

VOLUME 29, ISSUES 2, 3 & 4, APRIL - DECEMBER, 2022

ISSN 0972-5563

Journal of Peace Studies



PUBLISHED BY INTERNATIONAL CENTRE FOR PEACE STUDIES

ISSN 0972-5563

Journal of Peace Studies

VOLUME 29, ISSUES 2, 3 & 4, APRIL - DECEMBER, 2022

Journal of Peace Studies

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*Office Address:*157/9, Block 4, Second Floor,
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Printed at:A.M. Offsetters
Kotla Mubarakpur, New Delhi
PIN- 110 003, TEL: 2463 2395**OVERSEAS OFFICES****UNITED STATES**7541 N.WESTERN AVENUE
CHICAGO,
IL 60645-1510, USA**UNITED KINGDOM**196 CHURCH ROAD
NORTHOLT, MIDDX
UB5 5AE U.K.
PHONE: 0181-845, 8828**SUBSCRIPTION****In India**

Single Copy:	Rs. 150.00
Annual (Individual)	Rs. 600.00
(Institutional)	Rs. 1200.00

Overseas (Air Mail)

Single Copy:	US\$ 7.50 UK£4.50
Annual:	US\$ 45.00

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Rights of Tribal Women and the Indian State: A Human Development Perspective

Niharika Tiwari & Anisur Rahman*

Abstract

The main aim of the paper is to assess the status of tribal women from a human development perspective based on three parameters, i.e., education, health and standard of living. The role of the state agency has been examined from this perspective. The paper is based on the hypotheses that the condition of tribal women is vulnerable in terms of health and education and the welfare schemes have not been successful in improving the standard of living of tribal women. The paper argues that if the human development perspective, especially the “capability approach”, is adopted by the Indian state, the condition of tribal women can be improved in a sustainable manner. This paper is theoretical and analytical in nature and makes use of the Human Development Reports, literature on tribes in India and data available with the Ministry of Tribal Affairs and NITI Ayog. The use of grants under Article 275 (1) of the Indian constitution, schemes for tribal girls’ hostel, Adivasi Mahila Sashaktikaran Yojana, etc will be critically examined. The ILO’s Indigenous and Tribal People’s Convention, 1989, will also be discussed to critically assess the role of the Indian state, which has initiated a large number of welfare schemes for improving the conditions of tribal communities, especially tribal women.

Keywords: Human Development, Tribal Women, Education, Health, Human Rights



Introduction

One of the major functions of any modern and welfare state is to protect the rights of every

citizen within its territory. In a democratic country like India, the government works as an important agency of the state to address the issues of the people. In the beginning, it was evident that a

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growth-based quantitative approach to development was adopted by the state apparatus but gradually, it was realised that challenges faced by the people, especially those at the margins, were not addressed significantly. The human development approach to development was, therefore, put forward to bring human beings at the centre of the multidimensional development process. This human development perspective considers people as active agents of multidimensional change and believes in enhancing their choices. Education, health and standard of living are the three basic parameters to assess the status of human development in a society. This perspective aims at establishing the dignity of people irrespective of caste, religion, region and gender. The tribes in India have been marginalised due to the lopsided development process. According to the 2011 census, tribes constitute 8.6 per cent of the total population of India. This number is quite significant. However, their representation in health and education has been extremely poor.

Consequently, their standard of living has been largely compromised. In case of tribal women, it is witnessed that they have been suffering much more on account of illiteracy, lower access to education and health. Low-quality education amongst them, in fact, creates ignorance leading to poor

health, unemployment, etc. that create a vicious cycle of poverty and exploitation.

The State apparatus, as a territorial concept came into existence to provide security to the people residing within its territory. However, it is not to be conceptualised merely as a police state aiming only to provide the people physical security and protect from all kinds of threats to life. With the passage of time, changing demands and onset of new challenges the state was conceptualised as a welfare state, which aims to deliver services like health, education and employment to its people along with security. In this globalised world, the traditional notion of state has been redefined and it is considered an agent of human development. The traditional idea of state was more focussed on institutional set up; the new understanding of the state focuses on people and human beings who are seen as the epicentre of all kind of socio-economic and political changes. Earlier, the quantitative-growth-oriented notion of development dominated the socio-economic and political orientation of the state, while today it is qualitative development which is emphasised as a measure of human development.

Development of a country is a process, which not only advances income growth but human

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capabilities as well because growth in income is only one dimension of development whereas education health, gender equality and quality of life are some other important dimensions that need to be considered to form a holistic view on development. People must be at the centre of all the activities as development is centred on enlarging their capabilities, achievements and freedoms. That is why, now the new paradigm known as human development is being adopted by the sovereign states of the world. It gives importance to qualitative aspects of development by focusing on increasing the choices of the people and allowing them to be a part of the processes that affect their lives. It talks about equity in the well-being of the people because overall development depends upon equal accessibility for all population, especially the deprived ones.

The idea of human development emphasises the importance of human beings in formulating laws, policies, programmes and institutions. This approach to development was put forward by Mahbubul Haq and it was further elaborated by Amartya Sen through his capability approach. It aims to bring development by strengthening three basic foundations of human development that is, Health, Education and

Standard of living of the people. The paper describes the evolution of the concept of human development approach in general and in India in particular; it further defines tribes and the constitutional and policy measures taken by the government for the upliftment of the tribal women through available secondary sources.

