



सत्यमेव जयते

Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Loknaya Bhawan
Khan market, New Delhi-110 003.

File No. Review/Service/Tripura/2015/RU-II

Dated: 19/10/2015

To

The Chief Secretary Government of Tripura,
New Secretariat Complex,
P.O. Secretariat-799010,
Agartala, West Tripura,
Tripura.

Sub: Tour Report of the visit of Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST, New Delhi to the State of Tripura from 20/05/2015 to 24/05/2015.

Sir,

I am directed to enclose herewith a copy of Tour Report of the Visit of the Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST, New Delhi to the State of Tripura from 20/05/2015 to 24/05/2015. It is requested that action taken report on the action points mentioned in the Report may please be furnished to the Commission within one month.

Yours faithfully,

(Pramod Chand)
Deputy Secretary

Encl: as above.

Copy for information and necessary action to the:-

1. The Director General of Police, Government of Tripura, Police Hqrs, Agartala-799001.
2. The District Magistrate & Collector, Dhalai District, Tripura-799289.
3. The Secretary, Tribal Welfare Department, Government of Tripura, Capital Complex, New Secretariat Building, Block No-4, 2nd Floor, Room No-205, Agartala, West Tripura -799006.
4. The Secretary, Ministry of Human Resource and Development, Shastri Bhawan, 'C' Wing, Dr. Rajendra Prasad, New Delhi-110001.
5. SSA, NIC (NCST), for the uploading on the Commission's website.

(Pramod Chand)
Deputy Secretary



National Commission for Scheduled Tribes

Tour Report of the National Commission for Scheduled Tribes (NCST) to State of Tripura from 20.5.2015 to 24.5.2015 to review the implementation of development programmes, reservation policy and SCs and STs (PoA) Act, 1989 in respect of STs.

1.0 The Commission led by Dr. Rameshwar Oraon, Hon'ble Chairperson, accompanied by Shri Ravi Thakur, Hon'ble Vice-Chairperson, Smt. K.D. Bhansor, Director, Shri Rajesh Kumar, Under Secretary, NCST and Shri R.K.Dubey, Assistant Director, NCST, Regional office, Bhopal visited State of Tripura from 20.5.2015 to 24.5.2015 for district and State level review meetings and field visits to monitor the status of development programmes, implementation of reservation policy and SC & ST (PoA) Act, 1989 in respect of Scheduled tribes of State in accordance with programme communicated to the State Govt. vide Wireless message No. REVIEW/SERVICE/TRIPURA/2015/RU-II Dated 28.4.2015.

20.5.2015

2.0 Formal welcome and briefing the Commission about various aspects of tribal development by Director, Tribal Development Department, Govt. of Tripura.

The Commission reached Agartala Airport where it was welcomed by the Secretary and Director, Tribal Development Department and other officers of the State Government. Commission was shortly briefed about the administrative set up, developmental initiatives of the State Government and tribal culture of the State. Thereafter, the Commission proceeded for Ambassa, the district headquarters of Dhalai District by road and reached Ambassa Circuit house at 14:00 hrs. in the afternoon where District Collector, Dhalai and other senior officers of district Administration welcomed the Commission. Representatives of many tribal Associations and other social groups also welcomed the Commission. Thereafter, the District Collector, Dhalai briefed the Commission about the general information related to the district. It was followed by meeting with tribal representatives.

2.1 Meeting with Representatives of Orang (ST) community:

A delegation of Orang (ST) community hailing from Bilaschhora Gram Panchayat under Durga Choumani RD Block met the Commission who are Tea Garden workers and had migrated from Jharkhand many decades ago. They were working in Nirula Tea Company, Ram Durlabhpur. The Commission inquired about their income, level of education, health facilities, PDS and availability of other facilities and services. It was informed that the level of education among this community is much below than other communities and the community is mainly indulged as labour in Tea Gardens. For health care, they have to go to Kamalpur PHC which is 6 Kms away. Only few medicines are provided from the PHC and they have to purchase rest of the medicines from open market. The children do not have to pay fee in the schools up to class 8th and are provided free

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books. They have been provided Forest Right Pattas to the extent of 4.7 acres. Under MGNREGS, they are provided work up to 150 days in a year being FRA beneficiary. Others are provided work up to 100 days in a year. They are provided wages @ Rs 71 /- per day and 5 kg rice and 8 kg flour per person per month. Besides above cash subsidy of Rs 35 /- per month is given by State Government for Pulses, Salt etc. This rate of wages and ration is as per agreement of Workers Union with the Company Management. They informed that they had planted 3,000 Tea plants in a part of their land with Government assistance and Tea leaves are sold @ Rs 15 /- per Kg. The total production of tea leaves was about 20 Kg. The delegation demanded for more assistance from the State Government so that more area can be brought under Tea Plantation to enhance their income. They also demanded that wages may be paid to them as per Minimum Wages Act as the present rates are much low and they are being exploited by the company.

(Action: District Administration, Dhalai and Govt. of Tripura)

2.2 Cultural evening hosted by District Administration

In the evening, the District Administration, Dhalai organized a cultural programme in honour of the Commission where many tribal dances were presented by the dance groups.

