

**AN ABSTRACT OF RESEARCH STUDIES
2008**

**Tribal Research and Training Institute
Gujarat Vidyapith, Ahmedabad-380 014**

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A Study of six villages partly affected by Narmada Yojana : Need for a study

- Jashvantsinh Rathod
- Devchandbhai Vahoniya

To address to the repeated representations made by people of six partly affected villages, one high level committee was appointed under the chairmanship of Chairman and Managing Director of Sardar Sarovar Narmada Corporation Ltd. Gandhinagar to bring about a happy compromise. The names of the members of the Committee are as under :

- | | | |
|-----|-----------------------------|---|
| (1) | Shri P.K. Laheri | Chairman. Chairman and Managing Director, Sardar Sarovar Narmada Corporation. |
| (2) | Shri R.K. Shah | Member. Retired Secretary |
| (3) | Shri Ishvarbhai Patel | Member. Institute of Sanitation, Gandhi Ashram, Ahmedabad |
| (4) | Shri Bharatbhai Gariwala | Member. Economist. |
| (5) | Collector, Narmada District | Member |
| (6) | Shri D.J. Dhariya | Member - Secretary. Commissioner (Rehabilitation), Vadodara |

It was expected that the committee may listen to the problems of these six villages and act as intermediary to bring the solution; so that the process of addressing to the problems is accelerated. According to the suggestion of the committee, a survey of these six villages be undertaken by Joint Commissioner of Sardar Sarovar Rehabilitation Agency (SSRA) so that the problems can be studied and understood at local level.

The Office of the Joint Commissioner (Rehabilitation) addressed a letter no. NMD/Land-A/vashi/500/2006 dated 13-6-2006 from Sardar Sarovar Rehabilitation Agency, Narmada Bhuvan, 'A' Block, 4th Floor, Vadodara to the Tribal Research and Training Institute, Ahmedabad regarding the proposed survey of six villages. This report is a part of the survey. As per order, a special committee of three members is constituted to study the problems of land holders (Khatodars) of 6 villages of Kevadiya viz. Kevadiya, Kothi, Limdi, Navagam, Vaghodiya and Gora. As per No.5 of the reference, the committee has entrusted the work of estimating the primary (basic) requirements of six villages to be rehabilitated to the Tribal Research Training Institute, Gujarat Vidyapith, Ahmedabad-14.

- (1) The land of six villages down to Sardar Sarovar Narmada dam site was acquired for construction of roads, godown, colony, stores, electric sub-station, hutments for labourers etc.
- (2) They demand that they should be given the benefits at par with the affected families of Narmada Sardar Sarovar dam.
- (3) However, they were paid the compensation against acquisition of land as could be available under Land Acquisition Act, 1962.
- (4) As per judgement given by Narmada Water Dispute Tribunal, only those families are to be considered 'affected' whose land has been washed away under water. Thus, the land holders of these six village, and those holders whose land has been used for canal cannot be considered as 'affected' as per judgement of the tribunal.
- (5) The Grievance Redressal Authority appointed by Hon. Supreme Court of India, had paid visit to these villages. Considering the presentation made by these villages during such visits, the Authority had suggested to Government of Gujarat that the people of these villages, especially those living below poverty line (BPL) may be helped to get livelihood through development of tourism, encouragement of village handicrafts etc; for which they should also be imparted training. The tourism activity is among those which are undertaken by Sardar Sarovar Narmada Corporation Ltd.
- (6) They have been given compensation in 1962 and also an effort is made to provide a package in 1992.
- (7) However, all the beneficiaries have not given positive response to these efforts.
- (8) The Chairman of the Corporation had represented to the Authority that the State Government will do the needful to resolve the dissatisfaction and dispute prevailing among people of said six villages.
- (9) A High-level Committee was appointed for happy resolution of repeated representations made by villagers of those six villages. The committee was expected to listen to the issues of those six villages and act as an intermediary in its solution.
- (10) The Committee suggested that the Joint Commissioner of Sardar Sarovar Rehabilitation Agency should conduct a survey of these six villages so that their problems could be understood and explained at local level.

(11) As a part of this, this report is prepared, which covers the study of six villages viz. Kevadiya, Kothi, Vaghadiya, Gora, Navagam and Limbdi.

It is necessary to know the conditions prevailing in these six villages, so that the committee can bring about appropriate solution of these six villages and that they may bring about positive change in their economic, social, educational and cultural conditions. It was intended to make developmental planning based on realistic conditions of these villages through house-to-house survey. Since the work was related to tribal area and tribal people, it was entrusted to the Tribal Research and Training Institute, Gujarat Vidyapith.

Objectives :

- (1) To collect information about prevailing economic, social, educational and employment conditions of six villages of Kevadiya colony area.
- (2) To collect information about benefits availed by them from various schemes implemented by Government.
- (3) To know the existing conditions about total development works in the villages viz. habitation, electricity, occupations, employment etc.
- (4) To estimate the facilities and services available to people in existing situation.
- (5) To examine new possibilities of trade and commerce and employment considering the local conditions of six villages.

Techniques of Research Study :

For collecting the data for the present study when house-to-house survey of six villages was contemplated; it was decided to make use of

- (1) Village statement for the information about village;
- (2) Family Statement for collecting information of the families and all the members of the families residing in those villages; for which, it was contemplated to make use of Schedule and Questionnaire;
- (3) In order to decide as to what kind of questions be incorporated in these schedule and questionnaire, several meetings were held with Shri R.K. Shah, one of the members of the committee and under his consultation, the schedule and questionnaire to be deployed in the proposed study were finalised.

Experiences of Field Work and change in the method of Survey :

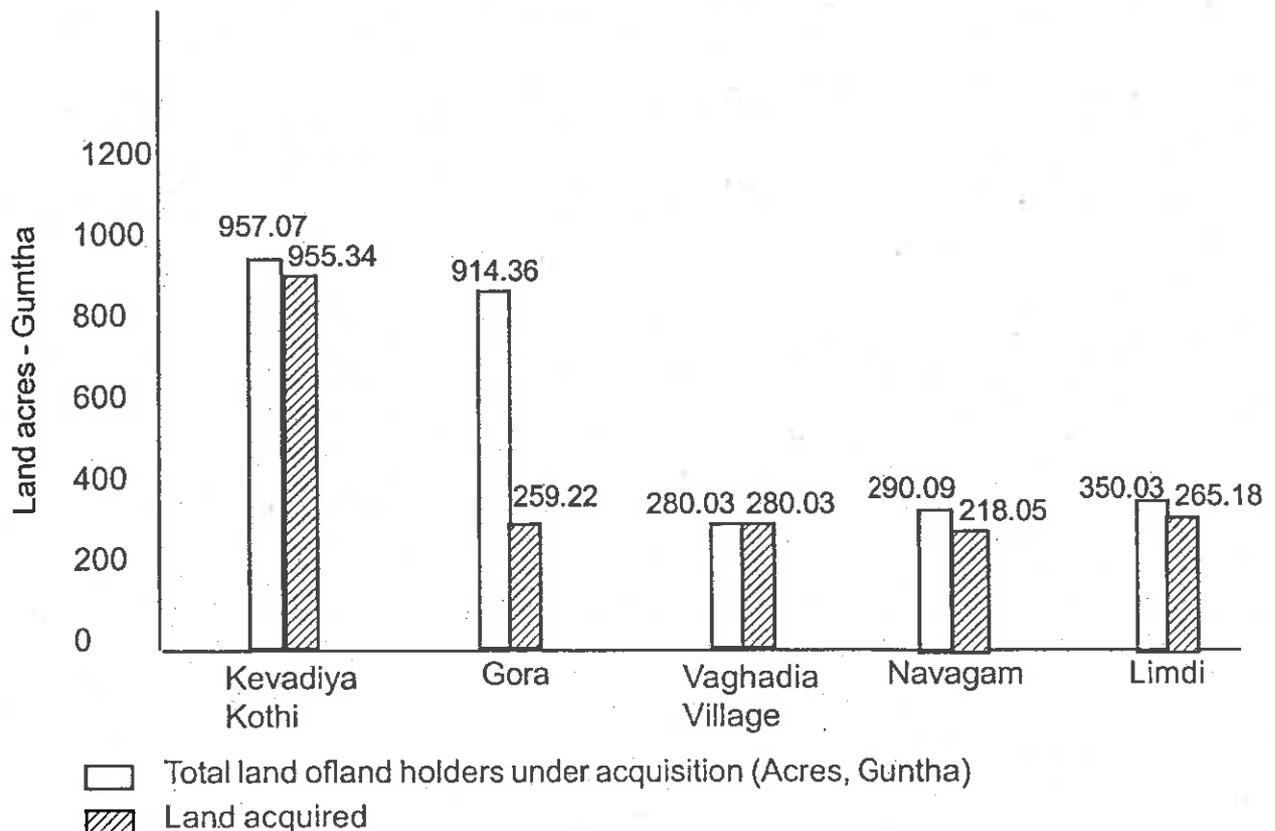
On 15-7-06 the Tribal Research and Training Institute, Gujarat Vidyapith started house-to-house survey work in those six villages; but due to objection of the villagers towards this survey, the work could not make any headway. A number of meetings were held to convince the people regarding purpose of this survey and several efforts were made to explain the people; but no proper atmosphere could be created to undertake the survey work in the villages. This experience was shared with the committee members in several meetings ultimately, in last meeting, a decision was taken to drop the survey work and instead. It was decided to depend on secondary data like BPL list etc. for which information was collected from various officers having this data on their record.

Limitation :

It was intended to have the Base-line data based on the proposed survey activity. But due to lack of co-operation from local people, this couldnot be comprehended. The presented data is information based on BPL survey conducted by concerned offices. It is not primary data collected by survey team.

