

# The Need For A New Approach To Adivasi Development

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On 28 February 2015, Arun Jaitley, India's Union Finance Minister, presented the first full budget of Modi's new NDA Government. Yet there is nothing new to cheer for in it, as far as the country's 104 million Adivasis (Scheduled Tribes - STs) are concerned. The Government has not announced any new programme, scheme or legislation for the Adivasis in the budget. Instead, budgetary allocation for STs' welfare and development was reduced from Rs.26,715 crore (267.15 million rupees) during 2014-15 down to Rs.19,980 crore (199.8 million rupees). Yet the Finance Minister claimed that his 'Government being sensitive to the needs of the poor, under-privileged and the disadvantaged'!<sup>1</sup> This reduction is blamed on 'serious constraints',<sup>2</sup> with no mention of what these might be. Business as usual: this all comes under the Government's 'Tribal Sub-Plan' (TSP).

The briefing paper presented below shows that the current top-down approach under the TSP has failed miserably to achieve its stated objectives. It should be replaced with a Tribal Sustainable Development Plan (TSDP), which would empower tribal communities to decide about their own development based on their needs and priorities, including protection of their distinct identities. This TSDP would have the potential to reduce quite drastically the influence of Naxals (or Maoists) in the tribal areas.

## 1. Background of TSP:

Inclusive growth, social and economic development is the ultimate aim of every country. In India, the strategic plans known as 'five year plans' are designed accordingly. Unfortunately, after '25 years of independence, and successful completion of four five year and three annual plans, it was realized by policy makers that the Scheduled Tribes are still way behind the mainstream development process.'<sup>3</sup> It has also been realized that the general plans, schemes and programmes designed for the overall development of the economy have hardly improved the socio-economic status of the Scheduled Tribes at all; and the benefits of such general welfare schemes has failed to raise tribal people's standard of living in any significant manner whatsoever.

In order to address tribal communities' development challenges, the '*Tribal Sub Plan strategy was developed by an Expert Committee set up by the Ministry of Education and Social Welfare in 1972 under the Chairmanship of Prof. S. C. Dube.*'<sup>4</sup> This was adopted for the first time in the Fifth 'Five Year Plan', and started in fiscal year 1974-75. According to the revised guidelines of the Planning Commission (Govt. of India), issued on 31 October 2005, the broad objectives of the TSP are:

- Substantial reduction in poverty and unemployment.

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<sup>1</sup> Budget 2015-2016 Speech of Arun Jaitley *Minister of Finance* February 28, 2015.

<sup>2</sup> *Ibid.*

<sup>3</sup> A report on Livelihood Options Assets Creation out of Special Component Plan (SCP) & Tribal Sub Plan (TSP) Schemes and its Impact among SCs and STs in India by Socio-Economic and Educational Development Society (SEEDS), New Delhi.

<sup>4</sup> Annual Report, Ministry of Tribal Affairs, 2009-10.

- Creation of productive assets in favour of Scheduled Tribes to sustain the growth likely to accrue through development efforts.
- Human resource development of the Scheduled Tribes by providing adequate educational and health services, and
- Provision of physical and financial security against all types of exploitation and oppression.

The funds for TSP are sourced through the following instrumentalities: (i) State Plans; (ii) Funds under TSP components of Centrally Sponsored Schemes (CSS) administered by Central Ministries/ Departments; (iii) Special Central Assistance to Tribal Sub-Plan (SCA to TSP), Grant under Article 275 (1) of the Constitution and other schemes implemented by Ministry of Tribal Affairs; (iv) Institutional Finance; and (v) Corporate Social Responsibilities (CSR) of Corporate Entities. The allocated funds under various instrumentalities of the TSP for the last four fiscal years are as follows:

**Table 1: Availability of Funds under various instrumentalities<sup>5</sup>**

Instrumentalities	Financial Year (INR in crore)			
	2011-12	2012-13	2013-14	2014-15
Funds under CS/CSS	17453.61	20184.10	22029.97	32386.84
TSP under State Plan	44772.42	55019.05	59937.64	69922.16
Article 275(1)	1015.01	852.54	1050.00	1200.00
SCA to TSP	1111.28	820.00	1097.14	1317.00
<b>Total</b>	<b>64352.32</b>	<b>76875.69</b>	<b>84144.75</b>	<b>104826.00</b>

*Source: Ministry of Tribal Affairs, (Govt. of India), 2014*

As far as the Scheduled Tribes are concerned, there is still a huge gap in human development indicators, since 47.4 percent of the tribal population in rural areas, and 30.4 percent in urban areas, are below the poverty line. Households covered by a health scheme are merely 2.6 percent, 68.5 percent of tribal women are anaemic, the population with drinking water facility readily available is just 19.7 percent, literacy rate is 58.9 percent, and the child mortality rate remains at 35.8 percent.<sup>6</sup> This clearly shows that the funds allocated for them are not being properly utilized for their welfare and development.

