Bakerwals: J&K, HP / Uttarakhand

Unheard Voice - Video link
Constitutional Safeguards

- **Articles 15(4), 15(5) and 15(6-EWSs):** Reservation in educational institutions.
- **Articles 16(4), 16(6-EWSs) and 335(SC/ST):** Reservation in services.
- **Article 46:** Promotion of Educational and Economic interests of weaker sections.
- **Articles 243 (D) and 243(T):** Reservation in Panchayats and Municipalities (SCs/STs/SEBCs).
- **Articles 330, 332 and 334:** Reservation for SCs and STs in Lok Sabha and State Assemblies.
- **Articles 338, 338(A) and 338(B):** National Commissions for SCs, STs and SEBCs.
- **Articles 339 & 340:** Commission to investigate conditions of STs and SEBCs respectively.
- **Articles 341, 342 and 342(A):** Notification of SCs, STs and SEBCs.
Demography of the Vulnerable

- SEBCs – 5000 communities Central List/ 10,000 State Lists, SCs- 1263, STs – 750, EWSs- 50 (Sinho 2010) (Total 11000+)
- SECC 2011/ RGI- Yet to finalize - castes 86 lakh?
- DNTs as per 2001 census 12 crore, over 1000 communities (150 DT, rest NT/ SNT) out of which 150 non-SC/ST/SEBCs.
- Vulnerable Tribal Groups (VTGs)- 75 communities (1 crore).
- Rag pickers /Beggars (4.13 Lakh), Transgender (5 Lakh), Drug addicts (22.46 crore), PeWDs (2.68 crore).
Migration for livelihood

Denotified Tribe Population
(Data available for 12 States only)

Nomadic Tribe Population

Data Source: Renke Report

Total Population of DNTs – 4 37 23 034

Total NT Population – 4 04 59 137
## Socio Economic Scenario – 2008 (Renke)