Tribes in India

Tribe connotes a small human organisation or group having political integration and also known by practice of common language, culture, creed and descent. It was derived from the word 'tribus' used in ancient Rome which signified a division in the state. (Tribe) In India, the term was introduced during the colonial era but they are known as Scheduled Tribes (STs) or Adivasis today. During colonial rule, the term 'tribe' was almost synonymously used as 'caste' and was used to define people who practised animism. But after independence, they were defined as a separate category and were distinguished from caste and referred to as Scheduled Tribes and Adivasis, a term taken from Sanskrit meaning original inhabitants, because they are thought to be the earliest or original settlers in India. 'Scheduled Tribes' is an administrative term mentioned in the

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constitution of India to identify people based on geographical isolation, unique culture, primitiveness, economic backwardness, limited contact with other communities, and distinct language. They are called so by the framers to acknowledge their relative backwardness and ensure their social and economic development. (Bhengra, Bijoy, & Luithui, 1999, pp. 3-4)

These tribes were also referred as indigenous by an international organisation for the first time in 1957, when International Labour Organisation (ILO) and United Nations Working Group on Indigenous Peoples organised a general conference for adopting a convention in their interest. This convention categorised the tribal people as indigenous because ILO and UN wanted to integrate and protect the rights of indigenous, tribal, and semi-tribal population in the UN member countries. The convention was revised in 1989 and held that governments should respect the rights of the indigenous and tribal people so that they can retain their specific identities and participate fully in the political and economic activities that affect their lives. (XaXa, 1999, p. 3589)

But the Indian government, till today has not signed the convention

as it has held that the STs should not be referred as indigenous people and that the entire population of India was indigenous in the country. Many Indian political scientist, administrators, politicians, and social activist referred to the tribal groups as STs or Adivasis or ethnic groups who were people different in bodily features, customs, language, religion etc. Article 342 of the Constitution was passed on 1950 but it came into force only in 1976. It defined the term 'Scheduled Tribes' as it stated under clause (1) that "the President may with respect to any state or union territories, for state after the discussion with Governor identify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be considered to be Scheduled Tribes in relation to that State or union territory as the case may be". In clause (2) it was mentioned that the parliament by law could "include or exclude any tribe or tribal community or group within any tribal community from the list of Scheduled Tribes specified in a notification issued under clause (1).

As per Article 366 (25), STs are "such tribes or tribal communities or groups within the tribes that are deemed under article 342 to be scheduled tribes for the purposes of this constitution". So, in a particular state or in union territory the

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specification of STs is only by notified president order after discussion with the local governments. The orders can be the customized only by an act of the parliament and the list of STs for the respective state or union territory is valid only within the jurisdiction of that state/union territory.

To use the powers conferred by Clause (1) of Article 342, the President after consultation with the concerned state governments circulates orders to identify the Scheduled Tribes in relation to the state and union territories. Out of these, eight are functional at present in their original or amended form. One order namely the Constitution (Goa, Daman & Diu) Scheduled Tribes order 1968 has become dysfunctional on account of reorganization of Goa, Daman & Diu in 1987.

As per Census 2011, the population of STs in the country is 10.45 crore and almost 8.6 per cent per cent of the total population. Only 1 per cent per cent of the entire tribal population lives in rural areas (2018-2019, p. 23). They cover 15 per cent of the areas in diverse ecological and climate conditions extending from plains and forest to hilly areas. Under Article 342 there are over 700 STs Communities notified and spread among more than various states and

union territories. The State of Odisha is leads in terms of numbers of STs listed, with 62 notified scheduled tribes residing within the state (2018-2019, p. 38). The tribal population is scattered in India far and wide and they are territorially divided in three main zones:

a) North-North-Eastern Zone: The zone comprises of the states such as Eastern Kashmir, Northern Uttar Pradesh (UP), Nagaland, Assam, Eastern Punjab, Mizoram, Tripura, etc. with the Aka, the Chulikata, the Mishmi, and the Naga are the tribes in this zone.

b) Central Zone: West Bengal, Southern UP, Odisha, Bihar, Madhya Pradesh, Maharashtra, and Southern Rajasthan are states included in this zone. This zone has the highest number of tribal population; over 85 per cent per cent of tribal population resides in these states. The Santhals, the Bhils, the Murias and the Baigas are the names of few of the tribes living in this zone.

c) Southern Zone: This zone consists of Andhra Pradesh, Karnataka, Kerala, and Tamil Nadu and these four states have the Koraga, the Kadar and the Chenchu as the important tribes in this zone. There are some key tribes residing in the isolated Andaman and Nicobar

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Islands located in the Bay of Bengal (Mondal).

Adivasis or STs or Tribal people reside in areas known as Scheduled Areas and these areas are also determined by the government under the 5th Schedule of the constitution of India. Article 244(1) of the Constitution says that the “provisions of the Fifth Schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State specified in Part A or Part B of, the First Schedule other than the State of Assam”. The Article mentions that these areas are to be declared by Presidential orders as ‘Scheduled Areas very much like notification of groups as STs. The Constitution delineates that the government will provide good governance, will maintain peace and promote economic and social development in these Scheduled Areas.

The first commission of scheduled tribes was Dhebar Commission established in 1960-61, which laid down the criteria for defining an area as scheduled under this schedule:

- a) Predominance of tribal population, not less than 50 per cent per cent;
- b) Compactness and reasonable size of the area;
- c) Underdeveloped nature of the area; and

d) Marked disparity in the economic standard of the people, as compared to the neighbouring areas. (Pai & Cilliers, pp. 15-16).

In addition to these, a viable administrative entity such as a district, block or taluk, has been also identified as an important additional criterion.

It is pertinent to mention here that at present Scheduled Areas cover only 30 per cent of the tribal population, and no tribal habitations in the states of Kerala, Tamil Nadu, Karnataka, West Bengal, Uttar Pradesh and Jammu & Kashmir have been brought under the Fifth or Sixth Schedule. The Sixth Schedule specifically provides for the administration of predominantly tribal areas in Assam, Meghalaya, Tripura and Mizoram and to safeguard the rights of the tribal population in these states.

