Rs. 4.44 lakhs was released by the Govt. of India as SCA for SCP during the year 1997-98. The Govt. of Sikkim has incurred an expenditure of Rs. 4.63 lakhs for implementing 4 major projects namely distribution of knitting, sewing machines, blacksmith tools and grant-in-aid to ASSCWA. Altogether 186 families have been benefitted out of SCA schemes. It is observed that a large number of Scheduled Caste people of the State live below the poverty line and are mainly dependent on agriculture for their livelihood. These people face problems of malnutrition, poor health, education, housing etc. alongwith economic hardships. To overcome these problems SCA to SCP should be utilized more on income generating schemes by promoting cultivation and marketing of cardamom, ginger, potatoes, fruits etc.

Education

17.12 The literacy rate among the SCs and STs as per 1991 census is 51.03% and 59.01% respectively, as against the state literacy rate of 56.94%. Among ST males and females the literacy rate is 66.80% and 50.37%, which is higher than the male (65.74%) and female (46.69%) literacy rates for the State as well as those for SC males and females which is 58.69% and 42.77%, respectively.

17.13 There are 723 Pre-Primary School, 525 Primary Schools, 119 Junior High Schools, with a total enrolment of 1,27,966. The Government has proposed to establish 10 more Pre-Primary Schools, up-gradation of 50 Pre-Primary to Primary Schools and 5 Primary

Schools to Junior High Schools, as there is a growing demand for education due to increase in the number of students. Moreover there are 67 Secondary and 24 Senior Schools with an overall enrolment strength of 8082 and 3554 students, respectively. Government has introduced provision of free textbooks and uniforms to all the poor students, so that they may feel encouraged to enroll their names in schools, right from the beginning. The non-formal education is aimed at minimising the school drop out at various levels of education. Out of the six sanctioned Ashram schools only 3 have been completed. The State has also introduced Hardware and software training and Scholarships for SC/ST students for Computer Courses. There are two Degree Colleges, one Law College, and one Polytechnic Institution. The teacher pupil ratio in ITDP area is 1:7 and in other parts of the State it is 1:20.

Health

17.14 In keeping with the objectives of the 9th Plan, the Govt. of Sikkim has given priority for improving health coverage, particularly in the remote and inaccessible areas.

17.15 Basic health statistics indicates the health status of the people in the state. The infant mortality rate is 46 per thousand. As regards couple protection rate, the figure stands at 21.9%, which is far below the all India average. These basic indicators help in designing the health care programme for the people of the State.

17.16 To meet the basic health needs of the people, such as treatment of diseases, introduction of indigenous system of medicine, T.B. control programme, malaria eradication programme, prevention and control of communicable diseases and other public health services 144 Primary Health Sub Centres have been set up, of which 49 are in ST dominated areas. These are 24 PHC's of which 10 are in ST/ITDP areas and 3 in SC areas in addition to 2 Community Health Centres (CHC) at Gyalshing and Mangan.

Service Safeguards

17.17 The Government of Sikkim has introduced reservation in services for SC/ST in the State since 1995 vide notification no. 52/Gen./DOP dated 21.8.95. 23% and 6% of the posts are reserved for STs and SCs, respectively, under the Govt. Departments and Public Sector Enterprises. The grade-wise representation of SCs and STs in State services for the current year is not available

Atrocities

17.18 Cases of atrocities are negligible in the State. However District Collectors/Police Officer have been directed to look into complaints of harassment and atrocities on priority basis. No special cell has been set up in the state but a Special Court has been specified.

Observations

17.18 Government of Sikkim should take care while sending annual report data on SCP/TSP, as variation of figures is observed in the Annual Tribal Sub-Plan and Special Component Plan, for the year 1997-98. Periodical informations on the progress of the Welfare schemes on SCs/STs are not communicated by the Welfare Department and other Sectoral Departments regularly to the State Office. The Govt. of Sikkim may send report on progress of development schemes and utilization of

fund to the State Office also as when they send report to the Ministry of Social Justice & Empowerment. In spite of suggestions made in our previous report to include Office In-charge of State Office, Calcutta as a member of Planning Committee of the State for taking part in the planning process, monitoring and also overseeing the utilization of funds earmarked for SC/ST, the state government have not taken initiative in this regard. If state office is involved in the process it can give its opinion and ensure that the interests of SC/ST people are kept in view while formulating plans and programmes and also keep a check on diversification of funds from TSP/SCP, if any.

CHAPTER XVIII

TAMILNADU

In the State of Tamilnadu, as per the 1991 Census, Scheduled Castes are 19.18% and Scheduled Tribes are 1.03% of the population of the State. The literacy rate of SCs/STs is 46.76% and 27.89%, respectively, which is less than the literacy rate of general population of the State (62.66%).

18.2 A separate Department of the welfare of Scheduled Castes/Scheduled Tribes was established in Tamil Nadu as far back as in 1949. It is now called the Adi-Dravidar and Tribal Welfare Department. As in other States, in Tamilnadu also the funds allocated under SCP is less than the SC population percentage of the State. The expenditure of the funds allocated, however, is improving and during 1997-98 it was 96% of the funds allocated. Funds to the tune of Rs. 29 crores were given to state govt. as SCA to SCP State Govt. utilized Rs. 23 crores i.e. 79% of the funds released. However, the SCA of about Rs. 5.02 crores released to the State Govt. during 1997-98 remained unutilized. In the earlier reports of the Commission also, it was observed that the expenditure was generally less than the funds allocated and that the State Govt. must increase the expenditure to a level much closer to that allocated and also ensure that such funds are spent in a well-planned manner, evenly spread over the year.

18.3 Though the ST population in the State is 1.03% only, 9 ITDP areas have been identified in the State. The Govt. has been allocating funds for TSP commensurate with the percentage population. However, the actual expenditure is very low. Even the SCA released for TSP is not being utilized fully.

Education

18.4 The literacy rate among the SC/STs in the State is less than that for the general population. Though the State Govt. has taken a number of steps for increasing the literacy levels, it has been seen that the drop out rates among SCs/STs boys and girls in primary levels as well as middle school level are very high. The drop-out rate among SCs/STs girls is a special cause for concern to the Commission. It has been noted that the percentage of SC/ST teachers is less at the higher levels of education and the overall percentage is also less as compared to SC/ST population percentage. The Deptt. of Adi-Dravidar and Tribal Welfare runs a number of Ashram Schools at various places like Senkarai, Semmedu in Kolli hills in Namakkal district. The Deptt. spends Rs. 225/- on each student towards food charges and also gives other facilities viz; free soap, free notebooks and textbooks etc. The State Office of the Commission has visited some of the Ashram Schools and it was found that the teaching staff is generally inadequate and many posts of teachers are lying vacant. It was also found that Doctors do not visit hostels as well as residential schools for general health check up of the inmates. **It is, therefore, essential that the State Govt. takes steps for improving the functioning of these residential schools.**

TAHDCO

18.5 Tamilnadu Adi Dravidar Housing and Development Corporation Ltd. (TAHDCO) was set up in 1974 with the objective of shifting SCs from their traditional profession

through training and by employing them in other gainful activities, including in industrial occupation. TAHDCO formulates and implements various economic development schemes as well as gives training to SC youth for income generating trades. During the year, 1997-98, out of the targetted beneficiaries of 11410, TAHDCO has given assistance to 10668 beneficiaries. During 1998-99 out of the targetted beneficiaries of 8550, TAHDCO has given assistance to 6845 beneficiaries. The company has received Rs. 650 lakhs both from State and Central Government at ratio 51.49 as share Capital Assistance. Whereas Rs. 932 lakhs for 1997-98 and Rs. 1078 lakhs for 1998-99 were released as Margin Money assistance showing expenditure over and above the receipt of Share Capital Assistance. From 1997-98 onwards, TAHDCO is giving subsidy and Margin Money assistance to SC beneficiaries for purchase of Lorries, Vans, Mini-bus, Tourist Bus in the Transport Sector and for establishing Poly-clinics, Dairy Farms in the Non-Transport Sector, TAHDCO is assisting the S.T. beneficiaries also under "Individual Entrepreneur Scheme".

(Lamps) -Large Size Multipurpose Cooperative Societies

18.6 The LAMP society provides four types of loans, viz. Crop Loan, Empty loan, Jewellery loan and Consumption loan. Under each type of loan, the LAMP society provides Rs. 50,000/-, Rs. 18,000/-, Rs. 10,000/- and Rs. 500/- per year respectively.

18.7 It has been seen that the LAMP society is not proving to be very effective as its members are not repaying the loans taken from the society. At present, it has over dues of Rs. 80 lakhs. It is, therefore, felt that LAMP Society should at least for the time being concentrate on the recovery of part loans. The tribals of Kolli Hills have good levels of income from the cultivation of pineapple, bananas and other commercial crops and so should be able to repay the loans.

Land Purchase Scheme

18.8 Government of Tamilnadu is implementing a scheme of providing house-sites to houseless Adi Dravidar who do not own a house site of their own. Apart from this, Govt. also distributes surplus land to SC/ST landless people. During 1997-98, 893 SC beneficiaries were given surplus land of 934 acres and 2 ST beneficiaries received 2 acres of surplus land. During 1997-98, 80806 house-sites were allotted to Adi Dravidars. It has been noticed that house-sites distributed to the SCs are generally located outside the village/town, which results in isolation of living areas of SCs. The Tamilnadu Govt. has started a new scheme of setting up 'Samathuvapuram Village' in 50 places throughout the State at a cost of Rs. 17.50 crores in the 50th years of Independence. This scheme is a novel one where all people can live together under one roof. It has been started to move towards creating a caste-less society.

Service Safeguards

18.9 In Tamilnadu reservation of 18% for SCs and 1% for STs is provided in direct recruitment and in promotion, reservation rosters are followed in selected categories. As in other States, in Tamilnadu also, in Group A & B Services, representation of SCs is very low. Govt. of Tamilnadu has constituted a high level committee in Sept'1997 to review the reservation of SCs/STs in State Govt. Offices and Public Sector Undertakings (PSUs). The report of this Committee is awaited. It may also be mentioned that in Tamilnadu false

Community Certificates is a serious problem in Tamil Nadu. Thousands of cases of false community certificates have been reported by individuals/organizations about the people who are working in Central/State Deptts./Public Sector Organisation. The Commission has already pointed out to the State Govt. in its previous Reports to take serious note of this matter and undertake correct (iv) action.

Atrocities against SCs/STs

18.10 The total number of cases of atrocities in Tamilnadu against Scheduled Castes had decreased in 1996 as compared to 1995. However, it has again increased in 1997 when 1496 cases were reported under this Act. An amount of Rs. 141.48 lakhs was sanctioned as monetary relief to the victims during 1997. However, in 69 cases of 1997, victims are yet to be provided monetary relief. The State Office of the Commission is following up this matter with the State Govt. It has also been observed that the awareness of POA Act among public as well as the implementing agency is very poor and it is essential that awareness is created about the various provisions of this Act in the rural areas. It has also been observed that the conviction rate both under PCR Act and POA Act, ranges between 5 to 10% only. The State Govt. must look into the causes of this low conviction rate and take urgent corrective steps.

18.11 Only 4 Special Courts of Judicial Magistrates are functioning for looking into the cases of PCR Act. However, these were set up as far back as 1982 and no new/additional Special Courts have been set up in the last 17 years. What is more even in those 4 Courts as mentioned earlier also, the conviction rate is very low.

CHAPTER XIX

UTTAR PRADESH

Uttar Pradesh has the distinction of being the most populous State with 16.44% of the country's population. The State also has the highest share of Scheduled Caste population, which is 21.05% of the population of the country. However, the Scheduled Tribe population is only 0.21% of the State's total population. According to the 1991 Census, the national average of literacy among SCs and STs was 26.85% and 35.70%, respectively, as compared to 41.60% for the State as a whole. Only 10.69% of SC females and 19.86% of ST females are recorded as literates. Problems of non-enrolment and drop-outs continue to be an important issue in the State.