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Denotified Tribes</th>
<th>Nomadic Tribes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children - school</td>
<td>58% Uncovered</td>
<td>72% Uncovered</td>
</tr>
<tr>
<td>Children - Anganwadi Centres</td>
<td>49% Uncovered</td>
<td>78% Uncovered</td>
</tr>
<tr>
<td>Distance - institutes nearer to their habitation</td>
<td>2.2% Graduate and above (&lt; 1 Km) (Nearer Settlement)</td>
<td>3.3% Graduate and above (&lt; 1 Km) (Nearer Settlement)</td>
</tr>
<tr>
<td></td>
<td>26.7% Graduate and above (&lt; 1 Km)</td>
<td>29.8% Graduate and above (&lt; 1 Km)</td>
</tr>
<tr>
<td></td>
<td>37.9% Primary (Nearer Settlement)</td>
<td>56.2% Primary (Nearer Settlement)</td>
</tr>
<tr>
<td>No Land ownership</td>
<td>89%</td>
<td>93%</td>
</tr>
<tr>
<td>Wage employment</td>
<td>72.2% (no employment)</td>
<td>43.3% (no employment)</td>
</tr>
<tr>
<td>Availability of food</td>
<td>42% (twice in a day)</td>
<td>33% (twice in a day)</td>
</tr>
<tr>
<td></td>
<td>61% (from money lenders)</td>
<td>60% (from money lenders)</td>
</tr>
<tr>
<td>----------------------</td>
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<td>--------------------------</td>
</tr>
<tr>
<td></td>
<td>2% (from finance institution)</td>
<td>0% (from finance institution)</td>
</tr>
<tr>
<td>Vaccination</td>
<td>30% of both communities not serviced by Auxiliary nurse midwife (ANM)</td>
<td></td>
</tr>
<tr>
<td>Maternity services</td>
<td>50% by traditional Dai, 24% by neighbors and relatives</td>
<td><strong>Only 26% by Govt./Pvt. facilities</strong></td>
</tr>
<tr>
<td>Distance to Health care Centers</td>
<td>22% (within 1 Km) 8% (above 8 Km)</td>
<td>21.8% (within 1 Km) 20% (above 8 Km)</td>
</tr>
<tr>
<td>Drinking water sources</td>
<td>72% local body supplies</td>
<td>73% local body supplies</td>
</tr>
<tr>
<td>Drinking water – Safe or unsafe</td>
<td><strong>82% household access</strong></td>
<td><strong>54% household access</strong></td>
</tr>
<tr>
<td>Access toilets</td>
<td>14% (in household) 76% (open defecation)</td>
<td>31.7% (in household) 33.7% (open defecation)</td>
</tr>
<tr>
<td>Service</td>
<td>Percentages</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Access to burial ground</td>
<td>71.6%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>74.5%</td>
<td></td>
</tr>
<tr>
<td>Birth registration</td>
<td>58.2% registered</td>
<td></td>
</tr>
<tr>
<td></td>
<td>49.1% registered</td>
<td></td>
</tr>
<tr>
<td>Birth certificate issued</td>
<td>52.2% possessed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>40% possessed</td>
<td></td>
</tr>
<tr>
<td>Death registration</td>
<td>58.2% registered</td>
<td></td>
</tr>
<tr>
<td></td>
<td>36.4% registered</td>
<td></td>
</tr>
<tr>
<td>Death certificate issued</td>
<td>56.2% not possessed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>82% not possessed</td>
<td></td>
</tr>
<tr>
<td>Ration card</td>
<td>22.8% (BPL)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>22% (Non BPL)</td>
<td></td>
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<tr>
<td></td>
<td>55% (No ration card)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5.9% (BPL)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>22.2% (Non BPL)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>71.9% (No ration card)</td>
<td></td>
</tr>
<tr>
<td>Caste Certificate</td>
<td>50.7% having</td>
<td></td>
</tr>
<tr>
<td></td>
<td>49.3% not having</td>
<td></td>
</tr>
<tr>
<td></td>
<td>38.2% having</td>
<td></td>
</tr>
<tr>
<td></td>
<td>61.8% not having</td>
<td></td>
</tr>
<tr>
<td>Voter Id card</td>
<td>84% (Men)</td>
<td></td>
</tr>
<tr>
<td>(Aadhar data?-mobility hurdle)</td>
<td>82% (Women)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>60% (Men)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>56.4% (Women)</td>
<td></td>
</tr>
<tr>
<td>Jaati Panchayats (their local</td>
<td>76.1%</td>
<td></td>
</tr>
<tr>
<td>Govt.- Banjara Indore Bank</td>
<td>83.6%</td>
<td></td>
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<tr>
<td>experiment)</td>
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</tbody>
</table>
GoI/State initiatives

- Socio economic upliftment, educational betterment, skill upgradation, job creation and their settlement.

- Allotment of Rs. 56,000 crore for SCs and Rs. 49,000 crore for STs as per statements 10A & 10B of the budget.

- State allocation- Over 1.25 lakh crore for SCs and over 60000 crore for STs.

- AP, KNT and Telangana Act for earmarking of funds.

- Affidavit filed in Supreme Court (2016)— Almost all schemes (Health, RD, Skill Development, Civil Supplies) have provisions for them. Reach and implementation are continuous issues of concern.
GoI/State Initiatives

- Maharashtra pioneer due to the first CM being from a nomadic community. Separate list and reservation only in Maharashtra- VJNT.

- Gujarat having separate Commission, Corporation and Directorate.

- Separate schemes and programmes in AP, Telangana (visit by Assistant Secretaries 2017), TN, MP, Rajasthan, Delhi, Punjab, U.P., Haryana.

- For non SC/ST/OBC, DNTs – Pre-Matric, Post Matric and Hostel scheme launched by GoI in 2014-15.
Agariya Community (Gujarat)
Problem Statement - Deprivation

- The Indian constitution does not mention the Denotified or Nomadic Tribes.
- DNTs largely out of focus of the social Sector management.
- Their settlements are on periphery of villages or slums in cities- visit by Secy, in 2015 Banglore.
- Not able to take advantage of the affirmative action programmes due to illiteracy and ignorance and more because of mobility.
- Mindset of field bureaucracy to cover the locals only- All schemes valid for citizens of India........?- Death of 2000 sheeps of Rabbaries of Jodhpur in Sawai Madhopur case (2015).
Tumkur- Karnataka
Kuruvar community (TN)
Perna Community (Delhi)
Who are They- Misnomer or Identity crisis?