The list of Scheduled Tribes is State/UT-specific and one group declared as a Scheduled Tribe in one State need not be so in another State. The inclusion of a community as a Scheduled Tribe is a continuous process. Tribal communities live in various ecological and geo-climatic conditions ranging from plains and forests to hills and unapproachable areas. Tribal groups are at different stages of social, economic and

educational development. There are 75 tribes which were designated as Particularly Vulnerable Tribal Groups (PVTGs) in 2006, these criteria are not mentioned in the constitution of India but have become customary. Before 2006, these groups were termed as Primitive Tribal Groups or PTGs. Tribal people or Adivasis are the people who have close relationship with their community and nature. They are self-sufficient and less dependent on the market and technology.

Historical Background of Human Development (HD) Approach

Human development approach is a people-centric approach that focuses on the development of the people. It emphasises on building human capabilities, active participation of the people in the processes that shape their lives and expanding human choices that improve their lives. Human development involves increasing choices, which determine who we are and what we do. A number of factors underlie these choices: the broad range of options that we have to choose from our capabilities; the social practices and influences that shape our values and choices; our own empowerment and the autonomy we exercise individually

and as part of groups in shaping our options and opportunities; and the system that exist to resolve competing claims in ways that are fair and encouraging to realizing human potential.

HD approach in the international development discourse was suggested by international organisations in the 1950s and 1960s. After the Second World War and end of the colonial era, economic growth was considered to be a major criterion for development. There was exaggerated emphasis on monetary and material aspects of development, rather than human aspects of it. In the 1950s and 1960s, the post-colonial decision makers and their international advisers made economic growth or per capita income the fundamental and dominant objective of development because economic growth was considered to be the prime mechanism for these newly independent countries to be equal with economically progressive countries. After gaining independence in 1950s, economic situation of people of these poor countries was improving as growth was achieved by increasing the investment rate through import-substitution policy through industrialisation which was an important component of their National Plans.

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This strategy in Asian countries proved to be successful as growth rates went up along with national incomes. However, despite some initial success in many of the middle-income developing countries, this growth strategy led to high level of unemployment, underemployment and poverty as it was based on capital intensive technology imported from western countries which created jobs only for a few. That is why, poverty rate remained constant. Hence, economic growth did not necessarily reduce poverty; therefore, International Labour Organisation (ILO) was the first international organisation to summarize this situation by saying that “it has become more obvious specifically from the experience of the developing countries that speedy growth at the domestic level does not inevitably reduce equality or poverty or provide constructive employment” (Stewart, 2019, p. 2). Hence, in the 1950s, both developed and developing countries realised that human aspects of development were necessary for overall growth of the country.

Mere economic growth was considered insufficient because it often led to dependence on the western developed countries for capital and technology. Hence, for a country's development, an

alternative approach was advocated known as 'Redistribution with Growth' (RwG) by World Bank and the Institute of Development Studies at Sussex, by economists which originated from their analysis at Kenya's ILO mission. The RwG talked about equal distribution of the produce from economic growth between rich and poor and put more emphasis on the poor to ensure that they benefited more. But this RwG strategy was never implemented as it had both political and economic flaws. Politically, it advocated heavy taxation and economically, there was no proper distribution. This strategy also neglected the importance of human capital for economic growth. By considering human factor more important for growth, international agencies held that each country must try to fulfil the basic needs of citizens such as food, education, employment, health etc.

For this purpose, the ILO in 1976, in a World Employment Conference which was attended by 121 member states, drafted a declaration and a Programme of Action for the adoption of 'Basic Needs (BN) Approach'. Under this programme, firstly, food, shelter, and clothing were included as basic needs and secondly, education, health, public transport, sanitation and cultural facilities were included as basic

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services required for human development. Basic needs (BN) policy meant participation of the people in the decisions that affected them through organisation of their own choice (Basic Needs, 1978). Income of the poor was considered important for promoting BN. But this approach was not adopted by every country and governments of developing countries regarded this as an attempt of the developed countries to interfere in their domestic affairs. Some of the developing countries such as China, Taiwan, Cuba, Mexico, implemented some elements of this approach in their strategies. World Bank was also influenced and introduced some programmes focusing on food, health and shelter.

But in the 1980s, the concern for human development declined as USA and UK had to deal with debt and economic crises in the developing countries especially in Latin America, Asia and Africa. In the same year, laissez-faire pro-market reforms were introduced in the developing countries through conditionalities highlighted in the Structural Adjustment Programmes (SAPs) or Washington Consensus of International Monetary Fund (IMF) and World Bank. These short-term programmes were based on development through macro-

economic policies such as reducing tariffs, privatisation, no government control, deregulations, free competition and economic liberalisation. But these programmes failed to bring about any change and further worsened the condition in the recipient countries in some cases. It led to fall in per capita incomes, reduced spending on welfare activities and widened the gap between the rich and the poor that increased poverty and inequality.

With the failure of World Bank's development approach in the 1980s, the international financial bodies realised the need to plan well for re-emphasising the need for human development to be the centre of all developmental objectives. During this time, Amartya Sen brought out his capability approach which focused on human-development oriented approach. According to Sen, the main aim of development must be advancement of the capabilities that ensured human freedom. Enhancing capabilities and agency or person's autonomy were regarded as the two major aspects of the approach which held that every individual must have the capability to be well-nourished or well-educated and every person should be able to select which capabilities they would want to pursue. The central point of Sen's approach was the

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predominance of people; their well-being and their autonomy in the development process.