Details of the Land of land holders covered under acquisition

Details regarding land in six villages



Population in Six villages

Sr. No.	Villages	1961		1971		1981		1991		2001	
		Total No. of families	Total Population								
1.	Kevadiya	110	643	356	1626	994	4154	-	-	3006	12703
2.	Kothi	113	716	149	887	204	1105	213	1208	256	1376
3.	Vaghdiya	57	334	63	399	124	627	133	785	159	741
4.	Gora	94	653	104	589	313	1388	432	1941	402	1846
5.	Navagam	52	336	66	411	87	529	168	619	76	414
6.	Limdi	84	521	93	741	530	2052	981	3600	701	2588
	Total	510	3203	831	4653	2252	9855	1927	8153	4600	19668

(The population for the year 2001 is taken from village profile)

Note : The census figures of 2001 in Kevadiya and Limdi include population of colony areas.

→ The available data indicates large changes in both families and population in five decades.

(1) There were totally 510 families in all 6 villages in 1961. That has increased to 4600 in 2001. (of course, including colony residence).

→ In 1961, 510 families of these 6 villages owned 8120.46 acres/guntha of land; which in 1991 was decreased to 2651.00 acres/guntha. There was decrease of 5469.00 acres. But, the number of families increased by more than three times.

→ The information about Kevadiya for the year 1991 is not available.

Details regarding acquired portion of land and amount of compensation paid against it in 6 villages.

→ In 1961-71-81, the information about land and land holders are combined in case of Kevadiya and Kothi villages.

→ Out of total land acquired, the awards were declared in respect of 1537.17 acres/guntha of land. There is 241.85 acres/guntha of land which is acquired but no

compensation seems to be paid. This includes 195.43 acres/guntha of land of Limbdi village; in whose case no record is available. In case of remaining 45.97 acres/guntha of land; there could be problems due to waste-land or due to heirs. It is possible that award is made but compensation is not paid.

Details regarding assistance paid to landholders of six villages and amount not released to land holders (In relation to extra package declared in 1992)

- 1992 package contained that extra compensation at the rate of Rs. 12,000/- per acre will be paid for maximum of 3 acres of land (i.e. maximum Rs. 36,000/-) irrespective of any amount of land acquired upto 1987. The amount still not released to beneficiaries amounts to Rs. 18,263 per beneficiary.

Number of families in Six Villages according to BPL Survey :

- A survey was undertaken in these 6 villages on 5-3-2005 to access the development oriented programme. This includes the original settlers of these villages. At an estimate of a family with average 6 members, there seems to be about 1356 families.

Table indicating population of 6 village and no.of farmers (land holders) :

- As per BPI survey, there seems to be 239 farmers; but for a programme of Hon. Chief Secretary, the no.of farmers are shown to be 485. (Almost double the number)

Table indicating details about Houses :

- 1070 families have their own house of which, 926 houses are Kutcha.
 - (1) 32 families are having 20 house to stay.
 - (2) 1100 houses donot have toilet facility.

Details regarding Land :

- The no.of families without having their own land are 863 (78.31 percent) No.of families with ownership of land are 239; of which 187 families have non-irrigative land.

Occupational Classification :

- Out of 1102 families, 862 families have male person as main bread-winner. In 21 families females as well as children also go for labour work to earn livelihood.
- Mostly these people go for casual labour and job.
- There are 138 families earning their livelihood from other sources. 19 families have artisan labourers. 83 families depend on agriculture work.

- As many as 726 families donot depend on migratory labour, but give more importance to casual labour work in or around one's village.
- There is one family which is involved in more than one occupation.

Education in 6 surveyed villages :

- 59.24 percent people are illiterate with almost equal number in male and female. Among literate people, more are having education upto primary or secondary level. The number of primary level literate people, men and women are almost equal. (Primary : 51.66 Male, 48.44 female, Secondary : 60.95 male, 39.04 female. The higher education is almost absent.)

Facility for Drinking Water :

- Most families have a facility of drinking water within 0.5 to 1.00 kmt. distance. There are 88 families having drinking water facilities in one's own house. 58 families have to climb some height to fetch drinking water.

Statement showing no.of schools and no.of students village-wise :

- There is primary school education facility in 6 villages.

-All these six villages have Anganwadi (ICDS), Balwadi (KG), Mid-day Meal facility etc.

Roads :Z

There are tar roads as well as RCC roads connecting all these 6 villages. Even internal roads connecting one area to other are also provided.

Drinking Water :

In 6 villages, drinking water facility is created through development scheme. There are totally 100 Hand Pumps in these 6 villages.

Electricity :

Electricity facility is available in all 6 villager. Those parts of the village where there is no electricity are covered in next phase of planning.

Health :

The Sub Health Centre is there in Kevadiya Colony. The Primary Health Centre is in the village Zariya which is at the distance of minimum 2 and maximum 7 kmts. from these six villages.

Animal Husbandry :

There are 3579 cattle in 6 villages, at an average of almost 2-3 per family. This number is less than an average tribal holding.

There is no milk producing co-operative society which is minus point in animal husbandry sector.

Table showing information about consumer supply system :

There are 1193 Ration Card holders in 6 villages. If we add card holders of Kevadiya colony, the total number is 1248. Thus, against 1102 BPL families, we have 1193 Ration Card holders.

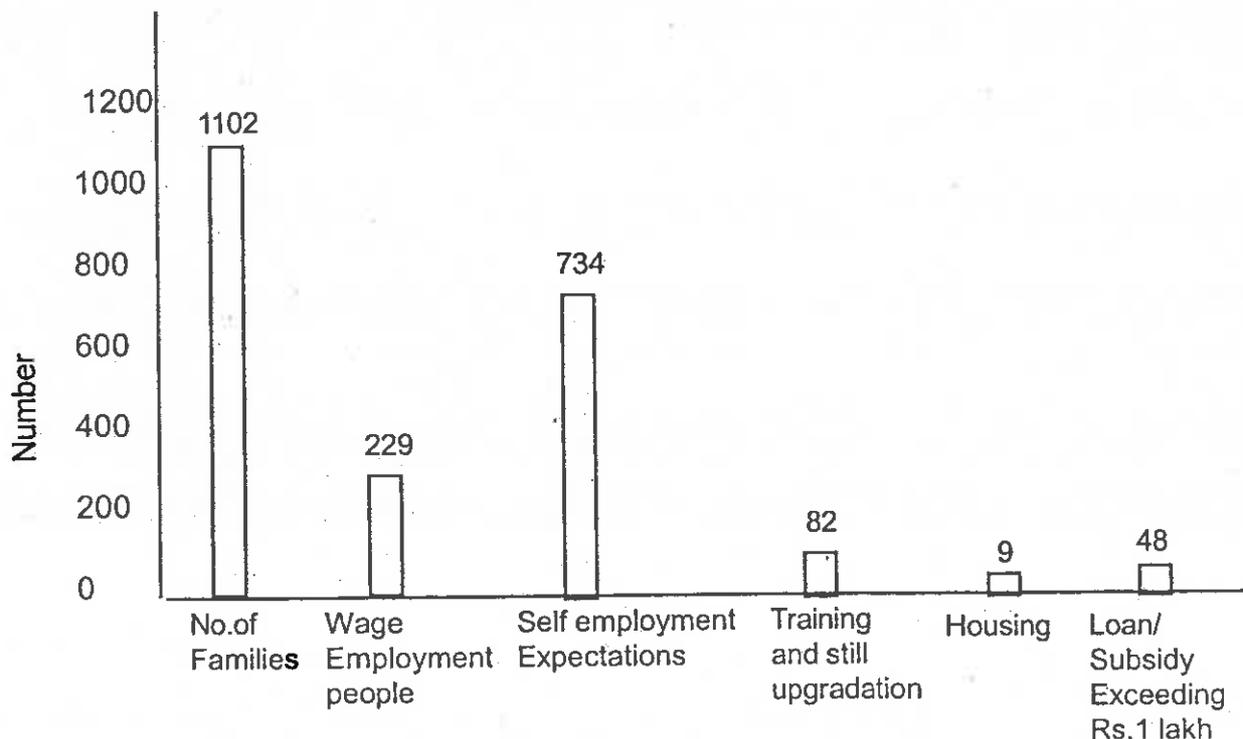
Statement showing development activities under Hon.Chief Secretary's programme in 6 villages : Dt. 5-3-2005

- The work done is excellent. Financially, in each village, annually almost Rs. 5.00 lakhs are spent.

House-hold kit in surveyed families :

- Most of the families of surveyed six villages seem to be using the apparatus operated through electricity in their families - such as TV, Radio, Refrigerator, Fan, Telephone etc.

People's Expectations



People's expectations :

- Most of the families expect self-employment; and for this, they also expect to achieve skill upgradation through some kind of training. For them, self-employment through skill upgradation training is much better than financial assistance.
- The Corporation had 1214.0294 hectares of land for Sardar Sarovar Scheme. Of this, 535.0595 Hectres of land has been utilised to construct colony-roads, shade, stores etc.

Details of land still not utilised

Sr. No.	Name of the Village	Not used land in Hectres
1.	Kevadiya	240.3549
2.	Vaghdiya	117.8846
3.	Gora	58.7090
4.	Navagam	43.8174
5.	Limdi	218.2040
	Total	678.9699

- Land totally acquired/transferred for Sardar Sarovar Yojana : 1214.0294 Hectres, Out of this, 678.9699 Hectres is yet not utilised.

Details regarding Encroachment on Corporation's land

Sr. No.	Name of the Village	Encroached land (in Hectres)
1.	Kevadiya	107.3925
2.	Vaghadiya	63.0800
3.	Gora	58.5816
4.	Navagam	16.4708
5.	Limdi	9.8848
	Total	255.4097

- Out of total unutilised land acquired/transferred for Sardar Sarovar Yojana, 255.4097 Hectres of land is put to unauthorised tilling.

