

Tribal Welfare in North-East India

Existing Scenario and The Way Forward

1. Introduction

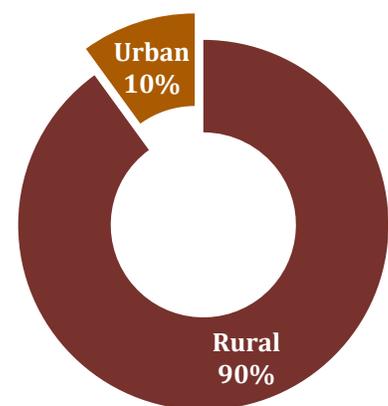
The Northeastern states of India account for about 8% of the country’s land area and are inhabited by 3.8%¹ of India’s total population. The 8 states of Nagaland, Meghalaya, Mizoram, Manipur, Assam, Arunachal Pradesh, Tripura and Sikkim form the North Eastern Region (NER) and govern India’s gateway to South East Asia. The NER is of considerable economic importance and geopolitically sensitive given their strategic location. The area is also characterized by a rich cultural heritage and natural wealth, boasting of a large number of ethnic tribal groups.

The Constitution recognizes the Scheduled Tribes (STs) under Article 342 of the Constitution of India. Of the 619 Scheduled Tribes, nearly 200 reside in the North Eastern Region (NER) and differ substantially in their way of life from the tribal groups of the mainland. Level of acculturation and social and economic development varies across different tribal groups. The Government of India has also recognized **75 Particularly Vulnerable Tribal Groups (PVTGs)**, earlier known as Primitive Tribal Groups (PTGs) who need special attention due to their exceptionally low level of development. These groups are characterized by primitive levels of technology, declining population and very low literacy rates. **Marram Nagas** from Manipur and **Reangs** from Tripura have been categorized as PVTGs in the NER. Moreover, more than 80% of the population of Meghalaya, Mizoram and Nagaland is tribal. The abundance of these groups in the NER and the geopolitical importance of the region make it essential to focus attention towards their development.

2. Need for Greater Focus on Tribal Development

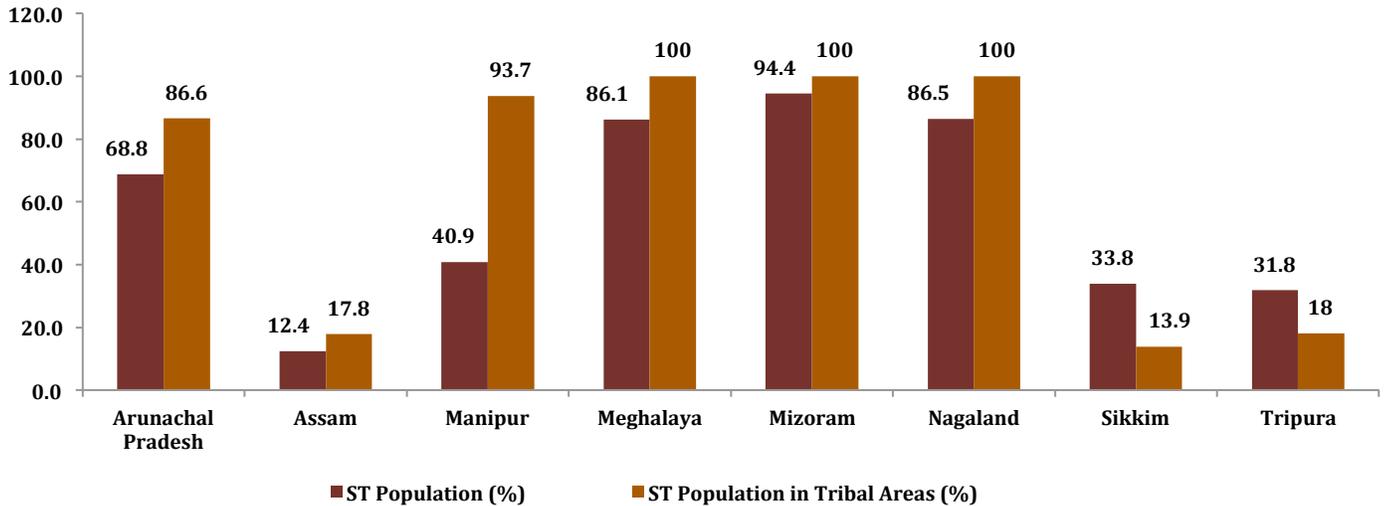
STs form 8.6% of India’s population, with nearly 2.1 crore tribal households residing across the country. STs, along with the Scheduled Castes, are constitutionally entitled to special protections against social injustice and discrimination. Nearly 22 lakh ST households inhabit the NER and three of the 8 states in the region have more than 80% tribal population, followed by the remaining states with tribal population within a range of 15-70%. Nearly 90% of this stratum in India resides in the rural areas across wide-ranging ethnic groups, making it difficult to extend outreach of developmental methods to them. They generally face behavioral prejudices from the non-tribal population, which reduces their access to social and communal services. Historically, they belong to an economically weaker section of the society, due to which penetration of policy is hindered as a result of information asymmetry, internal community conflicts and lack of connectivity.