## **2. Problems in the implementation of the Tribal Sub-Plan:**

The Ministry of Tribal Affairs states that the *'availability of funds is not the real constraint in achieving the intended targets. Instead, effective monitoring, accountability and management thereof appear to be the issues of concern'*.<sup>7</sup> What this means is that there is an urgent need to find out the major lacunas in the TSP strategy for addressing development challenges. Certain major

<sup>5</sup> A report of the Ministry of Tribal Affairs and United Nations Development Programme on the Brainstorming Consultation on Convergence of Resources for Tribal Development, 13 December, 2014.

<sup>6</sup> A report of the Ministry of Tribal Affairs and United Nations Development Programme on the Brainstorming Consultation on Convergence of Resources for Tribal Development, 13 December, 2014.

<sup>7</sup> Ibid.

areas of concern under the Tribal Sub-Plan need to be addressed with extreme urgency in order to ensure that tribal people get full benefits from the funds allocated for them, so that these funds would achieve some real improvement in their living standards.

**i) Inadequate Budget Allocation:**

One primary area of concern is that the allocation of funds is not attuned to the percentage of ST population in each State. According to the TSP strategy, ‘the funds provided under the Tribal Sub-Plan have to be at least equal in proportion to the ST population of each State or UT.’<sup>8</sup> Table 2 shows that the average budget allocation under the TSP for the last five fiscal years has been about 1.4 percent of the Union Budget, which is 7.2 percent less than the percentage of STs’ total population in India, which is 8.6 percent. This shows clearly that India’s tribal community is being denied its fair share of funds. Under this rationale, during the fiscal years 2011-12 to 2015-16, the TSP denied Rs.5,66,079 crore to Adivasis.

**Table 2: Union Budgetary outlay and allocation for TSP**

Particulars	Financial Year (INR in crore)					
	2011-12	2012-13	2013-14	2014-15	2015-16	Total
Total Outlay	1257729	1490925	1665297	1681158	1777477	7872586
TSP allocation due as per ST population	108164	128219	143215	144579	152863	677040
Actual Allocation under TSP	17959	21710	24598	26715	19980	110961
Allocation under TSP (%)	1.4	1.4	1.4	1.5	1.1	6.8

*Source: Budget Documents 2011-12 to 2015-16*

The Planning Commission has issued guidelines for the States to earmark funds for TSP to be placed under a separate budget head from the total State Plan outlay. The fund allocation under the Tribal Sub-Plan in five major tribal-populated states indicates that funds allocated exceeded the actual population (see table 2), while other states such as Assam, Maharashtra, Karnataka, Sikkim and Goa showed a TSP allocation much less than the actual tribal population.

**Table 3: Allocation of TSP in five major ST populated State**

Sl. No.	States	% of STs <sup>9</sup>	2011-12			1012-13			2013-14		
			State	TSP	%	State	TSP	%	State	TSP	%

<sup>8</sup> Ibid.

<sup>9</sup> Percentage of ST population is taken from the Census 2001.

			Budget			Budget			Budget		
1.	Chhatisgarh	31.8	16500.00	5561.44	33.7	23480.00	7356.00	31.3	25250.00	7784.52	38.8
2.	Jharkhand	26.3	1530.00	76.60	5.0	16300.00	8231.24	50.4	16800.00	8474.60	50.4
3.	Odisha	22.1	15000.00	3603.43	24.0	17250.00	4321.19	25	21500.00	5734.54	23.9
4.	Madhya Pradesh	20.3	23000.00	4964.90	21.6	28000.00	6178.91	22	35500.00	6800.00	19.2
5.	Manipur	34.2	3210.00	1168.37	36.4	3500.00	1358.53	38.8	3650.00	1376.28	37.7

*Source: Annual Report Ministry of Tribal Affairs, (Govt. of India), 2013-2014*

### ii) Fund Diversion from an inadequate allocation:

The second major area of concern is that a proportion of these anyway inadequate TSP funds are getting diverted, which is against the Planning Commission's guidelines, which state clearly that the '*Tribal Sub Plan funds are to be non-divertible.*'<sup>10</sup> The diversion of TSP funds has been rampant in several states. For example, the Odisha State Government diverted Rs 6 and 5 crores of TSP funds for construction of a flyover at Rajmahal Square in Bhubaneswar, and improvement of the Daya canal on the city outskirts respectively.<sup>11</sup> The Comptroller and Auditor General (CAG) recorded this large-scale diversion of funds from the TSP to other projects in its report tabled in the winter session of the Odisha Legislative Assembly, describing it as highly irregular and completely inadmissible,<sup>12</sup> recommending a thorough investigation into the massive lapse in budgetary control mechanisms indicated.<sup>13</sup>

