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भारत सरकार
राष्ट्रीय अनुसूचित जनजाति आयोग
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

(A Constitutional Commission set up under Art. 338A of the Constitution to investigate and monitor all matters relating to violation of rights and safeguards provided for STs.)

संख्या/ No.- 15/1/10/CG/Review/RU-III

दिनांक/ Date: 17/06/2010

To

**The Chief Secretary,
Government of Chhattisgarh,
Raipur**

Sub: Visit of National Commission for Scheduled Tribes to Raipur from 23rd April to 25th April, 2010 to review implementation of various programmes for STs in the State of Chhattisgarh.

Sir,

I am to refer to this Commission's Wireless Message No. NCST/TP/VC/2010/04 dated 16/04/2010 on the above subject and to enclose a copy each of the Summary Record of the following meetings held at Raipur on 23rd & 24th April, 2010:

- (a) Minutes of the meeting taken by Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes, New Delhi with Sr. Officers of Chhattisgarh Government on 23-04-2010 at Raipur to review the implementation of SCs and STs (PoA) Act and other related issues.
 - (b) Minutes of the meeting taken by Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes, New Delhi with Secretary and Commissioner of Tribal Development Department and Joint Director of Tribal Research and Training Institute of Chhattisgarh Government and other Officers on 23-04-2010 at Raipur to review the working of TRI and issues relating to tribal health and education.
 - (c) Minutes of State level review meeting taken by Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes, New Delhi with Sr. Officers of Chhattisgarh Government on 24-04-2010 at Raipur to review the implementation of Reservation Policy and Development Programmes being run by the State Government for Scheduled Tribes.
2. It is requested that the information on various issues mentioned in the Summary Record alongwith action taken report on the decisions taken in the meeting/ suggestions

made by the Commission may kindly be communicated to this Commission urgently. A soft copy of the ATR may also be sent through E-mail at ID js@ncst.nic.in and dircood@ncst.nic.in.

Yours faithfully,


(R.C. Durga)
Director

Encl. as above

Copy with copies of enclosures forwarded to:

- (i) The Secretary, Home Department, Government of Chhattisgarh, Raipur
- (ii) The Director General of Police, Government of Chhattisgarh, Raipur
- (iii) The Secretary, Tribal Welfare Department, Government of Chhattisgarh, Raipur

Copy for information and necessary action to:-

- (i) Director, Tribal Research and Training Institute, Chhattisgarh, Raipur [copy of Minutes at (b) & (c) above attached]
- (ii) Director, Directorate of Census Operation (Office of RGI), Raipur, Chhattisgarh [copy of Minutes at (c) above attached].
- (iii) Director, Regional Medical Research Centre for Tribals (ICMR), Nagpur Road, Post Office – Garha, Jabalpur, MP [copy of Minutes at (b) & (c) above attached]
- (iv) Regional Director, IGNOU Regional Centre, Shankar Nagar, Raipur, CG [copy of Minutes at (b) above attached]

Copy also for information to:

- (i) PS to Hon'ble Vice-Chairperson/ PPS to Secretary/ PS to JS
- (ii) SSA (NIC Cell), NCST to upload the letter and Minutes on the website of the NCST.
- (iii) Assistant Director, National Commission for Scheduled Tribes, Nirman Sadan, Hoshngabad Road, Bhopal 462016
- (iv) Assistant Director, National Commission for Scheduled Tribes, 26, Avanti Vihar, P.O. Ravigram, Raipur


(Director)

National Commission for Scheduled Tribes.

Minutes of the meeting taken by Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Schedule Tribes, New Delhi with Sr. Officers of Chhattisgarh Government on 23-4-10 at Raipur to review the implementation of SCs and STs (PoA) Act and other related issues.

Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes, New Delhi alongwith Shri Tsering Samphel, Member reviewed the implementation of SCs and STs (POA) Act, 1989 and other related issues with the Senior Officers of Chhattisgarh Government at Raipur on 23-4-10. Shri Aditya Mishra, Jt. Secretary, Shri R.C.Durga, Director and Shri R.K.Dubey, Assistant Director, NCST also attended the meeting. Secretary, Home Department, Secretary, Tribal Welfare Department and Additional DGP, Govt. of Chhattisgarh also attended the meeting.