Findings of the Study and Expectation of people :

- (1) In the villages of Kevadiya, Kothi, Gora, Vaghodiya, Navagam and Limbdi (referred to as six villages) mostly the land has been acquired land.
- (2) Out of total 2792.18 acres/guntha of land in 6 villages, 1779.02 acres/guntha of land acquired and in case of 1536.42 acres/guntha of acquired land, awards have been declared in case of 1536.42 acres/guntha of land; and Rs. 4,20,710.13 have been paid as compensation.
- (3) The compensation has been paid as per award; but one cannot see the compensation having been paid in respect of land acquired. Or perhaps, the beneficiaries have not accepted the awards.
- (4) As per 1961 census, there were 510 families in these six villages. After 5-6 decades, there has been increase to the extent of nine to ten times.
- (5) Totally there seem to be 1356 families in these villages - both BPL and APL together.
- (6) There were 32 families without house of their own and 863 families without having agricultural land. They live on local casual labour work. Migration cases are rather less.
- (7) People expect self-employment rather than financial assistance in cash.
- (8) Level of literacy is low. The number of literate people are equal among male and female.
- (9) Out of surveyed families, 84.94 percent borrow money from local money lender on interest and use this money on household consumption or such miscellaneous expenditure. Thus, the money is spent on non-productive use. There are banks, self-help groups and other co-operative societies functioning in these areas.

Expectations :

- (1) Two villages viz. Navagam and Limbdi out of six villages under reference were those which were under water alongwith 19 such villages; but fortunately, they were saved; because of change in dam site. The number of families in these two villages as per 1961-71 family-base, were 159 (66 Navagam and 93 Limbadi)
- (2) Navagam, Vaghodiya and Limbadi seem to be more affected villages; therefore their case can be considered separately.

- (3) If the affected families are not willing to move elsewhere, efforts should be made to provide them employment locally. A list should be prepared of educated adult youth members from the affected families and they may be provided permanent job in Corporation or they should be provided skill development activities for self employment.
- (4) Efforts should be made to provide house building assistance to those having no house of their own and to provide employment equipments for those who donot own their own land.
- (5) Considering the literacy level in these six villages, which is very low, the issue should be considered in context with locally available possibilities.
- (6) The co-operative activity should be expanded in surveyed villages and they should be linked with employment.
- (7) Necessary action should be taken in respect of local money lenders.

Planning for local development :

- For development of people of six villages under study, the local man-power should be made competent with skill upgradation.
- Since there is most negligible number of skilled and trained crafts men in most of the families, the family members depend on causal labour. They can be turned into skilled craftsmen and thereby the self-employment can be enhanced.
- Since the Dam site shall be developed as tourist place, the occupations related to tourism could be developed and the youth of these villages could be engaged into such occupations.
- Some people have small piece of land. If they grow flowerers, fruits, vegetables et. on such land, they can get more production on small piece of land.
- The infrastructural facilities should be developed and the villages should be linked with various roads, so that the transport could also develop leading to speedy development of villages.
- The basic amenities, facility for drinking water, electricity, health services, educational complex, community halls, panchayat, co-operative societies, bank etc. can be developed with modern amenities so that the affected people can come out of inferiority complex.

- In these villages, the organisations and individual working with community development, rural development through people's awareness, self-help groups, saving groups, co-operative societies, milk- co-operative, cultural activities etc. should be encouraged.
- In these villages, there are some youth members, who have studied upto std. X or XII. Sardar Sarovar Narmada Corporation should register their names for employment/job and they can be provided jobs whenever vacancies occur in future.
- There is possibility to provide employment on posts of security staff, gate keeper, Gardner etc. The corporation should make planning on these lives.
- Efforts should be made to provide GOG/GOI assistance such as TSP, IRDP etc. Efforts should be made to provide such assistance through District Industries Centres (DICs) to deploy the youth on activities like agriculture, animal husbandry and other small industries.
- For any of these occupations or for self employment project, the people especially the youth should be trained and their capacity should be built.

TRIBALS OF GUJARAT

Shri Bachubhai S. Baranda

In whole of India, the population of tribals is about 8 percent. In the State of Gujarat, They occupy 14.76 percent of total population. Thus, tribals is a significant community for the State. Nevertheless, this community has remained backward socially, economically, educationally for quite some time. India is wedded to equality and brotherhood. Therefore, something concrete should be done for these communities. Gandhiji had a concern to bring them at par with other sections of the society; and he had made very intensive efforts in this direction. For him, the upgradation of the backward classes was the basic activity.

Among scheduled tribes in the State of Gujarat, there are 25 different tribes. The Institute has made very deep study about these tribes; but it may not be necessary to have such an in-depth study at this level; therefore a brief note is presented covering their entire life-span. The present study is intended to address to this need. The information could be useful to the researchers, students, tribal people and the Government. Besides it will be useful in practice and in writings.

The tribes include Kathodi, Kotwalia, Kolcha-Kolgha, Kukana, Kunbi, Gamit, Gond, Dhodiya, Chaudhari-Chaudhara, Charan (Gir-Junagadh), Tadvil-Valvi, Tetariya, Dhanka, Nayak-Nayakada, Pomla, Patelia, Padhar, Paradhi, (Phanse-Advichinchar), Bavcha, Barada, Siddi, (Junagadh), Bharwad (Nes-Gir- Junagadh), Bhil, Rathwa, Rabari (Nes-Gir-Junagadh), Varli, Halpati etc. The report includes detailed information in respect of these tribes (population, residence, houses, House-hold kit, dress, dialact, food, drinks, education, religion, occupation, social customs, women in menstruation, delivery, Panchuro-nomenclature, engagement, marriage, re-marriage, divorce, death, religious rituals including specialities of each tribe) More details are provided in detailed report.

TRIBALS - A PERSPECTIVE (An abstract)

- Bhikhabhai Patel

The book on 'Tribals - A perspective' has been produced by the Institute for last four decades. This report is prepared so that the researchers working in context with tribal communities, the tribal people, the Government and the students may come to know about tribal communities in course of four decades i.e. 1971-1981, 1981-1991, 1991-2001 and beyond 2001. Besides the planners may use the statistical information for planning of the schemes. The report includes information about tribal areas, population, geographical background, education (literacy among tribals and increase in population in various states of India during a decade. The report includes information about total population in various states of India, total tribal populations - state-wise, district-wise etc. It also includes, information about working population and literacy rate. The information about tribal population - state-wise, district-wise and taluka-wise is also provided. Besides, there is also a classification about education and occupation, the primitive tribes of the State, Sex-ratio among tribals, tribal families and housing etc. in India and in the State.

As per 2001 census, the population of the State of Gujarat was 5,06,71,017. This was 22.66 per cent increase over 1991 census. In 2001 census, the tribal population of the State of Gujarat was 74,81,160. Thus the tribal population in the State is 14.76 percent. The growth rate in 2001 census is little less than what was there in 1991 census. Having this percentage of tribal population in the State, spreaded over 25 tribes; it is necessary to have detailed study about them. This report provides information based on 1991 and 2001 census figures. The statistical information provided in the report includes information such as what is number of tribal people in all concerned districts, what kind of economic activities are undertaken by them to earn livelihood, what is the literacy level ratio sex-wise etc.

The information is prepared on the basis of official figures of 1971-1981-1991 and 2001 census. The information will be useful to students, researchers, students of social anthropology, sociology and all those who want to work for tribals. The report will also be useful to both Government and Non-government officials engaged in development works and for estimating the economic schemes.

It is also covered in the study as to how many groups of people in India are economically, socially, educationally and politically backward as compared to their counter

part. Before independence, the leaders, the social workers and those in administration were concerned about backwardness of Harijans and tribals; and several programmes were undertaken to address to such backwardness. After independence, special provisions have been made to accelerate the progress march of these groups. According to Article 341, one group is named as Scheduled Castes and another group as per article 342 is named as scheduled tribes. The Scheduled Caste includes all the castes which were considered un-touchable while scheduled tribes include all the communities known as tribals.

There are 8.20 percent tribals in India, which means there are 8.43 crores of people who are tribals. They are distributed in 698 tribes. (Except in Chandigadh, Delhi, Haryana, Pondichery, Pubjab). Orissa is having maximum number of tribal people.

For Gujarat, both tribal areas and tribal people assume special significance. There are 74.81 lakh tribal people. That covers 8.87 percent of total tribal population of India. They are intensively habitated in 11 districts and 43 talukas of the State. The backward class welfare activities were provided for in five year plans to comply with the constitutional provisions. On 2nd October 1952 Community Development and national extention programmes were launched. It has been multi-dimensional approach of Government of India that there is all-round development of tribals. It is intended to bring the tribals into mainstream without disturbing their cultural millue.

It is difficult to define 'tribal'. As per the notification of president of India under section 342 of the Constitution, the scheduled tribe people are tribals. The first such notification was issued in 1950. Considering the characteristics, special culture, shyness to other people, geographical backwardness, isolation and economic backwardness are some of the criterias on which the President of India issue, a notification and provides a list of tribes which are to be incorporated as scheduled tribes.

A common man knows a tribal as one who is simple person living in hills and forests. Some more knowledgable people know him as 'romantic people known for their dance and music'. For Government Officials, they are 'group of people under care of President of India'. The social anthropologist considers him as a special field of study of social relationship. All the concepts are partially true in their own ways.