Tribal Population in India



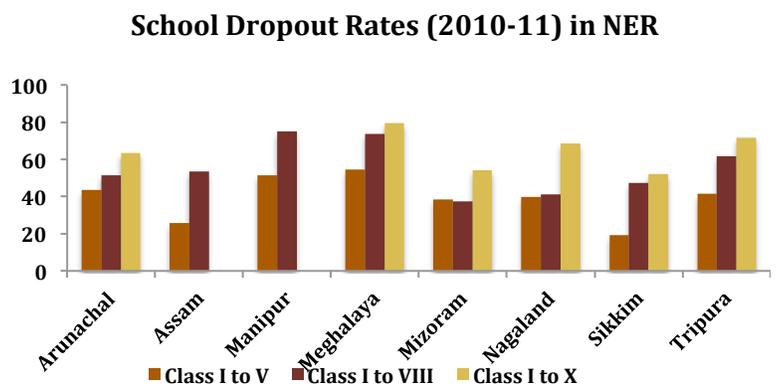
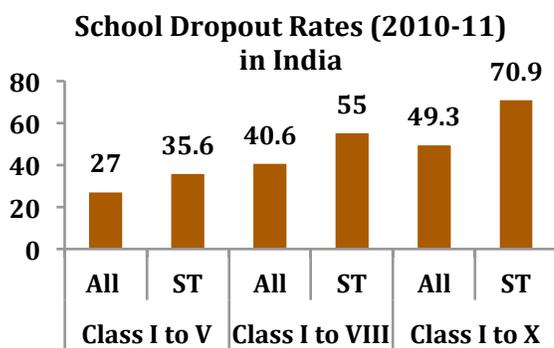
¹ Census of India 2011

Tribal Population in the North Eastern Region



The same trend is also observed in the NER, with 85% tribals inhabiting the rural areas. As shown in the figure above, a large proportion of the ST population in NER states resides in the designated tribal areas. Meghalaya, Mizoram and Nagaland house more than 85% ST population, all living in their respective designated tribal areas of the states. Tribes in the Northeast can broadly be classified into **hill-dwelling** and **valley-dwelling** groups, each with their own set of developmental challenges. Due to the location of their habitation, valley-dwelling tribes have a greater interaction with the under-privileged non-tribal population, making their lifestyle and challenges similar to this group. They are characterized by lack of infrastructural facilities, landlessness, primitive agricultural methods and so on. The hill-dwellers, on the other hand, face issues of inaccessibility to services and benefits, largely due to the arduous terrain of their habitation. Moreover, the Northeast is generally plagued by regional connectivity issues, which worsen during bad weather conditions and as a result of frequent natural disasters. Such conditions further reduce accessibility for the tribal community, affecting their livelihoods and social development. Access to health and education facilities is also highly affected for this section due to social, economic and geographical constraints. STs exhibit higher school dropout rates² as compared to other sections of the society. From Class I-X, STs demonstrate a dropout rate of 70.9%, which is nearly double the percentage for all over the country (49.3%). Despite the NER being generally characterized by high literacy rates, surpassing the Indian average, it experiences dropout rates comparable to the ST average in the country.

The aforementioned challenges pertaining to geographical and cultural differences amongst tribes make it



² Statistical Profile of Scheduled Tribes in India 2013, Ministry of tribal Affairs Statistic Division

necessary to work towards their upliftment, both socially and economically.

3. Existing Provisions for Tribal Welfare

Since Independence, India has been taking measures to ensure the development of tribals in its quest to bring the tribal population on par with other communities. Tribal welfare has been a national goal for the country, securing social equity, economic stability and political freedom for these groups. The Directive Principles of State Policy (**Article 46** of the Indian Constitution) also calls upon the State to promote the educational and economic interests of the weaker sections of the society with special care, and to protect them from social injustice and all forms of exploitation.

