

**Tour report of the visit of the National Commission for Scheduled Tribes (NCST) to the State of Rajasthan from 08 December to 12 December 2010 to review Development Programmes and Reservation Policy for STs**

1.0 The Commission led by Dr. Rameshwar Oraon, Hon'ble Chairperson, accompanied by Shri Maurice Kujur, Hon'ble Vice-Chairperson, Smt. K. Kamala Kumari and Shri B. L. Meena, Hon'ble Members, Shri Aditya Mishra, Jt Secretary and Shri Vinod Aggarwal, Director visited the State of **Rajasthan from 08 December to 12 December 2010** to review the development programmes and reservation policy for STs in accordance with the programme communicated to the State Govt. vide message Rajasthan/Review/Meeting/Service/2008/507/RU-I dated 01/12/2010.

**2.0 Visit to Rajasthan**

**08 December 2010**

**2.1. Visit to Sajjan Garh Wild Life Century**

A discussion was held with the forest officials. The Commission was informed that a number of schemes were being run for the welfare of the tribals living in the forest villages. A fund has been created under the Joint Forest Management Committee for the welfare of the tribal people. Tribals are being extended help in earning their livelihood and its sustainability. Technical and financial help was also being given for preparing Herbal Gulal from leaves, flowers, bark and other parts of the plants. They are also engaged in preparing dry Ginger, Arhar Dal, Bamboo Furniture and agarbatti etc.

**2.2. Meeting with the Tribal Students**

A group of tribal students led by Shri Man Singh Ninama met the Commission and apprised of their problems as under:

- i) In Udaipur TRI hostel, ST students are not permitted and other general students are staying, whereas hostel was created using the TSP fund,
- ii) Reservation in services in the State Govt. in Group 'C' and 'D' should be as per the percentage of ST in the District and not as per the ST in the State,
- iii) In Mohan Lal Sukharia University, reservation is not being extended to ST candidates, both in admission and recruitment,
- iv) Tribal Commissioner and other officers of the TAD are not available to listen to their problems,
- v) In forest villages in the interior parts of the State, pole and wiring is there, but electricity is not there, and
- vi) Meritorious ST students are not getting Scholarships.

Hon'ble Chairperson asked them to present their problems with specific cases in the form of a memorandum/representation and suggestion for improvement, if any. He assured that the matters concerning the State Govt.

*Rameshwar Oraon*

would be taken up with them and followed up through our Regional Office at Jaipur and matter relating to the Govt. of India would be taken up at appropriate level.

Action : State Govt.

### 09 December, 2010

#### **2.3. Jan Jati Chhatravas, Tidi**

The Commission visited a Jan Jati Chhatravas, Tidi of boys. Tribal boys of class VI to XII studying in the adjacent Govt. school were staying in the hostel. The members of the Commission tasted the food prepared for the tribal students and interacted with the boys to understand their conditions and problems.

The Commission noticed that there was a shortage of teachers in the school, especially for the higher classes. The students also needed specialized programmes for personality development, computer education and other market driven courses.

Shri Magan Meena, Sarpanch, Village Tidi requested the Commission for a girls hostel and a degree college in the area, which will serve surrounding area of about 100 km. He further informed that old school building is available and can be utilised for starting the degree college.

Action : State Govt.

#### **2.4. Visit to Zawar Mines**

Shri A. K. Bhowmik, Head of the Zawar Group of Mines made a presentation of the CSR activities being carried out by the management for the welfare of the nearby locality. Work force engaged in the mines are local residents and about 80% of them are tribals.

- i) Management is helping the BPL agriculture workers for self employment.
- ii) In the health care sector, mother & child is given due importance. Antenatal, postnatal, delivery & immunisation of children are taken care of. Children of age 0-14 are given nutrition supplement.
- iii) Management is helping to improve the quality of earning of farmers.
- iv) A mini dairy is set up to organise the individual operators.
- v) For the employability of the unemployed youth, training is being imparted in the field of Computer education, Hotel management, Personality Development, repairing of electrical appliances and mobile repairing in four districts.
- vi) Self-Help Groups (SHG) of women are formed in 173 villages to make them self dependent.
- vii) 6 high-tech kitchens have been set up in 3 Districts for mid-day meals in the schools.