For persons considered as tribal, have not been provided any special nomenclature. There was not been any special definition provided for in Constitution of India. Various norms have been deployed by Government Officials, Social anthropologists, Social workers etc. for

consideration of 'a tribal'. Sometimes these norms are contradictory also. They consider the colour of the skin, language/dialects, customs, means of livelihood or any such element found useful for their identification. The International Labour Organization have considered these people as "Original natives of the Country". Tribals are children of mother nature and the rules which apply to other children of nature also apply to these people.

The information regarding statistics etc. can be had in a perspective.

A DATA BANK

- Dr. Ravindra Pancholi

The Tribal Research and Training Institute collects the information in context with tribal areas and tribal population of the State. Under the proposed project, the data collected during census regarding tribal population of the State has been synthesised. Besides the web site links have been identified and stored in respect of other Tribal Research Training Institutes, in all other States, National Family Health Survey, National Sample Survey, Anthropological Survey of India, Planning Commission, Census of India, Tribal Ministry of India Government, Tribal Development Department of Government of Gujarat etc., so that required figures could be obtained. In case of State Government, a CD released in 2001 for the information related to population of the State, alongwith information about all the villages of tribal areas of the State have been kept. Besides, the information about number of disabled persons in the State, infrastructural facilities available in the State, information regarding Houses and household facilities, special tabular information about tribals etc. have been collected and stored in form of CD.

In various research studies conducted by Tribal Research and Training Institute, there is basic survey of primitive tribes with family-wise data is available. Besides, the Institute has collected information in respect of 3,69,000 tribal youth male and female in respect of migration and skill upgradation survey, 2008-2009. All this information is incorporated in Data Bank. Now the information in respect of abstract of various research studies will also be added in it.

This information is used by the staff members of the Institute, as and when required. Besides, the information is provided to the Tribal Development Department, Govt. of Gujarat; other voluntary organizations, researchers etc. according to their requirements.

A STUDY OF ATTITUDES OF TRIBALS TOWARDS ACCEPTANCE OF JUDICIAL PROCEDURE

- Shri Bachubhai S.Baranda

In respect of development of tribal communities, Gandhiji always wished that tribals should not become the victim of exploitations by others and that they get equal opportunities and status like other people. The judicial system and the development process broadly cover all the castes / tribes and all aspects of social life. In limited sense, it is used in context with human welfare or social infrastructure.

In Gujarat State, the tribal population and tribal areas assume special significance. In the State, the tribal population is 74.81 lakhs and they intensively stay in 11 districts out of 25 districts of the State.

After independence, several programmes have been launched over a period of time by State Government and Government of India. Besides, several commissions and Boards have been constituted for tribal development; Elwin Committee, Dhebar Commission, Shilva Committee, Harubhai Mehta Committee etc. Various programmes have been developed based on their suggestions for justice to tribals and their development. Irrespective of all this, the constitution of India wishes to establish such kind of social system wherein they get social justice in all the fields and activities, that the independence of individual and his property prevails; that they get equal status and opportunities, that their status is maintained and that the national unity is protected.

There has been great change in the life of tribals. A transformation process has been started through their own effort as well as government efforts. The tribals are to be awakened from the sleep of centuries. They are to be brought out from very remote places. They are to be mainstreamed in Indian society without doing any harm to their status and self-respect. Mahatma Gandhi, Pandit Nehru, Dr. Rajendraprasad and Planning Commission have requested the national authorities, social reformers and popular workers to work in this direction.

A human body can be healthy and sound if it is built strongly. This also applies to society, family and country, India became independent in 1947 from British slavery. The freedom has passed 60 years. But, is the country really independent even to-day? Can we call a country independent, whose lakhs of children have to work as labourers instead of going to

school ? keeping an eye on such issues, Dr. Babasaheb Ambedkar started the making of a constitution amidst social and economic inequalities. He also accepted good aspects of constitutions from America, Britain and Canada.

The constitution became applicable from 26-1-1950. Babasaheb had observed at that time that if we cannot achieve social and economic independence in our country, there is no meaning of equalities written on paper of constitution. Let us keep in mind that the constitution is a strong source to achieve social justice. The main important items in the constitution are Fundamental Rights. It is the duty of the State to protect fundamental rights of its citizens. The persons who has become victim of social injustice can call for justice only on the strength and basis of fundamental rights, provided to us by constitution of India.

With this background, let us remember that in earlier days, the tribals depended on their traditional 'Panch' system and 'Police Patel' system. The verdict given by panch was acceptable to both the parties. After independence, we had our constitution; we acquired our fundamental rights. The requirements/ needs/ of individual, group or community increased. There were competitions for occupations or for property; which resulted into rivalry between men and men and then there were conflicts. selfishness prevailed over them. Earlier they used to contact community-panch (local informal panchayat) or Police Patel; now started approaching court of law; as was done by other communities. Tribals have now started lodging their complaints before civil or criminal courts through their advocates / police. There is nothing wrong in approaching courts of justice to solve their mutual grievences. It is one's democratic right. But what happens to a tribal person who approaches the court of law ? How does he get justice and after how many years ? What is the impact on family, especially children ? What happens to their property ? When they go to the court and step by step reaches upto Supreme Court - what does he get and what does we lose ? Government have suggested to focus on these matters; and therefore the Institute has proposed to study the attitude of tribals towards acceptance of judicial procedure.. The objectives of this study are :

(A) Objectives of the Study :

- (1) To know what kind of cases are brought by tribals in a court of law.
- (2) To examine which are the causes to go to civil or criminal court of law.
- (3) To know, upto what level the court cases are taken by tribals (Judicial Court, District/Sessions Court)

- (4) To know why tribals prefer to go to court of law when their community panch already exist ?
- (5) To examine whether number of court cases have increased or decreased.
- (6) To know when the tribals pay higher amount of fees to their advocates, what is its impact on children and families.
- (7) To know what is impact on economic, social and educational conditions consequent upon their approaching courts of law.
- (8) To study the responses of tribals about their approaching courts of law.

(B) Extension of the Study :

Tribals have their intensive settlements in 11 out of 25 districts. For this study, through random sampling method, we have covered Khedbrahma, Vijaynagar and Bhiloda talukas of Sabarkantha district, Sankheda, Chhota Udepur, Pavi Jetpur talukas of Vadodara district and Dharampur, Umargam and Pardi talukas of Valsad district from each taluka, 10 court cases have been taken up; and information on these 10 cases have been collected from the respondents. Besides, Case studies have also been deployed. Thus out of 43 talukas, 9 talukas (and 90 respondents) have been identified. Besides the research study incorporates the aspects such as utility of courts, opinions of advocates, opinion of judges, that of tribal panch and leaders etc.

Scope of the Study :

Sr.No.	Surveyed area, taluka and district	
1.	Khedbrahma	Sabarkantha District
2.	Vijaynagar	
3.	Bhiloda	
4.	Sankheda	Vadodara District
5.	Chhota Udepur	
6.	Pavi Jetpur	
7.	Dharampur	Valsad District
8.	Umargam	
9.	Pardi	

(C) Research methods and techniques :

For any scientific study, various methods and techniques of research are deployed. We have also deployed various techniques and methods for this study.

It was planned to collect necessary information from articles, books, news papers, reports etc. before proceeding for field work in the villages of Valsad, Vadodara and Sabarkantha districts. Efforts have been made to get clarification about the subject through reference literature, available articles about judicial courts among tribals, reports, personal visits to the Government Officials at Gandhinagar, literature regarding judicial courts and acts and advocates working with tribals.

For this study, a family schedule was prepared for basic information about subject. More emphasis is laid on observation for examining case record in courts. One interview guide is prepared for a research study, which contained socio-economic data, family details, information about debts, conditions of tribals in judicial courts, purposes for which they approach courts, difficulties faced by them and methods to seek their solutions; whether they are satisfied with courts; their various efforts to bring change, their various efforts regarding development etc. Participatory observation is also done to the extent possible. Thus a separate proforma is prepared to collect information especially about judicial courts.

Observation :

Scientific observation is considered as inevitable process in research study. Usually, we have been observing world around us. Likewise, observation regarding tribals and their conditions in judicial courts is most essential. Observation is a primary source for collection of scientific information. We have therefore placed more emphasis on observation and participatory observation. Some of the details were not noted in public but were noted down after a while. We had also observed the conditions of tribals in relation to judicial courts.

Personal Visits :

Personal visit has a special significance in a research study. We had collected information from door-to-door in connection with examination of conditions of tribals in judicial courts; through an interview guide. We had visited several persons directly. We had also contacted court staff, teachers, village leaders, members of community 'panch',

a Sarpanch, Police Patel, Social Workers, Government Officials, Advocates etc. and collected information from them. They were explained the objectives of the study and information was gathered.

Important aspects regarding crime in Judicial Courts :

- * Structure of the Courts
- * Structure of the Civil and Criminal Courts and their powers
- * Constitution of India and Fundamental Rights.

Important matters regarding Crime :

It is necessary to understand various important matters regarding crime. If these matters are sound, the evidences become strong. Here are some explanations :

(1) What is FIR ? (First Information Report)

The initial information provided to Police Officials after a cognisable offence is known as First Information Report. It should contain the following details :

- (A) Name of the accused, his address, and if name is not known, the identification marks.
- (B) Date, time and place of occurrence of offence.
- (C) Details of crime, such as, details about loss of property, injury to an individual, the use of criminal instruments.
- (D) If there is a witness, their names & addresses and if names are not known, identification marks, colour of the cloths etc.

The FIR should be immediately and briefly registered. If there is delay in registration of FIR, the cause of delay needs to be indicated. If the cause of delay seems improper, the complain seems doubtful in the eyes of the court.

(2) What is a Panch nama ?

The list of whatever is seen, observed and seized by the investigation officer and the panch is Panchnama. As per section 157 of the Evidence Act, only Panchnama has no independent significance in an evidence. To whatever extent it supports the details investigated by an Investigation Officer it is useful to that extent.