2 The Secretary, Home Department, Government of Chhattisgarh welcomed the Commission. Thereafter, the Joint Secretary of the Commission initiated the detailed discussion. The Commission mentioned that almost in all the cases, the stipulated time frame of 30 days for submission of comments on the cases forwarded by the Commission to the State Government was not being followed. In several cases interim reply is also not received. There is no uniformity in submission of reports from the Districts and many of the vital information relating to a case such as date and time of incident, name, age and community of each victim, name, age and community of each accused, names and community of arrested accused and reasons of non-arrest of accused, if any, date of registration of FIR and its copy, details of medical examination or postmortem report, period of investigation and level of IO, date of filing of challan in the court, monetary relief paid to the victim and information on measures taken by the police for protection of the victim and witnesses is not included in the report. The police authorities may ensure that information and documents on these points are invariably included in the report sent from the districts/PHQ to the Commission. In this connection, the Commission also emphasized that the State Government should ensure adherence to the time-frame of 30 days for completion of investigation and 90 days for filing of charge sheet in the court in accordance with the laid down procedures as provided under the SCs and STs (POA) Rules, 1995.

3 Additional DGP, Government of Chhattisgarh explained that the delays had occurred as many cases required detailed investigation and also verification of caste status, both in respect of complainant and accused. The Commission desired that the State Government should take necessary action to cut down the time involved in such activities to ensure that the stipulated time-frame in the process for investigation and filing of charge sheet is adhered to.

4 The Commission also emphasized on the necessity to file proper and well documented FIRs in the atrocity cases being registered in the Police Stations of the State. On the other hand, the quality of investigation in the cases registered

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under SCs and STs (POA) Act, 1989 should also be improved. This will improve the chances of conviction of accused in the trial courts. The Police officers should be given specialized training in dealing with the cases registered under the Act and should be sensitized towards the problems being faced by the weaker sections of the society. ADG, Police, Government of Chhattisgarh requested that the provisions requiring investigation of cases registered under SCs and STs (PoA) Act by an officer of the level of Dy. Superintendent of Police may be diluted as it is resulting in delay in investigation of the cases. He suggested that by making suitable amendments in the Rules the Inspectors posted in the Police Stations should be empowered to investigate the cases registered under the SCs and STs (POA) Act. The Commission pointed out that the objective of the stipulated provision was to ensure that the level of the officer investigating the atrocity case should be of a responsible capacity for proper and effective investigation.

5 The Commission desired to know whether the monthly meetings to review the atrocity cases in the districts were being regularly organized in the State and whether the District Collector and SP were attending the same. It was informed that such meetings were regularly being organized. With reference to the query, whether the State Level Vigilance and Monitoring Committee meeting to review the atrocity cases were being organized bi-annually in the State as provided under the SCs and STs (PoA) Rules. It was informed that a meeting was organized in the year 2009 which was chaired by the Hon'ble Chief Minister of the State. The Commission desired that a copy of the proceedings of the meeting may also be forwarded to the Commission as well as to its Regional Office at Raipur. The Commission also desired that the Officer-in-charge of the Regional Office of the Commission at Raipur may also be invited in the above meeting as provided under the PoA Rules.

6 The issue relating to awareness about the provisions of SCs & STs (POA) Act, 1989 also came up for discussion in the meeting. The Commission emphasized that the publicity of the provisions of this act was one of the ways to reduce the number of incidence of atrocity on the weaker sections. There is also an urgent need to sensitize the Police Officials regarding provisions of the PoA Act and the PoA Rules. The concerned authorities should also ensure prompt action in registration and investigation of the cases of atrocities on Scheduled Tribes.

7 During the discussion, the Commission pointed out that few cases have come to the notice of the Commission where it has been reported that the police officials were not registering the cases of forceful occupation of land belonging to the tribals under the SCs & STs (POA) Act. It was mentioned that whenever such cases were referred by the Commission to the concerned SP in the District, the Commission was informed that the matter was of civil nature or it was a matter to be settled by the Revenue Deptt. The Commission insisted that such cases should be registered under Section 3 (1)(iv) or (v), as the case may be, of the Act. The Police headquarters should issue a direction to all the Police Stations in this regard.