*Rameshwar Joshi*

It was informed that there is 10-13 % representation of STs in the management of the mines. Generally, land is not acquired for the mining purpose, as most of the mining operation is underground. In case of acquisition of land, the land owner is given double the compensation as per the Govt. norms and 25% of the total land is given as developed land and one person is given employment. The Management informed that all the formalities have been done and an affidavit has also been filed in the Supreme Court, Court orders are awaited to commence operation in the 3 closed mines.

Shri Lalu Ram Meena, Vice President, Hindustan Zinc workers association mentioned that about 28,000 contractor worker, who were engaged against various contracts, were idling since 29.03.2010, consequent to the Supreme Court order, closing 3 out of 4 mines in the area. He mentioned that there was no alternate source of income for these workers.

The Commission was apprised of the local problems as hand pumps were not being repaired regularly and were getting dried frequently. Education facilities beyond 12<sup>th</sup> Standard were also not available in the area, thereby girls education is restricted for want of facilities. The Commission was informed that 6 girls were sponsored for higher education by the Hindustan Zinc Ltd, but girls education is generally restricted to 12<sup>th</sup> Standard.

Action : State Govt.

The Commission explained its power and duties. In case they are not getting any facility as per the provisions, they may approach the Commission.

## **2.5 Visit to Wild Life Century, Jaisamand**

The Commission met the office bearers of the Tribal Fishery Co-operative Society, Veerpur, Jaisamand. Shri Manoj Bhatnagar from the Fishery department was also there. It was informed that 14 fishery societies were registered under the Tribal Fishery Cooperative Society, Virpur, Jaisamand and were working since 1976 till 2005, when the work was allotted to a private firm through open tender at about Rs.30 lakhs. Fishermen informed that they are only getting catching charges of fishes from Rs.3 to Rs.23 depending upon the size of the fishes and are almost starving for the last five years. No contractor is staying for long to seek the long term benefit and therefore, seed stock is also being depleted day by day. Fishermen proposed that the work should be given back to their societies and they were ready to share the profits with the Govt. after deduction of their operating cost.

Action : State Govt.

## **2.6 Joint Forest Management Committee, Kevre Ki Naal**

The Forest officials in association and with the help of the local tribal people controlled the flow of a drain and made available standing water throughout the year, which is essentially required for the trees of 'Kevra'.

*Rameshwar orson*

Forest officials are helping them in preparing herbal gulal, growing aloe-vera and making low cost retention wall under NREGA.

## **2.7 Meeting with District Authority of Udaipur**

The Commission mentioned that field visits and discussion with the officials are undertaken with a view to assess actual status of implementation of safeguards provided for STs. The review with the officials indicate the statistics and the schemes being run by them for the welfare of the STs. The field visits gives the feel of the ground reality of the schemes / programmes being run by the Govt. agencies. Discussion with the district authorities was undertaken sector-wise as under:

### Education

The Commission was informed that there is 100 % enrolment in the School in case of boys in the District, but in case of girls, it is not so. Girls going to school above 9<sup>th</sup> class are given bicycles and those scoring above 65% marks in 10<sup>th</sup> and 12<sup>th</sup> are given scooty as an incentive. The students belonging to SC/ST/OBC/PH category receive a prize amount of Rs 50,000 if they top in 12<sup>th</sup> class, Rs 40,000 in class 10<sup>th</sup> and Rs 25,000 in class VIII.

The District Officials mentioned that hostels were being started in 11 blocks. In two blocks, work is almost over and the hostel will start working w.e.f. July, 2011 and balance 9 blocks, work is going on. The students from weaker section of the society, who could not be provided with the hostel facility are given a financial assistance of Rs 5,000 per year. The officials informed that the process is going on and a number of secondary school teachers will be appointed shortly to makeup their shortage.

The Commission suggested that hostels are very important and necessary for education of tribal students. Only quantity is not important, quality is also required as per the demand. The State Govt. should not be contented with the literacy of the tribals and should strive to see that quality education is imparted to the tribals and importantly, it is employable. The Commission further mentioned that the girls hostel must be located at a safer location, so that parents could send their children to the hostels without any fear or hesitation. In case, project needs to be revised to change the location on the consideration of safety, Govt. should go accordingly. Coaching facility should also be provided in the hostels. The Commission advised that proper and sufficient infrastructure and sufficient and quality teachers were the basic requirement for imparting education among the tribal students. The Commission also stressed that education should not only be bookish, but as per the market requirement having focus on personality development, communication skill, computer knowledge, etc. for their better employability.