- **A Colonial construct** that denotes a social group bound together by kin and duty and associated with a particular territory. Their origin is shrouded in mystery.
- Have **rich** and **unique cultural traditions** including their own language, music, stories and paintings.
- **Egalitarian society** and share forest, land and grassland together. The wealth accumulated is **equally distributed** among its all member without any biasness.
- Traditionally, the tribes wander and therefore have not been integrated into **mainstream Indian society**, as well as being a tradition it is also due to the tribes **not having any fixed livelihood** production.
- In Europe it was associated with a particular community of people within a given territory and language, area, class, nation etc. Terms such as- Aboriginals, ‘Backward Hindus’, Ethnic Minorities, Adivasis/Original Inhabitants, Ranipaja, Vanjati and Girrijan etc were used for tribes in India.
- **Ancient Sanskrit literature** described them as dasyus, daityas, rakshasas, nishadas etc.
Criminality Imposed for Participation in Freedom Struggle

- Historical colonial project in Indian subcontinent has made them invisible—socially, politically, economically and culturally—in modern spaces and institutions.

- Hard to say and no authentic study—whether certain communities/tribes were habitually and permanently engaged in serious crimes.

- Identify themselves with the Warriors to gain social prestige and acceptance. This also helps in communication and establishing business and trade relations—so untouchability is less.

- Forests laws of 1880 deprived them of barter.

- New slat policy of the government in 1880s was against them.
In 1871 the Governor General of India, passed the first Criminal Tribes Act. It was implemented first in the northern part of India (United Province, North-West Frontier Province & Punjab) and later was extended to Bengal (1876) and other areas, with the Madras Presidency being the last to enact it in 1911.

By 1920 extended to Princely States also.

Around 150 notified tribes for their so-called “criminal tendencies,” were kept under police surveillance giving the police wide powers to arrest them, control, and monitor their movements.

Repealed in 1952 but replaced by Habitual Offenders Act 1952 (State Act not Central) having same provisions- operative in 12 states (Mumbai, Mysore, Madras presidency – gross misuse by police to harass DTs - )
Major Revolutions

- **Bhils** who fought armed rebellion against the British regime in Khandesh and on the banks of Narmada River (convicted under section 110 of the IPC).

- **Satnamis of Chhattisgarh** (who formed the new sect of Satnam pant) were similarly listed as Criminal Tribes owing to their anti-Brahmanical movement.

- **Chamars; the Kondos and Sabors of Orissa; the Gonds, Marias and Murias of Bastar; Mundas, Oraons, Ho and the Santhals of Santhal Pargana** (all are the tribes of Chhotanagpur areas) all of these were notified in the Criminal Tribes Act as ‘criminals.’
Hurdles in mainstreaming

- **Lokur Committee 1965** - Benefits not percolating.

- AP and Assam communities called by derogatory names. One community in TN, not allowed to come out in day time even today.

- **Most subjugated** sections of the Indian Society.

- Being **mobile and transient** group of people, have always remained at the periphery of rural and urban areas.

- Continued to **remain poor, marginalized and powerless** even after Independence of India.

- **Social justice, equality, citizenship rights** are still **not known** to many of these communities.

- 5 seats in National Overseas Scheme for them to study aboard with a grant of one crore rupee per head from 2004-05 - **No one has applied till now.**
Parewada in Rajkot District
Nomads/Semi-Nomads

- Nomads are animal breeders, and move with their animals in search of pasture, on constant move and don’t stay long at one place.

- Perpetually moving, for their occupation demands. They do not leave their areas temporarily because of poverty, crop failure, or some natural calamity. They are also not shifting cultivators. In fact, nomadic communities are not food producers. They are usually engaged in other non-agricultural occupations.

- Semi-Nomadic groups tend to have fixed habitat for a part of the year and are itinerant in the rest of the year.