8 The Commission desired to know about the number and working of special courts to deal with atrocity cases. It was informed that there were exclusive special courts in six districts of the State viz. Raipur, Durg, Rajnandgaon, Surguja, Bilaspur and Jagadalpur. The Commission suggested that such courts be designated in other districts of the State reporting sizeable cases of atrocities on STs. It was noted that the full point to the SPP engaged by the Government to deal with the cases of atrocities under the Act was low. The Commission, therefore, suggested to consider the payments of fee to the prosecutors/advocates engaged by Government for dealing with the atrocity cases at reasonably attractive rates so that the SPP gives due and prompt attention to the atrocity cases. The Commission also stressed to revise the rate of travelling expenses paid to the witnesses of the atrocity cases for appearing in the court and compensate them suitably for loss of the wages (at par with the minimum rate fixed by the Collector).

9 The Commission also expressed concerned over the media reports of trafficking of tribal girls of the state to work as maid in big cities and also for flesh trade. Additional DGP, Government of Chhattisgarh informed the Commission that there was a National level Cell of CBI to monitor such incidents, which coordinate with the State Police. The migration of people in search of work has recently reduced due to several programmes like MGNREGA and other programmes like providing 35 Kg rice to poor families @ of Re. 1/- or Rs. 2/- per Kg. However, he accepted that such incidents were often reported and in most of the cases, the placement agencies were responsible for it. There was a consensus in the meeting that an Act should be formulated to regulate the working of placement agencies in the country.

10 The Commission also advised the State Government for proper inquiry by the Special Police Cell in all those cases which were registered against person(s) belonging to SC/ST on the complaint by non SC/ST person(s) in accordance with the provisions of SC and ST (POA) Act.

11 The Commission also reviewed the progress of cases filed in the court and noted that a large number of cases were pending. It was also noted that the year-wise information furnished by the State Govt. during the meeting was found inconsistent as the number of cases pending at the end of the year did not compare with the number of cases brought forward into the next year. For instance number of cases pending at the end of 2008 were reported to be 323 while the number of case brought forward into 2009 and the number of new cases received in the Courts during the year was 285 only. This information needs to reconcile in respect of each year. The Commission also noted that the rate of conviction is also on a lower side. The State Government informed that it was considering appointment of a Law officer in every district to improve the quality of trial under the PoA Act. The Commission also requested the ADGP to furnish the information (of last 3 years) on the number of cases booked under atrocity Act in which the Government has appealed in higher court against the verdict given by the lower court in the last 3 years.

12 The Commission also expressed concern over a number of incidents reported in media in which many women had been killed on the ground of suspicion as witchcraft. Though there is a Tonahi Pratadana Adhiniyam in the State, such incidents are continuing. The Commission advised the Police authorities to publicize the provisions of the Act in every Majra-tolla and village so that such incidents were minimized. The Commission also advised the State Government to add suitable chapters in the curriculum of the students in tribal areas to develop scientific vision against these evil practices. The Commission also suggested that the roles of NGOs functioning in the areas could also be activated in increasing awareness about the above Act as well as PoA Act.

13 The Commission desired to know the steps being taken by the Govt. in the event of atrocities committed on STs by the Police Personnel. It was informed that the concerned Police Personnel was booked under the PoA Act, as per provisions of the PoA Act. Besides, Departmental proceedings are also initiated against the accused Police Official(s) as per the service conditions and conduct rules.

14 In the end of the meeting, Principal Secretary, Home Department thanked the Commission for very useful discussion in the meeting and assured that the State Government would take necessary steps on various issues discussed in the meeting.

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Ministry of Tribal Affairs, Government of India
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National Commission for Scheduled Tribes

Minutes of the meeting taken by Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Sch.Tribes, New Delhi with Secretary and Commissioner of Tribal Development Department and Joint Director of Tribal Research and Training Institute of Chhattisgarh Government and other Officers on 23-4-10 at Raipur to review the working of TRI and issues relating to tribal health and education.

Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes, along with Shri Tsering Samphel, Member visited TRI, Raipur on 23-4-2010 to review the working of TRI and discuss issues relating to tribal health and education in the State. Shri Aditya Mishra, Jt. Secretary, Shri R.C.Durga, Director and Shri R.K.Dubey, Assistant Director, National Commission for Sch.Tribes also attended the meeting. Secretary and Commissioner, Tribal Development Department, Govt. of Chhattisgarh and Joint Director, TRI also attended the meeting. Director, Regional Medical Research Center for tribals, ICMR, Jabalpur and Director Regional Center, IGNOU, Raipur who were specially invited by the Commission also attended the meeting.