Action : State Govt.

### Health

The Commission was informed that there is a shortage of doctors and specialists in the District of about 33% compared to the sanctioned strength. In tribal areas, the availability of doctors is precarious in CHC/PHC/SHC.

*Rameshwar Das* 4

There is no transfer policy for the doctors, as a result generally doctors are not interested to be posted in the remote tribal areas. From 02/10/2010, the local management is given to the Zila Panchayat and as per this, transfer of doctors within the area is effected by the Zila Panchayat. Transfer of doctors within the jurisdiction of Zila Parishad is decided by the Zila Parishad Sthapna Samiti. Within the District, transfers are controlled by District Authority and inter-district by the State Govt. on recommendation of the District Authority. There was a Nursing school in the area having reservation for STs.

It was mentioned by the Govt. officials that during an audit by the Regulatory Body, the Body observed that there were very few cases of institutional delivery and family planning cases from the tribal areas. In tribal areas, tuberculosis is more prevalent and all measures of prevention like awareness, BCG immunisation and nutrition supplement are taken in addition to the curative measures.

The Commission suggested that based on the nursing requirement in the tribal areas, the reservation to STs may be increased in the Nursing School. In case of non-availability of doctors in the remote tribal areas, private doctors could be hired on contract basis as per the provision in the NRHM.

Action : State Govt.

#### Drinking Water Supply

As per the norms, one hand pump is to be provided for every 250 population. Due to provisions under different schemes and funds from different sources, the availability of hand pumps is per 150 population. For maintenance of hand pumps and other equipment, an e-gram software was made available in each village, where complaint could be registered. There is a checklist covering problems relating to 15-20 departments, which can be monitored on-line. For maintenance of hand pumps, local persons of the village are given training for effective and timely upkeep of the pumps. Even women are being trained for maintenance of pumps in some of the villages, which is working very effectively.

#### Housing

For providing housing assistance, a priority list is prepared based on the marks allotted to a family. The households getting less than 13 marks are under BPL and are given priority and targeted first to provide assistance. The system is transparent and the information and the priority list is available in all Panchayats. First instalment is given based on the priority list and second instalment is given based on the utilisation certificate of the first instalment.

The Commission desired that TSP expenditure in this area for the last 3 years may be provided.

Action : State Govt.

#### Others

The Commission asked for the reasons of almost nil achievement against targets of the **NSTFDC**. The officials mentioned that schemes of

*Nameshwar Oraon*<sub>5</sub>

NSTFDC require guarantee of a Govt. servant and in tribal areas, Govt. servants are not easily available. However, they assured to ascertain the reasons from the NSTFDC and inform the same to the Commission.

Action : State Govt.

The State officials informed that 5500 pattas have been issued to the STs and other forest dwellers under the **Forest Right Act**. The majority of few cases, in which applications rejected are the one where father and son both had claimed pattas against the same land.

Action : State Govt.

The Commission asked if any study had been conducted to ensure that provision of minimum 100 days work under **NREGA** was sufficient for tribals in the area or not. Govt. should also sent proposals for the projects, if the scope is required to be revised, which are sustainable and income generating under the NREGA.

Action : State Govt.

It was informed by the District Administration that a number of NGOs to the tune of approximately 800 were operating in the area, but only approximately 10 of them were in contact with the District Administration. This is resulting in sometimes duplication of initiatives taken by NGO as well as by the District Administration. The District Officials requested that the accounting of work of all NGOs to the district administration should be made mandatory.

Action : State Govt.

The Commission was informed that financial assistance was being provided to the victims of the atrocity cases and TA with DA equivalent to the minimum wages was provided to the witness.

### 10 December, 2010

#### **2.7 Visit to Prashan Gaon ke Sang, 2010, Malwa ka chaura, Kotra**

The Govt. of Rajasthan has started a scheme called "Prashashan Gaon Ke Sang" under which all the departments of a Block camp at one of the Gram Panchayat in rotation and cover all the gram Panchayats under the block/sub-division. The Commission visited such a camp at Malwa ka Chaura under Kotra sub-division. The residents of the village mostly belong to Garasia tribe. The literacy level of the village is the lowest in the sub-division(11% for female and 24% for male)

Under this scheme, 18 departments of the block were camping and the grievances of the villages were being attended to at the site including sanction of the pension through on-line system, medical facilities, issue of caste certificates, issue of residency certificate etc. During the interaction, villagers explained the following problems and requested the Commission to help to sort out the same:-