3.1 Constitutional Provisions for Scheduled Tribes

According to **Article 342** of the Indian Constitution, tribes, tribal communities and groups within such communities are deemed as Scheduled Tribes. They are entitled to various constitutional safeguards ensuring social, economic and political protection. **Article 15** prohibits any discrimination against citizens based on race, caste, religion, sex or place of birth to ensure unhindered access to public goods, community provisions and services. **Article 16**, on the other hand, ensures equality of public employment opportunities to all sections of the society, including STs. In addition, they are also provided with reservation in elected bodies across different levels of the Government. Moreover, National Commission for Scheduled Tribes is constituted under **Article 338A** to oversee the effective use of existing provisions for STs. The Commission is responsible for investigating and inquiring about complaints pertaining to deprivation of rights of STs and for guiding the planning process for their holistic development.

Article 244(1) of the Constitution of India specifies the **Fifth Schedule** to define **Scheduled Areas** as those declared by the President by Order across 9 states of India. The selection of these areas is primarily based upon the predominance of tribal population, geographical size and economic backwardness. However, the fifth schedule

Tribal Population Included in the Sixth Schedule

Part I (Assam)	Part II (Meghalaya)	Part II (A) (Tripura)	Part III (Mizoram)
<ul style="list-style-type: none"> • North Cachar Hills District • Karbi-Anglong District • Bodoland Territorial Area District 	<ul style="list-style-type: none"> • Khasi Hills District • Jaintia Hills District • Garo Hills District 	<ul style="list-style-type: none"> • Tripura Tribal Areas District 	<ul style="list-style-type: none"> • Chakma District • Mara District • Lai District

excludes Assam, Meghalaya, Mizoram and Tripura. In order to address the tribal population in these areas, **Article 244(2)** of the Indian Constitution provides for the administration of these states through **Autonomous District**

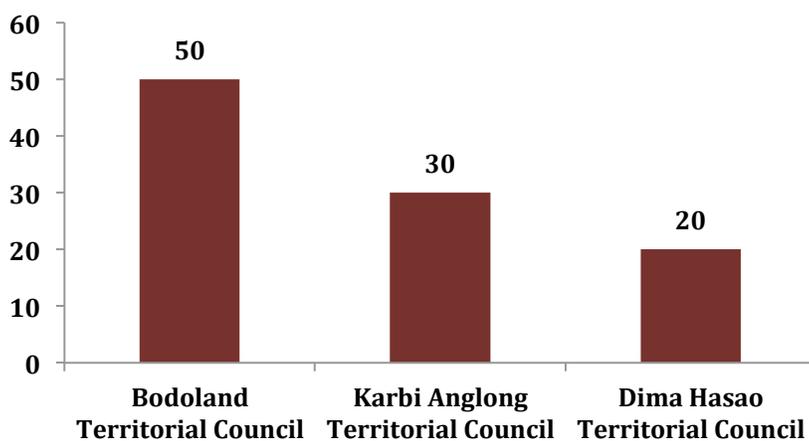
Councils (ADCs), under the **Sixth Schedule**. Here, tribal areas are categorized by the preponderance of tribal population, including tribes in Part I, II, II (A) and III as mentioned in the sixth schedule.

Grants from the Union are also provided to some states under **Article 275(1)**, for welfare of tribals and improvement of the administrative setup of the Scheduled Areas of the state. These grants are allocated from the Consolidated Fund of India each year and the amount of the grant varies across States, depending on their requirements. The provision covers 26 states, including states of the NER. These grants are apportioned based on the proportion of ST population in the state, compared to the total tribal population in India. States receive these funds for pre-defined projects aimed at the welfare of STs and are provided in addition to the regular Central Assistance to State Plans. A total sum of Rs.1400 Crore has been allocated by the Ministry of Tribal Affairs as grants under Article 275(1) for the year 2016-17.

3.1.1 Autonomous District Councils

Hill-dwelling tribes of the NER have deep rooted cultures and traditions and are highly integrated with their respective social groups. Their customs and traditions differ greatly from valley-dwelling tribes, making their need for internal autonomy even more pronounced. The ADCs, formed under the mandate of the Sixth Schedule, have been institutionalized to provide an effective and autonomous administrative setup to these tribes living in Northeast India. **The ADC for each district consists of a maximum of 30 elected representatives, four of whom are nominated by the Governor and the remaining elected on the basis of adult suffrage.** A separate Regional Council also needs to be constituted for every area of an autonomous region. In addition to the councils mentioned in the sixth schedule, 6 ADCs have been set up in Manipur under the Manipur (Hill Areas) District Councils Act, 1971.