21.5.2015

3.0 Field visits

3.1 Visit to Kumardhan Para under Balaram Village Committee: The Commission visited this village and interacted with the tribal villagers, Gram Panchayat representatives and Local Officers to get first hand information on the implementation of various developmental programmes. During the discussion from villagers, Commission was informed that medium of education in the schools is Bangla and English. The tribal boys and girls are attending nearby schools. Under PDS, BPL families are being provided 35 Kg rice @ Rs 2 /- per Kg. and the APL families are being provided 20 Kg. rice @ Rs 10.35 /- per Kg. per month. Wheat flour is supplied 10 Kg. per month @ Rs 10 /- per Kg. to BPL and APL families both. Sugar is also provided under the PDS. Forest Right Pattas have been distributed to the villagers to the size of 2 to 3 acres of land. The villagers were producing rice and pineapple on their land. Many villagers were assisted by the Horticulture Department and provided pineapple plants. It was informed that the villagers were doing Jhum (shifting) cultivation after clearing large pieces of forest land. After a few years, they used to shift to other plot of land due to reducing production. Thus, traditionally they were in possession of much more land but the pattas provided to them under FRA were very small and not sufficient for earning their livelihood. Following demands were made by the villagers during the visit of the Commission:

1. Under FRA, land pattas up to 10 acres of land can be provided to the eligible tribals and other forest dwellers. The villagers were in possession of very large plots of

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- land under Jhum cultivation but on an average, they have been provided rights on only 2 to 3 acres of land. They should be provided 10 acres of land as per provisions of the Act.
2. More Government Assistance should be provided to them for plantation of pineapple and rubber trees by Horticulture Department and a processing unit should be established in the area with marketing facility.
 3. The FRA beneficiaries should also be provided Indira Awas under IAY.
 4. As there is a ceiling imposed by the State Government on number of BPL families, all BPL card holders could not be provided benefit of IAY. Those, who could not be included in the BPL list due to above ceiling, were listed in a d-hoc BPL category. They should also be provided benefit of IAY.
 5. The villagers have to go to Balram village for medical facilities which is 8 kms away. A health sub-center should be opened in Kumardhan Para. A mobile health van comes to the village once in a month and the frequency of visit of this van should be increased.
 6. Malaria is prevailing in the village. Though, one mosquito net has been provided to every family, it is not sufficient. More such nets should be provided.
 7. Tap water should be supplied in the village. Presently, the villagers use water of the nearby rivulet which becomes muddy during the rains.
 8. Toilets have been constructed in the school of the village but the pump for water supply is not working from the date of installation. No alternate arrangement of water supply has been made as a result of which it is not being used. Arrangement of running water should be made urgently.
 9. The villagers have formed a cultural group for tribal dances including famous Garia Dance. Musical instruments, dresses, ornaments and financial assistance may be provided to the group.
 10. Job cards have been issued to the tribals under MGNREGA and they are being provided employment under this scheme. There is a requirement of construction of road to connect the hamlets of some Tripuri community residing apart from the main village.
 11. Hostel is not provided to the students after class 10th. Hence, the students have to take accommodation on rent for which no additional stipend is provided to students after class 10th by the State. It was clarified by the Director, Tribal Welfare Department of the State Government that if the five students studying in class 11th and above stay together, the place of residence will be treated as hostel and they will be eligible for stipend. The Commission noted that this is not a practical direction and it is very difficult to implement it. This scheme should be re-examined and made practical in favour of tribal students. Till then the State Government should create awareness among tribal students about this provision so that they can avail benefit.
 12. Inner line permit system should be imposed in Tripura alike other tribal areas of north-eastern States coming under Vith Schedule of Constitution of India for protection of tribal community of the State.

(Action: District Administration, Dhalai, Govt. of Tripura and GoI)

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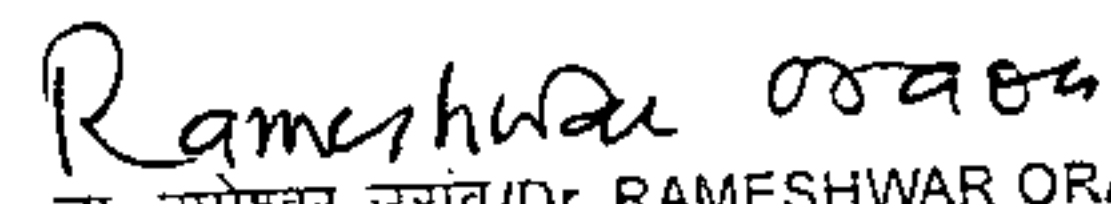
3.2 Visit to East Kathal Chhera village under Manu RD block: The Commission visited the site of Pineapple plantation in the village and discussed with the tribal beneficiaries about the facilities being provided to them by the State Government. It was informed that the villagers have planted Jackfruit and Litchi Trees also besides Pineapple plantation in a part of their land. They are cultivating Paddy on the land acquired for Jhum cultivation. On query, it was informed that the villagers are getting Rs 10/- to 20/- per Pineapple depending on the size. They demanded for more assistance in Pineapple plantation by the State Government along with marketing facility as NERAMEC is not Procuring their Pineapple and other products. There is a scope of establishing a food processing unit in the area. The Commission also discussed with the villagers about the working of village committee, medical facilities, poultry farming, dairy farming, drinking water, power supply, PDS and educational facilities. The villagers informed that 47 families of the village have been given Forest Right Patta to the extent of 2 to 2.5 acres of land. About 12 families have submitted their claim but they have not been benefited till date. The Commission advised the DC to settle these pending claims also at the earliest.