*Namishu au oran 6*

- I) Teachers are not available in the schools
- II) Residential schools are required in the area as the tribals are living in the distant villages.
- III) Villagers demanded a separate for girls for their education.
- IV) Villagers expressed that 50% of the residents are BPL and medical facilities were not upto the mark. Doctors are not available and ambulance is also not there. The ambulance available at Gokunda is about 30 Km away and the nearest CHC is 32 Km away. They demanded that the PHC available in the area which covers five Panchayats should be upgraded to CHC and an ambulance facility should be made available to them either by placing one additional ambulance for their area or by increasing the coverage area of the existing ambulance at Gokunda.

Action : State Govt.

Sh.Jiva Ram, Member, Adivasi Kalyan Sangthan mentioned that the persons occupying the forest land before 13.12.2005 are also not being given "Pattas" for the reason that copy of GPS is not available. The copy of GPS is available but it is not being put up in the file. The Forest Department and the SDM both are putting responsibility on each other. In all, 900 applications of claiming "Pattas" under the Forest Rights Act were received in the camp and 109 were only rejected for the reason that the applicants were not having any holdings in the forest area and documents were also not available in the Forest Department. However, 49 applicants have appealed out of 109 rejected cases, which will be again examined.

There were some workers from NGOs, who, in addition to the persons from district administration were helping the villagers as a guide for filling up application forms and other formalities required by the different departments to settle their grievances.

## **2.8 JFMC, Paavti Kala and Malbia, Merpur**

The Commission met the Forest Officers and local villagers to assess effectiveness of the working of the JFMC. The Forest officials informed the Commission that in a joint effort with the help of local villagers they have established a Fund and a good amount has accrued from the income generating activities by the villagers which is being used for the welfare of the local residents. Earlier villagers used to mention that the forests are of Forest Departments and now they used to say that forests belong to them and the officials of the Forest Department are helping them to maintain these forests. Income generating activities like bamboo work, production of saunth, growing aloe vera etc are being carried out by the villagers.

The Forest officials explained that the involvement of villagers in the income generating activities, not only gives them a source of livelihood but also acts as a forest security. The forest officials mentioned that villagers have received the prestigious Priyadarshini Indira Gandhi Viriksh Mitra Award for the year 2007, 2008 and 2009.

Rameshwar Oraon

Under minor forest produce (MFP), villagers are collecting Sitaphal, Bamboo and Sarau grass. The 50% of the income by selling the MFP goes to the villagers and balance 50% to the welfare fund. The forest officers further informed that Herbal Garden had been developed with the help of villagers and the income from it will be utilised for the development of villagers.

Sh. Kalu Ram Garasia, Gram Pradhan and Ms. Kodi Kumari, mentioned that they are mostly BPL families in the village who were getting grains and kerosene on alternate months and sugar only on festivals. The tribal students are not getting scholarships. The villagers mentioned that though their bright students were getting Scooty as per the State Govt. Policy but they do not have the money for petrol to run the Scooty. The Commission was informed that there are 13 villages covered under the JFMC and there are 6 Anganwadi centres. They demanded that some Maa-Badi centres should be opened in the area to take care of the young children of the working women.

Action : State Govt.

## **2.9 Visit to Panchayat Samiti, Kotra Sub-Division**

An open review meeting was held by the Commission in the Panchayat Samiti Hall to understand the actual position of the development programme being run by the State Govt. / District Administration.

A SWACH project was being run by the District Authorities for controlling the Tuberculosis and Maa - Badi project to take care of the Children upto 2<sup>nd</sup> standard. Earlier SWACH had taken up the Naru (Ginni Worm) eradication programme from 1986-95, after that TB control programme was taken up. At present, 900 patients are being treated in Kotra Sub-Div. and 2000 in Udaipur District. The Commission was informed that 150 Maa-Badi centres are being run at present and 32 children at each centre. In all, 1500 ST children are being educated in these centres.

A SWACH volunteer was enquired about the working of the project, who informed that Sattu at the rate of 3 Kg/month is given to a TB patient for 3 months in addition to DOTs. A primary health worker is paid Rs 750 p.m. and their bags contain primary medicines including for seasonal diseases. Their responsibility is to take the patient to the nearest PHC after primary treatment.