19.2 The occupational pattern reveals that about 42.63% of Scheduled Castes and 69.56% of Scheduled Tribes among the main workers are engaged as cultivators and 38.77% of SCs and 13.00% of STs are engaged as agricultural labourers. According to available data, more than 95% of SC cultivators and around 71% of ST cultivators are small and marginal farmers. About 59.2% of the SC population live below the poverty line.

Development and Welfare Programmes

19.3 Social Welfare Department, Govt. of U.P. consisting of Directorate of Social Welfare, Directorate of Tribal Development, Uttar Pradesh Scheduled Castes Finance & Development Corporation and U.P. Samaj Kalyan Nirman Nigam, implement major programmes for the development and welfare of Scheduled Castes and Scheduled Tribes. The objectives to be focused upon during the Ninth Plan are:

- i) To improve educational, social and economic conditions of SCs and STs.
- ii) To remove social discrimination and to implement programmes for social and economic mobility.
- iii) To implement self-employment generating programmes for those living below the poverty line and eradication of poverty.
- iv) To take legislative and socio-economic measures for protection of civil rights.
- v) To eliminate manual scavenging and to implement programs for liberation of scavengers.

19.4 In order to provide adequate support for plan formulation, monitoring and evaluation, a separate cell, known as, "Kalyan Niyojan prakosths" has been established in the State. However, as in previous years, TSP remains insignificant in the State. During the year 1997-98 funds under TSP are combined alongwith the SCP and as a result separate figures of expenditure and the extent of benefits accrued to the ST persons are not available.

SCP/TSP

19.5 During 1997-98, out of the total State Plan Outlay of Rs. 7164. Crores, Rs. 1516 Crores were allocated for SCP which comes to 21.16% . However, as against this allocation expenditure under SCP was only Rs. 1012 Crores, represently 67% utilisation. Though the State Govt. has allocated funds in proporation of SC population of the State, it has miserably failed in ensuring full utilization of the funds. The Outlays and Expenditure in some of the important sectors are given below:

Sector-wise Outlay & Expenditure during 1997-98

(Rs. In Crores)				
		Outlay	Expenditure	% of Expenditure
1	Agriculture & Allied Activities	136.95	128.96	94
2	Rural Development	330.65	167.43	51
3	Special Area Programmes	17.00	17.00	100
4	Irrigation & Flood Control	23.64	25.42	108
5	Energy	123.83	92.00	74
6	Education	53.83	40.00	74
7	Medical & Public Health	17.63	8.60	49
8	Water Supply & Sanitation	78.00	65.00	83

19.6 It may be noted from the above Statement that while in Agriculture, Irrigation and Flood Control the expenditure is satisfactory performance in certain other important sectors, like Rural Development, Medical Services and Public Health, etc. is very poor. It is also a matter of concern that the funds allocated under important areas like medical service and public health and education are far from adequate. The State Govt. needs to give greater attention to proper formulation and implementation of schemes for development of SC communities in the State.

19.7 The State Govt. was provided Rs. 76.45 Crores under SCA to SCP during 1997-98. However, the State Govt. could utilize only Rs. 55.72 Crores. The State Govt. has to take effective steps to link up the schemes of SCA with those taken up under SCP so that the full benefit of the SCA flows to the beneficiaries.

19.8 During 1997-98, Rs. 32.57 Crores were allocated under TSP which is 0.45% of the State's plan outlay. Out of this. Rs. 19.29 Crores were utilized which is only 34% of the allocation under TSP. The State Govt. was also provided SCA to TSP to the tune of Rs. 0.64 Crores which has been fully utilized for basic minimum amenities and socio-economic upliftment of the Scheduled Tribe population. It may be mentioned that the main problem of ST's' in U.P. is poverty due to under-developed agriculture. It is essential that the strategy for development of ST's is based on comprehensive economic and human resource development efforts so that they could acquire the ability to benefit from the general economic development programmes.

Financial Corporations

19.9 Financial assistance is provided to SCs living below the poverty line through Uttar Pradesh Scheduled Caste Development Corporation. The Corporation is implementing a number of self-employment schemes under which 50% of the project cost is provided as subsidy. During 1997-98, Corporation has financially assisted 87318 SC persons under this scheme. The Corporation also gives construction cost upto Rs. 5,000/- for shops in urban areas. During 1997-98, a total of 242 shops were constructed with an investment of Rs. 12.84 lakhs. It also operates a National Scheme for Liberation & Rehabilitation of Scavengers under which 1314 persons were provided financial assistance of Rs. 2.5 crores approx. during 1997-98. At present, the Corporation is facing a number of problems. The State Govt. is not providing funds for meeting establishment and other administrative expenditure of the Corporation. Poor recovery of margin money loans is another important constraint. The Corporation is finding it difficult to repay the outstanding loans to the National SCs & STs Finance & Development Corporation (NSFDC), with the result that the Corporation is being charged penal interest on outstanding loans by NSFDC. There is no separate recovery mechanism in the Corporation. **The Corporation has been highlighting the problems relating to non-cooperation of banking institutions in the sanctioning of loans. The constraints of the Corporation should receive proper attention of the State and the NSFDC so as to make its functioning move effective.**

Performance under major sectors

19.10 The performance of the State Govt. under major development sectors during 1997-98 is discussed below:

Land

19.11 Majority of SC/ST population depend on land for their livelihood. However, most of them work as landless agricultural labourers. Land, being the most basic input for agriculture, it is very crucial for the development of SCs and STs. But agricultural land is shrinking as land is required for use in other sectors also. As per the data available with the State Revenue Board, SC holdings are only 16.38% of the total operational holding in the State though the area operated upon by SC's is 10.48%. Similarly, STs hold 0.16% of the operational holdings while the area **operated upon** by them is 0.32%. The State Govt. has taken many land reform policy measures, like abolition of inter-mediatory tenures, tenancy reforms, ceiling on ownership of agricultural holdings, distribution of ceiling surplus and other types of lands to the landless etc. The State Govt. has declared 5,70,309 acres as surplus land and 2,41,206 SC/ST persons were given lands measuring 1.13 acres each. Similarly, Gram Sabha land was also distributed to the landless SCs and STs. About 18 lakh SC/ST people were allotted 5,98,905 hectares of Gram Sabha land. Financial assistance of Rs. 1000 per acre is also given to allottees of ceiling land for undertaking works like leveling of land, purchase of fertilizer seeds etc. Apart from this, house-sites of 150 sq. yards are also provided by the State Govt. to landless workers 21,50,930 SC families were provided house sites during 1997-98. Under Indra Avas Yojana another 99431 SC/ST persons were given plots with a minimum plinth area of 20 sq. metres for construction of houses.

Dairy Development

19.12 Uttar Pradesh is one of the largest milk producing States in the country. The Dairy Development Department has been undertaking several schemes through dairy co-operatives, such as organisation of new co-operative societies, provision of artificial insemination, animal health facilities, cattle feed etc. During the Eighth Five Year Plan, as many as 57 districts were covered and 51 milk unions and 12,386 functional societies were organised. The SC members who benefited during this period were estimated to be 1.1 lakh. The Department have plans to expand the programme further during the Ninth Five Year Plan. Alongwith Scheduled Caste beneficiaries, Scheduled Tribe people living in Lakhimpur Kheri, Gonda and Bahraich districts would also be benefitted. Dairying is one of the effective means of subsidiary occupations in rural areas and the Department has been paying due attention for the successful implementation of its programmes which deserves to be appreciated. The department should further strive to provide adequate assistance to SCs and STs under the programme. the other

Rural Development Programmes

19.13 A number of programmes are being implemented in the State with the objective of raising the standard of living of the poorer sections of the society. These programmes fall into two categories; one aims at promoting self-employment amongst the rural poor by providing productive assets through a combination of credit and subsidy and programmes are targetted at generation of employment and the building up of community assets.

19.14 Among the package of rural development programmes, the Integrated Rural Development Programme (IRDP) has special significance, with relation to Scheduled Castes and Scheduled Tribes, as, out of the total number of families to be assisted, at least, 50% are from these communities. Under the programme, loan and subsidy are provided to the identified poorest of the poor families in rural areas for creation of assets and to enable them to cross the poverty line .

19.15 During 1997-98 an amount of Rs. 210 crores was allocated under the programme and the utilization was of the order of Rs. 212 crores (101.32%). The physical achievement (104.56%) during the year also exceeded the target. The coverage of SC/ST families was 51.45%. The following table indicates the performance under IRDP during 1997-98:

S.No	Category	Financial Progress (Rs. In lakhs)			Physical Progress		
		Target	Achievement	%age	Target	Achievement	%age
1	Scheduled Castes	10081.74	9726.10	96.47	168029	178259	106.09
2	Scheduled Tribes	136.62	132.18	96.75	2277	2421	106.32
3	Others	10770.30	11408.10	105.92	165513	170466	102.99
	Total	20988.66	21266.38	101.32	335819	351146	104.56

19.16 Evaluation studies conducted so far have suggested a number of action areas. In this connection the Commission urges upon the State to take up necessary action in the following areas:

- (i) Survey of the families living below the poverty line should be completed on priority basis as directed by the Central Govt.
- (ii) Considerable controversy revolves round the identification of beneficiaries.
- (iii) Selection of schemes should be done jointly by the Block and the local Bank.
- (iv) There should be provision of finance in more than one related scheme.
- (v) Vikas Pustika should be issued to the beneficiaries for follow-up and financial discipline.
- (vi) Repayment schedule should be advised to the beneficiaries.
- (vii) Backward and forward linkages should be provided for viability of projects.

19.17 The Training of Rural Youth for Self-Employment (TRYSEM) is a component of IRDP under which the rural youth, in the age group of 18 to 35 years, belonging to families below the poverty line, are trained in technical and entrepreneurial skills. During 1997-98, out of 65,875 youths trained under the programme, 37,360 (55.71%) were from SCs/STs.

19.18 The Jawahar Rozgar Yojana is one of the most important programmes of wage employment in the State. The programme aims to provide employment opportunities to at least one member of each family living below the poverty line. During 1997-98, the State utilized an amount of Rs 481.2 crores (101.73%) against a target of Rs. 473 crores. For this period the target was to generate 562 lakh mandays but the actual employment generated was of the order of 600 lakh mandays representing 106.73% achievement. The SCs and STs had a share of 50.35% in the total employment generated during the period. Details of progress during 1997-98 are tabulated below:

S.No	Category	Financial Progress (Rs. in lakhs)			Physical Progress (No. in lakh mandays)		
		Target	Achievement	%age	Target	Achievement	%age
1.	Scheduled Castes	10642.85	10827.48	101.73%	123.44	301.86	244.53%
2.	Scheduled Tribes	36658.71	37294.63	101.73%	438.27	297.63	67.91 %
	Total	47301.56	48122.11	101.73%	561.71	599.49	106.73%

19.19 However, there are reports that Gram Panchayats are not getting the accounts audited in time and wages are also not being paid in time. Therefore, the implementation of JRY needs to be carefully monitored.

Education

19.20 The educational base of SC's and ST's is still unsatisfactory in the State. The State has initiated a number of measures like opening of educational institutions, provision of incentives, coaching and hostel facilities etc., but these measure have to be properly coordinated and harmonised to give the desired results. Concerted efforts would also have to be made to identify the weaknesses in different programmes which come in the way of their effectiveness.

19.21 There is also a need to identify those castes / tribes which have a female literacy rate far below the average SC/ST female literacy rates in the State and to initiate special measure to improve literacy among them.

19.22 The gross enrolment rate of SC/ST students at primary & junior basic school levels is given below:-

	Students	Class 1-V(6-11)		Class VI-VIII(11-14years)			
		Boys	Girls	Total	Boys	Girls	Total
1.	Scheduled Castes	72.9	35.1	53.3	46.2	14.18	32.1
2.	Scheduled Tribes	85.2	53.2	69.8	51.4	21.4	37.5
3.	All	85.2	59.9	73.4	62.4	32.6	49.0

Source: Selected Educational Statistics, 1996-97.

19.23 As may be seen enrolment of SC girls both at primary and middle level is very poor. The effective ness of enrolment can not be judged as the State Govt. do not publish data regarding the dropouts

19.24 Under various schemes, like pre-matric / post-matric scholarships, construction of hostels, ashram schools etc. about 9 lakh students benefitted during 1997-98.