Human development approach was launched in the North-South Roundtable meetings of the United Nations Development Programme (UNDP) in 1990 when the First Human Development Report was launched which measured the development of people as a participatory and dynamic process under the supervision of Dr. Mahbub-ul-Haq with the team consisting of Amartya Sen, Gustav Ranis, Inge Kaul, Shabbir Kaul, etc. The human development reports in the 1990s defined human development as a process of expanding people's choices (1990, p. 1) These comprehensive choices were: to be educated; to gain access to resources for acquiring a decent standard of living with long and healthy life; and additional choices such as choices that guaranteed human rights, self-respect and political freedom. This approach not only privileged creation of human capital but also highlighted the use of these capabilities for work, because human potential will remain untapped if there was no balance between use of human capabilities and human development.

According to UNDP, development makes it possible for people to have

these choices. People make choices for their own benefits but the course of development can be calibrated to create a favourable environment for people to be able to harness their capabilities well and to have an equitable chance to lead creative lives in accordance with their needs and interests both individually and collectively (1990, p. 1). HD approach includes all the section of the society but specifically puts heavy stress on the condition of the disadvantaged because their potential for living decent lives and bringing development into their lives is limited. Raising income is also an important means of achieving human development but it should be considered as a means to an end and not as an end in itself. Economic growth is a means to advance HD not an end. Human development not only fulfils the basic needs of an individual but other political, cultural, social and even personal needs as well and it not only applies to the developing countries but also the whole world globally.

There are certain issues which are considered central to the human development:

Social Progress: greater access to knowledge, better health care services;

Economics: the significance of economic growth to diminish the

means of inequality and improve the levels of human development;

Efficiency: in terms of resources use and availability. Human development is for growth and efficiency as long as such growth directly benefits the poor, women and other marginalized groups;

Equity: there should be equity in economic growth and other parameters of human development;

Participation and Freedom: particularly empowerment, gender equality, civil and political rights and cultural liberty, particularly for disadvantaged groups defined by rural-urban, sex, religion, ethnicity etc.;

Sustainability: for future generations in ecological, economic and social terms;

Human Security: security in daily life against chronic threats such as hunger, conflict, joblessness, etc. (Ghosal, 2009, pp. 98-99)

Human development approach moved the development discourse from pursuing material wealth to improving human well-being, from raising income to developing capabilities, from raising growth to enlarging freedoms. It focused on the prosperity of human lives rather than the richness of economies and doing so will change our views about development outcomes.

Human Development and Tribes in India

Human development is about acquiring more capabilities and enjoying more opportunities to use those capabilities. It is a process of enlarging people's choices. With more capabilities and opportunities, people have more choices, and expanding choices is at the core of the human development approach. Human development is also the objective, so it is both a process and an outcome. It is development of the people through building of human resources for the people through translation of development benefits in their lives and by the people through active participation in the processes that influence and shape their lives. Income is a means to human development but not an end in itself. As has been discussed above, Human Development (HD) approach came into being in the 1980s introduced by Dr. Mahbub ulHaq and Dr. Amartya Sen as a concept. It places people at the centre of development discourse because overall development of human being is not only dependent on the economic and political development but also on the social upliftment because that is the purpose of development to expand the capability of the people so that they can become the healthy,

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knowledgeable, and participative member of the society. (2010, p. 2)

Human development in India was first mentioned in Kautilya's *Arthashastra* that can be regarded as an essay on human development as it discussed system of governance that talked about the welfare and development of every section of the population. Human development and upliftment of the tribals or the *Adivasis* in India began soon after independence but their exploitation had a long history. Before the British colonized India, the habitats of the *Adivasis* were self-governing entities; however, after British came in, these territories were areas they wanted to control because these areas were rich in natural and mineral resources. Under foreign rule, *Adivasi* areas were kept separate from the British Indian state administration and their political realms maintained a degree of self-governance as the British government passed the "Scheduled District Act XVI" in 1874 that regarded *Adivasis* as a group to be administered separately and provided necessary protection to them. Government of India Acts of 1919 and 1935 classified these areas as 'backward areas' or 'excluded' and 'partially excluded areas'. By these acts, the British controlled the resources in these areas and exploited

them for the raw material they needed. In the Forest Acts of 1864 and 1927, any land with trees was regarded as government forests and deprived the *Adivasis* of their autonomous and independent use of forest resources for their survival (Bhengra, Bijoy, & Luithui, 1999, p. 7).

After independence in 1947, the overall condition of India was stagnant and there was mass poverty, illiteracy, food shortage, famine etc. So, the government decided to cope with these challenges by establishing a democratic republic with written constitution. While drafting the constitution, special emphasis was put on the welfare of all people including the tribal people. As per the preamble of the constitution, India is a sovereign, socialist, secular, and democratic republic that would secure its citizen's socio-economic rights and ensure them equality of opportunity, availability of resources and promotion of human dignity. The Constitution was adopted in 1950 that divided the people into two backward classes known as Scheduled Tribes (STs) and Scheduled Castes (SCs). It also under Article 342 and 366 gave an administrative definition of STs. The most important provisions adopted by the constitution aimed at socio-economic welfare of the tribal people. The two main provisions were: Part

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III of the constitution that focused on Fundamental Rights' and Part IV that enshrined the Directive Principles of State Policy'.