**Special Development Package Budget (in Rs. Cr.)
(2016-17)**



Source: Ministry of Development of NER Budget (2016-17)

These councils administer trainings on efficient local self-governance methods and ensure protection of their customs and lifestyle. They are empowered to form rules and regulations pertaining to local matters like construction or management of primary schools, dispensaries, fisheries, roads, waterways and so on. However, these rules are contingent upon approval of the Governor. Additionally, they can conduct trials in certain criminal cases and collect revenue for effective management of their area. ADCs of North Cachar Hills and Karbi Anglong of Assam have been given additional autonomy to design laws on matters such as secondary education, public

health concerns and sanitation. Similarly, Bodoland Territorial Council can also exercise their power to form laws on animal husbandry, agricultural education, flood control, tourism etc.

3.1.2 Recognition of Forest Rights Act (2006)

Ministry of Tribal Affairs implemented the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The act aims to recognize and realize the traditional and inter-generational rights of tribal and other social groups dependent on the forest areas of the country. It was introduced in order to protect the traditional methods of living and livelihoods of these groups which were under threat due to lack of formal recognition of land rights. The legislation formalizes the right to live on forestland and grants control over selected forest resources to these communities. It further enables them to use minor forest produce, conserve traditionally protected resources, obtain community and habitat rights etc. Moreover, the Act enables diversion of forestland for social infrastructural facilities such as schools, fair price shops, electricity lines, water tanks etc. It is implemented at the State Government level and the Ministry is responsible to ensure the flow of funds and other benefits across various welfare schemes reaches the forest dwelling beneficiaries. Section 3(1)(h) of the Act notifies all forest villages, including older habitations, unrecorded villages and others to be regarded as revenue villages, arbitrated by the Gram Sabha, District Level Committee and Sub-Divisional Level Committee. A State-wise analysis of the status of implementation of the Act for the NER is as follows:

Arunachal Pradesh: The department of Social Welfare serves as the nodal department for the implementation of the Act for this state. The required committees, namely, State Level Monitoring Committee (**SLMC**), District Level Committee (**DLC**) and Sub-Divisional Level Committee (**SDLC**) have been formed in the state. However, it is largely domiciled by different ethnic groups of tribal population with natural hillock, river or tributary boundaries. Scope for any land dispute over possession is highly minimized in the area since most of the land is regarded as community land, reducing the relevance of the Act in this state. Similar issues have been faced by states like **Meghalaya, Nagaland** (land holding system in the state already regards traditional settlers as the owners of that land, making the Act inoperative in the state). However, a committee has been formulated to understand the applicability of the Act in light of the special provisions for Nagaland under Article 371A).

Mizoram and Sikkim do not have tribes or forest dwelling communities that depend solely on forest for their livelihood; instead they hold revenue land in individual names.

Assam: Up to 2016, Assam received 1.31 lakh total claims, of which, 36,267 titles have been distributed for more than 77,000 acres of forestland³. The state has formed all the required committees, is creating awareness of the Act and its benefits and is training officials on the working of the Act. The Assam Government has reported successful disposal of 56% of the claims received by them. However, the state has also reported disputes over claim settlement leading to law and order situations in the state. In addition, the demand for false claims has also contributed to the overall reduction in the pace of implementation of the Act, causing the percentage of distributed titles over number of claims received to stand at only 27.5% in the state.

Tripura: Up to 2016, Tripura received 1.94 lakh total claims, of which, 1.24 lakh titles have been distributed for more than 4.3 lakh acres of forestland. The three required committees have been formed by the state and steps to create awareness of the Act have also been taken through newspaper articles, daily news alerts, and booklets in local languages etc. Tripura has also reported to organise workshops to train concerned officials and has

³ Ministry of Tribal Affairs

constituted 1040 Gram Sabhas. Moreover it has claimed to dispose off more than 98% of the claims and distributed 64% titles over the number of claims received.