Panchanama is a written document of whatever items or conditions are seen and

observed in presence of panch. The panchas taken to the place of incident and whatever they see, observe and look are incorporated in form of a report. The panch give their deposition before the court on the basis of this Panchnama.

On the top of 'Panchnama' the title 'Panchanama' is mentioned. Then one must write the names, addresses, age, occupations gender etc. at the top. It is not fixed as to what number of persons should form 'a panch' but usually they are not less than two. In case of female offender, a female panch needs to be called. e.g. in case of rape, it becomes necessary to mention about her physical conditions etc.

(3) Inquest Panchnama :

If any individual or official comes to know about any information of suicide, accident or doubtful death; he should inform the executive magistrate having his jurisdiction. When there are no orders of magistrate doing inquest, he should go at the place where dead body is lying; and should start an investigation about probable cause of death in presence of at least prestigious persons. Inquest Report or a Panchnama can be prepared after in-depth study of wounds on the body of deceased, signs of lifting a person, any kind of injury on skin or body, broken bones, other injuries and probable use of weapons, description about injury, width and depth of wound, etc. are seen and reported in an inquest report. In an inquest Panchnama, following details are provided, viz. (1) Police Station having jurisdiction of the area, (2) Place of Inquest, time, date etc (3) Name of the information (4) Name of the deceased, his address, age, sex etc. (5) Place where the deadbody was found, name and distance from the police station etc. (6) Cause of death, date, time etc. (7) Date and time of visit to the place (8) Conditions of dead body and its description (9) Some Identification mark (10) Details regarding cloth, colour of hairs, age (11) Ornaments on the body and details if any; written notes found from nearby.

(4) Dying Declaration :

When an individual feels that he/she is likely to die very soon or that death is at his/her door-steps; and at that time he/she makes a statement to the person in authority is known as Dying declaration. This declaration can be made in presence of executive Magistrate (Mamlatdar). Such declaration is considered as an evidence and is considered reliable. It is necessary that a medical officer remains present while the declaration is given; so that he can opine whether the patient is in a physical/mental,

condition to record his/her declaration. In case of emergency, even a police officer or any responsible officer can record the dying declaration. Even oral dying declaration can be considered as an evidence; but again it is a weak evidence.

(5) Summary :

On the basis of investigation made by police officer, he asks for A.B or C summary.

Summary 'A' Yes, there is a case; but the accused is not traceable.

Summary 'B' False complain made with bad intention - can be dismissed forthwith.

Summary 'C' A complain which could be right or wrong, but the evidences are not available and case cannot be conclusively proved.

When the police requests for a summary before the Hon. Court, the consent of a complainant is necessary. A complainant can oppose the summary approved by the court and can even go for an appeal in higher court.

(6) What is Summons ?

Summons is a notice issue to be present before a court. (1) It should be in written form. (2) It should be in two copies (3) It should have a signature of the court official. (4) It should have a court seal.

Usually it is served by a court official or by police. It is served in two copies, and the party keeps one copy and returns another one with his signature as a token of receipt of summons. If concerned individual is not present, it can be given to any member of the family or even can be posted near a gate; or can be served by Regd. A.D. Post

(7) What is a warrant ?

Warrant is an order for arrest. When some possession is to be made or some information from a document is to be collected, a search warrant can also be issued.

A Search warrant can be issued when some articles are to be seized or some information from a document is required or some article related to crime such as a weapon used in crime is to be seized; search warrant is used. To search means to find out.

(8) What is a cognizable offence ?

The matters in which a person can be arrested by police, even without a warrant by a magistrate are cognizable offences. These are serious offences and police, on their own, can arrest a party.

(9) Non-Cognizable Offence :

The Police Officers make note of such offences in a non-cognizable register. In such cases, police cannot arrest a party or make an investigation in a case without magistrate, order. These are less serious offences.

Note : The list of cognizable and non-cognizable offences are provided in criminal procedure code (Appendix-1)

(10) Charge Sheet :

After investigation made by police, if there is an evidence of an offence being committed, police submits its report to the magistrate; which is a charge sheet. Charge and charge sheet are two different items. Charge is an accusation; and charge sheet is a police report, a report about accusation. A chargesheet contains the evidences collected by police.

(11) M-Cases :

If a direct complain is made to the court of law through an advocate; and the court refers it to police for investigation, it is known as 'M' cases. Direct complain can be made to the court of law, if a police officer refuses to lodge a complain.

(12) Statement :

If a crime takes place and a complain is made to police about it, and if in this connection, if the police officer starts an investigation and records the Statements of witnesses, they are police statements. These statements are used for examining the witnesses in court of law when the case is on the board. If some witness makes a contrary statement during court proceedings, he could be contradicted and can even be declared as hostile witness. Therefore in important matters no contrary deposition be made.

In some cases, if there is a confidential complain made directly to court, instead of asking police to investigate, the investigation is done by court itself and it records the statement of witnesses. (This, of course, happens in very exceptional circumstances).

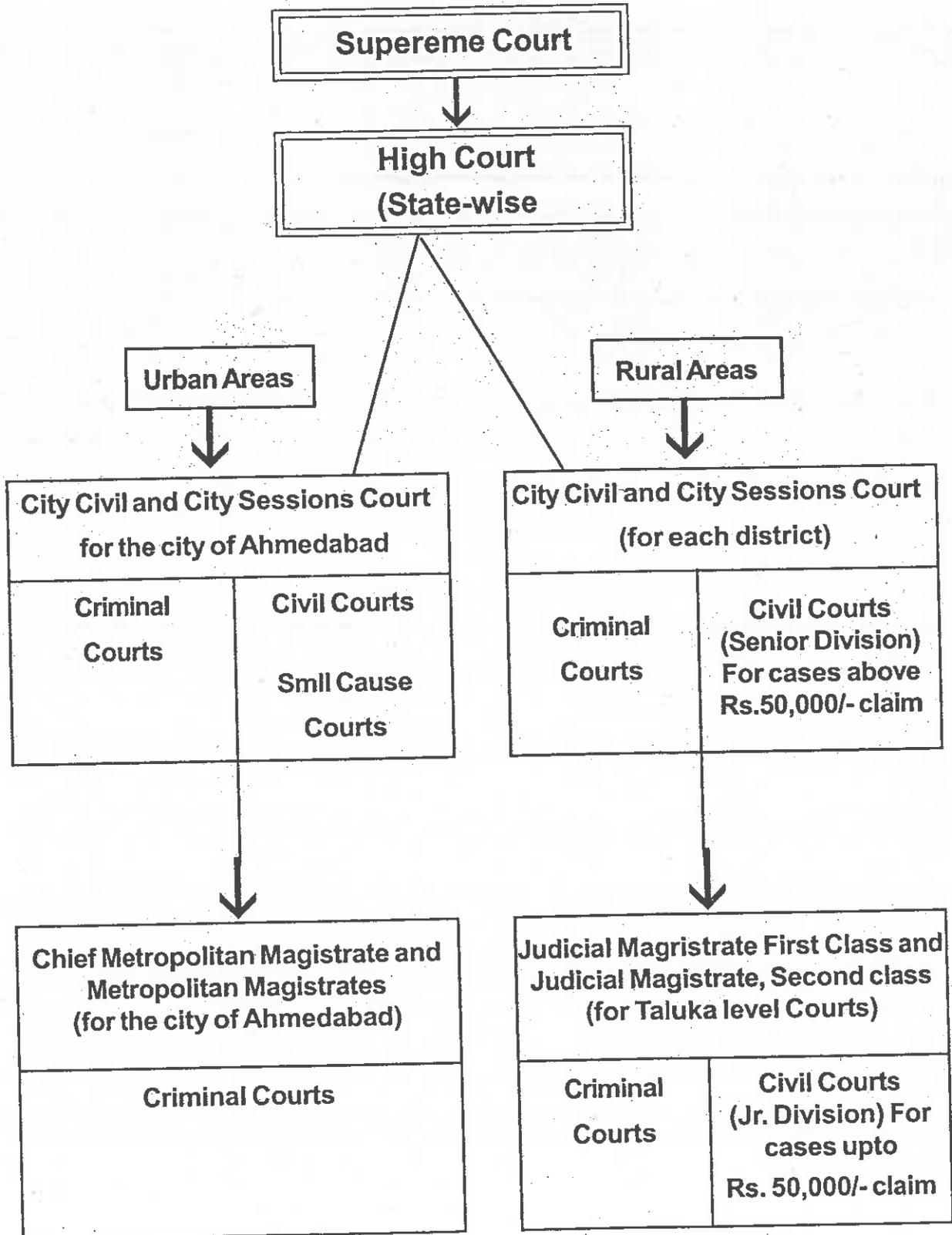
The statement recorded by police has no significance as an independent evidence. No signature of witnesses are taken on police statements.

(13) Chapter Case :

Mostly such cases are recorded when there is an issue of law and order. Such cases are tried before an executive magistrate (i.e. Mamlatdar etc.). The time limit is 6

months. The cases registered under section 107 of Police Act are Chapter cases. The chapter cases is a system to maintain law and order.

Structure of Courts of Law



Case-Studies and Findings/Conclusions Case Study :

- (1) Surtajee Somajee Bodar, Age 65 years vil. Titaran, Tal. Vijaynagar, Dist. Sabarkantha. He is illiterate. His daughter, say Kantaben is 45 years old. She works on agricultural land and casual labour work to earn her livelihood. She had married 12 years ago. She has a son, who stays with his father. Kantaben is only daughter of her parents; and presently stays with parents.

