

Tour report of the visit of the National Commission for Scheduled Tribes (NCST) to the State of Tripura from 21 July to 23 July 2010 to review development programmes and reservation policy for STs

The Commission led by Shri Maurice Kujur, Hon'ble Vice Chairman, accompanied by Shri Aditya Mishra, Jt Secretary, Shri Vinod Aggarwal, Director, Shri K. C. Behera, PS to VC and Miss P. Syiemleh, AD, NCST, RO, Shillong visited the State of Tripura from 21 July to 23 July 2010 to review the development programmes and reservation policy for STs in accordance with the programme communicated to the State Govt. vide Message No. Tripura-5/REVIEW MEETING/DEVELOPMENT/2008/RU-II dated 01/07/2010.

21 July, 2010 (Wednesday)

Visit to Herma Tribal Village

2. This is a tribal village in the West District of the Tripura. The area consists of 5 small hamlets, populated by the Scheduled Tribes (about 27,000), who were below poverty line. The tribes are engaged in collection of firewood and bamboo. From 1994 onwards, villagers took rubber plantation with the help of Tripura Rehabilitation Plantation Corporation Limited (TRPCL) & the Rubber Board and the financial support from the World Bank & the Tribal Welfare Department, Govt. of Tripura. The villagers are collecting, processing and selling the latex with the help of the TRPCL and the Rubber Board. The rubber plantation has greatly contributed to the up-lifting of economic conditions of the villagers.

3. During interaction with the local people, they projected following demands before the Commission to be taken up with the appropriate authorities:

- i) Opening of an English Medium Middle School in the village.
- ii) Opening of a Primary Health Centre (PHC).
- iii) There was a difference between the price being paid in respect of the rubber being produced by them vis-à-vis market price. Therefore, they should also be paid the price of the rubber as per the prevailing market price.

4. Hon'ble Vice Chairperson, in his address to the villagers, mentioned that tribals should not only demand literacy, but demand education to flow with the main stream of the Society. He further emphasised that the Article 21 of the Constitution of India provided that no person shall be deprived of his life and accordingly, every tribal person was within his rights to demand right to life with dignity, which, inter-alia, required education and financial independence. In this connection, the Commission desired that the State Govt. should take action on the issues raised by the villagers on a priority basis.

Action : Govt. of Tripura

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Visit to Tripura State Tribal Museum

5. The Museum had the ornaments and the clothes used by the tribals, pictures of folk dances and style of living of all the 19 tribes of the Tripura on display. The history and important features of each of the tribal community was also illustrated. An audio-video film on the tribal communities was also shown to the Commission.

Meeting with the ST Associations.

6. 7 ST Associations attended the meeting. The issues raised therein are summarised as under:-

- Non-maintenance of 100 point rosters by the departments and failure to meet the stipulated percentage of reservation (31%) for STs, as required in the recruitment and promotion by the departments;
- delay in filling up of backlog vacancies in a time-bound manner; and
- Inclusion of 'Kokborok' language in the 8th Schedule.

Various representations handed over by the Associations to the Commission would be taken up by the NCST, RO, Shillong with the concerned Departments of the Govt. of the Tripura.

Action : NCST, Regional Office, Shillong ✓

22 July, 2010 (Thursday)

Review meeting with the Sh. Manindra Reang, Hon'ble Minister, Tribal Welfare (TRP & PTG), Sh. S. K. Das, Commissioner & Secretary, TWD and other senior officials of the Govt. of Tripura.

7. State Govt. made an audio-visual presentation on various welfare activities/programmes pertaining to the STs. It was noted that as per the 2001 census, STs constituted about 31% of the total population (ST: 9.93 Lakh, Total population: 31.99 Lakh). Tripuri, Reang, Jamatia, Chakma and Halam are the five main tribes out of total 19 tribes in the State. There is a wide disparity to the extent of about 24% in the literacy rate of ST male and female (Male: 68%, Female: 44%). The Commission desired that the State Govt. should take effective measures to improve literacy rate, particularly in respect of female with special emphasis on vocation training to improve their employability. The State Govt. should also take initiatives to improve quality of education in the context of the highly competitive environment.