Maa-Badi centres were set up where the Primary Schools were more than 2 Km. Each centre is given an amount of Rs 1.75 Lakh per year. Two women, preferably whose children are in the centre are appointed for taking care of the children and paid an amount of Rs 750/pm.

The Commission was informed that there are 262 villages in the Kotra Sub-div, but only in 50 villages SWACH project is working. More than 50% of the Teachers posts are lying vacant. Shri Ladu Ram Pariyas, Sarpanch of a village informed that in some of the Schools, where there was no teacher and student, mid-day meal was being consumed. It was further intimated that even

*Nameshwar Chaudhary*

BPL families were not given electric connection under Rajiv Gandhi Vidyutikaran Yojana. Sarpanch, Kotra demanded that Maa-Badi centre should be opened and Ambulance facility should be there in the village. He Commission asked the State Gov. officials to look into these problems.

Action : State Govt.

## **2.10 Visit to Ambaji, District Banaskantha, Gujarat**

The Commission held a meeting with the District officials to review the welfare activities for the STs. The Commission was informed that there were 2 blocks/talukas namely Danta and Amirgarh which were predominantly inhabited by STs. The Commission was informed that witnesses of atrocity cases are provided Govt. vehicle and their lodging and boarding is also arranged in the Circuit House.

The District officials informed that the literacy level of ST females was very low (22%) as compared to the ST male (47%). Teachers are being motivated to further motivate tribals for education. Teachers are appointed from the same area and school timings are made flexible as per the local convenience. Incentive schemes are being run for education of up to 2 children and scholarship for meritorious ST students. 150 tribal students were taken from rural area to urban area for their development.

The District officials also informed the Commission that:

- (i) There were 1 CHC and 6 PHCs in Danta taluka and 1 CHC and 4 PHCs in the Amirgarh taluka.
- (ii) A mobile medical van goes round every day to cover the uncovered areas sponsored by the Ambaji Trust.
- (iii) A hospital and a Nursing training school was likely to start within the next 3 months by the Ambaji Trust.
- (iv) Drinking water supply is there in 149 villages out of 200 villages and in balance villages hand pumps are there.
- (v) All the households of the district will be electrified by march, 2011.
- (vi) Payment under the MNREGA scheme was being done through Post Office.
- (vii) Difficulty was reported in drawing money from the Post Office in some cases.
- (viii) Provision of minimum 100 days employment under MNREGA should be increased to stop distress migration.
- (ix) One village is allocated to every IAS/PCS and IPS/SPS officers to look after its overall development in addition to normal official responsibility.

Action : State Govt.

**11 December, 2010**

## **2.11 Visit to District Sirohi, Rajasthan**

*Rameshwar arora*

A review meeting was held with the District officials, in which the Commission was informed that:

- (i) ST population of the district is approx. 22%. Gameti village was the most backward in literacy.
- (ii) There was a shortage of Education infrastructure in the district in terms of ST hostels, Educational institutions beyond secondary level, shortage of teachers, etc.
- (iii) Marriage at the young age is the main reason of low literacy rate.
- (iv) 40% of the land was being used for irrigation. STs are mostly landless and therefore, not able to utilise the irrigation facilities. Landless STs are being provided land wherever Govt. land is there.
- (v) JFMCs are not successful in the area, there were 3 cement factories in the area and people prefer to go to the factories for work.
- (vi) Permanent wall for enclosure of forest area are being constructed under MNREGA. Provision of min 100 days employment is sufficient in plain areas, but requires to be increased in case of hilly areas.
- (vii) As per the Rajasthan Tenancy Act (Section 42), the land holdings of persons belonging to SCs and STs cannot be sold out to the non SC/ST persons and even ST land cannot be sold out to SCs person or vice-versa also. But in accordance with the Rajasthan Revenue Act (Section 90B), if the agriculture land belonging to a ST person is converted to non- agriculture purposes, it becomes an open Govt. land and could be sold out to anybody like any other land. The Commission desired that the State Govt. should look into the matter urgently to avoid alienation of land belonging to tribals.
- (viii) There are 2 PHC in the Abu Road, the ANMs are not staying in the SHCs. The State Govt. has relaxed eligibility from 8<sup>th</sup> standard to 5<sup>th</sup> standard.
- (ix) Though special doctor facility was being provided in the tribal areas with the help of NGOs and Mobile medical van with free medicines and laboratory technician is visiting and medical camps were also being organised, more PHC and SHC are required in the remote tribal areas. Moreover, doctors should be from that area.
- (x) For drinking water supply, hand pumps are there. In some areas, fluoride content is there in the water. Due to the ignorance and wrong beliefs tribals used to damage the de-fluoride machines.
- (xi) 2345 household are left out for electrification. Due to difficult terrain and scattered houses, in few places it was not feasible to electrify. In those areas, 'Kissan Lantern' a battery operated and manual charging lantern are being provided by the administration free of cost.
- (xii) FR cases of atrocity are being reviewed at higher level on regular basis.