2 In the beginning the Secretary, Tribal Development Department Government of Chhattisgarh welcomed the Commission. Thereafter, the activities undertaken by TRI, Raipur were discussed in light of the mandate given to the Institute.

3 The Commission was informed that the main objective of the TRI is to conduct basic social, economic and cultural studies and survey on the tribals, to suggest the Government about overcoming the problems of Scheduled Tribes after conducting studies, to assess/ evaluate the impact of various programmes on the development of Scheduled Tribes and to advice the Government on the issue of inclusion into and exclusion from the list of Scheduled Tribe in relation to the State etc. It has also been given task of carrying out the work of High-level Caste Certificate Scrutiny Committee in the State beside imparting training on the matter to the caste certificate issuing authorities in the districts.

4 The Commission took note of the situation that the TRI had deviated from the mandate given to it by the Government and its work had been confined to the issuance of validity certificates to the Scheduled Castes, Scheduled Tribes and Backward Classes. The quantum of research studies on social economic and cultural issues of the tribal community and the impact evaluation studies related to various developments programmes conducted by TRI is negligible. Thus, there is no other agency in the State to give necessary feed back to the Government of Chhattisgarh and also to the Government of India on the subject and it is likely to be very difficult for the policy framers to have any information on the short comings and loopholes detected in the programmes by way of research studies.

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In view of the above, the Commission is of the view that the TRI should focus on the core area for which it has been constituted.

5 The Commission noticed that a huge task of verification of caste certificates has been handed over to the TRI with a very limited manpower and expertise. Out of 80 sanctioned posts, 32 posts are vacant. The existing strength also comprises of a large number of Group 'C' and 'D' officials. The TRI is mainly engaged to work as Caste Certificate Scrutiny Committee, which is issuing 500 validity certificates daily on an average basis. During 2009-10, the Committee has verified about 1,06,000 certificates in the State which is significantly high. Keeping in view the huge quantum of work, the Commission suggests that State Government should sanction additional manpower to the TRI at all levels and separate the functions of these two establishments so that the research studies can be streamlined as the focus of TRI as per its mandate.

6 The Commission also noted that the GAD of the State has issued a Circular bearing No. 426/2003/13 dated 21-7-2003 in para 5 of which the authorities issuing caste certificates have been directed not to insist for copy of any documents related to his/ her domicile (place of ordinary residence) in the State on or before 1950 from the applicant for issuing certificate to him or her. However, the same is still being asked for. The Joint Director, TRI insisted that the demand of such documents is in order. In view of the above, the Commission suggests that the sanctity of this order may be reviewed by the State Government and the standard guidelines for issuance and verification of caste certificates in the State may also be uploaded on the website of the State Govt. for general information and use.

7 The Commission was informed that the High Power Caste Certificate Scrutiny Committee had decided many cases of employees working in different Government Departments who had been recruited under the scheduled tribe category and the Committee found their certificates bogus/false. However, the Commission observed that only a few of them were actually dismissed from the service and many of them were still continuing in the service after obtaining stay from the courts, which is a serious concern. The Commission advised the State Govt. to devise a procedure so that the validity certificates should be issued to all the eligible scheduled tribe candidates before they pass out 12th Standard in order to minimize the delay in verification of the certificates and to facilitate their career advancement at subsequent stages.

8 The issue of educational development of STs was also discussed in the meeting. Regional Director, Indira Gandhi National Open University, Raipur gave a brief account of courses conducted by the University in tribal areas. The Commission advised that the courses like BA, B.Com, MA, etc. were not sufficient for the educational upliftment of tribal community and the University should focus on the job oriented specialized courses, which were being demanded in the age of globalization and changing market. The University

should also try to attract the tribal youth for the courses, which are being offered by the University in other states.

9 As the State TRI was primarily focusing its attention on verification/validation of caste certificates, it could not furnish any information relating to any research studies conducted by it, the Commission discussed the issue of health problems of tribal community of the State with the Director, Regional Medical Research Center for tribals, ICMR, Jabalpur who was specially invited by the Commission to attend the meeting. The Commission was informed that the RMRC was the only organization working in the field of research on various aspects of tribal health and hygiene in the Region including Chhattisgarh State.

