

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
LOK SABHA
UNSTARRED QUESTION NO. 3320
TO BE ANSWERED ON 09.08.2021

JOINT INITIATIVES FOR TRIBAL COMMUNITIES

3320. SHRI ABHISHEK BANERJEE:

Will the Minister of **TRIBAL AFFAIRS** be pleased to state:

- (a) the steps that are being taken under the joint initiatives with other Ministries to empower tribal communities and ensure proper implementation of their rights;
- (b) whether the Government plans to ensure these communities would not be exploited by any private player for their own benefits, if so, the details thereof;
- (c) whether the tribal communities are connected to their natural habitats and if so, the details thereof and the steps are being taken to reduce the increasing deforestation to protect them?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SMT. RENUKA SINGH SARUTA)

(a) & (b): Tribes constitute a distinct social category. Safeguards in place for tribal population, as per the constitutional and legal framework, in the country, inter-alia, are as under:

(i) Constitutional Safeguards

- Recognizing the special needs of various weaker sections including **STs**, the Constitution of India not only guarantees equality before the Law for all (**Article 14**), but also enjoins upon the State to make special provisions of affirmative discrimination for the advancement of any socially and educationally backward classes, (**Article 15(4)**).
- It also empowers the State to make provisions for reservation in appointments or posts in favour of any backward class citizens which in the opinion of the State is not adequately represented in the services under the State (**Article 16(4)**).
- It confers rights towards protection of Interests of Minorities (which also includes **STs**) (**Article 29**) and right to conserve distinct Language, Script or Culture has been guaranteed through **Art. 350**.
- Further, it enjoins upon the State to promote with special care the educational and economic interests of the weaker sections of the people and, in particular, **the STs** and promises to protect from social injustice and all forms of exploitation (**Article 46**).

- For promoting the welfare of STs and for raising the level of administration of the Scheduled Areas to that of the rest of the State (**Article 244**), and special financial assistance is ensured under the Constitution (**Article 275 (1)**).
- Reservation of seats for the STs in the House of the people and in the State Legislative Assemblies; educational institutions; and in services is another measure of positive discrimination in favour of these Groups (**Articles 330, 332, 335**).
- Reservation of seats in Panchayats (**Art. 243**) and Special provisions in respect of NE States and Sikkim (**Art. 371**).
- It also empowers the State to appoint a Commission to investigate the conditions of the socially and educationally backward classes (**Article 340**) and to specify those Tribes or Tribal Communities be deemed to be as STs (**Article 342**).
- Further, the Fifth Schedule to the Constitution refers to the administration and control of the Scheduled Areas and the Scheduled Tribes in any State, other than the States of Assam, Meghalaya, Tripura and Mizoram by ensuring submission of Annual Reports by the Governors to the President of India regarding the Administration of the Scheduled Areas and setting up of Tribal Advisory Council to advise on such matter pertaining to the welfare and advancement of the Scheduled Tribes (**Article 244(1)**).
- The Sixth Schedule to the Constitution refers to the administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram by designating certain tribal areas as Autonomous Districts and Autonomous Regions and also by constituting District Councils and Regional Councils (**Article 244(2)**). It enables Autonomous District Councils and Regional Councils to be constituted in those areas with a fair amount of legislative and executive powers.
- To ensure effective participation of the tribals in the process of planning and decision- making, the 73rd Amendment of the Constitution have been extended to the Scheduled Areas through the Panchayats (Extension to the Scheduled Areas) Act, 1996.

(ii) **Important Acts related to Scheduled Tribes**

- Forest Rights Act 2006 [with Rules (Including 2012 Amendment) and Guidelines] administered by Ministry of Tribal Affairs.
- Protection of Civil Rights Act, 1955 administered by Ministry of Social Justice and Empowerment.
- Protection of Civil Right Rules, 1977 administered by Ministry of Social Justice and Empowerment.
- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 as amended from time to time administered by Ministry of Social Justice and Empowerment.
- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 administered by Ministry of Social Justice and Empowerment.
- . Panchayats Extension to the Scheduled Areas (PESA) Act 1996 administered by Ministry of Panchayati Raj

- The right to fair compensation and transparency in land acquisition, rehabilitation and resettlement Act, 2013 has specific provisions to safeguard the interest of STs, administered by Department of Land Resources, Ministry of Rural Development.