Fundamental Rights are the civil liberties and the basic rights enjoyed by every Indian citizen enshrined in Part III of the constitution. These rights are protected by the rule of law and cannot be taken away by any state or central government. Articles 14 to 35 guarantee rights such as right to equality, freedom of religion, freedom of speech and expression, equality of opportunity in public employment etc. The Directive Principles of State Policy (DPSP) which are not enforceable by law enumerate the duties of the state to make laws to apply these DPSP principles because they are fundamental for the governance of the country. The State must promote the welfare of the people through eliminating inequalities in services, income and opportunities among individuals or group of people by protecting and securing social order in which there is justice in political, social and economic sphere of life. Under DPSP, Articles 36 to 51 talk about various social and economic rights, such as promotion of educational and economic interest of the weaker section STs and SCs under Article 46 and safeguard injustice and exploitation; Article 40 talks about

organisation of panchayats at the village level and also grants them power and authority so that they can function as self-governing units; Article 50 emphasises on independence of judiciary for executive branch of the government.

Apart from these two provisions, government also established Planning Commission in 1950 which can prepare proper assessment of resources available in the country from time to time and formulate five-year plans for the development and proper utilisation of these resources. Government of India prepared five-year plans for the upliftment of STs which adopted a human development approach if one were to analyse them from today's standpoint. However, more expressly, the Indian government for the first time identified human development as the ultimate goal in the Eighth Five Year Plan (1992-1997) and listed employment, education, health, food and infrastructure as priority areas. The government's objective has been to achieve these significant goals with sound institutions.

In the Tenth (2002-2007) and Twelfth Five Year Plan (2012-2017) the government wanted to make India a fast-growing economy through adequate reforms in the process of governance without which

development opportunities cannot be realised. The government also focused on making state institutions more efficient, transparent, and accountable in delivering services to the people. It also focused on enabling people to enhance their capabilities. So, for securing the well-being of citizens and sustainable development, they adopted the concept of good governance. In the Tenth Plan, to solve the problem of the Tribals, National Policy for Empowering the Tribals was also formulated and in 2006-2007, Backward Regions Grant Fund (BRGF) and Integrated Action Plan for tribal and backward districts were introduced which covered 76 districts (Planning Commission, 2013, p. 302).

In 2004-2009, the United Nations and Planning Commission of India in collaboration launched a project under which states and district had to include human development aspects in the planning process. This project ran in Assam, Chhattisgarh, Nagaland, Gujarat, Orissa, Punjab, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Sikkim, Rajasthan, Tamil Nadu and West Bengal. Each of these states had included a chapter on human development in their annual plans and policy documents. For example, Punjab introduced a chapter on HD

in 2006-2007 in its annual plans; Assam institutionalised HD in its policy in 2010-2011; Maharashtra incorporated a gender development and HD in 2009-2010; Orissa in 2007-2008 introduced a chapter "Poverty and Human Development" in its state annual plan etc (2010, pp. 15-16).

Policies and Laws for the Empowerment of the Tribal Women

HD as a concept covers every aspect of development whether basic social services, economic growth or international trade, budget or fiscal policy and well-being of the poor; however, theme in focus or primary goal is to broaden people's choices and enhancement of their lives. For the development of the people as well as that of the country as a whole, the government introduced the human development approach at the national, state and district level through its five-year plans and annual plans that led to advancement of as all people in general and disadvantaged citizens especially tribes in particular. For the capability development of tribal women government initiated the following policies for improving their participation in decision making, education, health and standard of living.

1) Political Participation:

Participation in the decision-making process is important this especially important for the weaker sections, that is, the STs, the SCs, and the minorities. Every citizen has the right to vote and contest elections. For the STs to be the active participants under Article 330 & 332 seats are reserved for the SCs and the STs in the Lok Sabha or the lower house of parliament and also in the state legislative assemblies. Proportion of seats depends upon the population of STs residing in the state or the union territory.

But they can contest elections even from the unreserved constituencies such as in 2009 general election, there were a total of 136 tribal candidates and in 2014, 6 tribal candidates were from unreserved constituencies (Ambagudia, 2019, p. 50). Article 338(A) established National Commission for STs, fifth Schedule (4) established Tribes Advisory Council that is supposed to advise the government on the matters related to the welfare policies for the STs. Under Article 243 (d) seats were reserved in the Panchayats and similarly under 243 (t) Municipalities seats were reserved for STs and SCs. For the post of chairperson, one-third seats were

reserved for women in general which included women from ST and SC communities. In 1996, the parliament passed an act 'The Provisions of the Panchayats (Extension of the Scheduled Areas) Act' also known as PESA Act, which provided the extension of provisions of part IX of the constitution that is related to the establishment of panchayats in the scheduled areas defined under 5th schedule as scheduled areas (Strengthening of PESA Act, 2022). Under this act, every Scheduled area has *gram sabha* at the village level with local members of their community and manages affairs as per their traditions and customs. There are six States namely Andhra Pradesh, Gujarat, Himachal Pradesh, Maharashtra, Rajasthan and Telangana that have successfully framed their State PESA Rules.

2) Educational Schemes:

Education is the most important asset that should be universally attainable by every human being regardless of his/her sex, class, religion, etc. In Article 21(A), 29, 41 and 45 of constitution stated that government will provide free education up to 14 years. Through education, people become participative and active citizens of the society, that is why, the government introduced

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various schemes for educating female ST students:

Pre-Matric Scholarships to ST Students (Class IX and X) and Post Matric Scholarships to ST Students (Class XI and above): It is applicable to students who are studying in Classes IX–X whose Parental income should be less than Rs.2.00 lakhs per annum, which is proposed to be revised to Rs.2.50 lakhs per annum. Scholarships are paid @ Rs.225 from Rs.150/- per month for Day Scholars and @ Rs.350/ to Rs.525/ - per month for Hostellers, for a period of 10 months in a year.