10 The Commission was informed that malaria and himoglobinopathy related ailments were the main diseases prevailing in the tribal areas of the State. Director, ICMR, Jabalpur suggested that providing one or two mosquito nets per family was not sufficient to control malaria as the normal family size in the region was five to six persons and those family members, who were not using the mosquito nets continue to be the carrier of this vector borne disease. All the members of the family should be given mosquito nets to fight this menace. She also suggested that the local health workers should be given more diagnosis kits at the time of their visit to the remote tribal villages to check the spread of malaria. The health workers may be given conveyance allowance for going to the remote villages in the tribal belt.

11 During further discussion, the Commission was informed that haemoglobinopathy related ailments which also includes sickle cell anemia are also one of the major health problems in the tribal belt of the State. The only way to check this disease is that the two persons suffering from this disease should not marry together, otherwise their offspring also become the carrier of this disease. If two persons suffering from this disease get married, the medical termination of pregnancy is the only way left which has serious social and psychological aspects.

12 The Commission noted that Regional Medical Research Center for Tribals under ICMR was conducting specialized research in the field of tribal health but their knowledge and expertise was not being properly utilized for making policies and programmes for the tribals. To meet this end the TRI Chhattisgarh should always maintain coordination with the RMRC. The Commission suggested that the Government of Chhattisgarh and all other States having sizeable tribal population should utilize all the good work done by the organization.

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National Commission for Scheduled Tribes

Minutes of State level review meeting taken by Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Sch.Tribes, New Delhi with Sr. Officers of Chhattisgarh Government on 24-4-10 at Raipur to review the implementation of Reservation Policy and Development Programmes being run by the State Government for Scheduled Tribes.

Shri Maurice Kujur, Hon'ble Vice-Chairperson, National Commission for Sch.Tribes, New Delhi alongwith Shri Tsering Samphel, Member reviewed the implementation of Reservation Policy and Development Programmes being run by the State Government for Scheduled Tribes with the Senior Officers of Chhattisgarh Government at Raipur on 24-4-10. Shri Aditya Mishra, Jt. Secretary, Shri R.C.Durga, Director and Shri R.K.Dubey, Assistant Director, National Commission for Sch.Tribes also attended the meeting. Chief Secretary, Chhattisgarh and Senior Officers of various Govt. Departments of the State present in the meeting. List of the officers present in the meeting is annexed with the report.

2 In the beginning the Chief Secretary, Government of Chhattisgarh welcomed the Commission and gave a brief account of information related to the State. He informed the Commission that Chhattisgarh has been declared 1st in all the States in implementation of Forest Rights Act. The State is also performing well in MGNREGP. Chhattisgarh has also ensured food security by proper control over public distribution system through which 35 Kg. rice is being provided to the poor families of the State at a nominal cost of Re. 1/- or Rs. 2/- per Kg.

3 Hon'ble Vice Chairperson of the Commission initiated the discussion and opined that Chhattisgarh is a young and promising State with abundant natural resources. There is scope of rapid socio-economic development in the State and the tribal population, which is almost one third of the total population of the State should also get the benefit of natural licensing and the process of development. This can be ensured only through effective planning, proper implementation and vigorous monitoring.

4 Secretary, Tribal Development Department, Govt. of Chhattisgarh made a power point presentation before the Commission depicting various aspects related to development and welfare of Scheduled Tribes in the State. It was followed by detailed point wise discussion. The Commission observed that though there is 31.76% tribal population in the State but the State Government is providing only 18% reservation in Class I and II post and 20% in Class III and IV posts on the other hand. Scheduled Castes which constitutes only 12% of the population are being given 15% reservation in Class I & II post and 16% in Class III & IV posts. 14% reservation is being provided to the OBC's of the State. Chief Secretary, Govt. of Chhattisgarh intervened in the discussion and informed the Commission that a committee had been set up by the State Government under the Chairpersonship of Additional Chief Secretary to consider the issue of

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providing reservation to the Scheduled Tribes in proportion to their population which has submitted its report. A cabinet sub- committee has been constituted to look into various aspects of the issue and submit its report. Thus, the issue was under consideration of the Government. The Commission advised that a final decision in the matter may be taken on priority as low level of reservation to STs was against the Constitutional provision and it was creating unrest among the STs of the State. The State Govts will apprise the Commission about the action taken in due course.