Kantaben is an awakened Woman. She does astricultural work and casual labour work to feed both the parents and young son. After 2 years of her marriage, there were conflicts due to his habit of drinking and his demand for dowry. He was not doing any work and was often beating his wife. This pathetic situation continued for a couple of years. After, she would not get food to eat, would be beaten by husband. A complain was made to panch and some solution was brought on stamp paper. But, he didnot improve his habits and quarrels/beating continued. Therefore she alongwith her child, left home and started staying with her parents. She contacted panch; but he would not respect panch orders. Ultimately, she has filed a case of atrocity and maintenance.

The court case is 4 years old. She attends court regularly on dates. But the husband, under advice of his advocate, remains absent. Within 4 years, she has spent quite a lot. She is now tired. The Judge gives her solace that she would get the justice. But "Justice delayed is justice denied." She has no regular source of incomes and now she has lost patience. Often she gets idea of suicide; but looking at old parents and young son, she survives. She has wasted very precious years of her life.

She is now labled as 'deserted wife'. She has filled a form for assistance as deserted woman and submitted it to the District Social Defence Officer's Office. She is asked to wait till the assistance is sanctioned. Four months have passed; she has no fixed source of income. She is waiting for sanction of assistance by Government. The Court case has deteriorated her financial situation. It has been most expensive. Fortunately she got the justice; but had she not got it, her investment of thousand of rupees in court case would have washed away totally.

Yours A B C

(2) **Gamanbhai Ishwarbai Gavit, Age 45 years**

VII. Karanjveri, tal. Dharampur, Dist. Valsad.

He is dependent on agriculture and casual labour work. He has parents, wife, two sons and a daughter. He stays in a village, Economically he is medium level. He has 5 acres of land has a Water-well for irrigation. Other land is monsoon irrigated. Besides agriculture, he works in forests etc.

He had some conflict with his brothers about land. When the land was divided among 4 brothers, two were demanding larger share. Matter was taken to Gavit Panch; but conflicts continued on the ground of division of land and expenditure for revenue process. Ultimately Panch took it very seriously and threatened that if they do not accept panch's verdict, the matter will be tried in Collector Office as a chapter case. More than 3 years have passed. Several sittings had taken place. The advocates ask for more and more fees; and if not paid, they threaten to lose the land, ex party. Thousand of rupees have been spent, affecting education of children, spending on social functions etc. In fact, the conditions are deteriorating instead of improving.

It is very important that this brothers conflicting over ownership of land could be explained properly about an issue and its consequences. Sometimes, some people play a villain role and keep both the parties quareeling till the issue is finally settled. However, in this case, the collector is interested in making entries of pending land cases and the cases of mutual beating or abusing etc. be compromised soon. It is necessary to call the community panch members to come to compromise formula. Many years have been spent in such pathetic conditions and economic loss. It is now necessary that compromise is achieved at and the chapter case is also settled.

The village in interior part of Dharampur taluka. The case under IPC 323, 324 is tried in Dharampur Court, whereas the case regarding ownership of land is tried in collector office, Valsad. Two different advocates are to be engaged and both the courts are to be attended on fixed dates for which transport cost is also one's beyond reach. Who will pay the transport cost ? and how the advocates are to be convinced to accept fees at lower rates ? It is difficult to come out of vicious circle of poverty. Usually the people of backward classes and tribal communities are found taking resort to courts; and pay huge fees to the advocates. The case lasts longer and the end doesnot seem to be in near future. Years are spent in court matters and the poverty goes on increasing.

- (3) Gulabbhai S. Rathwa is aged 45 years. He is native of Pavi Jetpur of Vadodara district. He has studied upto Std X. He has agricultural land as well as a Kirana store. He has a wife and two children as well as parents. His brother stays seperately. Two sisters are married. He has 4 acres of land and takes Maize, Tuver, Wheat and Urad as crops. He has two buffalows and animal husbandry is a secondary occupation.

Rathwa Gulabbhai Somabhai has purchased land from another Rathwa person some 7 years before. He made cash payment in presence of panch and a document on stamp paper was prepared. They had no bad relations. He took crop from the land for one year; but some people instigated other party that he has sold his land with quite a low price; and that if he wants to have more money for it, as a pressure tactic, he was advised not to sign on document. This resulted into a quarrel, mutual fight and strokes and ultimately a criminal case with police. Police investigated into incident, collected evidences, examined the witnesses, recorded statements and submitted FIR to the court. The theft - robbery and mutual physical attack are the accusations. Lot of money is spent on the case; advocates handles the case but now the parties are convinced of need to arrive at a compromise.

Gulabbhai Rathwa feels that land is at the root of this quarrel; and that it would have been better, had he not purchased land from the party. But the community panch or leaders have not been as useful as was expected of them. The advocates on both the sides have recovered as much money as they could. At last both parties have realised need for a fair compromise, because the court case has resulted into heavy expenditure and lot of hardships. This has also resulted into family conflicts. The ornaments have been hypothicated to borrow money from the money lender. It is hoped that the case will be compromised in a couple of months.

The proceEDURE in judicial court is very tedious and unending. Once a person entres into it; it is difficult to come out of it. He gets financially loser. It creates an obstacle in the march of development. Children are rushed to labour work instead a schooling. They feel that the court case should be least expensive, shorter in terms of duration and not demanding in terms of attending to the court of law. Both the Government and voluntary organisations have to examine why poor and backward class people have to resort to legal procedure.

Conclusions :

The area under study having tribal population of concerned district is known as Scheduled areas. The area, once upon a time, had back forests; but gradually the forests are decaying. The climate in the areas is moderate and often very sick. In the areas under study, the houses are of poor qualities and conditions. The main crops are Maize, Wheat, Urad, Raida, Tuver, Nagli, Paddy and root vegetables. Tribal people consume these over and above birds, animals and Mahuda.

In tribal areas of Gujarat, before and after independence, a number of programmes of tribal development have taken place. There have been certain changes under constitutional provisions; but it seems that the courts of law have not been much affected. Both legal and constitutional factors could be responsible. When a tribal resorts to the legal procedure in a court of law, the case continues for a number of years. What happens to the tribal and his family during this period? How do they manage their living? How do they find solution to this? The study is mainly focused on such issues. There are totally 90 respondents from 9 talukas (Khedbrahma, Vijaynagar and Bhiloda talukas of Sabarkantha district, Sankheda, Chhota Udepur and Pavi Jetpur talukas of Vadodara district and Dharampur, Umargam and Pardi talukas of Valsad district) responding to the questions on their attitude towards resorting to judicial courts. The findings of this study are as follows :

- (1) All the respondents are above 20 years of age. The main occupation of almost all the respondents is agriculture. When they cannot earn enough from it; they also turn to agricultural labour, casual labour or small occupations.
- (2) They stay in houses which are both Kutcha and Pucca. There is hardly any respondent having a kitchen, bathroom, open bath place/cleaning place and toilet in his house. They bring both drinking water and water for other household purpose from either a hand pump or a water-well- his own or that of other's ownership.
- (3) As regards education, there are more no. of literate people - from Primary to graduation - in Sabarkantha district. In Vadodara district, there are more number of people studied from primary to high school level. In Valsad district too, we have respondents studied from primary to high school level. In rest of the pleaces, more people are illiterate. Even persons with technical education are also in negligible number.
- (4) All respondents from any of the districts are having annual income over Rs. 31,000/- More than 90% of people have committed debt to make both ends meet.

- (5) In surveyed families, more people in all 3 districts are having land (usually non-irrigated land) from 1 to 4 acres. Very few people have irrigated land. Very few respondents can make any saving. They lead their life depending on both modern and monsoon agriculture.
- (6) The criminal and civil cases are about consumption of wine, theft, quarrels, divorce, land and property, being tried in criminal or civil courts as the case may be. The period of a court case ranges from 1 year to 15 years. In response to question as to why they approached judicial court instead of community panch; the variety of responses include apprehension about injustice by Panch, fear of paying fine to panch, apprehension about favouritism etc.
- (7) The tribals under study usually approach a tribal advocate or one from SEBC. The amount of fees paid to advocate ranged from Rs. 1,000/- to Rs. 21,000/-. The money is obtained from employment, agriculture, animal husbandry, relatives or money lender. This additional and large amount of expenditure has impact on their food, living conditions, health, occupation, or increase indebt - may be from a relative or from a money lender. This has great impact on their social life.
- (8) Very few people have been punished. But those who had undergone punishment had adverse effects on childrens their cloths, school uniform, tuition fees and deprivation from a better course for career. On other hand, if there is delay in payment of fees to the advocate; he doesnot proceed with the case, threatening to spoil the case, threatening to go for compromise or even giving up of brief.
- (9) If he remains absent, he gets threatenings about issue to warrant, disposal of case, ex-party hearing of case etc. When a person is punished to imprisonment, the wife, son, relatives or neighbours take the responsibility of maintaining the family.
- (10) There are many respondents who feel that they have lost their whole income in court case or that many years have gone waste. But again, there are more number of cases from tribals or backward class people. They face severe problems such as maintenance of children, accidental illness, painful death of nearer/dearer, threatening from a money lender etc.
- (11) To address to such severe situation, they go for labour work outside their village, try to get more output from land, borrow money from friends/relatives, hypothecate their land to the money lender, withdrawal from provident fund in case of employed persons. In response to a question as to why they do not avail the free legal counselling, they

mention that they do not have knowledge about it. They say that the scheme is not made known to them by their advocates, their leaders, or through publicity measures.

(12) All the respondents opine that the conflict should be resolved at local level through community panch; but they add that unfortunately this does not happen. They also opine that the court procedure should be very simple, least expensive and it should not be such as if murdering the justice.

(13) Why do they accept the verdict of the Court ?

- Because justice of the court should be accepted.
- Because judges are more judicious;
- Because, after court - verdict, there is hardly repetition of conflict / quarrel.
- Because the judgement based on constitutional provision should be respected.