Adult Education

19.25 The Total Literacy Campaign (TLC) is undertaken in the State to educate people in the 15-35 age group. Children deprived of formal and non-formal educational programmes are also covered under TLS. The drive aims at giving priority to women and members of Scheduled Castes and Scheduled Tribes and giving special attention to the areas having concentration of illiterate population. In 1997-98, the programme was implemented in 16 districts and a total of 16,86,387 persons were enrolled, of which 6,02,718 (35.74%) belonged to SCs and STs.

Service Safeguards

19.26 The National Commission had addressed a circular letter to the State Government seeking information on the actual representation of SCs and STs in services as on 1.1.98.

Earlier, the State Office had also sent letters to the Department of Personnel and Department of Public Enterprises for making the required information available. **No information has been furnished. The State Government may compile the requisite information and send to the Commission urgently.**

19.27 It is also seen from the latest available data on the representation of SCs and STs in services under the State Govt. and the State Public Sector Undertakings that there is a glaring shortfall in their representation in all groups of posts. Efforts should be made to fill the prescribed quota of 21% for SCs and 2% for STs through special recruitment drives. The State Govt. has enacted an Act namely "The Uttar Pradesh Public Services (Reservation for SCs / STs and OBC) Act." This Act prescribes legal action against the appointing authorities who make appointments in contravention to the provisions of the Act. This is indeed a positive step and should help in improving the representation of these communities in various services.

Atrocities Against SCs and STs

19.28 It is a matter of serious concern that incidents of atrocities against Scheduled Castes continue to be reported from almost all parts of the State. In the case of Scheduled Tribes, whose population is only 2.87 lakhs (0.21%), reports of atrocities do not generally come to the police. As per the information given by the State Office of the Commission it has been reported that there has been a slight decline in the atrocity cases in recent years. During 1996, the total number of cases registered with the police for various crimes and atrocities on Scheduled Castes were 11615 and in 1997, 9256 cases were registered. Most of these cases have been registered under SC & ST (POA) Act, 1989. **During 1996, 5631 cases and during 1997, 3439 cases were registered under this Act. A study has been commissioned by the National Commission for Scheduled Caste and Scheduled Tribe on the implementation of POA Act, 1989 in selected districts of Uttar Pradesh. However, it is a matter of concern to the Commission that disposal of atrocity cases by the police and the Courts is very slow. The State Govt. should take urgent steps to strengthen the system of investigation and prosecution.**

19.29 The State Government has been providing monetary relief to the atrocity victim as per the scale prescribed by the Central Government. Detailed instructions on the payment of relief have been issued vide G.O No. 4578/26-3-95 (256)/94 dated 17.10.95.

19.30 The State Govt. is taking prompt action to provide monetary reliefs to the victims of atrocities. The State Social Welfare Department has also prepared a Contingency Plan to provide relief as well as rehabilitation to SC / ST persons who are victims of atrocities. This step of the State Govt. is commendable. However, the State Govt. must ensure effective implementation of this Plan.

CHAPTER XX

WEST BENGAL

According to the 1991 Census, the total population of West Bengal was 6,80,77,965 of which 1,60,80,611 and 38,08,760 were Scheduled Caste and Scheduled Tribes, respectively, representing 23.62% and 5.59% of the total state population. The literacy rate among the SCs and STs as per the 1991 Census was 42.21% and 27.78% respectively as compared to the general literacy rate for the state as a whole of 57.7% the literacy rate among ST women which stood at 15% as compared to 28.27% for SC women and 46.56% general women literacy rate is particularly disturbing.

Economic Development-Implementation SCP/TSP

20.2 The annual state plan outlay and flow of funds to the SCP during the year 1997-98 are given below:

Year	State Plan Outlay	Flow of SCP	%	(Rs in crores)	
				Expenditure	%
1997-98	3922	300	7.66	175	4.45

20.3 The above table reveals that the flow is not at all adequate and nowhere in proportion near to the SC population of 24% in the state. Tragically even this meagre flow of funds (7.66) could not be utilised. Only 4.45% could be spent, which was far below the prescribed percentage. Again, during the year 1998-99, flow of funds to the SCP became less than in the previous year, i.e., 5.12% and Govt. of West Bengal could not furnish data on actual expenditure. Thus the allocation of funds towards SCP and expenditure thereof is in deplorable condition. This matter has been brought to the attention of State Govt. of West Bengal who have assured that funds allocation under SCP/TSP would be increased.

Special Central Assistance for SCP

20.4 Sum of Rs. 2849 lakhs and Rs.1600. lakhs were released for the year 1997-98 by the Govt. of India as SCA to SCP and TCP, respectively. The entire amount released was fully utilised by the Govt. of Bengal. State Govt. has introduced a system through which the community development schemes are prepared at Block level and the same are recommended by the District Welfare Committee. The DWC is also entrusted with the work of monitoring the implementation of the schemes. Family oriented economic schemes are being executed by the West Bengal SC/ST Development and Finance Corporation.

Tribal Sub Plan

20.5 There are 34 Integrated Tribal Development Projects (ITDP) spread over 15 districts. About 45% of the Tribals are living outside the ITDP areas. Due to their dispersed habitation all over West Bengal, the State Govt. has sanctioned funds out of the State Plan and requested the Govt. of India to release funds as Special Central Assistance (SCA). Thus, All tribals living outside the ITDP are to be covered under the TSP scheme.

20.6 The following statement shows the State Plan outlay, flow of funds to TSP and expenditure incurred by State Govt. during the year 1997-98:

(Rs. in crores)					
Year	State Plan Outlay	Flow to TSP (Proposed)	%	Expr.	%
1997-98	3922	103	2.63	55	1.39

20.7 It is observed from the above table that the flow of funds to TSP under Annual Plan Outlay is far below the percentage of ST population in the State. Further, out of the allotted amount, about 50% funds remained unutilized. The percentage of flow of funds to TSP/SCP has not been raised in 1998-99 also. Therefore, it is suggested that the State Govt. should include schemes of other Sectoral Departments also in the SCP/TSP programmes. There is also an urgent need to increase the allocation towards TSP/SCP out of the State Plan Outlay.

Financial Corporation

20.8 Assistance to SC/ST families living below the poverty line is being given by West Bengal SC/ST Development and Finance Corporation by providing margin money loans and subsidy for income generating schemes.

20.9 The Corporation gave financial assistance of Rs.20.48 Crores to 60375 SC/ST families under the family oriented income-generating schemes during 1997-98.

20.10 This Corporation is also the nodal agency for the implementation of schemes for rehabilitation of liberated scavengers under these schemes financial assistance is given for establishing Piggery, Stationary Shop, Fruit vending, furniture making, Rickshaw van, Dairy, Tea stall etc.

20.11 In this programme, the beneficiaries get margin money, subsidy and special loan from the Corporation directly and the beneficiaries do not need to avail of commercial loans from Banks. No training was given to the beneficiaries during the year 1997-98, but altogether 127 beneficiaries were given special loans worth Rs. 14.47 lakhs for the year of which Rs. 5.27 lakhs was in the form of subsidy.

20.12 NSFDC linked schemes are also being implemented by the Corporation. During 1997-98, under this programme, 158 SC/ST persons have been benefitted under various schemes like Auto Rickshaw, Auto van, Power Tiller, Readymade garments, Diesel Taxi, Poultry, Photocopies etc. by providing financial assistance of Rs. 134.51 lakhs, including Rs. 11.40 lakhs as subsidy.

West Bengal Tribal Development Cooperative Corporation Ltd.

20.13 The West Bengal Tribal Development Cooperative Corporation Ltd. (WBTDCC) was set up with the objective of facilitating economic development of poor and exploited rural tribal through various types of developmental schemes. This Corporation has formed 116 LAMPS (Large sized Multipurpose Cooperative Societies) and 2 Mahila Samities. Their prime functions relate to procurement of minor forest produce, its marketing as all the activities of TDCC are implemented through LAMPS and Mahila Samities.

Education

20.14 State Govt. has taken a number of steps to promote literacy in the State. Every SC/ST village has been provided with a primary school and vigilance has been strengthened to ensure presence of teachers in the schools. Emphasis has also been given to opening more hostels for SC/ST students. There are 15 Central hostels in 8 districts of the state for 1124 post matric students. Out of these, 4 hostels are exclusively for ST girls and 2 for SC girls. The State Govt. is also running 201 Ashram Hostels, of which 178 are for boys and 23 for girls. These can accommodate 32022 SC and 28000 ST students. Hostellers get Rs.300 per month as maintenance allowance for 10 months. State Govt. is also running schemes for book grants, examination fee, exemption and special merit scholarships for SC/ST students.

Service Safeguards

20.15 The State Govt. has been implementing the provisions of the West Bengal SC & ST (Reservation of vacancies in Services & Posts) Act, 1976. The extent of reservation is 22% for SCs and 6% for STs in both direct recruitment and promotions.

20.16 To ensure proper observance of the statutory provisions of reservation, a Reservation Cell, headed by a Joint Commissioner for Reservation has been set up at the State level. At the district, District Magistrates are entrusted with the responsibility to see that the reservation policy is implemented strictly for all categories of posts. Non submission of Annual Return or non maintenance of appointment registers and violation of provisions contained in Section 4 and section 5 by the appointing authority, have been made punishable through an amendment brought in 1996 to the West Bengal SC & ST (Reservation of vacancies in Services and Posts) Act, 1976.

20.17 In spite of the above rules and regulations the State Govt. has not yet been able to submit the statement of representation of SCs and STs in various services and posts in different departments.

Atrocities

20.18 No cases of atrocities on SC/ST members in the State have occurred. However, State Govt. has set up 17 Special Courts covering all the districts. Home Department and Backward Classes Welfare Deptt. ensured that no crime against SC/ST occur.

CHAPTER XXI

ANDAMAN & NICOBAR ISLANDS

The Union Territory of Andaman & Nicobar Islands comprises of as many as 572 islands with a geographical areas of 8249 sq. kms. It is situated in the South-East bay of Bengal between 60 and 40 North latitude, spread over a distance of over 700 kms and has a total population of 2,80,661 (1991 Census). This is the homeland of five primitive tribes. These islands are separated into two groups viz., Andaman & Nicobar groups separated by 10 channel which is about 145 kms wide. The Andaman group of islands is delimited as Andaman District, the areas of which is 6808 sq. kms. While the Nicobar group of islands constitute the Nicobar District, area of which is 1841 sq. kms. Andaman Group of islands are the transitional habitat of four primitive tribes of Negrito stock viz., Great Andamanese, Jarawas, Onges and Sentinelese and their population is estimated to be only about 426 as per 1991 census. The present population of Onges is only 98. This primitive tribe is settles in Dugong Creek and South of Bay of Little Andaman. The Great Andamanese are settled at Straight Islands and their estimated population is 28 only. The estimated population of Jarawas and Sentinelese is 200 and 100, respectively.