5 The Commission observed that overall literacy in the States is 64.70%. Male literacy in the State is 77.40% where as the female literacy is 51.90%. On the other hand the literacy rate among Scheduled Tribes is only 52.20%. Male literacy rate among Scheduled Tribes of the State is 65% whereas female literacy among them is 39.30 % only. Thus, there is wide gap in the literacy among Scheduled Tribes and non-Scheduled Tribes. The Commission desired that the State Government should take necessary measures to improve the literacy among tribals and specially concentrate on female literacy among them.

6 The year-wise allocation and expenditure of tribal sub-plan out of State plan for the last 5 years was also discussed thoroughly in the meeting. The Commission noted that the State Government is allocating funds from total State plan outlay in TSP over and above the percentage of tribal population (32%) in the State. There was total state plan outlay of 185171.00 lakhs in the year 2002-03 and the flow to tribal sub-plan was Rs. 78220.85 lakhs (42.24%). Though the total state plan outlay and its flow to tribal sub-plan increased in the subsequent years, the percentage of flow to TSP reduced year after year and reached to 34.25% in the year 2006-07. The percentage of TSP expenditure to TSP outlay is lying between 76.24% to 83.37% in the years between 2002-03 and 2006-07. The Commission particularly pointed out that Energy Department (40%), Urban Administration Department (47%), Higher Education Department (30%) and Agriculture Department (54%) of the State are not utilizing the funds properly. The Commission desired that there is a need of improving the performance of these Departments in utilization of the TSP funds, as it is lingering around 80% in last few years and a large amount has remained unutilized.

7 The details of funds allocated to the State as Special Central Assistance for TSP was also discussed in the meeting. The Commission observed that the SCA was almost fully utilized during the years 2002-03 to 2005-06 but in the year 2006-07, the State Government could utilize only 64% of the funds available as SCA. The Commission advised the State Government to ensure full utilization of SCA during each year.

8 Regarding implementation of Forest Rights Act in the State, the Commission was informed that the State Govt. had received 4.86 lakhs applications and after following the prescribed procedure, 2.14 lakh applications were decided in favour of the applicant who have been given 2,04,000 hectares

of land. On an average 2.5 acres of land was provided per claimant. The Commission advised the State Government to furnish district wise information on the rejected applications under the act with reasons of rejection.

9 Regarding implementation of MGNREGP, the Commission was informed that initially 11 districts were covered under the programme and later since 2008-09 all the districts have been covered under the programme. In the year 2009-10 a total of 35,74,000 families were registered out of which 13,78,000 belonged to Scheduled Tribe category. The Commission wanted to know whether there were complaints regarding delay in payment to the workers working in this programme. It was informed that some times the delay occurred due to the reason that the payment has to be released through post offices and banks. The funds available with post offices are not more than Rs. 20,000/- per day. This should be increased so that there is no problem in payment of wages to the workers. It was also informed that wages and payments made to the workers in connection with two different programmes are not being deposited by the post office in the individual account of the worker and they are asked to open different accounts for getting payment under different schemes. The Commission requested the State Government to look into the matter to facilitate timely payment to the workers.

10 The Commission also raised the issue of Census conducted in the year 2001 in which many villages in Jashpur District have been shown with no Scheduled Tribe population where as hundreds of tribals are residing in these villages which also fall in the Scheduled Area of the State. The Commission had received many complaints from the Scheduled Tribe villagers of this district informing that many of them are representatives in local bodies and they have not been shown as a Scheduled Tribe residents of the village in the Census 2001. Director, Census operations, Raipur informed the Commission that as per the report of the Collector Jashpur district, the Scheduled Caste and Scheduled Tribe heading got interchanged by mistake. There was no error whatsoever in the Census record or publications or website. (In the meanwhile the Directorate Census Operations, Raipur has confirmed this position in writing. Quoting from the report received from Collector Jashpur it has been further stated that the error of interchanging SC/ ST heading was committed while making the data entry in district NIC's website and also that when this error was brought to his notice in January/ February-2010 and permission sought for correcting the data headings, the same was given and corrections made and therefore, the question of rectification of Census records/ publications does not arise at this stage. The report further says that for the delimitation of seats for Panchayat elections it was the Census data that was used and not the data in NIC's website.