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Action : Govt. of Tripura

8. It was explained by the State Govt that various programmes for welfare of STs like Tribal Sub-Plan, reservation in admission in educational institutions and services, restoration of alienated Tribal Land, establishment of Tripura Tribal Areas Autonomous District Council (TTAADC) and recognition of Kok-Borok - a tribal language, as second official language of the State were being implemented. Every Department of the State Govt., dealing with development related issues concerning STs, is required to set apart at least 31% of their plan fund towards Tribal Sub-Plan. From 1995 onwards, fund earmarked for the TSP are being booked against the Budget Demand of the Tribal Welfare Department (under Demand No. 19) to avoid any possibility of their diversion for any other scheme/ purpose. The State Govt. is also ensuring that expenditure under the TSP area should not be less than 31 % (i.e. ratio of ST population) of the State Plan. During 2009-2010, the expenditure under TSP area was also much higher than the desired level (41.17% of the State Plan expenditure). The Commission desired that the programmes should have focus on the priority areas, arrived after a careful assessment of the needs of the STs.

Action : Govt. of Tripura

9. The State Govt. explained that reservation policy as per the ratio of ST population i.e. 31% for admission in various educational institutions and for direct recruitment and promotion in all Government Departments/PSUs and local bodies was being strictly followed. In this connection, the Tribal Welfare Department has been declared as a Nodal Department for enforcing the reservation policy of the Govt.

10. It was further explained by the State Govt. that a State Level Scrutiny Committee was existing to handle verification of caste certificates. Till June, 2010, 170 cases of verification of ST certificates were received, out of which 102 certificates were cancelled and 39 cases were still pending.

11. State Govt. had introduced 'Restoration of Tribal Land' as per Rule 187 of TLR & LRS Act, 1960 and this was launched in the year 1978. So far, land of 8,982 STs had been restored and the quantum of land involved was 7289.64 acres. Tribal land could be alienated, as special case(s) with the approval of the designated authorities.

12. The Tripura Tribal Areas Autonomous District Council (TTAADC) was set up in 1982 and its jurisdiction was covering about 68% of the total area of the State and about 1/3rd of the population. It covers all the four Districts of the State which makes it unique among all the ADCs in the country. There were 527 Village Committees under the TTAADC. TTAADC has 28 elected members and 2 members nominated by the Governor. There is an Executive Committee headed by a Chief Executive Member and 7 Executive Members.

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State Government provides financial support to the Council under the Plan Scheme.

13. There were 3 Eklavya Model Residential School (EMR), 2 Residential School and 3 Ashram Schools under Tribal Welfare Department. The result of EMR School for the last three years has been 100 %.

14. Regarding implementation of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, it was indicated by the State Govt that total 1,36,547 claims were received up to June, 2010. Out of these 1,16,111 claims of forest rights had been accepted covering 1,68,823.295 hectares of land, 20,408 claims rejected, while 14 claims were pending. The State Govt. has decided to dovetail schemes of line Departments for generating sustainable livelihood by utilizing forest rights vested under the Act. So far, 14261 forest dwellers had been provided assistance.

15. Hon'ble Vice Chairperson, National Commission for Scheduled Tribes mentioned that the review was aimed to identify deficient areas, so that improvement in such areas could be effected and to identify the strong areas, so that others could also be benefitted by adopting the same. He further observed that though the welfare schemes were planned with ambitious targets, but their benefits could not reach tribal community due to weakness in implementation at the ground level. In this connection, he stressed upon the need of the qualitative aspect of the progress being adjudged with the ground reality, the actual position of benefits at the delivery point.