21.2 Two Mongoloid tribal stock are living in the Nicobarese Group of islands viz., Nicobarese and Shompens. They are scattered over 156 villages of Nicobar Islands known as Nicobar District and their estimated population is 6000 (1991 Census) out of the total population of 39,208 in these villages. The Shompens, whose population is 135 (approximately) and other 4 primitive tribes are primarily food-gatherers, hunters and live in primitive primordial stage of economy. Nicobarese are agriculturists and live in a higher stage of economy. The Jarwas inhabit on western coast of South Island. The Middle Andaman have been declared as tribal reserve by the Andaman & Nicobar Islands Administration. Excluding the 5 primitive tribes, other tribes are also living in these two group of is lands which comprise 9.54% of the total population of Union Territories of Andaman & Nicobar Islands. It is observed from the census 1991 and the report submitted by Andaman & Nicobar Islands Administration that this Union Territory does not have any Scheduled Caste population. However, a large number of Scheduled Caste people migrated from Bangladesh as refugees were rehabilitated by the Government of India's Refugee Relief and Rehabilitation Department in the year 1980. **This Commission expressed deep concern over this vital problem in the earlier reports and had tried to draw the attention of Andaman & Nicobar Islands Administration and Census Department to this issue.**

Tribal Sub-Plan

21.3 The Andaman & Nicobar Islands Administration has adopted the Tribal Sub-Plan strategy of the Government of India with the objective of integration of socio economic development of the tribals and protecting them against outside exploitation. The whole of Nicobar District, excluding the three Panchayats in Great Nicobar Islands, is Tribal Sub-Plan area. The ITDP covers the entire area mentioned above. The total population of the Nicobar District is 39208 of which the tribal population is 26,770 (as per 1991 Census). To preserve the traditional culture of these tribal people, outside non-tribals/tribals are not even permitted to enter into the territory inhabited by the primitive tribal groups. To protect the interest of indigenous tribals of Andaman, Adimjati Sevak Samiti has been

formed since the beginning of TSP schemes. The organization is headed by the Lt. Governor of Andaman & Nicobar Islands and oversees the welfare issues of primitive tribes only. Other tribal development programmes are implemented by an ITDP Committee with the Deputy Commissioner (Nicobar) as its Chairman. A Research Cell is working in the Directorate of Tribal Welfare to monitor implementation and evaluation of ongoing schemes. Keeping in view primitive economy and culture, the Andaman & Nicobar Islands Administration implements Community Development Schemes for the socio-economic development of the whole tribal area and also family oriented economic benefit schemes for the tribals. On these basic principles, TSP funds are placed at the disposal of various sectoral departments for implementation of schemes. No nucleus budget has been created for tribal areas in this UT. Instead the budget provisions for TSP schemes are made under sub-heads of various functional heads of departments. Out of the total 31 sectoral departments of UT, only 21 sectors have drawn up need based schemes for the tribal people. The total State Plan outlay and flow of funds to TSP during 1997-98 is given as under:-

(Rs in lakhs)					
Year	Total Plan	Agreed flow to TSP	%age of TSP outlay to total	Expenditure incurred under TSP in the year	%age of expenditure under TSP to agreed flow to TSP
1997-98	25735.00	2551.655	9.91	2374.322	93.05

21.4 The Andaman & Nicobar Islands Administration should ensure that the entire TSP allocation for the financial year is spent for the development of the tribal people.

Special Central Assistance to TSP

21.5 An amount of Rs. 118.00 lakhs was released as SCA by the Government of India for the year 1997-98 of which only Rs. 97.13 lakhs was utilised. No information is available regarding release of SCA for the development of primitive tribes and sector-wise utilization of SCA to TSP for the financial year under reference.

Schemes under SCA

21.6 Andaman Adim Janjati Vikas Samity (AAJVS) is primarily entrusted with the job of welfare of primitive tribes and to operate the Special Central Assistance (SCA) released by the Government of India every year for the all round socio-economic development of Great Andamanese, Jarawas, Onges, Sentinelese and Shompens tribes.

21.7 The Great Annamanese is one of the smallest tribal groups and their total population is 28 only. They live in Straight Islands. They are provided with free ration, clothes, primary education, power house, medical help, poultry shed, etc. Besides this, plantations have been raised in and around their habitat. Last year, Union Territory Administration took up a proposal to provide them vocational training, tool kits etc., but no data is available whether those schemes are implemented or not.

21.8 Jarawa and Sentinelese are the most hostile reserved tribe among the 5 primitive tribes of Andaman. Outsiders' non-tribals are not allowed to enter their territory due to

their hostile attitude. The administration attempts to make official contact through regular visits to their area by distributing gifts like coconut, bananas, clothes, etc. However, AAJVS has decided to take up a 'Pilot Project' to have a deeper understanding of the Jarawas' life. They have also decided to undertake a study on Jarawa language and assistance has already been sought from the Centre for Indian Institute of Language (CIIL), Mysore. The contact with the Sentinelese is also being tried. To launch this Pilot Project it was decided to set up a base camp at Kadamtala to provide regular medical and other services to Jarawa's. To augment the food resource, dispersed plantation is being carried out. Administration has also constructed embankments on Nallah at Pottatang and Tirur villages of Andamans for providing water to them.

21.9 The Onges have settled in two pockets namely Dugong Creek and South Bay of Little Andamans. About 98 persons belonging to this tribe have been provided with timber huts, tap water, medical sub-centre, electricity, primary school, community center, fishing boat and coconut plantation. Their occupation is hunting, food gathering and fishing. The Shompens of Great Nicobar Islands are scattered in the various forest areas. Shompens hut complex is provided with schools, medical dispensary and community hall. It is not possible to cover all the Shompen people under various programmes due to their scattered habitation. They live in Campbell Bay and their occupation is hunting and food gathering. They are provided with rice, clothes and other useful article at subsidized rates and are also supplied medicines, coconut and other fruits every year.

21.10 No report is available on the progress of "Pilot Project" of AAJVS as proposed by them in the last financial year.

Education

21.11 The literacy rate of 56.62% among the tribals is praiseworthy looking at the primitive stage of tribal people. **As stated earlier, it is reiterated again that Administration should collect data on education for the 5 primitive groups separately so that need based planning for future may be made.** As per 1991 Census there were about 46,000 children of the age group 0-6 in the Union Territory. Out of this about 15,000 children are in the age group of 3-5 years covered under feeding and support programme category of Primary Education. Presently, there are Pre-Primary classes in 68 schools (both government and private) and 255 Anganwadies run under Integrated Child Development Scheme to cater to the needs of these children, which is not adequate. Moreover, with the help of locally available trained officials of the Education Cell of the Directorate of Education, training is imparted to the functionaries under Special Assistance Education Programme (SAEP) through participatory approach. As a part of continuing education approach, Jan Shikshan Nilayam Samities are functioning in the Union territory. 25 JSNS are funded from Central grants and remaining through Union Territory funds. 300 STs were made literate under 20 point programme. Informal education centers are available for those who find difficulty in attending regular schools and who have dropped out of formal education system. Andaman & Nicobar Islands Administration have adopted a proposal to open 20 literacy centres in isolated tribal pockets. Proposal to set up 20 Pre-Primary schools in existing schools by utilizing, the existing space or constructing additional rooms is under consideration. The intention is not only to teach but also to develop social attitudes, values and behavioral pattern and provide environmental stimulation with the help of 20 part-time Ayahs, play materials,

toys, picture books, radio, audio-visual materials etc. Such efforts are being made by Pre-Primary and Primary School teachers already appointed under this scheme.

21.12 Provision of free and compulsory education for all children until they complete the age of 14 years is a part of Directive Principles under the Constitution. Education is free for all upto 12 Class. Primary education from Class I to V has been made compulsory throughout the territory. At present, there are 291 Primary and 114 Middle Schools with an enrolment of 30,930 students at Primary stage and 17,908 students in the Middle stage. Andaman & Nicobar Administration proposes to provide Primary Schooling facility where no such facility is available within a radius of 1 km. And to upgrade every second Primary School to Middle School so that the ratio of Primary to Middle School become 1:2. In the primary level 1835 ST boys and 1585 girls have been enrolled as on 1.1.98 and in the Middle School 793 and 825 tribal boys and girls were enrolled.

21.13 There were 40 Senior Secondary Schools and 27 Secondary Schools in 1997-98. With the development of Elementary Education in these Islands, the number of students in Secondary Schools is growing rapidly. The population of unreserved areas does not allow enough children to enroll due to low density of population. In the wake of rapid expansion of Secondary School education, it was not possible to equip the schools with adequate buildings, play-fields, library, laboratories, etc. Besides this, the Middle Schools need to be upgraded into Secondary Schools and Secondary Schools will have to be upgraded into Senior Secondary Schools to provide Secondary educational facilities within 10 kms. Distance. **To keep up the standard of education well qualified trained teachers should be recruited to impart education in these remote areas. It is encouraging to note that A & N Administration send their girl students to Banasthali Vidyapeeth, Rajasthan. Major share of the expenditure is borne by the Central Government. Besides this, special coaching is also provided to tribal students so that their standards are raised.**

Health

21.14 The basic health needs of the tribals are taken care of by setting up of PHS and Sub Centres under the Minimum Needs Programme. No specific criterion is followed for setting up of Health Centres and in some remote tribal areas, Health Centres are set up irrespective of population criterion. There are 3 PHCs, 1 CHC and 29 Sub-Centres in Tribal Areas, besides one District Hospital. The average population covered by Sub-Centre, PHC, and CHC in tribal area is 1275, 10,500 and 42,000, respectively, as against average population covered by SC PHC and CHC in the Union Territory of 2225, 12,500 and 65,750, respectively. The Medical facilities, availability of trained personnel, medicines, etc. are adequately ensured in tribal area also. There are 5 ICDS projects in these Islands as a Multi-Sectoral programme.

Forests

21.15 Under the provisions of Section 13 of Andaman & Nicobar Islands Protected Forest Rules, 1986, all the primitive tribals are allowed to collect any forest produce from the forest for their bonafide domestic consumption. These Islands have natural rain forests covering an area of 7171 sq. kms. A Biosphere reserve comprising an area of 885.50 sq. kms. In Great Nicobar has also been set apart exclusively to conserve the flora & fauna. Plantation of minor forest produce, like cane and bamboo are also undertaken for the development of cottage industries in the tribal area to meet the day to day requirement of

tribal population. No institutional arrangements have been made so far to regulate the purchase and marketing of produce collected from the forests by the STs.

Service Safeguards

21.16 The Administration is following the reservation policy of the Govt. of India as amended from time to time. No separate Act/ Order have been issued in this regard. No caste has been declared as Scheduled Caste in the UT. The Administration is following 12% reservation for STs in direct recruitment and 7.5% reservation in promotion in respect of Group 'C' and 'D' posts since 1.1.1991. All Group 'A' and 'B' posts are filled through UPSC following the reservation policy of the Government of India. No instruction for appointment of Liaison Officer for redressal of grievances of ST employees has been issued in this UT so far. No separate procedure has been laid down by the Administration for dereservation of vacancies. However, the instructions/guidelines issued by the Government of India from time to time for dereservation are followed.

Atrocities

21.17 No case of atrocity is reported during the period under report. Therefore no Special court is set up to deal with offences under the SC/ST (POA) Act, 1989. However, the Court of District and Sessions Judge at Port Blair has been designated as Special Court for trial of offences under the (POA) Act, 1989.

Observations

21.18 **The Andaman & Nicobar Islands Administration should make all out effort to include Scheduled Caste people in the Census, who are permanently living in the Union Territory. All possible steps required for socio-economic development of the primitive tribes should be taken on priority basis. Development programmes for primitive tribal groups should be designed keeping in view their socio-cultural peculiarities and environmental consideration. Top priority should be given to the health related problems of the primitive tribes. The reason for declining population of some of the primitive tribes should be investigated with the help of experts and urgent steps be taken for saving them from extinction. The Andaman & Nicobar Islands Administration must include Calcutta State Officer as a member of Planning Committee of the Union Territory for taking part in formulation of Tribal Sub-Plan.**

CHAPTER XXII

CHANDIGARH

Union Territory of Chandigarh has 16.51% Scheduled Caste population as per 1991 census. There is no Scheduled Tribe population in the Union Territory. The main occupation of the Scheduled Castes is cultivation and working as agricultural labourers. Generally, it has been observed that the flow of funds for Special Component Plan in the Union Territory has not been commensurate with the percentage population. In the Commission's earlier reports also it was pointed out that the administration must increase allocation under Special Component Plan and bring it at least to the proportion of Scheduled Caste population in the Union Territory.

22.2 The literacy rate of Schedule Caste population at 55.44% is quite high. In fact, the educational facilities in the Union Territory are one of the best in the country. Due to this, lot of Schedule Tribe students from Ladakh region of J&K and tribal areas of Himachal Pradesh come to Chandigarh for their higher education. It is felt that Chandigarh administration should consider reserving some seats for SC/ST students in Union Territory pool also for admission in vocational/professional courses. Similarly, the Administration should also restore the reservation in promotion to those Schedule Tribe employees who were recruited by the administration prior to the new policy under which the administration has not given any reservation in C&B category for Scheduled Tribes.