(Action: District Administration, Dhalai)

3.3 Visit to Karati Chhera village under Manu RD block: The Commission was informed that most of the villagers of this village belong to Riang PVTG. There are 160 families of this community with a population of 719 persons. Some Garo families also reside in the village. It was informed that the Riangs were doing Jhum cultivation and were landless. Out of 160 families, 60 families have been given Forest Right Patta and remaining 100 families are yet to get Forest Right Pattas. During discussion with the Commission, villagers demanded that Forest Right Pattas should be provided to them and they should also be provided benefit under IAY. The Commission was informed that the villagers were getting employment of 93 days on an average.

(Action: District Administration, Dhalai)

3.4 Discussion with the tribal beneficiaries of IGDC project, S.K. Para: The Commission met tribal beneficiaries of Indo- German Development Collaboration project, S.K. Para where a nursery has been established in the nursery, lemon plants are grown up with Betel wines, Black pepper and ladyfinger plants. In this project, material costs have been provided by the project team and the beneficiaries have put their labour. The beneficiaries have taken land for lemon plantation on a lease of 10 years from the landlord who is paid Rs 5,000 /- Per year by the beneficiaries. Some lemon is purchased by the project on buy back basis and remaining produce is sold in the markets of Agartala and Silchar. The beneficiaries informed that their income has increased after joining this project.


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22.5.2015

4.0 Meetings with tribal representatives: The Commission met following delegations/individuals of tribal community in the morning:

4.1 Shefali Dal Self-help Group, Uttarnali Chhera GP under Ambassa RD block: Chairperson, Secretary and other members of Shefali Dal SHG met the Commission and discussed about activities of their group. The Commission was informed that with the inspiration and motivation of DRDA on 25-05-2009 with a group of 10 women, all from Tripuri ST Community. This SHG was financially assisted by Tripura Gramin Bank. It was informed that the group was started with monthly saving of Rs. 100 /- per member and a loan of Rs. 15,000 /- was provided by above bank. A revolving fund of Rs. 10,000 /- was kept for day-to-day requirements. The main activities of this group are Sericulture, Fishery and Beekeeping. With the efforts of the members, now this group has been graded as no. 1. A bank has given loan of Rs. 3,20,000 /- to this group for extension of its activities wherein there is a subsidy of Rs. 80,000 /- . The repayment of loan is also satisfactory and so far 80% of the loan has been recovered. The members of the group have undergone training on the above activities and the group is now ready for processing of Cocoons for production of Yarn and silk weaving. The Commission was impressed with the success of this SHG and advised the State Government to extend such activities in other areas also so that income of the community is increased substantively. The group member demanded for more financial assistance for extension of Sericulture and plantation activities to increase their income.

(Action: District Administration, Dhalai and Govt. of Tripura)

4.2 Meeting with Shri Sanjit Debberma, RTI and Human Rights Activist: Shri Sanjit Debberma, RTI and Human Rights Activist met the Commission and requested for interference of the Commission about alleged killing of a tribal women in the District who worked as a cook in a hostel and was found hanging in the toilet. He informed that the incident had occurred 2 months ago before Autonomous District Council elections and the case has not been registered under SC and ST (PoA) Act. He also raised the issue of forceful ejection of tribals from their Patta Land by the Forest Department at Ralpasa under Ambassa Forest Sub-division. He also alleged that tribal families were not allowed to remove their Rightful Forest Resources for their Non Forest Land at Masuraipara, Shikaribari, S.K. Pada etc.

(Action: District Administration, Dhalai and Govt. of Tripura)

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5.0 District level review meeting with District Collector, Dhalai District and other Senior officers of the District Administration: In the beginning of the meeting, the Deputy Collector, Dhalai welcomed the Commission. Chairperson of Jila Parishad was also present in the meeting. Chairperson, NCST appraised the officers present in the meeting about Constitutional Provisions for Scheduled Tribes and the role of National Commission for Scheduled Tribes. Thereafter, a power point presentation was made by the District Welfare Officer, Dhalai depicting general and statistical information about the District. The Commission was informed that there are eight districts in the State and Dhalai is the largest among them. About 70% area of the District is hilly and forested. Only 14% area of the District is available for agriculture. The District is having 4 Sub-divisions, 8 Blocks and 41 Gram Panchayats. The population density of the State is 350 persons per Sq.Km. and the District is 157 persons per Sq.Km. It was informed that as per 2011 census, the population of District was 3,78,230 out of which there were 1,94,544 males and 1,83,686 females. The gender ratio was 959 females per 1000 males. The estimated tribal population was 2,44,903. The average number of man days generated in the District under MGNREGS was reported to be 98 which are highest in the country.