The Commission suggested that:

*Rameshwar Oraon*

- (i) Every Group 'A' officer should adopt one village for its overall development.
- (ii) There should be convergence of all the scheme and the desk of all the departments should be there at the Panchayat level.
- (iii) As the specialist doctors are not available in the resources available at the State Govt. level, proposal should be forwarded to the Ministry of Health & Family Welfare (NRHM) as per the market trend for approval.
- (iv) Awareness / Education of the tribals to use the water through de-floride machine.

Action : State Govt.

## **2.12 Visit to Siyawa Panchayat Samiti and 'Suvidha' NGO**

The Commission visited the Siyawa Panchayat Samiti which is a ST dominated area, where blankets, 'Kissan Lantern' a battery operated lantern and tricycles were being distributed to the needy people by the district administration.

The Commission also visited a SHG of women being run under the guidance of Suvidha NGO. 65 women were working in that SHG and were making folk statues from clay and decorating them. Each woman used get around Rs 1500 – 4500 per month, based on the experience.

The Commission also visited a camp " Prashasan Gaon Ke Sang" at Moras under Panchayat Gharat in Pindwara Panchayat samiti/Tehsil.

### **12 December, 2010**

## **2.13 Meeting with Pr. Secretary / Home, DGP, Secretary / TAD, Commissioner / SJ&E.**

Following points were discussed during the meeting:

- 1 The Commission noted that there was delay in filing the challan in some cases within the stipulated period of 90 days. The State Govt. was advised to ensure that Final Report/Challan should be filed within 90 days as per the provisions in the SCs and STs PoA, Rules, 1995. The Commission also desired that the quality of investigation should also be assured to ensure effective implementation of the Act and suggested that a standard format for conduct of inquiry/investigation may be finalized in consultation with the BPR&D, if required, to ensure uniformity and inclusion of essential areas/ information in the report.

Action : State Govt.

- 2 The Commission desired that the cases, where abnormal delay in filing of challan/ final report has been noticed, a delay analysis should be carried out to identify the deficient areas and take remedial/ corrective

*Namishwar orson*

measures.

Action : State Govt.

- 3 Few cases pertaining to the year 2007 and 2008 are still pending for investigation in the State (2 and 7 respectively). The Commission desired that these cases should be processed on priority for their logical conclusion.

Action : State Govt.

- 4 The Commission noted that the cases, which were received in the Commission during the year 2008-09 and 2009-10 and forwarded to the DGP for having their status updated, had not been made available to the Commission within the stipulated time-frame. The DGP, Govt. of Rajasthan assured that these cases would be updated in the prescribed format and furnished to the Commission within a fortnight.

Action : State Govt.

- 5 At present, 3% of the FR cases are being reviewed at the IG level. The Commission suggested that all cases pertaining to STs, in which FR have been filed, may be reviewed by the IG (HR).

Action : State Govt.

- 6 The cases in which complaint is against the police officials, investigation is being conducted by the Range Officer and in exceptional cases, investigation is being conducted by the Addl. DGP (Vigilance), PHQ.

Action : State Govt.

- 7 The Commission observed that meetings of the Vigilance & Monitoring Committee at the District level are not being held regularly. Further, so far only one meeting of the State level Vigilance & Monitoring Committee was held. The Commission desired that these meetings should be held periodically in accordance with the provisions of the SCs and STs PoA, Rules, 1995.

Action : State Govt.