National Overseas Scholarships (NOS) for ST Students for Studying Abroad: The Scholarship provides financial assistance to selected students to pursue Post Graduation, Ph.D & Post-Doctoral study abroad. A total of 20 awards out of which 17 awards are for STs and 3 awards for students belonging to particularly Vulnerable Tribal Groups are given every year are provided for candidates in United Kingdom. (Schemes launched by Ministry of Tribal Affairs for the Welfare of Scheduled Tribes, 2018)

Scheme for Strengthening Education among Scheduled Tribe (ST) Girls in Low Literacy Districts: This educational scheme directed to reduce the literacy gap between tribal

women and general female population in the 54 Districts. It aims to shrink the drop-out rate at the elementary level by setting up the required environment for education. It is implemented by the voluntary organisation / Non-Governmental Organisations (NGOs) of State Government/ UT Administration. Cash incentives of Rs.100/-per month at the primary level, up to class V and Rs.200/-per month at both middle and secondary levels from class VI to XII and also on passing Class VIII, X and XII a scheduled tribe girl students will receive periodicals awards like bicycles, watches etc (Scheme of strengthening Education among Scheduled Tribes (ST) Girls in Low Literacy Districts, 2006).

Eklavya Model Residential Schools (EMRSs) is a scheme that enhances the quality of middle and higher education for the ST students in tribal areas. The commission was funded under the Article 275 (1) of the constitution. It also set up school with the capacity of 480 students in State/ UTs. It provides for reservation for STs Students in jobs, schools, university both in public and private sectors (2017-2018, p. 61).

3) Health Schemes: Health literally means mental and physical wellbeing of an individual. Wellbeing of a person depends upon

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living conditions of a person within the society and the household. All health-related policies in India regulated by the Ministry of health and Family Affairs and framed various policies for rendering health services to the tribal people as well. National Health Mission (NHM) was established to finance and support states for providing health care services. National Health Mission have two sub missions: a) National Rural Health Mission (NHRM) that seeks to provide accessible, affordable and quality health care to the rural population, especially the vulnerable groups mainly concentration on tribal inhabitation in far-flung areas and also development infrastructure; b) National Urban Health Mission (NUHM) seeks to improve the health status of the urban population particularly urban poor and other vulnerable sections by facilitating their access to quality primary health care by covering all State capitals, District Headquarters with a population below 50,000. There are many schemes for rendering quality services to tribal people such as:

- *Revised National Tuberculosis Control Programme (RNTCP)*: RNTCP provides free diagnosis and treatment including the supply of drugs free of cost for full course treatment to all beneficiaries

including tribal population. Around 40,000 tribal patients have been diagnosed and treated under RNTCP since 2015. Total Budget allocation for RNTCP for FY 2017-18 is Rs. 1,84,000 Lakhs. Allocation of Rs. 6559.71 Lakhs is earmarked for SCs and Rs. 7806.74 Lakhs for STs.

- *Targeted Intervention to Expand and Strengthen TB Control among the Tribal Population under RNTCP, India (TIE-TB Project)*

The Indian Council of Medical Research (ICMR) under the Department of Health Research, Ministry of Health & Family Welfare, Government of India, in collaboration with Central Tuberculosis Division (CTD)/Department of Health & Family Welfare/ MOHFW/GOI has undertaken the project in certain defined hard to reach tribal areas spread over the central and western parts of India to improve the convenience of TB services for the tribal population. This project has been funded by the Global Fund for AIDS, TB & Malaria (GFATM).

- *National Leprosy Eradication Programme*: Under the programme, State wise disaggregated data of tribal population is collected on monthly basis. During the year 2016–17, out of 1,35,485 new leprosy cases detected, 25,474 (18.80 per cent) were Scheduled Tribes and 25,449

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(18.78 per cent) were Scheduled Castes.

- *ASHA (Accredited Social Health Activist)* is a trained female health activist who was appointed at the village level by Panchayats to whom they are accountable. They are appointed to provide health services at the household level and also act as the interface between the community and the public health system. The activist under the leadership of Village Health Committee of the Panchayat and along with Anganwadi worker, Auxiliary Nurse Midwife (ANM), Self Help Groups members assist, prepare and implement Village Health Plan (2005-2012, pp. 6-7). ASHA and ANMs are workers that help pregnant women to deliver a healthy baby and make women aware about family planning and giving contraceptive pills at doorstep of beneficiaries in all the states. For healthy pregnant women, government provides free medicines, free transport facilities before and after delivery, launched Janani Suraksha Yojana (JSY) and Janani Shishu Suraksha Karyakram (JSSK). In 2016-17, around 64 per cent received free drop services after delivery, 92 per cent have free drugs with 80 per cent enjoyed free diagnostics facilities.

4) Economic Schemes: Economic schemes involve the participation of women in the economic development of the country and it also involves the policies and laws which enhance the participation of women in economic sectors. Under Article 16 of fundamental rights, government guaranteed equality of opportunity in terms of government jobs and Article 42 and 43 granted humane working conditions with maternity relief and equal wages for equal work.

- *Institutional Support for Development & Marketing of Tribal Products/Produce (Central Sector Scheme):* Under the scheme, Grants-in-aid are released to State Tribal Development Cooperative Corporations (STDCCs) and Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED) which is a multi-State Cooperative under Ministry of Tribal Affairs (MoTA).

- *National Scheduled Tribes Finance and Development Corporation (NSTFDC):* The Corporation under the Ministry of Tribal Affairs was integrated as Government Company and had given license Section 25 of the Company Act of 1956. NSTFC is exclusively set up for the economic development of Scheduled Tribes through financial Support at concessional rate of interest 4 per cent

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to 8 per cent with any kind of income. STs with having annual family income double to poverty line (DPL) have received financial assistance through State Channelizing Agencies nominated by state government (Equity Support to NSTFDC/STFDC).