CHAPTER XXIII

DADRA & NAGAR HAVELI

Union Territory of Dadra & Nagar Haveli has a small area of 491 Sq. kms., which is surrounded by Gujarat and Maharashtra State. As per 1991 Census, 78.99% are Scheduled Tribes while 1.97% belong to Scheduled Castes. The literacy rate among SCs/STs is 77.64% and 28.21%, respectively, as compared to 40.71% for the general population in the U.T. It may be noted that the literacy rate of STs in the State is very low. It is 40.75% for males and 15.94% for females U.T. Administration must pay special attention towards the education of STs so as to increase the literacy level among the Scheduled Tribes. An analysis of the educational facilities in the U.T. shows that drop-out rate at primary stage among ST children is very high as the parents are generally not willing to send their children to school due to poor economic conditions, Similarly, there is an urgent need for opening higher educational institutions for promoting higher education among SCs/STs.

23.2 Agriculture is the main occupation of the tribals residing in the U.T. Nearly 89.36% Scheduled Tribe population is engaged in agriculture for which the U.T. Administration needs to give a major thrust to improve the economic conditions of the tribals. Some steps have been taken by the Administration for increasing the agriculture productivity by way of distribution of seeds of high yielding varieties of crops, distribution of fertilizers, plant protection, equipments and pesticides, incentive for growing of commercial crops. Schemes for providing subsidy for poultry and farming, supply of oil engine, electric pump, PVC pipes etc. are also being implemented. However, the Administration needs to allocate much more funds for promoting income generating schemes for tribals in the U.T.

23.3 In spite of such a high concentration of ST population in the U.T., there is no tribal sub-plan in the State. It has also been seen that the outlays provided are not being utilised fully under various rural development schemes.

23.4 There are some specific problems, which have been plaguing the SC/ST communities in the U.T. Some of them are:

- a) Inadequate drinking water facilities, particularly in hilly region for the ST's.
- b) Poor Housing facilities for SC and ST communities.
- c) Unemployment among ST youth.

23.5 While some schemes for income generation have been formulated by National Scheduled Castes & Scheduled Tribes Finance Development Corporation of the U.T., they have not been able to make the desired impact in solving these problems. It has been seen that low allocation of funds and poor implementation have led to shortfalls in achievement of the desired targets. The U.T. Administration has to make concerted efforts for solving these long pending problems of the SC/ST community.

23.6 There is a provision of 2% reservation in service for SCs in direct recruitment and 4% for STs. However, in promotion the reservation for SCs and STs is 15% and 7½%.

The representation of STs in Group 'A' and 'B' is less than 2%. The Administration must take steps for ensuring adequate representation of STs in the services.

23.7 Incidents of atrocities on SCs/STs are negligible in the U.T. The U.T. Administration has started a Special Court to prevent the atrocities on SCs/Sts. The District and Session Court, Dadra & Nagar Haveli located at Silvassa has been specified as a Special Court under SC/ST PO.A, 1989.

CHAPTER XXIV

DAMAN & DIU

The Union Territory of Daman and Diu comprises of two districts namely 'Daman' and 'Diu' separated from each other by 800 km. This Union Territory came into existence on 30th May, 1987. Out of the total population of the UT, SCs/STs constitute 3.84% and 11.54%, respectively. Nearly 99% of the total Tribal population in the Territory is concentrated in Daman District. The literacy level of Union Territory is quite high, including that of SC and ST. Nearly 1/3rd of SC workers are engaged in Agriculture Labour which is comparatively a low paid occupation. The allocation and expenditure under the Tribal Sub-Plan during 8th Five Year Plan was 9.76% and in the 9th Plan it is 8.97%, which is less as compare to the tribal population percentage. The Union Territory should increase the flow of funds to TSP for the Welfare of the Tribals.

24.2 The Village Panchayats have been set up during 1986. During the year 1995-96, a combined district Panchayat has been established for Daman and Diu districts. Daman is regarded as one community development block. All the rural development programme like communication, irrigation, social welfare etc. are being executed through Block Development Officer. The objectives of the community development programme are to develop fully the material and human resources and to raise the standard of living of rural people by securing peoples participation. All programmes under I.R.D.P are being executed at Block Level through the Project Officer, Director R.D.A. under Community Development Programme. Under T.S.P each Panchayat has been provided a Community Centre for multipurpose use of tribals,

24.3 From the details provided by the State Government regarding representation of SC/St in services as on 1.1.96, it is seen that in group 'A' and 'B' posts, STs are very poorly represented. Even in group 'C' posts it is below their population percentage. Administration should ensure adequate representation of STs in Government Services.

24.4 In the Union Territory of Daman and Diu atrocities against in SCs and STs are very negligible. During 1997-98 no incidence of atrocity was reported.

CHAPTER XXV

DELHI

Administrative profile

Prior to 1993, Delhi had a Metropolitan Council, with limited powers and a multiplicity of other authorities operating within its limits. On 1st December, 1993, it was provided with a Legislative Assembly and a Consolidated Fund of its own. The Council of Ministers, headed by the Chief Minister was constituted on 2nd December 1993 to aid and advise the Lt. Governor in the exercise of his functions. The Legislative Assembly has power to make laws for the National Capital Territory of Delhi (N.C.T. of Delhi) with respect to any of the matters enumerated in the State List, in so far as any such matter is applicable to the Union Territories, except on matters relating to public order, police and land. These three subjects have been retained as Reserved Subjects by the Central Government and are administered directly through the Lt. Governor. Besides, Govt. of N.C.T. of Delhi, there are three local bodies viz. Municipal Corporation of Delhi, New Delhi Municipal Corporation and Development Authority (DDA) which is under the administrative control of Ministry of Urban affairs & Employment, Govt. of India also plays a vital role in the development of Delhi.

25.2 The Deputy Commissioner's office, a back bone of development, has been decentralized with effect from 1st January, 1997 with the creation of 9 Districts and 27 Tehsils along with 9 offices of Sub-Registrars for the convenience of the people. A Public Grievances Commission has also been established to look into public complaints of harassment, inaction etc. against the officials of Government Departments, Public Sector Under-takings and Local Bodies. All Departments have been given instructions for preparation of a citizen's charter and to set-up computerised facilitation centres.

Geographical Profile

25.3 Delhi, the National Capital of the Union, occupies geographical area of 1483 Sq.Kms. with the length and width of 51.90 Kms. And 48.48 Kms., respectively. Out of the total area of 1483Sq.Kms.. Urban area consists of 685.34 Sq.Kms. and rural area is of 797.34 Sq. Kms. There are 209 villages within its limits.

Demographic profile

25.4 The population of Delhi is increasing very fast. From 62.20 lakhs in 1981, it touched 94.21 lakhs in 1991, showing an increase of 51.46% over the decade. This increase includes natural growth as well as immigration. It is estimated that about 2 lakh people come to Delhi every year and settle down here permanently, contributing to the total increase in the population of the city. Urban area of Delhi is 47.2% of the total area and it sustains around 90% of total population. As per the 1991 census, the density of population in Delhi was 6,352 persons per Sq. Km.

25.5 The Schedule Caste population of Delhi is also increasing very fast. It was 11.22 lakhs as per 1981 census, representing 18.03% of Delhi's total population. Since then, it has increased to 17.95 lakhs in 1991, which is 19.05% of the total population. This

phenomenal growth of Schedule Caste population is attributed to large scale migration in addition to the natural growth.

25.6 In Delhi, no Schedule Tribe has been enumerated as no community in Delhi has been specified as scheduled Tribe with respect to the National Capital Territory of Delhi. In fact, a large number of Scheduled Tribes reside in Delhi who have migrated from different States/UTs in connection with employment in Central Ministries/Public Sector Undertakings. Besides, these categories, a large number of Schedule Tribe people also come to Delhi to seek jobs in private sector especially in Construction Industry.

Status of Literacy

25.7 In the field of literacy, Delhi ranks fifth amongst all the States/UTs as per 1991 census. Literacy rate of Delhi is 75.29%. Amongst the males, it is 82.01% whereas amongst the females it is 66.99s%. As compared to this, the literacy rate of Scheduled Castes is much lower at 57.60%; with 68.77% for males and 43.83% for females.

Economic Development

25.8 A new thrust to the economic development of Scheduled Castes was given with the commencement of the Sixth Five Year Plan through the strategy of the Special Component Plan. This strategy involves earmarking of outlays by all divisible sectors at par with the population percentage of SCs in the State/UT. The Government of National Capital Territory of Delhi has also formulated Special Component Plan (SCP) as a part of its Annual Plan exercise. While preparing the SCP, the State/UT Government has to take into account the outlays made under different sectors, Centrally Sponsored Schemes, Special Central Assistance (SCA to SCP), the money made available to the Scheduled Caste Development Corporation, and the Institutional Finance as bank loans to the Scheduled Caste beneficiaries for taking up schemes to increase their income and bring them above the poverty line.

Special Component Plan (SCP)

25.9 As per guidelines issued by Government of India, the outlay for SCP should be at least in proportion to SC population of the State. But the Government of National Capital Territory of Delhi has not strictly followed these guidelines. As against the total approved outlay of Rs. 15,54,128.00 lakhs for 9th Five Year Plan (1997-2002), an outlay of Rs 1,07,632.05 lakhs has been kept for Special Component Plan for 9th Five Year Plan which is 6.93% of the total approved outlay. The year-wise approved outlay and size of SCP is as under:

Plan	Approved outlay	Approved outlay for SCP	(Rs. in lakhs)
			Percentage
Ninth Five Year Plan (1997-2002)	15,54,128.00	1,07,632.05	6.93
Annual-Plan (1997-98)	2,33,173.00	20,501,03	8.79
Annual-Plan (1998-99)	2,68,116.00	21,144.98	7.89

25.10 The Chief Secretary, Government of National Capital Territory of Delhi, vide his D.O. Letter No. F.5 (I)/98-99/SCP/1208 dated Sept. 17, 1998, has intimated to the Commission that, "We have been strictly following the guidelines of Govt. of India in formulating and implementing the SCP. However, due to certain compelling factors given hereunder, the allocation of SCP funds has not touched the 19% of total allocation of the State Plan, which is the percentage of Scheduled Caste population of Delhi's total population.

25.11 In other states, much of the SCP schemes are included in the sector "Agriculture and allied services" but in Delhi due to rapid urbanisation and acquisition of land for social development programmes, "Agriculture" is no longer a priority sector. Consequently the scope of activities in its sub sectors like Animal Husbandry, Fisheries and Bee keeping, Food Processing etc. is also limited resulting in a very low outlay for this sector as a whole and consequently under the SCP also.

25.12 National Programme of Government of India viz. Integrated Rural Development Programme, National Rural Employment Programme, Indira Awas Yojna etc., which are being implemented in other States with huge outlays, which are primarily meant for Scheduled Caste/Tribe people, are not being implemented in Delhi and hence low SCP outlay.

25.13 The outlay earmarked for sectors like education, medical, transport, power, water supply etc, is not being counted under SCP because of the fact that service under these sectors are considered common for both general and scheduled caste population.

Allocation and expenditure incurred under the Special Component Plan (SCP)

25.14 The Government of National Capital Territory of Delhi has furnished the figures relating to State Plan outlay, flow to Special Component Plan and expenditure incurred under SCP during the years from 1993-94 to 1998-99. The following table indicated the position:

(Rs. in lacks)					
Year	Total State Plan outlay	Agreed flow to SCP	%age of SCP Outlay to total Plan Outlay	Expdr. Incurred under SCP during the years	% age of Expdr, under SCP
1993-94	1,07,500.00	9,575.05	8.90	8,159.62	85.22
1994-95	1,56,00.00	14,031.42	9.00	8,443.52	60.18
1995-96	1,72,000.00	14,979.50	8.71	10,945.47	73.07
1996-97	2,09,000.00	18,522.58	8.86	16,420.90	88.65
1997-98	2,33,173.00	20,501.03	8.79	16,823.50	99.90
1998-99	2,68,116.00	21,144.98	7.89		

25.15 The above figures reflect that the percentage of flow to Special Component Plan from the State Plan is ranging between 8 to 9 percent and in 1998-99, the percentage went further down to 7.89 which is a matter of deep concern. The Government of National

Capital Territory of Delhi should, therefore, ensure that at least in the remaining years of the 9th Plan the flow to Special Component Plan from the State Plan should not be less than 19.05 percent which is the percentage of Scheduled Castes population in the NCT of Delhi. An analysis of expenditure incurred under Special Component Plan shows that not even in a single year during 1993-94 to 1996-97, the allocated funds were fully utilized. The Government of NCT of Delhi is not allocating the funds according to percentage of Scheduled Castes population on one the hand and one the other whatever allocation is being made, is also not utilized fully with the result that the development programmes meant for upliftment of Scheduled Castes are adversely affected.