- 8 The Commission noted with concern that the State Govt has not implemented the following provisions of the PoA Act:

(a) Periodic surveys of the working of the provisions of the Act with a view to suggest measures for better implementation of the provisions of the Act. (Section 21[(2)(VI)] of the POA, Act, 1989)

(b) Appointment of Nodal officer to co-ordinate the implementation of POA, Act and submission of report on quarterly basis. ( as per provisions of Rule 9 of SCs & STs (PoA) Rules, 1995)

(Though the Nodal officer was appointed State Govt. order dated

*Rameshwar Oraon*

03.07.2002, no report has been submitted by him so far)

- (c) Identification of atrocity prone ST areas and adoption of remedial measures. Section 21[(2)(VII)] of the POA, Act, 1989)
- (d) Preparation of a model Contingency Plan for implementing the provisions of the POA, Act and its notification in the State Gazette specifying the role & responsibility of various departments and their officers. ( Rule 15 of SCs & STs (PoA) Rules, 1995)

The Commission desired that the State Govt. should take immediate action to implement the above provisions of the POA Act.

Action : State Govt.

- 9 Awareness of the provisions of the POA, Act should be made public in the local language for their better understanding.

Action : State Govt.

- 10 Regarding the social security of the migrant STs, it was informed by the State Govt. that the atrocity on STs will attract the POA, Act, irrespective of his/her origin. The Commission desired that the State Govt. should put up this position on their web-site for awareness of the public and concerned authorities.

Action : State Govt.

- 11 The Commission noted that the Caste Certificate Scrutiny Committee was not functioning in the State. The State Govt. informed that a proposal to constitute a Caste Certificate Scrutiny Committee was being submitted to the Cabinet within a week. The Commission desired an urgent action by the State Govt. in the matter.

Action : State Govt.

- 12 The Commission expressed its concern on the news article titled ' Mujhe Rs 60,000 mein bech diya' in the Hindi daily 'Rajasthan Patrika' of 09.12.2010. The Article states that a tribal girl was sold two times for Rs. 60,000 in the name of marriage. The DGP, Rajasthan assured to get the matter investigated and send a report to the Commission within a month.

Action : State Govt.

#### **2.14 Meeting with the Hon'ble Minister of State, Tribal Area Development, Chief Secretary and other senior officers of the Govt. of Rajasthan.**

The following issues were discussed during the meeting:

*Rameshwar Oraon*

## Education

- 1 The percentage literacy among STs (44.70%) is considerably lower by 15.70% compared to the overall literacy of 60.40%. The female literacy among STs is only 26.16 %, which is lower by 35.94% compared to the literacy of male (62.10%). The State Govt, therefore need to draw a concrete action plan to improve the level of literacy among STs, particularly among females.

The State Govt. should also formulate plan for implementation of the 'Right of Children and Compulsory Education Act, 2009' and indicate the status of implementation of the Act.

Action : State Govt.

- 2 The Commission observed that inadequacy of necessary infrastructure is a major concern. Further, there is a need to impart quality education with a view to improve employability of the tribals. The educational curriculum should be designed to take care of the emerging requirements with focus on personality development, communication skill, computer skill, etc. and job oriented training.

Action : State Govt.

- 3 Shortage of girls hostel and girls college in the tribal areas resulting in lower level of education among tribal girls. e.g. Tidi, Kotra.

- 4 The State Govt. intimated that appointment and transfer of teachers is decentralised to the Zila Parishad.

- 5 To curb the shortage of teachers in the State, process to appoint 23000 Gr-III and 9000 Gr-II teachers had been started. 9000 Gr-II teachers are likely to be positioned by March, 2011.

Action : State Govt.

- 6 From this year onwards, gradually in all the classes, the NCERT syllabus will be introduced for wider acceptability of the students.

## Health

- 7 About 50% posts of Doctors are lying vacant specially in remote tribal areas. Specialists are also not available in the CHC as per the requirement. The Commission desired that the reported vacancies of doctors should be filled up on priority.

Action : State Govt.

- 8 The problem of availability of safe drinking water exists in some of the tribal habitations, mainly due to their scattered locations.. About 7,000 ST dominated habitations are yet to be covered.

The Commission desired that the State Govt. need to indicate their plan to meet the target set by the Planning Commission to provide safe

*Rameshwar Oraon*

drinking water to all habitations by 2012, as well as the system to ensure continued supply of drinking water to the ST habitations, to the Commission.

Action : State Govt.

- 9 The cases of Tuberculosis are very much alarming in the village of Kotra Sub-Division, though 'Swacch' NGO has been reported to be actively working in the area to control and eradicate TB. The Commission desired that the State Govt. should take effective measures to eradicate the disease. The villagers demanded more ambulances to take care of the local needs, which should be looked into.

Action : State Govt.