• *Adivasi Mahila Sashaktikaran Yojana (AMSY)*: This scheme is specifically for the development of Scheduled Tribe women economically. Under this scheme up to Rs.2 lakhs loan was given to the beneficiaries by NSTFDC (NSTFDC Scheme: Schemes for Economic Development of Scheduled Tribes).

Tribal Forest Dwellers Empowerment Scheme: The main objective is to make tribal people aware of proper utilisation of lands by giving training to the Forest Dwellers.

• *Self Help Groups (SHGs)*: Indian government promote SHGs at both rural and urban areas for the socio-economic development. Across the country under the Ministry of Rural Development, through Deen Dayal Antyodaya Yojna-National Rural Livelihoods Mission (DAY-NRLM) tried to organise the rural poor women into SHGs in a mission mode by continuously nurturing and assisting them to take economic activities till they experience substantial increase in the income over a period of time to

make their life better and come out of poverty. On 31st May, 2019, under the programme around 5.96 crore women have been organized into 54.07 lakhs women Self Help Groups (SHGs). The programme is implemented in all Indian states except Delhi and Chandigarh (2019, p. 1).

• *Tribal Cooperative Marketing Development Federation of India Limited's (TRIFED) Van Dhan Yojna*: TRIFED is a multi-state cooperative society established in 1987 under the Multi-State Cooperative Act of 1984. It acts as a service provider as well as market developed for tribal products. It also provides training to the ST Artisans and Minor Forest Produce (MEP) gatherers (2017-2018, p. 93). TRIFED always takes initiatives for the upliftment and empowerment of tribal women one such initiative is the Van Dhan Yojna where can sell their products by taking assistance from Van Dhan Vikas Kendra/ Tribal Startups. The Van Dhan Yojana further has emerged as a source of employment generation for tribal gatherers and forest dwellers and the home-bound tribal artisans. Under this scheme more than 1700 tribal enterprises have been established in entire country and providing employment opportunities to 5.26 gatherers most of them are women (Empowering Tribal Women

Through TRIFED's ongoing Initiatives, 2021).

Tribal Women: Status and Challenges

Women in general have to face many problems due to deep rooted patriarchy in Indian society. However, women coming from marginalised sections of the society are often doubly or triply marginalised because of structural violence based on caste, race, ethnicity, religion and of course gender. In India, adverse sex ratio, female foeticide, rape, sexual harassment etc are the glaring examples of the manifestation of patriarchal culture. The condition becomes even graver in the case of the tribal women. Since the tribal people are not well aware of their rights, particularly the women among them have to suffer a lot due to such lack of awareness about their rights and protections extended by the state. The government has given them various grants such for their well-being such as:

Special Central Assistance to Tribal Sub-Scheme (SCA to TSS) is 100per cent grant from Government of India (since 1977-78). It is charged to Consolidated Fund of India (except grants for North Eastern States, a voted item) and is an additive to State Plan funds and efforts for Tribal

Development; Grants-in-aid under Article 275(1) of the Constitution are 100per cent annual grant from Government of India to States. It is charged to Consolidated Fund of India (except grants for NE States, a voted item) and is an additive to State Plan funds and efforts for Tribal Development; Development of Particularly Vulnerable Tribal Groups (PVTGs)⁷⁵ identified PVTGs in 18 States and UT of Andaman & Nicobar Islands for the activities like housing, land distribution, land development, agricultural development, animal husbandry, construction of link roads, installation of non-conventional sources of energy for lighting purpose, social security including *Janashree Bima Yojana* or any other innovative activity meant for the comprehensive socio-economic development of PVTGs. Further the status of tribal women can be analysed in the three sectors:

Education

Education is the key element for individual its overall development that enable them to develop skill necessary to adapt in contemporary technological world. Tribal community more involve with the activities such as farming, hunting and handicraft as they are skilled in doing work with their hand. According to 2011 census literacy rate

in scheduled tribes have increase from 47.1 per cent in 2001 to 59.9 per cent. However, the case of Schedule Tribe male improved from 59.2 per cent in 2001 to 68.5 per cent in 2011 as Schedule Tribe female literacy rate rise from 34.8 per cent in 2001 to 49.4 per cent in 2011. Gross Enrolment Ratio of ST girls studying at Primary level increased from 93.2 per cent in 2014-15 to 97.0 per cent in 2016-17 and at senior secondary level increased considerably from 37.6 per cent in 2014-15 to 42.6 per cent in 2016-17 (2018-2019, p. 25). Although there is a significant improvement in the both Schedule Tribe male and female literacy rate, if it is compared to male 41 per cent in 1991 the rate for the female is 18 per cent (2017-2018, p. 26 & 29). The tribal female literacy has thus lagged behind the male literacy rate. The government also launched the scheme of providing hostel to tribal girls but later in 2018-19 this initiative was stopped as it was regarded as an economic burden that forced government officials to hire more trained and skilled female staff such as female warden, female helper etc. Tribal women literacy rate has not improved due to the following reasons:

1. Lack of infrastructure - less number school was constructed and available in locality.

2. Lack of awareness regarding language sensitivity

3. Lack of learner-centric curriculum

4. Lack of availability of resource

5. Absence of skilled and trained teacher

Thus we see that educational level of tribes especially the women is very poor despite a concerted effort made by policy interventions. There is a serious need to give a lot attention as how this welfare schemes could be implemented so that the educational level of tribal women could be improved substantially that has become the need of the hour. This has been proved beyond doubt that education is one of the very important agencies for bringing about social transformation amongst the weaker sections of any society. More appropriate schemes must be introduced so that tribal people especially tribal women could be educated and trained for specific skills for making them more employable.