In Jharkhand, the State Government diverted Rs.50 crore for building a circuit house, Rs.25 crore for building a court, and Rs.21 crore for construction of a government residential building in the fiscal year 2014-15. During 2013-14, the Government diverted Rs.7 crore for purchasing a trainer aircraft and a motor glider. and Rs.4.82 crores for expansion and construction of runways in various District headquarters. Similarly, one crore was diverted for constructing a residence for jail staff, Rs.1.5 crore for extending and strengthening jail buildings, and Rs.0.03 crore for enclosing a jail with a boundary wall. In 2011-12, Rs.1,82,95,917 was diverted for construction activities, including building a helipad in the Chief Minister's House.<sup>14</sup>

Similarly, the Chhattisgarh Government diverted two crore rupees from the TSP for police functions during 2014-15.

### iii) Non-utilization of funds:

A third major area of concern for the TSP is non-utilization of TSP funds. As per the Planning Commission's guidelines, the '*Tribal Sub Plan funds are to be non-lapsable.*'<sup>15</sup> Yet in the fiscal year 2011-12, Rs.1,013 crore allocated under the TSP remained unspent, and Rs.1,526 crore in 2012-13. The Ministry of Tribal Affairs surrendered Rs.72.9733 crore and Rs.98.7879 crore during the fiscal year 2010-11 and 2011-12 respectively. The Ministry identified the non-

<sup>10</sup> Revised Guideline of Planning Commission (Govt. of India), issued on 31 October, 2005.

<sup>11</sup> CAG critical of tribal funds diversion. <http://ibnlive.in.com/news/cag-critical-of-tribal-funds-diversion/217353-60-117.html>

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Villatt, *Nidheesh J Villatt. 2014. Why They Remain On The Margins.* New Delhi: Tehalka. 17 December.

<sup>15</sup> Revised Guideline of Planning Commission (Govt. of India), issued on 31 October, 2005.

submission of proposals as the major reason why these TSP-allocated funds could not be used and had to be surrendered.

This non-utilization of TSP funds was noticed in several states. For instance, the Tribal Welfare Minister of Goa, Ramesh Tawadkar, informed the Goa Legislative Assembly that '*Rs 426.53 crore allocated for the welfare of tribal communities in 25 government departments under tribal sub-plan, a whopping Rs 252.66 crore,<sup>16</sup> which is more than 50% of total TSP allocation remained unutilized for the financial year 2013-14.*'<sup>17</sup> Most shockingly, the '*Tribal Welfare Department itself spent hardly 30% of its allocated fund for the development of the communities*'.<sup>18</sup> The previous year 2012-13 was even worse, when just Rs.112.73 crore was spent, out of funds allocated totalling Rs.373.70.<sup>19</sup> This is less than 25 percent of total allocation, showing how poor the overall TSP utilization remains.

#### **iv) Lack of Government Accountability:**

Even more appalling perhaps, is the fact that no legal accountability has been fixed legally for correct allocation of TSP funds, even though Planning Commission's guidelines state clearly that the Tribal Welfare Department will be the nodal departments for the formulation and implementation of the Tribal Sub-Plan in the States. These departments have failed to achieve the TSP's objectives precisely because there is no TSP legislation which can hold them accountable for any failures.

### **3. Need for a New Approach:**

India is a federal democratic country but the powers are decentralized between the Union of India and the State Governments. For India's Tribals, or indigenous peoples, decentralization has never taken place. Tribals are governed by the 5<sup>th</sup> Schedule, which is headed by the Governor of a State, which remains a largely ceremonial role. The principle that the Governor must protect the tribals on behalf of the President of India, which sounds excellent on paper, has basically failed.

This conflicts with the decentralization of power supposedly achieved by the 73<sup>rd</sup> Amendment of the Constitution, that was extended in the Scheduled Areas through the provisions of the Panchayat Extension in Scheduled Areas Act of 1996 (PESA). Notoriously, this has not been properly implemented by most of the State Governments. The Ministry of Panchayats framed a model for drawing up rules under PESA, but the States didn't follow it. Instead, the Central Act was diluted in the Panchayat Acts and Rules at the State level. For instance, the Jharkhand Panchayat Raj Act of 2001 denies the Gram Sabha's rights on the management of community resources, whereas '*section 4(d) of the PESA Act 1996, provides that 'every Gram Sabha shall be competent to safeguard and preserve the traditions, customs of the people, their cultural identity, community resources and community mode of dispute resolution.*'<sup>20</sup> The PESA Act and Rules enacted by the State Governments are not in favour of the Scheduled Tribes.