There are many other Acts and guidelines administered by various Central Ministries and Departments which have specific provisions to safeguard the interest of STs in the country including reservation in admission, protection of habitat, development of tribal region etc. Ministry of Tribal Affairs holds meeting with sectoral Ministries from time to time. Further, a “Joint Communication” has been signed by Ministry of Environment and Ministry of Tribal Affairs addressed to all Chief Secretaries of States/UTs, pertaining to more effective implementation of the Forest Rights Act(FRA), 2006 and for harnessing the potential for livelihood improvement of the Forest Dwelling Scheduled Tribes (FDSTs) and other Traditional Forest Dwellers (OTFDs). Funds are provided to States based on their demand for awareness generation regarding effective implementation of Forest Rights Act, 2006.

MoTA is implementing a scheme ‘Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of Value Chain for MFP’, which is aimed at elimination of middleman through providing MSP to MFPs. Further, under the Scheme, the concept of establishment of Vandhan Vikas Kendra has been conceived to tap into the traditional knowledge and skill sets of tribal people by adding technology and Information Technology for upgradation of output at each stage and protecting the gains of their labour and knowledge which are otherwise reaped by the long chain of middlemen.

The National Human Rights Commission (NHRC), constituted under the Protection of Human Rights Act, 1993, and the National Commission for Scheduled Tribes (NCST) remain vigilant against any such possibility in violation of existing safeguards as per constitutional and legal framework in the country.

(c): Yes, sir. Minor Forest Produce (MFP) is a significant source of livelihood for tribals living in forest areas. Forest dwellers depend on MFPs for food, shelter, medicines and cash income. It provides them critical subsistence during the lean seasons, particularly for primitive tribal groups such as hunter gatherers, and the landless. Van Dhan Vikas Karyakram, an initiative under the Scheme ‘Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of Value Chain for MFP’, targets livelihood generation for tribals by harnessing the wealth of forest i.e. Van Dhan. Under this programme, tribal community owned Minor Forest Produce centric multi-purpose Kendras are set up through Tribal Cooperative Marketing Development Federation of India (TRIFED) in the districts with significant tribal population. The Kendras acts as common facility centres for procurement cum value addition to locally available Minor Forest Produce. Value addition of raw produce helps increasing the value of the MFP considerably and consequently the income of the gatherers. State-wise details of Van Dhan Vikas Kendras established in the country is given at **Annexure I**.

Moreover, the Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006 (FRA) recognizes the rights of the forest dwelling tribal communities and other traditional forest dwellers to forest resources, on which these communities were dependent for a variety of needs, including livelihood, habitation and other socio-cultural needs. The Ministry notifies the implementation report on FRA every month to PMO, Cabinet Secretariat and NITI Aayog and the latest implementation status (Monthly Progress Report) notified by the Ministry (ending February, 2021) is given at **Annexure 2**. A list showing latest position of receipt of Monthly Progress Reports (MPR) on implementation of FRA 2006 furnished by the State Governments as on date i.e. 7.8.2021 is given at **Annexure 3**.

Annexure I

Annexure I referred to in reply to part (c) of the reply to Lok Sabha Unstarred Question 3320 for answer 9.8.2021

State-wise details of Van Dhan Vikas Kendras sanctioned along with beneficiary details

States	No. of Forest Gatherers benefitted	Amount Sanctioned (Rs. in lakhs)	No. of VDVK clusters (consisting of 15 vandhan SHG in each VDVK) Sanctioned
Andhra Pradesh	77658	3882.9	263
Assam	37786	1920	128
Bihar	1630	81.5	8
Chhattisgarh	41700	2085	139
Dadra & Nagar Haveli and Daman & Diu	302	15	1
Goa	3000	150	10
Gujarat	34424	1721.2	116
Himachal Pradesh	262	13.1	1
Ladakh	3000	150	10
Jharkhand	11601	569.7	39
Karnataka	11448	572.4	39
Kerala	7732	385.25	28
Madhya Pradesh	32100	1605	107
Maharashtra	79350	3960	264
Manipur	60390	2996.8	200
Meghalaya	11835	584.1	39
Mizoram	46168	2306.55	159
Nagaland	61800	3090	206
Odisha	46807	2269.25	156
Rajasthan	57292	2832.2	189
Sikkim	23800	1169.05	80
Tamil Nadu	2100	105	7
Telangana	5100	255	17
Tripura	9039	436.95	32
Uttar Pradesh	7191	359.55	25
Uttarakhand	3605	179.95	12
Total	677120	33695.45	2275