Health

Health is fundamental to well-being of every human being that is why it is necessary to provide equal service to everyone irrespective of their caste, gender, ethnicity,

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language etc. The Tribal people rely on forest produce and they live in a closed society in relative isolation from other communities. The Tribal women are usually marginalized and live in a vulnerable condition due to early child marriages, premature child births, malnutrition, problem of anaemia etc. which often lead to high maternal mortality. According to the a report by the Rural Health Infrastructure in Tribal Areas there is a shortage of 5935 Sub Centres (SCs), 1187 Primary Health Centres (PHCs) and 275 Community Health Centres (CHCs) in tribal areas of India till 2018 and 10 percent of posts of Midwives/ female health workers are vacant in tribal areas as well (2018-2019, pp. 30-31).

The data on Tribal girls between the age group 15-19 show that 50per cent were underweight having less than 18.5 BMI and it also shows that 65per cent of tribal women between the ages of 15-49 were anaemic. The initiative of ante natal care coverage remains low as RSoC data shows that 81.6per cent have only receive one ANC while 15 per cent had full ANC coverage. Post-natal care coverage is also low as only 37per cent of tribal women were able received within 48 hours of delivery. Institutional delivery rate is low because high cost, long distance, lack of transportation, and language barrier. Around 27per

cent women still chooses to deliver at home (p. 5). It can be concluded that tribal women still do not enjoy health services because of:

1. *Lack of awareness* regarding health services and policy.
2. *Lack of infrastructure* as there less clinic and hospital available in every locality or village.
3. *Absence of skilled and trained doctor nurses* and other staff member due to low appointment rate of employee by government.

This has been now fully realised that not only education but also health services are equally important for a modern and healthy society. A lot needs to be done in the field of health facilities available to tribal people. After examining the situation, it is evident that we need to work more vigorously in this direction in order to ameliorate the health conditions of tribes, particularly tribal women. This has been rightly said that there is an urgent need of clinic and health service centre in every locality for addressing the issues of health conditions of tribal women. Thus, it is urged that all identified issues concerning education and health must be given priority to empower tribal women for inclusive growth and development of our nation.

Standard of living

Standard of living denotes certain condition in which people are living but these conditions should be favourable for the survival and progress of human being. The tribal people usually live in the forest which makes their condition more vulnerable as forests are receding with the increase in population. The tribal people are mostly self-employed as according to 2011 Census 41per cent work as cultivators (Shah & Bara, 2020, p. 7) and are employed in other rural low-economic activities like basket and rope making. Less than 20per cent of the schedule tribe people have access to safe drinking water. Only 17.3 per cent the ST household have bathing facility in their premises (2017-2018, pp. 34-35). In order to promote their employment in *Aadi Mahotsav* of tribal women special loan schemes were introduced. But still, their condition has not improved too much. In 2011-12, around 45per cent of STs lives in rural areas and 24per cent in urban areas as compared to 25per cent and 13per cent in 2009-10, often living below poverty line.

According to the 2011 census, 46per cent out of 53per cent of the STs are having good houses, mostly located in Andaman and Nicobar Islands (87per cent) with lowest 19per cent in Odisha (2018-2019, pp.

31-32). But in most of their houses, there is lack of electricity, and their households depend largely on the use of Kerosene. Only 11per cent of tribal households in Bihar have electricity with less than 20per cent having access to safe drinking water.

From the above discussion it is clear that the standards of living of tribal people are still not up to mark. More programmes and schemes are required in order to make an overall improvement of the condition of the tribal people. How employment could be created for the benefit of tribes is very important now. There is an urgent need to create employment opportunities especially for tribal women that has become the need of the time. This must be addressed for empowering tribal women. In brief, we can say that all basic necessity of life must be provided to them for enhancing their living standards. Though, their conditions have been improved by introducing several welfare schemes, newer initiatives are required for raising their status so that they could be brought into the mainstream of our society.

Conclusion

The condition of the Tribal women in Indian society has improved over the years but lot remains to be done to accelerate the process of growth

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and human development in the tribal corners of India. It is largely related to the overall condition of the tribal population in general, which calls for greater governmental attention and involvement. It is true that various governments over the years since independence have tried incessantly to identify and protect their distinctiveness and laid down policies aiming at empowering the tribal population in general and tribal women in particular with the overall goal of achieving sustainable development of the country, which can only be possible if each and every one residing in the country participated in the growth process. However, despite the fact that there is no paucity of will and formulation of policies to address the issue of poor human development records among the tribal women, their condition remains appalling. It has been observed that in some sectors, like education, the participation of tribal women has increased marginally; however, in health and standard of living, they have suffered severely because of the lag in the implementation of development schemes. The most important reason for the lag is the lack of employment skills, prevalence of illiteracy and lack of awareness, and low level of attention given to their cause by the government and implementing agencies. Welfare policies and

schemes have not been properly implemented because these people are perhaps not regarded as the priority for the government and the society. The agency shown by non-governmental organisations in this regard has also been very poor and scanty. Moreover, the evaluation of governmental projects and schemes to develop the tribal areas and tribal people has not been up to mark.

While it is necessary for the government to prioritise the needs of every citizen and train the officials to be accountable and transparent in the implementation and evaluation of the schemes, as far as the tribal population as a target for human development is concerned, the decision makers need to understand that investment in improving the status and condition of the tribal women and ensuring their development can work as a trigger for overall development of the entire groups as a whole. This endeavour has to go beyond mere fashioning of well-meaning policies, there has to be a sincere attempt to draw in community leaders and progressive elements in the target areas into the realm of implementation. This will not only ensure better quality implementation but also strengthen the feedback loop for mid-course correction of the policies being implemented, if required. ■

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