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<sup>16</sup> Under tribal sub-plan, a whopping Rs 252.66 cr remained unutilized. Herald. 4 August, 2014. <http://www.heraldgoa.in/Goa/Under-tribal-subplan-a-whopping-Rs-25266-cr-remained-unutilised-76730.html>

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> WRIT PETITION (CIVIL) NO. 180 OF 2011 Orissa Mining Corporation Ltd versus Ministry of Environment & Forest & Others.

What this means, in effect, is that tribals still cannot decide their development programmes. India follows a top-down approach through the TSP, which places Adivasis in the role of supposed beneficiaries, but fails to empower them as decision makers.

It is quite clear that the Tribal Sub-Plan has failed to achieve its objectives due to lack of community participation, transparency and accountability since it was implemented in 1974-75. This is why the Government of India should replace it with a Tribal Sustainable Development Plan (TSDP), which would ensure respect, preserve and protect their identity, autonomy, culture and traditional system of governance. Tribals should be given the right to choose their own path of development. The new Tribal Sustainable Development Plan (TSDP) would ensure full and effective participation of Adivasis in their own development.

1. The funds allocated for the TSP/Tribal Development should be allocated to the TSDP, with disbursement procedures adapted accordingly.
2. All programmes (NREGA, NRHM, NRLM, PMGSY, Social Welfare Schemes, Housing Scheme, Special Scheme for PTG, etc), which are made to benefit the Scheduled Tribes, must be clubbed under the TSDP.
3. Huge funds allocated to NGOs by the Ministry of Tribal Affairs for the empowerment of tribal communities, whose present impact is invisible, should be discontinued. If necessary, Gram Sabhas could hire NGOs or expert advisers for providing training, technical support and capacity building in their communities.
4. Tribal dominated villages or groups of villages can be identified for a Tribal Sustainable Development Plan (TSDP).
5. A Tribal Sustainable Development Plan should be developed by a committee (chaired by the District Magistrate/Deputy Commissioner and members that include elected representatives, traditional chiefs, and tribal women community leaders) based on the needs and priorities of the area, through proper consultation with the tribals, submitting this plan for consideration by funding by the Ministry of Tribal Affairs in consultation with the concerned State Government.
6. The Tribal Sustainable Development Plan should focus on empowerment of the community through sustainable development programmes rather than promoting the dependency approach presently in place. The priority areas of the TSDP inter alia could be the following:
  - a. Agriculture – land development, irrigation (canal, lift and deep), watershed, fishery, kitchen gardens and promotion of cereals.
  - b. Forestry – plantation, minor forest produces and production of various items.
  - c. Horticulture
  - d. Animal husbandry – poultry farms, goat rearing, piggeries, etc.
  - e. Entrepreneurship – small entrepreneurs should be given incentives.
  - f. Traditional arts & crafts – development and marketing of traditional crafts.

- g. Touristic Circuit Development – Development of local tourist spots, skills of youth in hospitality and cater-preneurship in tourism.
7. The TSDP should provide for transferring funds to the lowest unit of governance, which may be Gram Sabha or Gram Panchayat for implementing all activities.
  8. Health Centers with adequate facilities should be established at every Panchayat in tribal dominated areas.
  9. Primary Schools should be established at Panchayat level in all the tribal dominated areas. Children must be provided with quality (meaning culturally sensitive) education at the primary level itself.
  10. A special education component should be kept under the TSDP for drop-out children, where they can be given special coaching to develop their knowledge and various skills.
  11. A special skill development programme for rural tribal youth should be implemented, geared towards involving them in production of various items in the rural areas.
  12. Tribal students should be provided with adequate funds to encourage them to opt for higher education under human resource development programmers, where the beneficiaries should be assigned with some sort of the social responsibilities.
  13. Adequate funds should be invested for welfare schemes for old age pensions, support to handicapped and poor families, etc.
  14. Adequate funds should be invested in major empowerment programmes (agriculture, forestry, horticulture, animal husbandry, entrepreneurship) for the community.
  15. The Government should bring out a legislation that might be framed as ‘Tribal Sustainable Development Act’ to ensure transparency, government accountability and development based on respecting the fundamental rights of tribal communities.
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