- 10 To overcome the problem of non-availability of doctors especially in the remote tribal areas, the Commission suggested that a separate cadre for tribal area can be considered.

Action : State Govt.

### **MGNREGA**

- 11 The Commission advised the State Govt to conduct a study on sample basis to identify whether the provision of minimum 100 days work under the MGNAREGA is sufficient for the tribal people considering the fact that they do not have any alternative source of livelihood during the remaining period or the stipulated provision of minimum 100 days needs to be enhanced to meet to meet their requirements. The Commission also advised the State Govt. that an exercise be taken up to measure effectiveness of MNREGA in relation to its outlined objectives. The Commission also desired that the action taken by the State Govt. on the reports of the National Monitors and the CAG on implementation of MNREGA be communicated to the Commission within a month.

Action : State Govt.

- 12 The villagers of Kotra Tehsil/sub-division are not getting regular supplies under PDS. The State Govt. need to investigate the matter urgently to ensure proper distribution of supplies under PDS.

Action : State Govt.

### **Rural Electrification**

- 13 In some of the remote tribal villages in the Udaipur District, poles and wires have been erected under the Rajiv Gandhi Rural Electrification Scheme but wires are not charged till date. The State Govt. need to look into the matter urgently.

Action : State Govt.

- 14 In Mount Abu, the Commission noticed that the District Administration has identified the households, which are without electricity and because

*Nameshwar orabhi*

of the hilly terrain and remote locations, it is also not feasible immediately or in near future to provide electricity in such areas. As an interim solution to the problem, the Distt. Administration has started distribution of "Kisan Lantern" which is a battery operated equipment and can be charged through electricity or manual movement. The Commission observed that similar initiatives may also be taken in other remotely located tribal areas.

Action : State Govt.

### **Forest rights of tribals**

- 15 As per the available information, 60,353 number of claims were filed at Gram Sabha level up to Oct, 2010. Out of these, only 30,083 claims were approved by DLC for title. The Commission desired that the State Govt. need to examine reasons for such a large number of rejection of claims and establish a system to review the rejected applications in a time-bound manner.

Action : State Govt.

### **TSP**

- 16 As regards TSP, the Commission noted that the expenditure against the State Plan Outlays has been considerably lower than the approved TSP. Similarly, shortfall exists in respect of Central Assistance for Central Sector and Centrally Sponsored Schemes and Special Central Assistance for Tribal Sub-Plan. The Commission desired that the State Govt. should ensure full utilization of funds under the TSP. The State Govt. was also advised to submit TSP documents for 2010-11 to the Commission within a fortnight.

Action : State Govt.

- 17 During the discussion with the Chief Secretary and other senior officials, the Commission was informed that from 2011-12 onwards, 12.56% of the allocated funds in respect of all Departments would be kept under TSP under a separate head and these would be utilized only with the concurrence of the TAD Department.

### **Reservation in posts**

- 18 A large number of unfilled ST vacancies (4,276, out of Total 5,12,751 in position) are existing in various Deptts., against the provision of 12 % reservation to STs in service, both in case of direct recruitment and promotion. The Deptts. having large number of unfilled ST vacancies are: Director, Technical Education: 143, Director, Agriculture Marketing: 201, Director, Agriculture: 292, Director, Cash & Accounts: 439, Director, Secondary Ed. Bikaner: 1010, Distt. Collector, Bharatpur: 90, Personnel (B-1): 114, Chief Engineer, P.H.S Jaipur: 32.

State Govt. need to take immediate action to fill up the ST vacancies in

*Rameshwar Oraon*  
16

a time bound manner.

Action : State Govt.

19 Tribal students are demanding that the tribal population in Udaipur District is around 45% and therefore, in District level posts (Class III and IV), 45% reservation should be given and not merely 12%.

20 The Chairperson, NCST mentioned that tribal youths are generally at home in sports and they should be encouraged and supported, so that they could get benefit in employment.

Action : State Govt.

21 The Commission appreciated the drive undertaken taken by the State Govt., called "Prashasan Gaon Ke Sang" under which all Departments at the Block Level are available at one place in each Panchayat to take care of the problems of the local people on the spot.

Action : State Govt.

22 The Commission recommended that as the Udaipur is a ST majority district and is surrounded by tribal areas, there should be an independent Commissioner for TAD for the region to take care of the regional requirements.

Action : State Govt.

*Rameshwar Oraon*