After the power point presentation, detailed discussion was held with the officers of various departments present in the meeting on the basis of feedback received from the tribals by the Commission during the field visits and the reply to the questionnaire furnished by the District Administration. Following action points emerged for action:

1. The Commission noted with concern that the wages being paid to the tea garden workers was inadequate, who are mostly tribals. They are being paid in cash and kind by the company. The wages are based on the agreement between the concerned company and the labour union. The Commission advised to ensure payment of minimum wages to these workers and see that the tribals are not exploited.
2. Though the implementation of FRA was satisfactory in the District and the tribals and other Forest Dwellers have been benefited by it, the average size of FR Pattas was about 2.5 acres which is very small in size and it is not sufficient for earning their livelihood. The tribals informed the Commission that they were in possession of much bigger plots of land on which they were doing Jhum cultivation and they were eligible for allotment of pattas up to 10 acres as per provisions of this Act but the FR pattas provided to them was very small. The persons in possession of more forest land should be provided FR pattas to the extent of 10 acres to stop them from resorting to Jhum cultivation.
3. In many villages, the tribals are dependent on nearby rivulets for their water requirements. During the rainy season, the water becomes muddy and they often suffer from water borne diseases. During 2014-15, 54 people had died out of malaria out of which 53 belonged to ST and 1 to SC community. Though, 1 mosquito net has been provided to each family in the District, it is not sufficient to check the occurrence of this disease. More efforts are required to curb this vector borne disease.

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4. The pumps for lifting water for supply in houses were also not working. Kumardhan Pada and other tribal villages should be provided safe tap water and the pumps should be repaired immediately for water supply.
5. There is no hostel facility for tribal students studying in class 11th and 12th and they have to stay in rented houses. If they would have been provided hostel facility, they were entitled for Rs. 1,200/- as stipend but due to non availability of hostel, they are being paid Rs. 500 /- only as stipend being day boarder. This is disadvantageous to them in pursuing their education. The students are not aware that if 5 or more students stay together and their kitchen is common, their place of stay shall be treated as a hostel and they will be entitled to the stipend of Rs. 1,200 /- . The Commission advised to review this policy in the interest of tribal students.
6. There is a demand from the tribals for more Government assistance in Pineapple and rubber Plantation. Marketing facility should also be provided in the area. Food Processing Unit should be established the District for the benefit of tribals.
7. Poultry activity should be promoted among the tribals in the District so that their income is enhanced.
8. A nursing school should be opined in the District as tribal girls are found more sincere and devoted in this profession. This will also make them employable.
9. One Eklavya Model Residential School should be opined in Dhalai District as presently there is Ashram School for the students studying in class 3 to 5.
10. The dropout among tribals at high school level is above 20% which is much more than unreserved population which needs to be addressed. Attempt should be taken to retain the tribal students in the educational institutions Focus should be there on Science and Maths subjects so that the tribals students can get admission in the Engineering and medical colleges of the State and outside.
11. Shortage of teachers in the educational institution located in tribal areas, particularly in science subjects should be addressed urgently as it affects overall educational growth of the tribal students.
12. There is a demand from the tribal groups for inclusion of Kok Borok language in the 8th scheduled of the constitution of India. Various tribal groups are demanded for financial assistance for preserving their art, culture and dances. Some of them have made specific request for providing musical instrument, ornaments and dresses. The District Administration should look into it and provide them the desired assistance.

(Action: District Administration, Dhalai and Govt. of Tripura)

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6.0 Meeting with office bearers and representatives of tribal Associations at State guest house, Agartala: In the afternoon, the Commission met office bearers and representatives of various tribal Associations and individuals. The objective of this meeting scheduled by the Commission was to have feedback on different issues and problems concerning the tribal population of the state. Representatives of following Associations attended the meeting and shared various issues related to the tribals:

6.1 Tribal Engineers Society, Tripura: Following information was provided to the Commission by the representatives of Tribal Engineers Society, Tripura:

1. The Commission was informed that 26,735 posts were lying vacant as on 31-03-2013 in the services under Government of Tripura out of which 9769 posts were reserved for Scheduled Tribes. It was also informed that in the Public Works Engineering Department, 156 posts of Engineers of different level were lying vacant. Similarly, in the promotion quota, 84 reserved posts of Executive Engineers and 16 reserved posts of Superintending Engineer were lying vacant in the Public Works Engineering Department. In the Power department also, 08 reserved posts of Executive Engineers is lying vacant. The State Government is not taking whole hearted efforts in filling the backlog posts. It was demanded that the Commission should take up the matter with the state Govt. to initiate Special Recruitment Drive to clear the backlog in direct recruitment and also start promotion exercise to fill up the reserved posts under promotion quota.
2. The issue of imposition of departmental exam through 7th Amendment of rules in Tripura Engineering service was also raised before the Commission and it was informed that this Amendment is detrimental to the interests of Scheduled Tribe candidates having Engineering degree as they are unable to get entry in the junior posts. Thus, they are not likely to go higher posts in the Engineering services.
3. It was also informed that many departments, including PWE Department are not maintaining reservation roster as per the provisions. Moreover, The PWE Department is giving Current Duty Charge or Full Duty Charge to the Executive Engineers as Superintending Engineers which continues up to 5 to 7 years and reservation is not being provided while giving Current Duty Charge. Thus, the Scheduled Tribe officers are deprived in the process.
4. The State Government is not nominating the Scheduled Tribe officers of the State for Indian Administrative Service. Though, there is no reservation applicable, there are capable tribal officers in the State and the State Govt. should not discriminate with them.
5. The representation of Scheduled Tribe officers in higher posts in the State is not adequate. As per the judgment pronounced by Hon'ble Supreme Court in the famous Nagaraj case, the representation of weaker section in the services under the State should be adequate but in Tripura, it is not so. Hence, the State Govt. may be

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directed to provide responsibilities to the ST Officers adequately in the key positions.

6. The posts reserved for SC/ST category are being de-reserved in the State and the limited opportunities available for these sections are being grabbed away. For example, since the year 2002, 63 reserved posts of Assistant Professors out of 125 reserved posts have been de-reserved in Govt. General Degree College.
7. The State Govt. is providing special coaching for IAS and IES to the ST students for a period of 1 month in the State capital, Agartala which is inadequate and not beneficial for ST students. Good faculty is also not available here. Instead, these students should be provided training for at least one year in the reputed coaching centers of Delhi to avail good results. They should also be provided stipend during the period of coaching.
8. 5 MBBS and 2 BDS seats were allocated to State of Tripura from Central Pool for the Year 2014-15 but during counseling through Tripura Board of Joint Entrance Examination, no seat was allocated to ST qualified candidates which is discrimination against ST people.
9. U/s 10 (26) of Income Tax Act, 1961 the STs are exempted from Income Tax Deduction residing in specific areas but in some cases, the Central Government/State Government employees are being harassed and forced to obtain Exemption Certificate following section 197 of form 13.
10. As per Section 178, 1(a) of The Tripura Land Revenue & Land Reforms Act, 1960 there is exemption of tea, coffee or rubber cultivation in connection with ceiling limit of persons/families referring section 164. However, inspite of several complaints submitted to the 11- Members Selection Committee of The Tripura Land Revenue & Land Reforms (10th Amendment) Bill 2013, finally amended by restriction of Rubber cultivation up to 21.60 Hectare.
11. Racial discrimination of the North East Indian is a great concern and sensitive issue nowadays and in last couple of Years so many incident occurred especially in Delhi, Bangalore etc. places. To overcome such situation new laws to be enacted & The SCs & STs (Prevention & Atrocities) Act, 1989 to be strengthened.
12. In last year in between June to August, 2014, more than 80 ST people have lost their lives and most of them were in minor age due to Malaria outbreak.
13. To mitigate the unemployment issues in Tripura, State reservation policy must be followed in all the Private Sector Undertaking too.
14. Reservation is not being followed in the admission of M. Tech & Phd. courses under NIT, Agartala. An Assistant Professor (ST) in Civil Engineering Department in NIT is not being permission to join quality improvement programme whereas

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Assistant Professors in other departments are being given permission for the same which is discrimination towards ST employees.

15. Post matric scholarship & study loan to be facilitated to the ST students in greater way.

16. One branch Office of the National Commission for STs may be set up at Tripura.

(Action: District Administration, Dhalai , Govt. of Tripura, MoF and MTA, GoI)

6.2 All Tripura Buddhist Association: The main issue raised by the office bearers of this Association was related to issuance ST caste certificate to their community who use Barua Surname and speak Bangla as mother tongue. Earlier, they were issued ST certificate but after issuance of GO dated 17-07-1987 by the State Government, issuance of certificates was stopped. They sought clarification on the entry "Mag" appearing at S.no. 12 in list of Scheduled Tribes of Tripura State. It was informed that they are being deprived from their Right to be identified as ST in the State. They demanded that circular of the year 1987, which is detrimental to their interest, should be withdrawn immediately.

(Action: Govt. of Tripura)

6.3 Tripura Adibasi Mahila Samiti: The office bearers of this Association informed that the Tribal Welfare Department of the State was providing stipend to 100 students of the hostel of their school run through a NGO a few years ago. Presently 105 students are residing in the hostel but due to financial constraints, the State Government has stopped payment of stipend. The Government of India should release more funds for the purpose. They also want to open a primary school for which a building is already there. They require financial assistance for school buses. They also demanded that financial assistance may be provided for giving vocational training in weaving and tailoring to their group.

(Action: M/o HRD, GoI & Govt. of Tripura)

6.4 Tripura Gramin Bank SC/ST Welfare Forum: The representatives of this Association made following demands before the Commission:

- a. The backlog posts of Office Attendant should be filled up by special drive as 46 posts are lying vacant. Presently only 4 ST office attendant are imposition out of 148 bank branches, 3 Regional Offices and 1 Head Office. State level reservation percentage should be applied in filling the posts as per RRB guidelines.