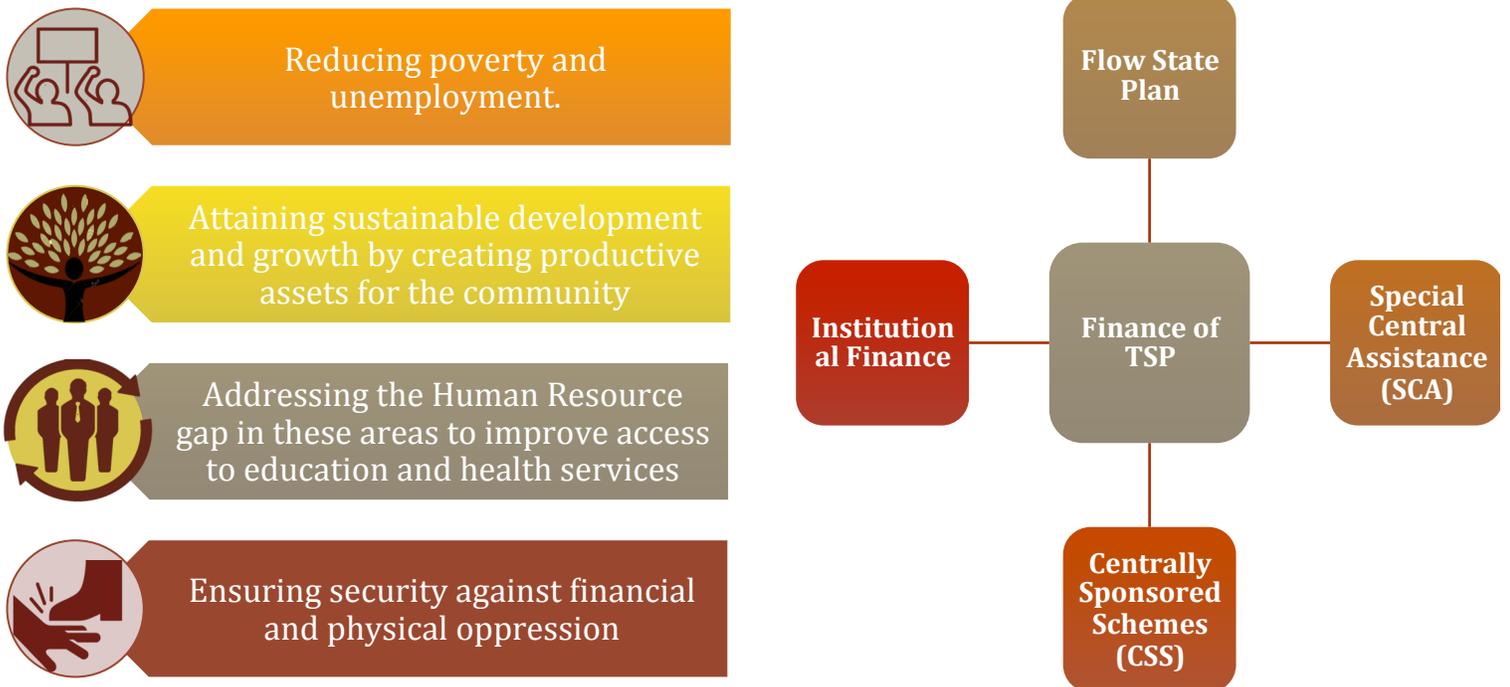
3.2 Schemes and Policies for Scheduled Tribes

Ministry of Tribal Affairs is the nodal agency responsible for policy planning, implementation and coordination for the development of STs in India. The schemes and policies of this Ministry aim to provide financial and operative support to the tribal population in the country. Both Central and State Governments have formulated various schemes and made repeated efforts to ensure welfare of tribals. Few of the available schemes for their development have been discussed below.

3.2.2 Tribal Sub Plan (TSP)

The TSP was formulated with the objective to ensure targeted planning for tribal areas of the country. It is administered as a part of the overall state plan, with an enhanced focus on the tribal population. The TSP thus aims

Role and Finances of TSP Strategy



to improve the standard of living of tribals and ensure that they are guarded against exploitation. It has been implemented in 22 Indian states and 2 Union Territories, including Assam, Manipur, Tripura and Sikkim amongst the NER states. **Arunachal Pradesh, Nagaland, Mizoram and Meghalaya are excluded from the TSP strategy since tribal population is more than 80% in these states.** The effectiveness of the TSP is dependent on efforts across different sectors, including improvement in irrigational facilities to boost agriculture, enhanced access to

credit, targeted marketing for agricultural produce, appropriate forestry programs etc. It also focuses on generating employment and promoting small-scale enterprises in these areas⁴.