Sectoral allocation and expenditure under Special Component Plan during 1997-98.

(Rs. in lakhs)

S. No	Sector/Sub Sector/Scheme	Allocation during 1997-98		Expenditure during 1997-98	
		Total State Plan outlay	Flow to SCP	Total Plan	Flow to SCP
1.	Agriculture & Allied Service	2730.00	55.49	1155.97	39.38
2.	Rural Development	9893.00	90.00	7970.57	20.80
3.	Cooperation	200.00	63.31	68.76	61.83
4.	Energy	39900.00	33.50	29971.55	54.57
5.	Industry and Minerals	1000.00	85.05	776.93	97.45
6.	Education	14727	2783.34	14128.76	1786.31
7.	Technical Education	4500.00	44.50	4677.26	41.42
8.	Medical	15017.00	1220.00	11649.39	1288.07
9.	Water Supply & Sanitation	30840.00	150.00	27866.15	107.81
10.	Housing	3300.00	714.50	2321.53	209.87
11.	Urban Development	38778.00	12193.14	33785.04	11911.10
12.	Welfare of SC/ST/OBC	1950.00	1925.00	446.24	577.12
13.	Labour & Labour Welfare	685.00	7.50	483.38	8.91
14.	Nutrition	2920.00	1086.50	2025.21	603.26
15.	Sports & Youth Services	1400.00	33.00	310.05	12.13
16.	Arts & Culture	685.00	16.20	657.21	3.46
	SUB TOTAL	168525.00	20501.03	138294.00	16823.50

25.16 An analysis of the broad sector wise allocation of funds reveals that the highest percentage of flow to Special Component Plan was in the sector of Nutrition (37.20), followed by Cooperation (31.65) and Urban Development (31.44). It was 98.71 percent in the sector of Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes. Allocations were very low in the sectors of Rural Development (0.90), Energy (0.08), Technical Education (0.98), Water Supply & Sanitation (0.48). As regards percentage of actual expenditure, the highest was in the sector of Welfare of SC/ST/OBC (129.32) followed by Cooperation (89.92) and Nutrition (29.78). Percentage of expenditure was very low in sectors of Rural Development (0.26), Energy (0.18), Technical Education (0.88), Medical (0.38) and Arts & Culture (0.52).

25.17 The Government of National Capital Territory of Delhi has intimated the reasons for shortfall of expenditure under Special Component Plan, which are as follows:-

“The main reason was that the overall plan expenditure under each sector as a whole and also under the scheme having Special Component Plan component was low when compared to the original approved outlay. This shortfall was attributable to several reasons like inclusion of new schemes for which the approval of Government of India/ Government of National Capital Territory of Delhi was not received. In certain cases wherein the capital works were involved, the implementing agency could not get either the suitable land or it was encroached upon or the approval of local bodies like MCD, NDMC and DDA etc. was not available. Besides in some cases the shortage of manpower was also responsible for slow pace of expenditure. Non receipt of approval/sanction of the Planning/Finances Department in some cases was also responsible for slow pace of expenditure. Since there were overall shortfall in the expenditure as compared to the approved outlay, the same reasons hold good for shortfall in expenditure under Special Component Plan as part of the overall plan of the Government of National Capital Territory of Delhi.”

Special Central Assistance (SCA) For Special Component Plan (SCP)

25.18 The Special Central Assistance (SCA) was conceived as an additive to the Special Component Plan (SCP) of the States/Union Territory's for enabling the Scheduled Caste families to cross the poverty line. It's main object is that it should be used to give thrust to developmental programme for economic development of the Scheduled Castes enabling them to increase the productivity and income from their limited resources. As per the instructions issued by the Government of India, Special Central Assistance is required to be used only for income generating/economic development schemes/programmes but subsequently, activities relating to social development of Scheduled Castes were also brought under its purview. Statement showing the release of SCA over the years to Government of National Capital Territory of Delhi is as under:

(Rs. in lakhs)

Year	Total SCA earmarked to State by GOI for the year	SCA released during the year	Expenditure incurred out of the SCA released
1993-94	184.76	60.48	116.94
1994-95	244.42	244.42	206.84
1995-96	231.16	202.33	152.77
1996-97	190.42	100.02	135.14
1997-98	135.43	78.40	91.62
1998-99	201.71	165.96	N.A.

25.19 The Government of India earmarked Special Central Assistance of Rs. 987.19 lakhs for release during 1993-94 to 1998-98 against which the Government of India released Special Central Assistance amounting to Rs. 685.65 lakhs. The Government of NCT of Delhi should ascertain the likely allocation of SCA from the Ministry as soon as it is finalised and incorporate only the confirmed figure in their Annual Plan. The Government of National Capital Territory of Delhi has indicated utilization of Rs. 703.71 lakhs against the amount released to it during 1993-94 to 1997-98. Although the utilization is more than the amount released, the reason for the excess expenditure and the items of expenditure from Special Central Assistance has not been clearly brought out.

Schemes implemented with the help of SCA and achievement made during 1997-98

25.20 The Government of National Capital Territory of Delhi has implemented certain schemes with the help of Special Central Assistance. The details of these schemes are as follows:

S. No.	Name of the Scheme	Allotment (Rs.in Lakhs)	Expenditure (Rs. in Lakhs)	Targets UNIT	Achieved ACTUAL	%age
DSFDC Limited						
1.	Economic upliftment of SC people	-	-	2200	765	34.77
2.	Training in computer Courses	-	-	500	500	100.00
3.	Training in various other trade	-	-	200	271	135.50
4.	Interest subsidy for STA Buses	76.90	90.40	43	39	90.69
5.	TSR Subsidy	-	-	200	30	15.00
6.	Subsidy for LCV and Buses	-	-	NA	20	-
Dte. of Training & Tech. Education						
1.	Training to SC labourers through short term courses for self-employment	1.50	1.22	NA	NA	NA

25.21 An analysis of these schemes shows that out of a target of 2200 Scheduled Castes people for economic upliftment, only 765 (36.77%) had actually benefited. Similarly under TSR subsidy 200 Schedule Caste persons were proposed to be covered, but the actual beneficiaries are only 30 (15.00%). Under computer training course 500 persons actually got the benefit. Under the scheme of training in other trades as against the target of 200 persons, the beneficiaries were 271 (135.50%). There was a shortfall in the case of interest subsidy for STA Buses. The target during the year 1997-98 was 43 but the beneficiaries were 39 (90.69%).

Delhi Scheduled Castes Financial and Development Corporation Ltd.

25.22 The Delhi Scheduled Castes Financial and Development Corporation Ltd. started functioning w.e.f. January 29, 1983. The Corporation has been playing a useful role in mobilising institutional credit for the economic development of Scheduled Castes families living below the poverty line. The Corporation is implementing the following schemes:

- (i) General Loan Schemes
- (ii) National Scheme of Liberation and Rehabilitation of Scavengers
- (iii) Transport Loan Scheme
- (iv) Interest Free Loan for higher studies
- (v) Self Employment Scheme through NSFDCS

25.23 The Corporation has also been implementing various schemes in collaboration with National Scheduled Castes and Scheduled Tribes Finance and Development Corporation (NSFDC) in the following sectors:

- (a) Agriculture and Allied Activities
- (b) Industry Sector Activities
- (c) Business Sector Activities
- (d) Service Sector Activities

25.24 Information regarding scheme-wise financial and physical targets and achievements during 1997-98 and 1998-99 by the Corporation is given in **ANNEXURE-I**.

25.25 The financial outlay for the schemes implemented by DSFDC Ltd. was Rs. 1324.00 lakhs in 1997-98. This increased to Rs. 1507.00 lakhs in 1998-99. During the year 1997-98 the expenditure was less than 17.66% of the outlay which sharply declined to 2.79% in the year 1998-99. These schemes are for providing financial assistance to Scheduled Castes for self-employment, for purchase of TSR, Buses, Liberation and Rehabilitation of Scavengers, setting up of computerised Footwear Designing Center, conversion of dry latrines into water borne. The physical targets for other schemes were also not achieved. To start any economic venture, skill and entrepreneurial ability are important prerequisites. But in the year 1998-99 the physical target for the training under the self-employment scheme was 700 and not even a single person was trained under this programme.

Educational Development

25.26 One of the parameters for measuring the progress made by any society, is the level of education of its members. The Government of National Capital Territory of Delhi has made concerted efforts to spread education among the Scheduled Castes and the Scheduled Tribes in Delhi but due to several factors, namely, poverty, non availability of suitable atmosphere for studies and meagre amount of amount of assistance, being provided by the Government to the SC/ST students, the level of education among the Scheduled Castes and the Scheduled Tribes in Delhi has not yet reached the desired level. The working group constituted by Government of National Capital Territory of Delhi for formulating the 9th plan has made the following recommendations for the education sub-sector:

- (i) Rs. 10/- or Rs. 15/- for stationary or books is grossly inadequate. It may be raised to Rs. 30/- per month per student upto class VIII and Rs. 50/- per month per student studying in class IX & XII.
- (ii) The quantum of merit scholarships i.e. Rs. 300/- and Rs. 400/- per year may be enhanced to Rs. 500/- & Rs. 600/0, respectively, in view of the high prices.
- (iii) The present rate of general scholarship may be enhanced. The details of present rates and recommended rates are as follows:

Course of Study	Hostellers		Day Scholars	
	Present rate	Recommended rate	Present rate	Recommended rate
Degree in Technical Courses	635	900	285	400
Post Graduate in Technical Courses	735	1000	385	500
Diploma Courses	435	650	285	400
Certificate Courses	435	650	285	400
General Courses upto:				
graduate level	385	500	180	300
Post graduate level	535	700	300	500

- (iv) Availability of congenial atmosphere for studies is a pre-requisite for education. Therefore, there should be at least one hostel separately for SC/ST boys and girls students in each of the nine districts.
- (v) The Directorate of Training and Technical Education should take up the scheme of "Book Bank" in ITS's & polytechnics so that the students

perusing technical education in these institutions, could get books on technical subjects.

- (vi) Higher Technical Education being very costly, the limit of Rs. 7500/- for a set of books for use by two students is on the very low side and therefore, the amount for this purpose should be raised to Rs. 15,000/- per year.
- (vii) The Pre-Examination Coaching Centre being run by the Government of Delhi should take up coaching for preparing the SC/ST candidates for All India and other services, namely, IAS, IPS, DANICS, Engineering and Medical Services etc.
- (viii) The schemes being implemented under the education sector should be closely monitored to ensure that the benefits of the schemes flow down to the students and funds are not siphoned off.

25.27 The National Commission for the Scheduled Castes and the Scheduled Tribes endorses the recommendations of the Working Group and is of the opinion that these recommendations should be implemented effectively.

25.28 During the year 1997-98, Rs. 329.50 lakhs was the approved outlay but actual expenditure was only 142.93 lakhs. Similarly, for 1998-99 Rs. 440.00 lakhs was the approved outlay but anticipated expenditure was only 397.00 lakhs. The Government of National Capital Territory of Delhi may explore the reasons for less expenditure and make sincere efforts to utilize full amount allotted for the educational development of the Scheduled Castes and Scheduled Tribes.