11 The Commission also mentioned that it had been appraised by many tribal delegates about the situation in Bastar and Dantewada districts of the State where villagers have fled due to naxal problem prevailing there. It was reported that people from about 700 villages have left their place and shifted to adjoining states or camps. The Commission requested the State Government to ensure that this population is also taken care of during the counting process. The Chief

Secretary assured that the State Government will make proper strategy for conducting Census in the region and proper protection shall be arranged for the government machinery working for conducting Census.

12 The employment of tribal youth was also discussed in the meeting. The State Government appraised the Commission about many schemes being run for providing employment or self-employment to the tribals. The Secretary, Tribal Development Deptt. informed the Commission that 175 tribal girls have completed B.Sc Nursing Course in the year 2009-10 and 25 ST girls were given training to work as Air Hostess. Out of them 12 have secured job in Airlines and Hotels. At present 14 ST girls are receiving this training. The Commission advised the State Government to make arrangements for training the tribal youth to meet the challenges of globalization and open market. The Commission also advised the State Government to see that the tribals are provided training in the area, which is being demanded by the market such as banking and insurance sector, hospitality industry, IT and Management etc.

13 The condition of Primitive Tribal Groups in the State was also discussed in the meeting. The Commission was informed that there are five PTGs in the State viz. Abujhmaria, Baiga, Pahari Korba, Birhor and Kamar. The PTG families are given houses on priority basis. These PTGs prefer shifting cultivation and the State Government is trying hard to change their mentality. For this purpose 314 landless families of the PTGs were given 604.05 acres of land during 2009-10. The Vice Chairperson, NCST opined that the PTGs are most vulnerable section of the tribal society and special efforts are required to improve their socio-economic condition. The Commission was informed that the State Government is providing Government employment to the students belonging to the PTGs who pass 12th class. Last year 1106 persons belonging to the PTGs were given government service. The Commission appreciated the steps taken by the Government and advised that the State Government should not become satisfied by providing employment to them in Group C and D post as many of them might have potential of higher learning and the government should nurture them in the area of their interest.

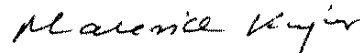
14 The Commission sought to know about the availability of trained teachers in the educational institutions located in the tribal area. The Commission was informed that there is some shortage of teachers in the tribal districts of Jagadapur, Bijapur and Dantewada. Many teachers do not join their posts when they are posted in schools located in interior parts of these districts. However, the Government of Chhattisgarh has appointed about 1.25 lakh teachers in last 3 years to improve the situation. Still a good number of posts of teachers are vacant which shall be filled shortly. The quality of education in tribal areas was also discussed in the meeting. The Commission was informed that D.Ed and B.Ed have been made compulsory for appointment as teachers in the State. Recently many educational institutions have come up with these courses in the State. The Commission suggested for more participation of NGOs in the field of school education in the tribal areas of the State. The concerned departments,

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before providing grants to them, should also monitor the performance of these NGOs. The Commission also suggested that all the information related to the working of these NGOs, the grants provided by the Government to them and the model code of conduct of NGOs should be made on line for transparency.

15 The availability of health services in the tribal areas of the State was also discussed in the meeting. The Commission asked the authorities about the availability of trained and qualified Doctors in the tribal areas. The Secretary, Health Department, informed that there are 9 districts with predominantly tribal population in the State. There are 85 community health centers and 358 primary health centers in the tribal areas of the State. He admitted that only 60% posts of Doctors are filled up and about 40% posts are lying vacant, as Doctors prefer to work in the urban areas and big cities. However, the State Government is now appointing Ayurvedic Doctors also in the PHCs located in tribal areas and now there is at least one Doctor in every PHC. The State Government has also appointed many employees having 3-year training course in Bachelor of Rural Health to tackle the problem of shortage of Doctors. Chhattisgarh Medical Council has recognized this degree and 750 such degree holders have been appointed in the PHCs. The State Government has also reserved 50% seats in the post graduate courses for the Government Doctors having MBBS Degree. The Commission sought to know that the actual patient-bed ratio in the hospitals against the ideal proportion of population to number of beds in the hospitals (800:1). The position was noted to be quite unsatisfactory in the State. The State Government was advised to improve the situation particularly in the hospitals located in and around the tribal areas. Similarly maternity and childcare facilities should also be extended in tribal areas and institutional deliveries should be encouraged. The Commission also advised the State Government to undertake special efforts in ensuring availability of Doctors and para medical staff and medicines in the health institutions in the tribal belt of the State. The State Govt. was also advised to provide special incentives to the Doctors and para medical staff posted in tribal areas.