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- b. Setting up of a new Regional office of National Commission for Scheduled Tribes at Agartala for early disposal of the grievances of Scheduled Tribes of the State and to work as watchdog on implementation of welfare schemes.
- c. Proper Maintenance of rosters of all posts in the bank, Posting of office bearers of the Association at head office, allotment of office room for activities of Association and adequate representation of ST Officers in training programmes.
- d. To recruit all eligible State Domicile ST candidates in the services of State and the bank without language bar. State Domicile ST candidates knowing the local language (Kok Borok) in speaking and reading may be considered for recruitment in TGB as candidate.

(Action: Govt. of Tripura)

6.5 Tripura Upjati Karamachari Samiti (TTEA): The Office bearers of this Association rose following issues before the Commission:

- a. Filling up of all the posts reserved for ST category in the State Government due to severe unemployment among STs and huge backlog.
- b. Immediate breakdown of Dumbur Dam and distribution of land to the landless Tribals evicted due to construction of this dam.
- c. Stopping land acquisition in tribal areas for industrial purpose and construction of dam.
- d. To declare the District Council Head Quarter Khumulwng and other township of Schedule areas as notified town for functioning as urban local bodies.

(Action: Govt. of Tripura)

6.6 Tripura Tribal Officers Welfare Forum: The Association rose following issue before the Commission:

- a. Protection of interest of Scheduled Tribes in the matter of Seniority, Promotion and Reservation Rules which is being challenged at High court.
- b. Violation of provision of Reservation Policy in respect of selection of students from merit list in Tripura Medical College and Agartala Government Medical College and an appointment to different posts in these Institutions.
- c. Action against false caste certificate holders as per provision of law.

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- d. Engagement of legal experts for speedy disposal of complaints against the false ST/SC Certificate Holders.
- e. Filling up of vacant posts through special drive.
- f. STSP/SCSP funds should be placed directly through the nodal departments as per planning Commission guidelines, which is not being done in the State.
- g. Reservation in group 'A' posts for SC/ST in promotion from State services to IAS/IPS like direct recruitment.
- h. Relaxation in income bar for providing post- matric scholarship for pursuing higher studies by ST/SC students.
- i. Allotment of land and providing IAY to Scheduled Tribe BPL families.

(Action: Govt. of Tripura)

6.7 Indigenous Nationalists Party of Tripura: Following demands were made by this organization:

- a. Government of India should bring suitable constitutional amendment for empowering the TTAADC including the direct fund from the center with a view of all round development of the Scheduled areas.
- b. Expeditious implementation of Forest Rights Act in the State.
- c. Non-registering of cases by police under SCs and STs (PoA) Act in the State.
- d. Providing Compulsory, free and quality education to the STs up to post graduation level.
- e. Revoking Armed Forces Special Power Act, 1958 from the State.
- f. Filling up of all the backlog posts for Scheduled Tribes through special drive in the State.
- g. Promotion of Kok Borok language in the State and its enlistment in the VIII th Schedule of the Indian Constitution.

(Action: GoI & Govt. of Tripura)

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6.8 **Indigenous Peoples front, Tripura**: The main issue raised by this group was related to the land alienation of the tribals in the State who have allegedly become minority in the State.

6.9 **Jamatia Hoda**: This group runs various schools under the umbrella of Baba Garia Mission. Education was promoted among the tribals who were brought in the main stream of the society. It was informed that many schools were closed due to insurgency a few years ago. Now the schools have been restarted. Revised guideline of special coaching of Madhyamik failed ST students has been issued by the State Government on 30.6.2011 with the main objective to facilitate or provide the scope for intensive coaching of drop out students and prepare them to appear in the Madhyamik examination. However, as per the condition stated at 3 (ii), the maximum number of students to be enrolled in each center is 50 which should be increased as it is too less and it will defeat the main objective of providing intensive coaching to the drop out students. It should be increased to 100 students (2 units). Moreover, the condition that one NGO may open only one center in a sub-division should also be dropped as it is detrimental to the interest of tribal students. Since 2010 to till this year, more than Rs. 22 Lakhs is pending with the State Government which should be released immediately for the Madhyamik drop out coaching center. An amount of Rs. 3,84,915 /- sanctioned for stipend in respect of Garia Academy (model) pending since 2007 should also be paid. Hostel stipend should also be increased by the State Government.

(Action: Govt. of Tripura)

6.10 **Representatives of Munda Community**: A group of Munda Community also met the Commission who came from Narendrapur Tea estate. They informed that they are the tea garden workers and they are being paid Rs. 83/- per day as wages by the estate management. Besides above 1.5 Kg Atta, 1.5 Kg Rice per week per person is also provided by the company. From the Government side, they are provided 35 Kg Rice and 8 Kg Atta per month being BPL card holder. Their children are getting education in the nearby schools. This group was satisfied with their living condition.