- No clear definition of Nomadic Tribes (NTs), or Semi-Nomadic Tribes (SNTs) in existence used for official purposes of the Government of India or States. Only reliable list of NTs complied so far can be sourced from 1931 Census of India.
(Gadia Lohar-Forefathers were in army of Rana Pratap) - Palam
Yerukala Tamil Nadu
**Summary of Conceptual Issues**

### Historical Background
- Rural Communities, Tribes and Nomads revolted 110 times against exploitation and repression of British Rule & Loyal Landlords during 1783-1900.
- They fought in Revolt of 1857 against British Rule.

### Impact of CTA 1871
- Repression, arrest in open prison on the basis of suspicion,
- Regular attendance in Police station,
- No freedom

### DNTs SUBJECTED TO
- Exploitation,
- Bonded & Forced labour,
- Illegal arrest,
- Torture by Police
- Social Stigma of Criminality
- Anti-Social Psyche of Society

### Policy Making Process
- Criminal Tribes Inquiry Committee 1949
- Ayyangar Committee 1950
- Habitual Offender Act 1952
- Kalelkar Commission 1953
- Lokur Committee 1965
- Mandal Commission 1980
- Venkatachaliah Commission 2002
- Renake Commission 2006
- Idate Commission 2014

Some DNTs included in SC, ST & OBC
- Remaining DNTs are unrecognized
- Lacks of Citizenship Rights, Permanent Address, Ration Cards, Aadhaar Cards, Voter Cards, Caste Certificate
- Lack of will to extend & implement the social welfare schemes to DNTs.

Thus, DNTs remained Exploited, Suppressed, Landless, Uneducated, Unhealthy Life, Unable to access Social Welfare Schemes, Socio-Economically Deprived, Discriminated, Excluded and Disempowered.
Kharia – Jashipur, Odisha
What we can do – Implementation Issues

- Large no. of initiatives taken but percolation at field is patchy .....?
- Welcome them irrespective of their original place or dialects/dress etc. Become their voice since hardly any Pradhan, Sarpanch, MLA, MP in their community.
- Being in minority disbursed across the country their mainstreaming is our prime duty.
- MP- Ratlam area the case of **Bedia women** – Police action alone would not suffice.
- Need socio-economic status- **Gadia Lohar and Tapriwas** – Exclusion may lead to apathy and revolts.
- Easy accessibility to resources at current circumstances- **Issue of grazing rights**- House site patta case of Baghpat (2000).
Need to become their voice

- Preamble of the Constitution, “WE, THE PEOPLE ……”
- Their mobility should be strength for non-agriculture based works.
- Their inherent skills and culture to be propagated.
- Officials and Civil Society organizations have to be sensitized- Manipur case.
- Inclusiveness within the existing legal provisions social - Goa Temple case Nathjogi.
- Implementable or adjustable programmes- Karnataka education initiatives.
- It is a everyday struggle for them and you may be their saviour (Assistant Secretary Jharkhand working for nomads from Sonbhadra, U.P.)
- They need to get from us what all of us in All India Services get rich experience by working across many sectors.
Immediate field issues

- Enrolment in pre-primary/primary schools for main streaming.
- Special camps - Govt. social security schemes such as Atal Pension Yojana, Pradhan Mantri Suraksha Bima Yojana, Pradhan Mantri Jeevan Jyoti Bima Yojana etc.
- Specific days of treatment in PHCs/Camps.
- Awareness camps for health/education/female menstrual hygiene.
- Safe drinking water and sanitary toilet facility - Mobile Toilets
- Livelihood support - skill development, self help groups, promotion of their traditional art and marketing support.
- Handicrafts, Tourism and Hospitality, Apparel and Beauty and Wellness etc. in UP, MP, Rajasthan and Punjab.
Gadia Lohar and Badi women trained in ‘Hand Embroidery’ and ‘Self-Employed Tailor’ job roles in Gurugram and Gujarat
Banjara and Dhangar - Assistant Beauty Therapist (MP)

Leh - Video link
References

References

- Renke Commission-2008
- Idate Commission-2019
- Sinho Commission- 2010
- Dhebar Commission / Bhuria Commission

Weblink

- http://socialjustice.nic.in/writereaddata/UploadFile/Voices%20of%20The%20DNT_NT%20for%20Mail.pdf
Thank You For Your Kind Attention & Patience!

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