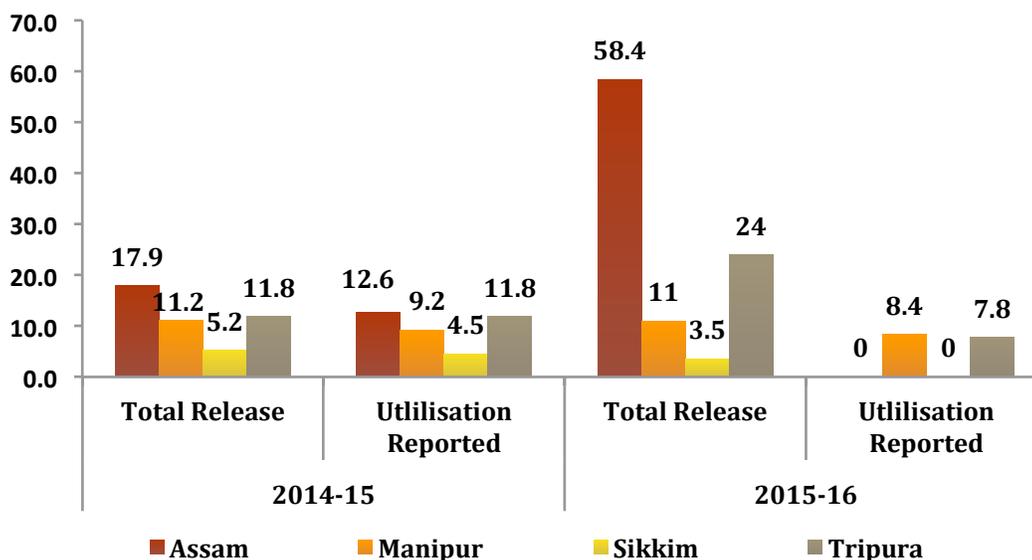
Tribal Development Structures

- **Integrated Tribal Development Projects (ITDPs)/ Integrated Tribal Development Agencies (ITDAs)**

In order to ensure the efficient working and smooth coordination of TSP, ITDPs were set up during the Fifth Five Year Plan. ITDPs are formed at the block or tehsil level comprising of more than 50% ST population. Like the TSP, they have been implemented in the areas defined by the Fifth Schedule. However, the ITDPs in Andhra Pradesh and Orissa work on an Agency model, with implementing agencies registered under the Registration of Societies Act, and are referred to as ITDAs. 194 ITDPs/ITDAs have been set up so far and stand functional in parallel to the TSP concept.

It is implemented through 194 Integrated Tribal Development Projects (ITDPs)/ Integrated Tribal Development Agencies (ITDAs). There are 19 ITDPs in Assam, 5 in Manipur and 4 in Sikkim. The TSP, implemented since 1974-

Funds Under Special Central Assistance to TSP (in Rs. Crores)



75, has led to some definitive improvements in tribal development regarding tribal literacy, Infant Mortality Rates (IMR) etc. However, there is still a substantial disparity amongst development indicators of tribals compared to the rest of the population. The funds allocated to the states under Special Category Assistance (SCA) to TSP are not always utilized appropriately, causing leakages within the system and compromising

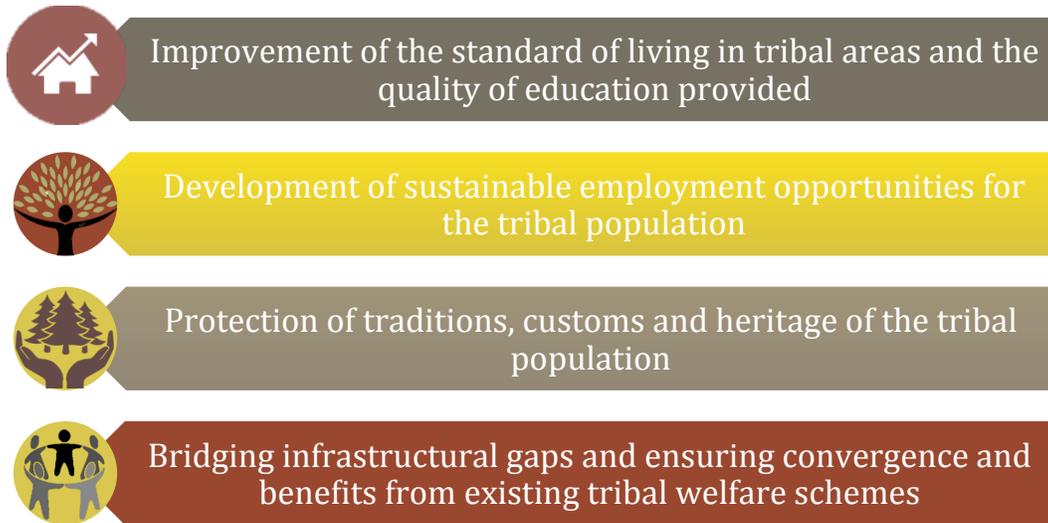
the benefits to this population. The estimated per capita availability of funds per year to TSP covered population is Rs. 8000⁵. Moreover, there is a clear discrepancy in the total funds released and those reported to be utilized. This incongruity highlights the need for their judicious utilization and effective management of the working of the plan. There is also a grave need for impact monitoring of these funds to ensure proper targeting to the tribal population.