Action : Govt. of Tripura

16. Hon'ble Vice Chairperson observed that the State of Tripura was free from environmental pollution, by reason of industrialisation and other developmental factors. He stressed for the need of packages of developmental plan being prepared for the tribal youth, as they were the essential force and the factor of the tribal development. In this connection, he observed that tribal youths should not only be literate, but educated with focus on their professional / vocational training to improve their employability. Hon'ble VC suggested that ST youths were generally at home in sports; and hence, they should be promoted. ST girls may also be given Nursing training for their employment in the field of Health Care sectors, which is registering an appreciable growth. He further desired that the State Govt. should orient their education schemes, taking into consideration the potential areas of employment, especially in the context of the new emerging economic scenario.

Action : Govt. of Tripura

17. State Govt officials explained that to meet the requirement of Nurses, 60 girls were sent outside the State for Nursing training in addition to the girls being trained at the Nursing College of the State. It was also mentioned that in

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the State Govt. Sports School, 80% of the students were from the ST community.

18. Director General of Police, Tripura mentioned that recently CPMFs had adopted a Transparent Recruitment Process (TRP) through a computerised format used for the written test, which was not being fully understood by the ST candidates of the Tripura. There is a sudden drop in the passing / intake of ST candidates, following adoption of TRP by the CPMFs. DGP also requested the Commission to consider recommending the waiver of cut off marks for ST candidates in as far as North-Eastern States were concerned, so that their legitimate representation continued. He also mentioned that he had also written to the DG, BPR&D in this regard. Commission suggested that MHA should relax the standards for initial period till such time ST candidates of the NE States are familiar with TRP.

Action : MHA ✓

19. On a query from the Commission regarding registration of cases under the SCs and STs (POA) Act, 1989, the DGP clarified that there was no atrocity against tribals in the State. However, there were 9 (nine) complaints lodged during last year, but on enquiry, it was found that these complaints were not related to atrocities against tribals.

20. The Commission pointed out that the representation of STs in all categories of posts i.e. A, B and C was around 25 % against a provision of 31%. The Commission desired that special training programmes for STs should be organised to enhance their efficiency level for filling up posts both by promotion and direct recruitment. The Commission also referred to a representation received on 21/07/2010 in respect of vacant posts for JEs in PWD, which were not being filled up as per the reservation policy both in respect of promotion and direct recruitment.

21. The State Govt. explained that due to shortage of qualified and eligible candidates, representation in Gp 'A' and 'B' remained lower, but due to special recruitment drive, recently undertaken, the representation of STs in Gp 'C' was satisfactory. The State Govt. assured to provide an updated data to the Commission within a month. The representation received regarding non-filling up the vacant posts for JEs will be taken up by the NCST, Regional Office, Shillong with the State Govt.

**Action : Govt. of Tripura,
NCST, RO, Shillong**

22. The Commission observed that student to teacher ratio in the State was quite high. The State Govt. officials explained that recently about 5,000 graduate teachers had been recruited and at present, there was no shortage of teachers in the State. There are about 39,000 teachers for classes from I to XII and out of these, about 4,000 teachers are untrained. Training of these teachers was being planned in a phased manner. It was clarified by the State Govt. that there is a well laid down transfer policy for teachers and is being followed to ensure that remote tribal area are not neglected on this account.

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The Vice Chairperson desired that the State Govt. should take necessary steps to upgrade administration / quality of education, with focus on vocational training to improve employability of educated youths.

Action : Govt. of Tripura

23. On a query from the Commission, the State Govt. officials mentioned that some of the educational institutions were being run by the NGOs. There is a standard verification procedure, which is to be followed for permitting any NGO to run an educational institution. After initial verification, standard verification process is followed every six months for continuation of their management. The Commission requested that the parameters being adopted for verification / performance assessment of NGOs being followed by the education department may please be forwarded to the Commission.