23.5.2015

7.0 State level review meeting with Incharge Chief Secretary, Tripura and other Senior officers of the State Administration

Dr. Rameshwar Oraon, Hon'ble Chairman, NCST chaired a meeting with Incharge Chief Secretary and Sr. officers of State Government to review the implementation of reservation policy and development programmes being run for the welfare of scheduled tribes in the State and implementation of SC & ST (PoA) Act, 1989 and rules 1995. A power point presentation was made before the Commission about various historical, cultural, political and Administrative set up of the State.

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The Commission was informed that Tripura was a Princely State for about 500 years and Maharaja Bir Bikram Kishore Manikya (1923-47) was the last ruler who signed "Instrument of Accession" to become part of India. In 1949, it was merged with Indian Union. In 1972, Tripura became a full - fledged State with 60 member legislative assembly. In 1982, Tripura Tribal Areas Autonomous District Council was setup which was brought in 6th Scheduled in the year 1985.

The State is having total population of 36,73,917 as per 2011 census out of which 31.78% population belongs to ST category the literacy rate of the State was 87.22% whereas, among ST, it was 79.05%. A total of 19 communities have been listed as Scheduled Tribe in the State out of which one community namely Riang is included as PVTG. There are 8 Districts, 23 Sub-divisions and 58 blocks in the State. Besides above, one Tripura Tribal Areas Autonomous District Council (TTAADC) is also in existence under 7th Schedule of the Constitution in accordance with the provision of Article 246 (3) of the Constitution of India. This council was brought under 6th Schedule by 49th Amendment of Constitution in the year 1985. The total geographical area under TTAADC is 7132.56 Sq.Km which is about 68% geographical area of the State. The total population under the council was 12,16,465 in the year 2005-06. The council has 30 members out of which 28 are elected and 2 are nominated by the Governor. 27 seats are reserved for STs and the elections to the member of District council are held after every five years. Elections to the members of the village committee are also held after every five years.

After the power point presentation, detailed discussion was held on the basis of feedback received from the tribals during field visits of the Commission, meetings with representatives of various tribals Associations and reply to the questionnaire sent by the Commission. Following action points emerged for action:

1. The Commission noted with concern that a large number of posts reserved for Scheduled Tribes remained unfilled for years. There is an urgent need to fill the posts reserved for Scheduled Tribes on priority basis for which Special Recruitment Drive should be under taken by all the departments under the State Government.
2. Despite all efforts made by the State Government, there is a visible gap between the State General Literacy (87.20 %) and the literacy among Scheduled Tribes (79.05%). This gap is even more in the female literacy which is 82.70 % among general category and 71.59 % among ST category. Focused attention is required to enhance the female literacy among tribals of the State. There is a shortage of Science and Maths teachers in the educational institutions in the tribal areas which needs to be addressed urgently.
3. The tribal students are facing problem in pursuing their education after class 10th and adequate hostel facilities do not exist for them. They are also facing hardship in getting the stipend as hostel boarders in the event of Governments inability to provide them hostel. They are compelled to stay in rented houses and for being eligible for stipend as a hostel boarder; five students are required to stay together in rented house with common kitchen. This provision should be reviewed by the State

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Government. Moreover, adequate coaching facility is not available for them in relation to admissions to medical and engineering institutions in the Country and for National Level Competitive examinations conducted by UPSC and SSC. The coaching being provided at Agartala is of short duration and the tribal students are not adequately benefited by the coaching. The State Government should consider the demands of tribal students for providing them coaching in reputed organizations outside the State preferably in Delhi, Kota and other places after selecting them through examination.

4. The Commission advised the State Government to ensure that the posts of Doctors and particularly Specialists in the health institutions located in the tribal areas are filled up in a time bound manner. Paramedical Staff, ANMs/ASHA workers should also be deployed in the area on priority basis. A nursing college should be opened in tribal area of the State as tribal girls have proved to be ideal in this profession. The tribal areas of the State are Malaria Prone areas and the tribals have reported that they have been provided one mosquito net per family which is inadequate for the prevention of this disease. The State Government should take necessary action in this regards.
5. The Commission observed that many tribal villages and habitations are still uncovered with Drinking water facility. In Dhalai District, 416 habitations were reported to be uncovered. Many tribal villagers are dependent on nearby rivulets for their water requirement. The State Government should cover all the tribal villages within a period of one year.
6. The State Government has provided assistance to the tribal farmers in rubber and pineapple plantation and they have been benefited with the scheme. Many tribals have demanded for more assistance in rubber and pineapple plantation so that they can earn more. State Government should increase the area under rubber and pineapple plantation and make arrangement for its marketing also. A food processing unit should be established in or around Dhalai District with the help of concerned Ministry in Gol so that the pineapple and other produces can be processed locally and marketed throughout the region.
7. Poultry farming is also one activity which should be promoted among the tribal community of the State which has become very successful in increasing the income in some other State.
8. The Commission was satisfied with the vast implementation of FRA in the State and appreciated the efforts of State Government in this regard. A total of 1,57,396 individual claims from Scheduled Tribes and 33,744 individual claims from Other Traditional Forests Dwellers (OTFD) were received as per 31-03-2015 position. Among STs, 1,24,539 Forest Rights were vested involving 1,77,196.34 Hectares of land. Among OTFD, only two Forest Rights were vested which reveals that hardly any OTFD claim has been accepted. As far as Scheduled Tribes are concerned, 31,908 claims were not considered, which is a substantial number. The Commission

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advised the State Government to review these claims as per the provisions of the Act. The Commission also noted that the average size of FR pattas was about 2.5 acres only which is not sufficient for the livelihood of poor tribals who were in possession of much more land and cultivating the same since decades. The Commission also observed that the tribals who were doing Jhum cultivation on different plots of land after cleaning forests were also given Forest Rights on small pieces of land. The Commission advised the State Government to see whether they are entitled for allotment of Patta on more area of land under FRA.