⁴ Working of Tribal Sub-Plan (TSP), Committee on the Welfare of Scheduled Castes and Scheduled Tribes

⁵ Revised Operational Guidelines for Implementation and Monitoring of Van Bandhu Kalyan Yojana, Ministry of Tribal Affairs

3.2.3 Vanbandhu Kalyan Yojana (VKY)

Against the backdrop of the TSP's need for monitoring and the vision for including the entire tribal population across the country, the Vanbandhu Kalyan Yojana was launched as a Central Sector Scheme in 2014. The VKY is an outcome-oriented approach to ensure targeted reach of benefits from existing State and Central Government schemes to STs through effective convergence of resources. It also aims to bridge the infrastructural gaps in human development indicators between STs and other groups.



VKY, implemented as an umbrella scheme for tribal development, aims to strengthen ITDPs/ITDAs by providing adequate infrastructure and human resources and engaging people with sectoral expertise in geographically important sectors such as fisheries, horticulture, animal husbandry etc. It also safeguards greater administrative and financial powers to Tribal Welfare Departments and defines clear socio-economic outcomes intended to be generated by its implementation. Moreover, the policy demands Annual Action Plans based on outcomes and

Socio-economic Outcomes under Vanbandhu Kalyan Yojana

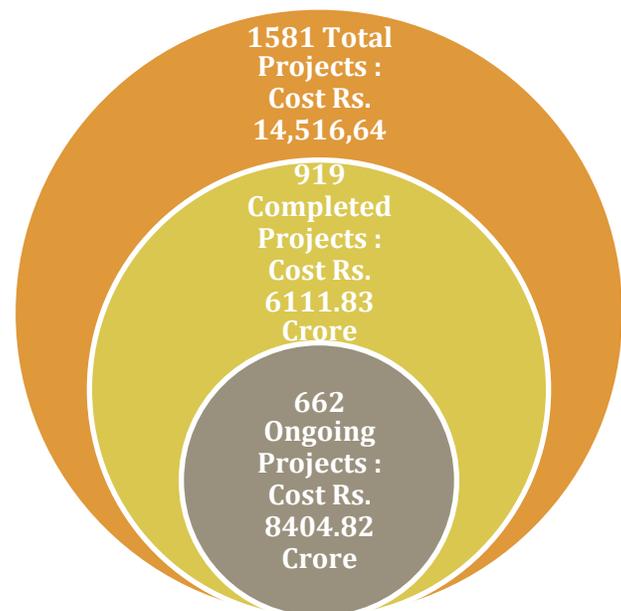


tangible targets at the village level with active involvement of local community leaders and experts, simultaneously encouraging community engagement. Further, it stresses on the importance of research on tribal welfare and development and documentation of their rich culture, heritage and ethnic diversities.

VKY is implemented by the State Governments with supervision from the Centre. The Tribal Welfare Departments are regarded as the nodal departments driving development and **Project Implementation Cell (PIC)**, created by the Ministry of Tribal Affairs; ensures effective implementation and financial resource mobilization of the scheme. The PIC also carries out monitoring of expenditure across schemes at the Centre while Tribal Development Departments monitor costs incurred on tribal welfare, TSP component, Centrally Sponsored Scheme funds and research and academics at the state level.

3.2.4 Non-Lapsable Central Pool of Resources (NLCPR)

The Union Budget of 1998-99 announced to earmark at least 10% of all Central Ministry funds for specific programs for the development of the NER. The unutilized amount from this fund was proposed to be transferred to a reserve fund called the Central Resource Pool for development of NER and the NLCPR was constituted. The Ministry of Development of North Eastern Region (DoNER) is responsible for the management of this fund.