Action : Govt. of Tripura

24. The Commission was informed that there was an acute shortage of Specialist Doctors and General Duty Medical Officers (GDMO) in the State.. The first batch of 139 doctors from the Agartala Govt. Medical College (AGMC), on passing out will be absorbed in the Govt. hospitals. Out of total 139 candidates passing out of AGMC, 56 are STs. Full financial support has been provided to 52 ST candidates out of 139 candidates admitted to the AGMC. Hon'ble VC observed that there was a great demand of GDMOs and Specialist Doctors in the State, whereas there were only 2 Medical College in the State; State Govt., should therefore formulate an action plan to meet the requirement of doctors in the State

Action : Govt. of Tripura

25. On a query from the Commission, the State Govt. informed that Rashtriya Swasthya Bima Yojna (RSBY) was being run in all ST villages with 90% contribution from the GOI and 10% from the State Govt. Each family member is insured for medical expenses upto Rs 30,000 per year. The State Govt. further informed that reported cases of communicable diseases were below normal during the current year. Incentives were also being provided to Govt. officials for their posting in ST areas.

Action : Govt. of Tripura

26. The State Govt. informed that services of para-military forces like BSF posted in the interior areas was also being extended for the health care to the tribals in such areas. The BSF is being provided with medicines for treatment of the tribals villagers. With a view to strengthening the existing health care system, the State Govt. has also decided to establish PHC in all Gram Panchayats and Village Councils. The Commission desired that these PHCs should be established at the earliest having priority to the tribal areas.

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27. The Hon'ble Vice-Chairperson enquired whether in the line with the National Policy 'land for land' was being given to the Tribals. It was clarified by the State Government that a land allotment policy was being followed in this regard. The Principal Secretary, Power also clarified that State Government had not taken over any tribal land without settling them suitably. State Govt. officials also informed that 2 Gas based Power Projects were coming up in the State, which involved no displacement. The Commission desired that State Govt. should consider formulation of a State Rehabilitation Policy taking into consideration the provisions contained in the National Rehabilitation and Resettlement Policy, draft National Tribal Policy, draft National Rehabilitation and Resettlement Bill, 2007 and draft Land Acquisition (Amendment) Bill, 2007.

Action : Govt. of Tripura

28. The State Govt. mentioned that MGNREGA was very much successful in the State and on average basis, 82 mandays were being provided to each family under the Scheme. The State Govt. has also proposed to increase the scope of works under NREGA to the Ministry of Rural Development, Govt. of India (details annexed), approval of which is still awaited. The State Govt. sought intervention of the Commission to expedite approval of the enhanced scope of works proposed to be covered under the MGNREGA Scheme.

Action : Ministry of Rural Development, GOI. ✓

29. The State Govt. intimated that out of about 4500 ST habitations in the State, 1066 habitations have been fully covered, 1047 partially covered, while balance were yet to covered under National Rural Drinking Water Programme (NRDWP). The Commission pointed out that as per the 11th Five Year Plan, all habitations were required to be provided drinking water by 2012. Therefore, the State Govt. should draw a firm action plan to accomplish the target.

Action : Govt. of Tripura

Meeting with His Excellency Dr. D. Y. Patil, Governor of Tripura.

30. Initiating the discussion, Hon'ble Vice Chairperson emphasised that effective implementation of various development programmes was necessary for upliftment of standard of living and socio-economic conditions of the STs. He further mentioned that the rubber plantation has improved the socio-economic condition of the STs in the State. However, its impact on ecology should be critically examined. Hon'ble VC suggested that ST youths especially boys should be promoted in Football while ST girls should be provided training in Nursing, which was likely to be a potential area of their employment.

31. Hon'ble VC mentioned that in remote ST habitation, where alternative source(s) of income were not available for the whole year, 100 days employment under NREGA was not sufficient. His Excellency suggested that

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unspent budget in one area under NREGA should be diverted to other needy areas irrespective of a ceiling of 100 days. The Commission proposed that Govt. of Tripura should consider the suggestion of the His Excellency for diversion of unspent funds earmarked for a particular area to other needy areas for taking up with the Ministry of Rural Development.

**Action : Govt. of Tripura,
Ministry of Rural Development**

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