25.29 In Delhi, the schemes for educational development of Scheduled Castes and the Scheduled Tribes are implemented by multiple agencies, namely, Directorate of Education, Directorate of Training & Technical Education, Delhi Scheduled Caste Financial Development Corporation, M.C.D., N.D.M.C. and Delhi Cantt. Board. There is no proper mechanism for coordinating and monitoring these programmes in the Government of National Capital Territory of Delhi. The National Commission for the Scheduled Castes and the Scheduled Tribes, therefore, recommend that at least quarterly meetings should be held at appropriate level to ensure proper coordination among various agencies and to review the progress in implementation of the programmes in the education sector.

Social Development

25.30 The Government of National Capital Territory of Delhi has introduced a number of programmes aimed at social integration of the members of the Scheduled Castes and the Scheduled Tribes. Some of the programmes are as follows:

I Financial assistance to poor widows for performing marriage of their daughters

Under this scheme financial assistance of Rs. 5,000/- is provided to the poor widows for performing marriage of their daughters. In the year 1997-98, the approved outlay was Rs. 15.00 lakh but the actual expenditure incurred was

Rs. 20.00 lakhs, whereas in 1998-99, the approved outlay was Rs. 25.00 lakhs and anticipated expenditure was Rs. 30.00 lakhs.

II Financial assistance to orphan girls for their marriage:

Financial assistance of Rs. 5,000/- is made available to help the guardians the orphanage institutions, foster parents or the orphan girls themselves for solemnising the marriage of an orphan girl. Approved outlay for the year 1997-98 was Rs. 1.00 lakh but no expenditure was incurred. In the year 1998-99 out of approved outlay of Rs. 3.00 lakh, only Rs. 1.00 lakh was utilized.

III Financial assistance on birth of girl child to economically weaker Scheduled Caste parents:

Under the scheme, financial assistance of Rs. 5,000 is given to help the parents in up-bringing and proper education of the girl child to ensure balanced growth of the society as the ratio of females is 827 to 1000 males and also to reduce the financial burden involved in marriage of girls. The Government of NCT of Delhi has not incurred any expenditure in the year 1997-98 although approved outlay was Rs. 5.00 lakhs. In 1998-99 only Rs. 1.00 lakh was utilized against the approved outlay of Rs. 5.00 lakhs.

IV Incentive awards for inter caste marriage:

This scheme was formulated under the provisions of The Protection of Civil Rights Act, 1955 with a view to promote inter caste marriages, particularly with those belonging to the Scheduled Castes. It is unfortunate that the Government of NCT of Delhi has decided to drop this scheme though approval of Government of India has been conveyed for its implementation. The National Commission for the Scheduled Castes and the Scheduled Tribes strongly recommend to revive this scheme immediately giving wide publicity.

V Financial Assistance to lactating and nourishing mothers belonging to the Scheduled Castes and Scheduled Tribes.

The objective of this scheme is to provide financial assistance to the mothers of newly born children belonging to the Scheduled Castes and the Scheduled Tribes for improving their nutritional status, who can not afford to have the balanced diet after delivery. The assistance is meant for providing good nourishment to the lactating mothers throughout the period of lactation. The quantum of assistance is Rs. 500/-. In the year 1997-98, an outlay of Rs. 15.00 lakh was approved to benefit 3000 lactating mother against which an amount of Rs. 10.00 lakh was released and 2000 lactating & nourishing mother were benefited. In the year 1998-99 also an outlay of Rs. 15.00 lakhs was approved to benefit 3000 lactating mothers but anticipated expenditure was Rs. 10.00 lakhs, benefiting 2000 mothers.

VI Conversion of dry latrines.

In the year 1991-92, the Government of India had launched a National Programme for Liberation and Rehabilitation of the Scavengers from the inhuman practice of carrying the night soil by a particular caste among the

Scheduled Castes. This scheme was introduced in Delhi in the year 1994-95 with a view to convert all dry latrines into water borne ones. Under this scheme an assistance of Rs. 3500/- is provided to the individual beneficiary as a subsidy. The scheme is being implemented by M.C.D. There are about 1.39 lakhs dry latrines in Delhi, most of which are located in East Delhi and unauthorized colonies. An amount of Rs. 3.00 crores was released to MCD in November' 1995 but not even one dry latrine has been converted.

In the year 1997-98, an outlay of Rs. 400.00 lakhs was approved to convert 11,000 dry latrines. But the MCD has not converted and dry latrine. In the year 1998-99, an outlay of Rs. 500.00 lakhs has been approved to convert 11,000 dry latrines. The exact position of the achievement is not available. The National Commission for Scheduled Castes and Scheduled Tribes, therefore, recommend that an enquiry may be made against the MCD for not implementing this National Programme and responsibility may also be fixed. The MCD should ensure that this National Programme is implemented without any further delay.

VII Housing Subsidy to the members of Scheduled Castes residing in rural areas.

The objective of this scheme is to assist Scheduled Caste persons in construction of their houses in the rural areas. The quantum of assistance is Rs. 10,000/- per beneficiary out of the total cost of construction amounting Rs. 20,000/-. The financial assistance is released in two installments. In the year 1997-98, an outlay of Rs. 2.00 lakhs was approved to benefit 20 persons. Out of Rs. 2.00 lakhs, only 0.20 lakh was disbursed to 4 persons as a first installment. In the year 1998-99, an outlay of Rs. 3.00 lakhs has been approved to benefit 30 persons. The exact number of beneficiaries has not been furnished.

VIII Housing subsidy to the members of Scheduled Castes residing in urban areas.

The objective of the Scheme is to provide financial assistance to Scheduled Caste persons for construction of their houses in urban areas. Assistance of Rs. 10,000/- is given for constructing a house on a plot of 22.5 sq. yards or above. The financial assistance is released in two installments of equal amount. In the year 1997-98, an outlay of Rs. 3.00 lakhs was approved to benefit 30 persons. Out of Rs. 3.00 lakhs only 0.20 lakh as first installment was released to 4 persons. An outlay of Rs. 4.00 lakh has been earmarked in the year 1998-99 to benefit 40 persons but the information about actual achievement is still to be collected.

Service Safeguards

25.31 In the NCT of Delhi reservation in Services has been provided for SCs/STs as in the Central Government i.e. 15% for SCs and 7½ % for STs. Actual representation of SC/ST in Services as on 1.1.98 and 1.1.99 has not been provided by the Delhi Government, in spite of constant follow-up.

25.32 As was reiterated in the 4th Report of the Commission in the Chapter on Delhi, the representation of SCs/STs in Delhi Government is far below the prescribed percentages.

The representation of STs is specially very poor. It has been found to be only 2-3% as against the prescribed percentage of 7.5%.

25.33 The Commission reiterates its earlier recommendation that Delhi being the Capital City of India should set an example in appointments of the Scheduled Tribes, if necessary, even by deputing team of officers in ST dominated States of the country to select adequate number of STs for appointment in different groups of Services.

Atrocities

25.33 As per information relating to the crimes and atrocities on Scheduled Castes, received from Delhi Government during Calendar years of 1997 and 1998, 13 and 7 cases respectively, were reported under the SCs & STs (POA) Act, 1989. However, during the same period National Commission for Scheduled Castes and Scheduled Tribes has received reports of substantial number of cases of crimes and atrocities on SC persons in Delhi. All these cases have been sent to Delhi Police for investigation and report, as was mentioned in the Commission's Fourth Report also. The number of cases referred to the Commission indicates that either the cases are not registered by the Police or the Schedule Caste victims are afraid of going to Police Station and prefer to report the matter to the Commission. It is reiterated that MHA should take necessary steps to ensure that each and every Police Station in Delhi registers the atrocity cases reported to them.

25.35 As regards, setting up of Special Courts for trial of cases under PCR Act and Scheduled Castes and Scheduled Tribes (POA) Act, 1989, Delhi Government have designated (i) two courts of Addl. Session Judge as Special Court under the Scheduled Castes & Scheduled Tribes (POA) Act, 1989 and (ii) 14 Courts (one court of Chief Metropolitan Magistrate, One Court of Appellate Court of Metropolitan Magistrate and twelve courts of Metropolitan Magistrate) as Special Courts under PCR Act, 1955.

25.36 As per the information given to the Commission during 1998, total number of cases pending with these Courts under (POA) Act, 1989 were 16 and none of these cases have been decided till the end of the year. Similarly, under PCR Act, 26 cases were pending in the Courts and during the year none of the cases have been decided. Obviously, the pace of dealing with these cases is very slow. The Commission would like to reiterate its earlier recommendation that priority needs to be given by the Special Courts for quick decision in cases under PCR Act, 1955 and Schedule Caste and Schedule Tribe (POA) Act, 1989 as delay in disposal of cases leads to loss of interest by the witnesses leading to failure of the case and acquittal of the accused.

CHAPTER XXVI

LAKSHADWEEP

Lakshadweep is the tiniest Union Territory of India. Kavaratte is the administrative headquarters of Lakshadweep. Its population is 51,707 as per 1991 census Muslims constitute 93% of the population and are notified as Scheduled Tribes. There is no Scheduled Caste population in the Union Territory. 26.17% of its population are workers. The literacy level of the Union Territory is 81.78% (male 90.18% and female 72.89%), which is quite high.

26.2 The main economic activity of the Union Territory is coconut cultivation and fisheries Coconut plantation covers 86% of the land area.

Flow of Funds

26.3 Since majority of the population are Scheduled Tribes, no separate TSP is prepared for their development. The total proposed outlay for the Ninth Plan Period (1997-2002) is Rs. 270.00 crores. During the VIII Five year Plan Period (1992-97) an expenditure of Rs. 140.33 crores had been incurred, which exceeded the approved outlay of Rs. 120.00 crores and the additional central assistance of Rs. 3.27 crores received from the Central Government.

Service Safeguards

26.4 The Govt. of India guidelines on reservation is followed in recruitment. Out of 4378 staff in various groups as on 1.1.1996, 3763 are Scheduled Tribes (85.95%), 26 are Scheduled Castes (0.6%) and 589 are others (13.45%). The number of staff in various groups of post is not available.

Caste Certificate

26.5 There is a problem relating to scheduled tribe certificate for employees going on transfer to the main land viz., Kerala. The children of inter-state migrant born in Kerala are not given the Scheduled tribe certificates in Lakshadweep Islands. The view taken by the Union Territory Administration is that the child was not born in the Islands. In this regard clear guidelines have been issued by the Govt. of India which are given below:-

LIBERALISATION OF PROCEDURE FOR THE ISSUE OF SCHEDULED CASTE/SCHEDULED TRIBE CERTIFICATES TO MIGRANTS FROM OTHER STATES/UNION TERRITORIES.:-

[L. BC. 16014/1/82-SCT BCD. I dt. 18.11.82]

[L. BC. 16014/1/82-SCT BCD. I dt. 6.8.82]

Persons belonging to Scheduled Castes/ Scheduled Tribes, who have migrated from one State to another for the purpose of employment, education etc. experience great difficulty in obtaining caste/tribe certificate from the State from which they have migrated. In order to remove this difficulty, it has been decided that the prescribed authority of a State Government/Union Territory Administration may issue the Scheduled Caste/Tribe certificate to a person who has migrated from

another State, on the production of the genuine certificate issued to his father/mother by the prescribed authority of the State of the father's/mother's origin except where the prescribed authority feels that detailed enquiry is necessary through the State of origin before issue of the certificate. The certificate will be issued irrespective of whether the caste/tribe in question is Scheduled or not in relation to the State/Union Territory to which the person has migrated. This facility does not alter the Scheduled Caste/Scheduled Tribe status of the person in relation to the one or the other State.

26.6 The State Govt. of Kerala and the Union Territory Administration of Lakshadweep must give wide publicity to this guidelines so that the locals and migrant tribals do not face any hardship to procure Scheduled Tribe certificate for their children. The State Govt. of Kerala also must act in accordance with these guidelines.

Bank Loan Schemes

26.7 Syndicate Bank is the only bank operating in the entire Lakshadweep Union Territory. There are 9 branches all over the Union Territory. The Bank is also incharge of Pay and Accounts of the entire Government transactions of Lakshadweep Union Territory from 11.4.1996. As on 31.3.1998 the Bank has given total advances of Rs. 318 lakhs.