9. The Commission observed that 22,130 Forest Dwellers have been benefited with Indira Awas Yojna (IAY) but still a large number of FR beneficiaries are waiting for benefit under this scheme. The Commission advised that the State Government should take steps to provide Indira Awas to these FR beneficiaries also in a time bound manner.
10. The Commission discussed the issue of restoration of tribal land in the State. It was informed that 29,168 cases of restoration of tribal land were filed involving 25,487.68 acres of land order has been passed for restoration in 9572 cases involving 8146.04 acres of land and physical restoration has been done in 9478 cases involving 8096.32 acres of land. Another 94 cases of restoration of tribal land were pending for physical restoration involving 49.72 acres of land. The Commission noted with concern that 19,596 cases of restoration of land were rejected involving 17,342 acres of land. The Commission desired that these cases should be reviewed at appropriate level so that the land belonging to tribal community is not taken away by others.
11. The Commission also reviewed the cases of false caste certificates in the State and it was informed that 187 cases of doubtful ST certificates were received by the SLSC out of which 186 cases were disposed of. The SLSC cancelled 125 ST certificates and verified 44 cases to be correct. 17 cases were dropped due to different regions and only 1 case was under process of verification. The Commission was satisfied with the progress of disposal of cases but was concerned with the large number of cases cancelled by the SLSC and directed the State Government to be more vigilant while providing employment and admissions on the basis of ST caste certificates so that the genuine Scheduled Tribes are not deprived of the limited opportunities. The Commission also advised that FIR should be lodged against the false caste certificate holders as well as the issuing authorities so that such incidents could be effectively checked.
12. The Commission opined that protection of culture, language and tradition of tribals is one of the duties of the State and tribals of the State are culturally very rich. There is a demand of the tribals to include Kok Borok language in the 8th Schedule of the Constitution of India. Though, in the State, it has been recognized as 2nd language, the tribals feel that it should be included in the 8th Schedule of the Constitution so that it is not extinct. Many tribal groups have also demanded for assistance in form of musical instruments, dress and ornaments so that they can

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preserve their art and culture. The State Government should assist them in the matter.

13. The Commission was satisfied with the status of atrocities against STs and disposal of the cases by police and the courts. It was noted that a very few incidences atrocities on STs were reported in the State which is a convincing situation. The Commission advised that the State Government should organize awareness camps in tribal areas and sensitized the police personnel about various provisions of SCs and STs (PoA) Act, 1989 and rules framed therein. The State Government should also be careful in ensuring that in the cases related to encroachment of tribal land and their forceful dispossession from it, section 3 (1) (iv) or 3 (1) (v) of the Act is invariably invoked.
14. The Commission observed that the State is having over 31 % ST population and many tribal groups, office bearers of tribal Associations and individuals met the Commission with their grievances. There is no grievance redressal mechanism for the Scheduled Tribes in the State. Hence, the State Government should consider for establishing a State Commission for Scheduled Tribes to look into their welfare.
15. U/s 10 (26) of Income Tax Act, 1961 the STs are exempted from Income Tax Deduction residing in specific areas but in some cases, the Central Government/State Government employees are being harassed and forced to obtain Exemption Certificate following section 197 of form 13.
16. There is a demand from tribal community regarding imposition of inner line permit system for the tribal areas of Tripura alike other tribal areas of north-eastern States coming under VIth Schedule of Constitution of India for protection of tribal community of the State. The same should be considered by the State Government.

(Action: Gol & Govt. of Tripura)

8.0 Press Conference: Dr. Rameshwar Oraon, Hon'ble Chairman, NCST held a press conference at Agartala along with Hon'ble Vice Chairperson of the Commission. He briefed the media about the field visits, interaction with the tribal individuals and associations and the discussions held with the Sr. officers of the State administration. He also thanked the local media for providing wide coverage to the tour of the Commission as a result of which a large number of tribal delegates/representatives of the ST welfare Associations could meet the Commission. He also briefed them about the assurances given to the Commission by the State administration on issues relating to the welfare of scheduled tribes.

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24.5.2015

Departure for New Delhi.

7.08 The Hon'ble Chairman, Vice Chairperson and the officers of the Commission departed for New Delhi via Kolkata in the morning. Secretary, Director and other officers of Tribal Welfare Department, Govt. of Tripura and Protocol Officer joined the Commission up to airport to see off the visiting dignitaries.

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