16 Director, Regional Medical Research Center for tribals, ICMR, Jabalpur, who was specially invited by the Commission to attend the meeting apprised the Commission and Officers of Chhattisgarh Government on the challenges being faced by the tribals in the field of health and hygiene. She informed that India alone contributes 75 percent cases of Malaria in South Asia. In Chhattisgarh, most of the cases of malaria are reported from Bastar, Dantewada, Jashpur and Kanker districts, which are predominantly tribal districts. The Director suggested that more malaria testing kits and mosquito nets for prevention and cure of this disease need to be supplied. The Commission asked the Director, RMRCT, Jabalpur to give necessary feed back to the State Government as RCMRT is the only institution in India, which is working in the field of research on tribal health. The Commission also advised the State Government to take the benefit of research conducted by RMRCT, Jabalpur and formulate the programmes and policies accordingly.


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17 The availability of safe drinking water in the tribal areas of the State was also discussed in the meeting. The Commission sought to know whether safe drinking water could be made available in all the tribal habitations in the State by the year 2012. The Commission was informed that there are 74,000 habitations in the State and drinking water is available in all the villages. However, there are many habitations (majra-tolas) in each of the tribal villages and the tribal hamlets are small in size and they are far away from each other. There should not be any criteria of population in providing drinking water facility in tribal areas under NRDWP. The Commission asked about the quality of water being provided in the tribal areas. It was informed that there are some areas where iron contamination has been reported and the State Government is taking necessary action to tackle this problem. The Commission advised the State Govt. to ensure safe drinking water for all the habitations in the tribal areas of the State as there are reports of speed of water borne diseases in the State.

18 The issue of transfer of land belonging to the Scheduled Tribes in the scheduled area districts of the State in public interest for the purpose of construction of roads, rail lines, mining activities etc. was also discussed in the meeting. The Vice-Chairperson, NCST mentioned that many tribal delegates have met the Commission and complained that the State Government is acquiring their land for establishing privately owned industries without following the procedure specified in PESA Act. On the other hand the provisions of PESA Act should also be adhered to before acquiring the land in the scheduled areas. The Vice-Chairperson further opined that R & R policy of the State should be formulated in such a way that the tribals get their due share in the process. The Commission also mentioned that community rights of the tribals should be ensured in the new R & R Policy of the State and inclusion of provision of long term sharing of property in favour of tribals in the policy can make Chhattisgarh a front line State and model for other states to follow. The private industries coming up in the state should be given limited land which is felt necessary for the establishment of that particular industry and it should be ensured that these private companies do not demand and possess excess land than what is actually required. These companies may divert the excess land in future for different uses. The Commission also stressed for greater corporate social liability in the process of industrialization.

19 The issuance of caste certificates and validity certificates to the Scheduled Tribes in the State also came up for discussion. The Commission appreciated the performance of concerned authorities in verifying a large number of caste certificates and desired that effective check may be imposed in the process of issuance of caste certificates in order to check issuing of bogus/false caste certificates. However, the Commission was concerned on the State of activities going on in Tribal Research & Training Institute, Raipur. The Commission observed that the main focus of the institute has become verification of caste certificates and the mandate related to studies and research on evaluation of development programmes and social economic and cultural aspects of tribal life

were being ignored. The limited man power available with TRI has been deployed in the work related to verification of caste certificates and almost one third post are lying vacant. The Commission advised the State Government to look into the matter and take suitable corrective measures in this regard.

20 The Commission was also concerned about the fact that the posts of Chairperson and Members of Chhattisgarh State Scheduled Tribe Commission were lying vacant for last one year. As the State Commission has been given very important role related to the welfare of Scheduled Tribes in the State, the Commission recommended that these posts should be filled urgently so that the objectives given to the Commission could be suitably fulfilled.

21 At the end, the Chief Secretary, Government of Chhattisgarh thanked the Commission for very innovative discussion and assured the Commission that the State Government will take necessary action in the light of the discussion and decisions taken in the meeting.

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