(as on 31.3.1998)

		(Amount Rs. in lakhs)
1.	Total Advances	318
2.	Total deposits	3836
3.	C.D. Ratio	8.29%
4.	Total Priority Sector Advances	210
5.	% of Total P.S.A. to total Advances	66.00%
6.	Total Agricultural Advances	53.50%
7.	% of Agricultural Advance to total Advance	16.82%
8.	DRI Advances	0.84%
9.	% of DRI Advances to Total advances	0.26%

26.8 It can be seen from the above table that advances under Priority Sector is very good. But advances under DRI appears to very low. No reason have been given for such a low disbursement under DRI scheme. This matter needs investigation with reference to the demand for loan, number of people below poverty line etc. **The Union Territory Administration may explore the reasons for less flow of loan from DRI Scheme to Scheduled Tribes.**

26.9 Lakshadweep Development Corporation is entrusted with the job of identifying and formulating various development programmes. Under IRDP & PMRY, there are delays in providing assets like auto rickshaws and power fitters etc. to the borrowers. DRDA/industries Department should take active step in getting the assets from the mainland, to the borrowers.

CHAPTER XXVII

PONDICHERRY

The Union Territory of Pondicherry consists of four regions namely Pondicherry, Karaikal, Mahe and Yanam. The total population of the Union Territory is 8.08 lakhs and Scheduled Caste constitute about 1.31 lakhs i.e. 16.25 % of the total population of the Union Territory. There is no Scheduled Tribes in this Union Territory.

Flow to SCP

27.2 Special Component Plan is implemented for the socio-economic development of Scheduled Castes by earmarking funds for various schemes under sectoral departments. The flow of funds under SCP and its expenditure in 1997-98 of 1998-99 is as follows:

(Rs. in Crores)

	State Plan outlay	Outlay	Expenditure	% flow
1997-98	218.00	32.58	28.74	88.21
1998-99	241.00	32.68	32.56	99.63

27.3 The percentage of expenditure has consistently been over 90% in sectors like Agriculture, Soil Conservation, Animal Husbandry, Forestry and Wild Life, Co-operation, IRDP, Welfare of Backward Classes, Social Welfare and Nutrition etc. Formulation of Special Component Plan is done by the Planning and Research Department which is also responsible for formulation of Five year Plans and Annual plans. Separate Head of Account has been opened for Special Component Plan indicating the funds earmarked for development of Scheduled Castes since the VIIIth Plan.

SCA to SCP

27.4 Details indicating the funds allocated to the State under SCA to SCP and its utilisation is given below:-

(Rs. in Lakhs)

Year	Allocation	Expenditure
1992-93	13.150	13.150
1993-94	14.810	14.810
1994-95	19.310	19.310
1995-96	17.437	17.437
1996-97	17.461	17.461
TOTAL	82.168	82.168

27.5 There has been consistently 100% utilization of SCA to SCP. The effort of the Union Territory Administration is commendable.

Education

27.6 The general literacy rate in Pondicherry as per 1991 census is 78.20%. The Schedule Caste literacy rate is 56.16%. The general male and female literacy rate is 86.97% and 69.26%, respectively. The Schedule Caste male and female literacy rate is 66.50% and 46.28% respectively. This Union Territory has been declared as a total literate state in the year 1991 under the Arivoli Iyakkam. All the Schedule Caste Population particularly the Schedule Caste Women are covered under literacy schemes. Post literacy Campaign is being conducted for the benefit of Neo-Literates.

27.7 The enrolment of students in Primary/Middle/High and Higher Secondary levels of Education during 1997-98 is given below:

Level of Education	Total No. of students	SC students	Percentage (%)
Primary	41,588	11,041	26.55%
Middle	39,961	9,585	23.99%
High	58,588	12,065	20.59%
Higher Secondary	67,919	8,364	12.31%

27.8 Dropout ratio at Primary and Middle level of Education in the Union Territory of Pondicherry during 1997-98 is given below:

LEVEL	General	SC
Primary	2.49	4.49
Middle	17.62	24.93

27.9 The enrolment of Schedule Caste students in all educational institutions right from primary to higher secondary level is 42,407, which constitutes 19.87% of the total enrolment. In fact all the areas predominantly inhabited by Schedule Castes are provided with schooling facilities from primary to higher secondary level, either within the locality or within easy access of the children. Special efforts are made to enroll the dropout and non-school going children among Schedule Caste communities by organising programmes under total literacy projects and also by conducting special enrolment drive every year before the reopening of schools after summer vacation. The dropout rates in respect of Schedule Caste students at primary as well as upper primary levels are very low (i.e. 4.49 at primary level and 24.93 at upper primary level). The Administration implements the following schemes exclusively for the welfare of Schedule Caste students with a view to improve the rate of retention of the SC students in the schools:-

- i. Award of retention scholarship upto V std for Schedule Caste girls,
- ii. Scholarship for Schedule Caste girls from Std VI to VIII,
- iii. Free supply of textbooks and stationery including school bags upto X Std,

- iv. Free supply of two sets of uniforms to students upto X std,
- v. Offering tutorial facilities to weak Schedule Caste students in schools,
- vi. Provision of separate hostel facilities to Schedule Caste boys and girls,
- vii. Award of adhoc merit grants (special incentives) to Schedule Caste students who score 65% marks and above in public examinations,
- viii. Award of pre-matric and post-matric scholarships,
- ix. Maintenance of book-bank scheme for Schedule Caste students prosecuting professional/technical education,
- x. Reimbursement of public examination fees,

27.10 Shri Dilip Singh Bhuria, chairman of National Commission for Scheduled Castes and Scheduled Tribes during his visit to Pondicherry in June'1999 reviewed the social, economic and educational schemes implemented for the Welfare of Scheduled Castes. In the inspection of Thattanchavady Boys Hostel and Bahour Boys Hostel run by the Adidravidar Welfare Department, it was observed that the hostels are not being properly maintained. The inmates suffered due to lack of lights, fans, water and unhygienic condition. In the Kirumambakkam village, where the entire population consists of schedule castes, infrastructure facilities like roads, electrification, drinking water, school facilities, health, housing and other facilities were also inspected. The Union Territory Administration needs appreciation on construction of houses under Indira Awas Yojana. Adequate benefits were given to schedule caste under IRDP and other anti-poverty programmes. The number of seats reserved in medical, dental and engineering colleges have been fully utilised. The Government of Pondicherry in view of the findings of the Commission informed that prompt action would be taken to make substantial improvement in all the hostels for students belonging to the Adi Dravidar community in Pondicherry and the required improvement would be carried out on priority basis.

Socio-Economic Development

27.11 The Pondicherry Adidravidar Development Corporation (PADCO) is implementing Welfare Schemes for Adidravidar community people to generate employment and to raise economic status through Loan-cum-subsidy and Margin Money scheme and Training scheme.

The pattern of assistance is as follows:

- a) 50% of the unit cost or Rs. 6,000/- whichever is less will be released as Subsidy.
- b) The remaining portion of the unit cost will be released by the Bank as Loan at the rate of interest as prescribed from time to time.
- c) 25% of the unit cost or Rs. 10,000/- whichever is less will be deposited in the concerned Banks as Margin Money for a period of 3 years or till completion of repayment of loan, whichever is earlier and the interest

earned during the period will be apportioned by the beneficiary and Pondicherry Adidraavidar Development Corporation equally.

Achievement made for the last three years is as follows:

(Rs. in lakhs)						
S.No.	Year	No. of Beneficiaries	Subsidy released	Margin Money	Bank Loan	Total
1.	1996-97	584	30.80	12.48	20.80	51.60
2.	1997-98	493	17.72	9.36	19.73	37.45
3.	1998-99	506	17.90	9.47	20.23	38.13
	Total	1583	66.42	31.31	60.76	127.18

27.12 PADCO is the Channelising Agency for schemes sponsored by the National Scheduled Castes and Scheduled Tribes Finance and Development Corporation (NSFDC) in the Union Territory of Pondicherry. Through PADCO, the Adi-Dravidar Community people avail loan facilities at a nominal rate of interest i.e. @ 7% per annum upto Rs. 5.00 lakhs. Term loan assistance is considered for project costing upto Rs. 30.00 lakhs per beneficiary, subject to the condition that the annual family income of the beneficiary/member of Co-operative Society or other constitution should not exceed double the poverty line limit (Rs. 31,952 in rural areas and Rs. 42,412 in urban areas).

Achievement made for the last three years is as follows:-

(Rs. in lakhs)			
S. No.	Year	No. of Beneficiaries	Loan Amount
1.	1996-97	23	49.62
2.	1997-98	26	27.86
3.	1998-99	27	85.43
	Total	76	162.91

27.13 The important term loan schemes implemented by this Corporation are Taxis, Tourist Vans, typewriting Institutes, Steel Furniture, Manufacturing, Auto rickshaws, Power Tillers, Mini Lorries etc.

National Scheme of Liberation and Rehabilitation of Scavengers and their dependents.

27.14 A survey was conducted during 1992, which revealed that 118 scavenger families, consisting of 476 members were living in the Union Territory of Pondicherry. The Government of India had allocated an amount of Rs. 7.50 lakhs for the implementation of the scheme. Details of scavengers assisted under this scheme are as follows:

(Rs. in lakhs)			
S. No.	Nature of assistance	No. of persons assisted	Expenditure incurred
1.	Training scheme	18	1.16
2.	Loan cum subsidy	87	1.78
3.	Employment in Government/local bodies	40	-
4.	Old age pension	2	-
	Total	147	2.94

27.15 The scheme was successful and as on 1.9.93, the Government of India has declared the Union Territory of Pondicherry as "Scavengers free Territory". Since all the eligible scavengers are liberated and rehabilitated under various assistance, it was unable to provide further assistance to scavengers during the subsequent years. Because of this reason, out of Rs. 7.50 lakhs released by Government of India, an amount of Rs. 2.94 lakhs only could be utilised till 1996-97.

Service Safeguards for SCs

27.16 The instructions of Central Government are followed relating to reservation for SCs and STs in services. The concerned departments/appointing authorities are vested with the authority for proper implementation of reservation policy. There is an Enforcement Cell in the Chief Secretariat, under the control of Under Secretary to monitor its implementation. The representation of schedule castes and schedule tribes in various government departments as on 1-1-98 is given below:-

Representation of SCs and STs in the State Services as on 1.1.1998

S.No.	Group	Total no. of employees	SC out of Total	% SC	ST out of Total	% ST	% of reservation prescribed	
							SC	ST
1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	Group 'A'	1153	163	14.14	11	.95		
2.	Group 'B'	670	85	12.69	9	1.3	For Direct Rectt.	
3.	Group 'C'	15302	2049	12.97	79	0.5	SC:16%	ST:Nil
4.	Group 'D' (excluding sweepers)	7896	1370	17.35	63	0.36	For Promotion	
5.	Group 'D' (sweepers)	613	115	18.60	5	0.30	SC:15%	ST:7%

27.17 The representation of schedule castes is in accordance with the percentage of its population only in group D posts. In all other groups there is short fall in the representation of schedule castes. There is no reservation for schedule tribe in direct

recruitment for group C and D posts in the services of Union Territory from 1-6-85 onwards as there are no schedule tribe in Pondicherry.

Bonded labour

27.18 As per available information, for effective implementation of Bonded Labour (Ablation) Act, a District Vigilance Committee has been set up which has jurisdiction over the whole of the Union Territory of Pondicherry. At sub Divisional level also Committees have been set up at Pondicherry, Karaikal, Mahe and Yanam. Through government order dated 22.2.99, the Vigilance Committees meet periodically and review the bonded labour situation. As per the District Vigilance Committee there are no cases of Bonded Labour in the Union Territory of Pondicherry.

Atrocity/Untouchability on SCs

27.19 In the Union Territory of Pondicherry, 21 cases were reported under the PCR Act, 1955 during 1997. There were few stray cases of Untouchability due to discrimination in public places like Hotels, Restaurants and Temples. Out of these 21 cases, 8 have been charged, 5 are pending trial, in 8 action dropped, 2 reported as mistake of fact, 3 under investigation, 1 proceedings stop and 2 ended in acquittal. However, no complaints under the purview of Prevention of Atrocities Act, 1989 reported during 1997.