Nevertheless, they also have apprehension about FIR, evidence, witnesses etc. Besides, they feel that justice by court is very very expensive.

(14) Respondents are satisfied with whatever compensation is received. In response to what they have to say about legal procedure; they suggest that it should be less expensive, speedy. That there should not be scope for witness to get hostile, that there should not be any mischief with FIR, there should be more use of free legal aid, and increase in number of courts for quick disposal of cases.

(15) All the respondents suggested that the advocates should charge reasonable fees, that justice should not get delayed, that allowances should be provided to attend to court proceedings and guidance should be provided for filing an appeal.

Suggestions based on the Study :

- (1) Tribal should be given free and compulsory education upto higher level.
- (2) Instead of traditional type of agriculture, the tribals should shift to cash crops, so that they may not turn to crimes.
- (3) Tribals have 1 to 4 acres of land, the crop on which are depending on monsoon. They should be provided irrigation from dam water so that they need not turn to crime.
- (4) Those tribals having small pieces of land should be turned to employment so that they need not turn to crime.

- (5) The tribals should be educated about laws regarding land and forest; so that they donot become victim of law or may not wait for years for justice.
- (6) Tribal should be specially trained for their rights so that they know more about crimes and courts.
- (7) The amount of fees for court case charged by an advocate should be reduced. The period of case proceedings should also be reduced.
- (8) Government should do something to prevent the socio-economic system from falling down, when one approaches court for justice.
- (9) Both Government and Voluntary organisations should give training, to tribals so that they avail of benefit of free legal aid.
- (10) As far as possible, the local quarrels should be settled locally, for which training to local leaders, Sarpanch and Members of the panch be provided. Government and Voluntary bodies should create a structure in tribal areas for justice.
- (11) Often the police asks for money to prepare an FIR and offen they play mischief with witnesses and evidences. Efforts should be made to prevent this to happen.
- (12) The number of court case, are increasing every year. Efforts should be made by educating the tribals to get the civil and criminal case-load decreased.
- (13) Tribals can avail of free legal aid in their cases. This should be given wider publicity.
- (14) The amount of fees charged by advocates should be brought down. The period of proceeding should be reduced. In cases where there are chances for compromise, this should be encouraged in open court.
- (15) Special planning should be made for better agriculture and labour for better living.

The condition of tribals in relation to the objectives of the research study is as under :

- (1) They bring the cases of conflict, quarrel, murder, divorce, kidnapping, land, property etc. in the court.
- (2) The verdict given by community panch and local leader is usually biased. The tribals therefore resort to courts for better justice and impartial treatment.
- (3) Triabls usually fight the cases upto Judicial Magistrate's Court level. There were only 5 cases having reached upto District/Sessions level, and two cases had reached upto High Court level.

- (4) Earlier tribals have satisfied by justice given by community panch; but now they resort to judicial court with an expectation of more compensation or better justice.
- (5) The study indicates that there is steady growth in number of court cases over the years.
- (6) Tribals pay higher fees to their advocates. This greatly results in deprivation of education of children, financial stringencies, poor standard of living, poor socio cultural conditions etc.
- (7) The approach to legal courts has made tribals pathetic. They need to be made aware about free legal aid; and return to community panch for open court system. The legal civil courts could be approached only when there is big amount of compensation involved in the case. This is felt and opined in informal discussion by the respondents.

THE LAST MEN IN TRIBAL DEVELOPMENT SCHEMES

- Shri Chandrakant S. Patel

A small effort has been made to bring the last man in lime light in tribal development schemes through this study ; in the activities of the Institute to make a research study in tribal social life, their development and their problems. There is an attempt to understand 'last individuals' as well as conditions of the area as well as the benefits provided to them in varicus development programmes. It is an effort to understand the last individuals areas in development schemes, their actual conditions and that what new approach to be adopted and what new planning should be deployed for their benefits and development.

Introduction :

In the development schemes for tribals adopted after independence were not only for their enhancement. It was an approach for achiving new dimensions of development, with group and individualised programmes. Constant efforts were made from first to tenth five year plan considering various aspects for different sectors. They included :

- (1) Special Development Plan for Scheduled tribe (1951)
- (2) Accepting five-fold programme-Panchshil
- (3) Multi-objective Development Blocks for Scheduled tribes (1961)
- (4) Integrated Tribal Sub-plan (1974)
- (5) Infrastructural development in tribal areas and to cover 50% tribal families under poverty alleviation programme (1985)
- (6) TRIFED (Tribal Co-operative Marketing Development Federation) Est. in 1987.
- (7) 73rd and 74th Constitutional amendment and partnership of tribal in development process through Gramsabha.
- (8) From Welfare to Development and from Development to Empowerment (1997)

The Tribal Development Department has been working actively for several years and try to develop the different tribes in varicus tribal areas of the state. They have established Schedule Tribe Financial Corporation (2001) and adopted Gujarat pattern (1998). All these efforts have brought heavy change in tribal communities. This will pave a new way of development.. Nevertheless, there have been several risk areas so that dispite all the efforts, there still exist the deprived people and backwardness. Both community-based and

individualised programmes were focused on backward people and tribes but they could not remove their poverty. Even after 55 years of independence and after decades of planned development programmes, the remote areas as well as nearby areas, the communities big or small, urban areas, towns and villages also - they all are deprived of planned development efforts for one reason or the other. Some areas, villages and families have remained deprived due to their remoteness of location; because our planned scheme, often are implemented in urban areas or nearby areas and rarely their benefits reach to remote areas at far off places. Sometimes some communities or tribes are not aware of such schemes. Sometimes they remain deprived because they are illiterate. Some literate tribals do take benefits available for the tribe but the illiterate tribals cannot walk at their pace and therefore remain 'deprived'. It is also possible that schemes are not intensively publicised resulting into deprived villages/areas/ families. Whatever may be the reason; but it is sure that because of the deprivation there shall be a big gap between haves and have-nots and such a gap will be harmful to both.

After Independence, as per section 46 and 275 of Constitution of India, special attention was paid on backward areas, scheduled castes, scheduled tribes and all steps were taken for their development. Right from independence till 10th five year plan, in every year and every phase in each sector, on special issues, several steps were taken and numerous schemes were implemented. In the State of Gujarat also, the tribal development department of State Government more than 430 schemes have been formulated and, implemented and several programmes have been launched over a period of time. Some of the schemes and programmes were effective, some were partly effective and some are a dead mass. Some well aware people took a lot of benefits from the schemes and they marched on roads to development; but a large mass remained in the list of deprived persons. This happens because there is no proper link between those for whom the programmes are planned and those who implement the programmes. Whatever may be the reason, but even after decades of independence, and despite there being a lot of schemes and programmes; the real picture is rather extremely dismal. This is very ugly. This condition could be perhaps due to lack of integrated development infrastructure.

Objectives of the Study and its significance :

As seen earlier, after independence the planned development schemes were structured by development blocks under five year plans and programmes were implemented

phase-wise. These programmes are still in operation. Those programmes were both individual oriented and community oriented and they were implemented in various dimensions. A lot of economic and other resources have been invested in it. We have been listening about development and socio-cultural changes. Such changes have indeed taken place; but in many areas, there has not been proper and proportionate results of investment made in plans. There could be reason for it. As we know, in Gujarat the entire eastern strip is mainly occupied by tribal people. It is most undeveloped area with those people who have no touch of modernity. They still live in pre-historic period. They are unaware, illiterate, deprived, poor etc. The total tribal population is as large as 74 lakhs. Against this huge number, whatever amount is spent on plan, remains meagre. We face a question. If the plans formulated after independence were focused on development of tribals. Why and how then, some people from tribal communities could not avail of benefits from these schemes? Among tribals also there is a big gap between 'haves' and 'have-nots', or between 'creamy layer' and 'most deprived mass'. This is not a healthy sign. It produces inequality.

The Tribal Research Training Institute Gujarat Vidyapith have conducted several studies about tribals which are ethnographic. Besides, in context with various aspects of different tribes in different tribal areas, about 400 studies have been undertaken, mainly on planned development, based on field work. The Government have also implemented, not less than 400 development schemes for tribals, covering almost all relevant aspects. Out of these, how many of the development schemes are effective, and why most of the tribal people have remained 'deprived' of benefits? Are they really deprived? What is the real picture? This is necessary to be known. In short, what is the condition of the last person in planned schemes? The benefit of the planned scheme do not reach to 'last man' because there is some missing link. Who are responsible for keeping people deprived? What could be done to correct the mistakes? Considering all these aspects, this study viz. "The last men in tribal development schemes" is undertaken, mainly to know his conditions.

If the process of development ever continues, the development of undeveloped areas and socio-economic-cultural development of tribal families could become a reality. Considering this fact, such backward areas and such backward people residing there, who, in total structure of project areas, stay in far off hills of east, forests, deep and dark areas in valley, who could not avail any benefit of planned progress. They, therefore have remained 'deprived people'. There are others, who stay in urban areas and small towns. They also for

some other reasons do not avail benefits of development schemes. So they are also deprived. There are some small tribes; and they are illiterate and ignorant. Therefore they remain deprived of benefits. This study focuses on such deprived people. It intends to make detailed inquiry about deprived people to know their conditions.

Many researchers conduct study in tribal areas using various techniques. The Government also plan development programmes on large scale and implement them for their well-being. But after making and implementing the scheme, what were their objectives? What was its process? What objectives have been achieved and to what extent? Whether there were any adverse impact? What are the reactions of deprived people and deprived areas? What is factual condition of deprived man? These are all issues which cover the scope of the study.