Annexure 2

Annexure 2 referred to in reply to part (c) of the reply to Lok Sabha Unstarred Question 3320 for answer 9.8.2021

State-wise status of implementation of FRA

S. No.	States	No. of Claims received upto 28.02.2018			No. of Titles Distributed upto 28.02.2019			Extent of Forest land for which titles distributed (in acres)		
		Individual	Community	Total	Individual	Community	Total	Individual	Community	Total
1	Andhra Pradesh	1,77,446	4,062	1,81,508	96,675	1,374	98,049	2,39,554	4,53,384	6,92,938
2	Assam	1,48,965	6,046	1,55,011	57,325	1,477	58,802	NA	NA	NA
3	Bihar	8,022	0	8,022	121	0	121	NA	0	NA
4	Chhattisgarh	8,58,682	31,558	8,90,240	4,01,251	21,967	4,23,218	8,43,100.69	20,38,146.15	28,81,246.84
5	Goa	9,758	378	10,136	17	8	25	76.6	10.25	86.86
6	Gujarat	1,82,869	7,187	1,90,056	83,699	3,516	87,215	1,29,571.61	11,61,351.49	12,90,923.10
7	Himachal Pradesh	2,071	170	2,241	129	7	136	5.96	4,670.56	4,676.52
8	Jharkhand	1,05,363	3,667	1,09,030	58,053	2,090	60,143	1,02,918.07	99,781.96	2,02,700.03
9	Karnataka	2,75,446	5,903	2,81,349	14,667	1,406	16,073	20,813.51	28,155.75	48,969.26
10	Kerala	36,140	1,395	37,535	24,599	NA	24,599	33,018.12	NA	33,018.12
11	Madhya Pradesh	5,82,308	41,795	6,24,103	2,24,882	27,948	2,52,830	8,10,233.73	13,32,853.11	21,43,086.84
12	Maharashtra	3,62,679	12,037	3,74,716	1,65,032	7,084	1,72,116	392928.7	27,36,660.68	31,29,589.41

13	Odisha	6,15,741	13,826	6,29,567	4,27,661	6,564	4,34,225	6,35,761.83	2,35,205.91	8,70,967.73
14	Rajasthan	74,414	1,441	75,855	38,007	103	38,110	57,730.26	2,993.64	60,723.90
15	Tamil Nadu	32,983	1005	33,988	6,111	276	6,387	8607.26	0	8,607.26
16	Telangana	1,83,252	3,427	1,86,679	93,639	721	94,360	3,00,284	4,54,055	7,54,339
17	Tripura	2,00,358	277	2,00,635	1,27,931	55	1,27,986	4,60,049.16	91.16	4,60,140.33
18	Uttar Pradesh	92,520	1,124	93,644	17,712	843	18,555	18,854	1,20,802.06	1,39,656.06
19	Uttarakhand	3,574	3,091	6,665	144	1	145	0	0	0
20	West Bengal	1,31,962	10,119	1,42,081	44,444	686	45,130	21,014.27	572.03	21,586.29
TOTAL		40,84,553	1,48,508	42,33,061	18,82,099	76,126	19,58,225	4074522	8668733.76	12743255.55

Annexure 3

Annexure 3 referred to in reply to part (c) of the reply to Lok Sabha Unstarred Question 3320 for answer 9.8.2021

Updated List showing Latest position of receipt of Monthly Progress Reports (MPR) on implementation of FRA 2006 furnished by the State Governments as on date i.e. 7.8.2021.

Name of States	MPR for the month last received
Andhra Pradesh	December, 2019
Assam	December, 2016
Bihar	January 2021
Chhattisgarh	Dec, 2020
Goa	May 2021
Gujarat	May,2021
Himachal Pradesh	March, 2021
Jharkhand	March, 2019
Karnataka	June, 2021
Kerala	June, 2021
Madhya Pradesh	June, 2021
Maharashtra	May, 2021
Odisha	June, 2021
Rajasthan	May, 2021
Tamil Nadu	December, 2020
Telangana	May, 2021
Tripura	May, 2021
Uttar Pradesh	May, 2021
Uttarakhand	June, 2021
West Bengal	March, 2017