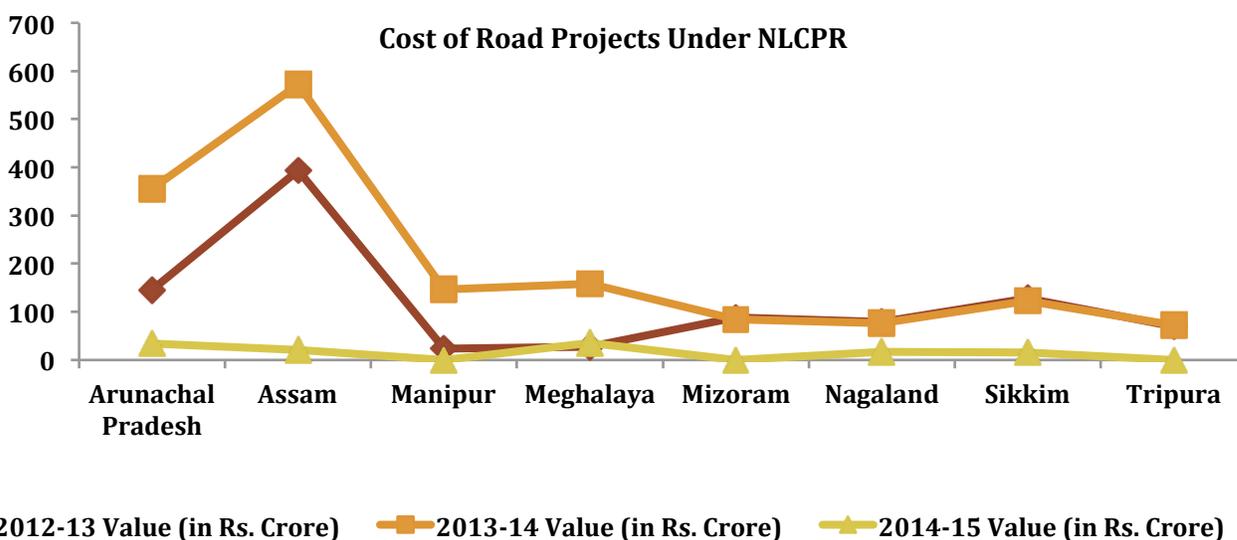


The fund aims to ensure continued flow of finances for prompt infrastructural development in the region. They can be used for physical as well as social infrastructural development. The states are advised to submit a priority list of projects and their vision at the beginning of the year to ensure appropriate channeling of the funds. The Planning and Development Department of the State Government serves as the nodal department for the management of these funds. The reserve is administered by NLCPR Committee consisting of members from Ministry of DoNER, NITI Aayog among others. The committee is responsible for equitable

distribution of these resources across the Northeastern states, taking into account the various disparities in social, economic and demographic indicators. It oversees the project priorities submitted by the states, allocates appropriate funds and monitors the impact and implementation of the schemes on the ground.

The funds approved under NLCPR for financial year 2016-17 are Rs. 900 Crore⁶. As in the year 2016, 1581 projects have been sanctioned under NLCPR, of which 919 projects have been completed and 662 are ongoing at different stages of completion. Additionally, 247 projects, at a cost of Rs. 3,867.9 Crore, have been retained over the last three years to be funded under the NLCPR. Across the NER, 85 projects have been recollected and 45 sanctioned since 2014. NLCPR funds have been used to address social as well as physical infrastructural gaps over the years. The NER, due to its geographical location has an arduous terrain, causing connectivity issues. As a result, construction of roads stands as an important area for development in this region. The initiatives taken by the Ministry of DoNER for road development under NLCPR are as follows:

⁶ Ministry of DoNER Budget 2016-17



The graphs show a declining trend in number of road projects taken up over the years from 2013 to 2015.

4. Way Forward

The Government of India has taken multiple policy measures to ensure support and protection to tribals. However, these efforts have experienced various issues in terms of reach, execution and monitoring. **Most of the tribal welfare schemes exclude the Sixth Schedule states due to their large proportion of tribal population.** This reduces the pool of targeted tribal population in the country, largely neglecting the NER. Moreover, the implementation of schemes and the flow of benefits to the tribals is severely compromised due to lack of supervision. Regular checks, review meetings of the concerned officials and monitoring of impact and reach are essential to ensure effective working of schemes. Further, the available schemes should consider qualitative needs of the STs living across different states, instead of the proportion of their population in the state.

Economy and Employment Boosting Areas for Development in the NER



Tourism



Handicrafts



Connectivity



Forest Produce

The schemes, along with support for physical infrastructural facilities to tribal areas and social infrastructure enhancement to the tribal population, should lay emphasis on empowerment of this group. In order to provide sustainable development solutions, the emphasis on capacity building should be increased. Tribals should be trained to build local skills, specific to the region, to secure long term livelihood options. An amalgamation of need-based targeted actions, effective implementation and strict monitoring would carve the path towards holistic tribal development in the country.