Significance of the study :

Tribal development is a constant process. It incorporates human, social and economic aspects. It is therefore important to know about its success or failure, so that in future better schemes bringing success can be worked out, and necessary correction can be made in defects of failure-schemes, the obstacles can be overcome and success-friendly aspects can be highlighted.

Tribal development plays most significant role in development of State and Nation. If tribals are neglected, the process of progress becomes slow; therefore they should not be neglected. The development is possible along with them. If they are kept away or left behind, the development will be just on paper and not in reality. It is therefore essential that their problems due to remote place of habitation in deep forest or hills, or deprivation or ways of implementation are understood and obstacles removed; and in future also the scheme should be such implemented that they remain much effective.

The entire study is rather time-consuming. The eastern strip of the State inhabited by various tribes is a vast area. They have distinct characteristics. The problem of deprivation is a result of their economic and social conditions. Their presentation is more significant. If a realistic picture of these areas, tribes and families is presented, some solution can be searched out and on that base, some new thinking for present or future can surely be worked out.

But at some places, due to contacts with other people, due to increase in transport communication, due to personally witnessing the results of development in nearby village, the

deprived tribals also wished to come in mainstream; but yet could not reach the mainstream; because right from the beginning, tribals have stayed in separate geographical conditions; and therefore they feel geographical alienation; nor do they wish to sell of their labour so easily. Their community is based on least basis of development. Their members like traditional pattern of society and they are least prepared to change. They strictly stick themselves, to old customs and traditions. Tribals have different set of traditional laws. As these communities did not easily mix with other communities in main stream, it created mental tension. It was therefore considered to develop the areas where they reside so that they benefit from it and simultaneously the forests also benefit, to facilitate tribals, development. Some new functions were created such as coal industry, steel industry and mines so that they get some work and earn some money. Here they worked and earned keeping their identity intact and their culture exclusive. They became acceptable. Thus the approach of integrated development was adopted for them. Besides, the constitutional protection was also provided, mostly in their own way. Thus their rights are protected constitutionally, and almost 350 schemes are operated for their development.

Efforts were made to bring socio-economic changes after planning. The tribal community cannot remain aloof from such efforts. In some of the areas there have been fundamental change in tribal communities also, whereas in some other sectors, this process is very low. Due to constitutional rights given to tribals, the political situation has also changed. Besides, in response to steps taken by State and Central Government, for social, economic, educational upgradation, several changes in tribals have been recorded. There are positive impacts where there is awareness and where schemes have reached to the target groups. But where there is no awareness, where they are deprived of the benefits of the schemes, no signs of progress and development are witnessed. In this context, along with launching of Government Schemes; the deprived areas, deprived tribal groups or families are to be identified, the causes of their deprivation should be found out and the measures should be taken to ameliorate them. Considering the importance of this issue, we have undertaken a study on the last men in development schemes focusing on, after implementation of the development schemes, what is their impact on tribals? What is estimated expenditure on development programmes? Which are the deprived areas? What are the problems of tribal families? What are their group problems and why they are there or what could be their effective solutions? etc.

- (1) Even if the tribals (ST) are within framework of Tribal Sub-plan Scheme, why they have not been able to take benefits or why they are left out behind? The main aim is to know the conditions of deprivation and to locate the missing links.
- (2) Since they are deprived of the benefits of the scheme; do they lead traditional and BPL way of living; or what are other conditions due to which they have not come in development mainstream. The further steps could be planned based on reply to these issues.
- (3) It will be possible to know about those who developed and those who remained deprived; so that efforts could be made to accelerate the process of development. Thus, this study could also become a guidelines for others.
- (4) To study as to really which are the difficulties and mistakes in implementation of schemes so that further road could be carved out. This may perhaps bring solution to the failure of schemes and obstacles in way of deprived people.
- (5) It will be possible to study the problems and factors that come in way of development of last men in deprivation. This may help in opening a new way to accelerate the progress and we may get some guidelines too.
- (6) We will be able to know about both beneficiaries and deprived people of development programmes. May be, we get some suggestions from the family of deprived people about further way of approach so that such other families may not face the same difficulties.
- (7) They will surely benefit from study of the 'last man'. Besides, they will be some relief in implementation of schemes. There will be changes in opinions of people and the deprived people and executors of the schemes are saved from adverse opinions and criticism.
- (8) The study will throw light on conditions of tribal areas and tribal families. The information about their standard of living, their economic conditions, the amount of debts etc. May be, the study about the causative factors will also have some solutions - as could be developed by us or suggested by them.

Areas and Selection of Families :

The tribal population is mainly located in the eastern strip of the State. There are certain areas, where the development scheme have not been able to pave way for them; they could not reach such areas; they could not bring any change in tribals. Besides tribals stay not

only within TASP areas; but some families do stay outside TASP areas also. There are certain urban areas also or semi urban areas where somehow the benefits of the scheme have not reached. Considering all these areas and several tribal communities, the conditions of deprived people there have been highlighted. The areas and villages include poicha of Nandod taluka, Koliwada of Dediypada taluka etc. From Bharuch district, villages Magnad of Jambusar taluka, Tanchha of Amod taluka were taken. From Banaskantha District, village Begadiya Vas of Danta Taluka and Piplawali Vaw from Danta taluka were taken. The village Girnara of Kaparada taluka and Pindvad of Dharampur taluka were taken from Valsad district.

Research Methods :

The information from identified families was collected in interview guide. Information was focussed on deprived families; and qualitative factors were given more importance.

Various methods were used to collect economic, social, cultural and other information. Some information was collected through observation. Some other information was collected through individual personal visit/interview.

For primary information, field work was used; whereas for secondary data, the library was used. For statistical information and village data 'Census figures were used.

The information regarding their problems, conditions of deprivation, their solutions and for suggestions on development schemes, were collected from local families, village leaders, social leaders, educated people. Some more information was collected from officers. Besides, the researcher has used his own data-collected from several sources, including this collected during field work etc.

The tribal population of Gujarat State mainly habitate in most backward area in hilly forests, valleys in eastern strip. Most of the areas here are hilly, lands are uneven, rains are uncertain and forests are very deep and big. There are different types of 25 tribes having their own language and culture. There are 11 tribes having populations of more than a lakh. Bhil tribe is the biggest one with 34.41 lakh population (46.01 percent). Next comes Halpatis with 7.98 percent. Dhodiya at third number with 787 percent and Rathwa at no. 4 with 7.76 percent. All these tribes are having population at more than 5 lakhs. There are also few having population at more than 3 lakhs (Gamit, Konkana, Nayak-Nayakada and population at more than 2 lakhs viz. Chaudhari, Chaudhara, Dhanka and Varli. There are three tribes

having population of more than one lakh and there are four tribes having population of less than twenty-five thousand. Even there are eight tribes having population of less than 10,000. Barda and Pomla are tribes having population of less than one thousand. All these tribes are different having their distinct mode of culture. Nevertheless, in the biggest number or among the least number tribes, there are families in each such tribe, who are at the lowest stage of property. They live the low level of living and often do not get two meals a day. They are not economically independent. As last men, they are not within the orbit of developed people. The poverty among tribal people is so pathetic that the family members are not able to have two meals a day, almost for days and weeks and months. They are half-starved almost all over a year. They eat root vegetables, green vegetables and fruit/flowers from a tree. The tribal areas of the State are in very remote places and people are aloof and alienated from outside world. Thus the last men of tribal dependants live a life of very low level.

These tribal people in large or small numbers habitated in remote tribal areas take up several occupations for their living. They get engaged in agriculture, farm-labour, occupations based on forest products, animal husbandry, fishing, hunting etc. The occupations are local in nature. On one hand, the forests have fast degraded and they find it difficult to pull on with their petty occupations. Then they are forced to migrate to other places. Since most of tribals being illiterate, their economic conditions are equally poor. Most of them live BPL; and they have no other alternative. They live in utter poverty and they are not able to make progress by themselves.

In our country, almost 70% of people live in 7.5 lakhs of villages. The planners know this well and therefore they have realised that unless they develop the rural masses they will not be able to develop the country. Considering this, they have incorporated rural development programmes to greater extent in national planning. The poor masses are also mainly habitated in rural areas. Therefore the rural development programmes were started with rural development schemes. In India, there are tribals in larger number; and they habitate in rural areas, in forests, hills, valleys, undeveloped or under developed areas, among totally primary kind of facilities, in poor, backward conditions. In Gujarat also the entire eastern strip starting from Amaji to Saputara or Umargam is habitated by tribal masses in forests, hills, valleys etc. The land is not fertile and tribals are to depend on them. The different tribes are indeed distinct in their own way, having rich cultural heritage. But on other side, several tribal groups are so poor that they hardly get a single meal after day long hard labour. They are faced to live

poor life. They themselves are not able to come out of it. If therefore, we neglect such a big mass of tribals, the all-round development is impossible, we cannot afford to neglect such a large group of tribals both in terms of number of people as well as total area covered. To talk about change and progress are mere myth without their involvement. Unless and until the structure of all-round integrated development scheme is not placed for implementation, the expectation of development in its true definition will be impossible.

In India, after independence, the planned policy for development of tribal had been formulated. Its main aim was to bring the tribals through inputs of education and financial assistance, at equality with other sections of people. In post-independent India, several planned programmes were adopted at different intervals of time, for welfare of tribals.

The beginning was made with establishment of multi-dimensional tribal block in five year plans. At the end of second five year plan, both Elwin Committee and Dhebar Committee evaluated the working of special multi-dimensional blocks. Based on the recommendation of special multi-dimensional blocks, the programme of special multidimensional blocks were improved during 3rd five year plan; and 415 tribal blocks were established throughout the nation. More emphasis was laid on economic development in tribal development blocks. Likewise, in the entire Gujarat State, the areas where there is more than 10,000 population of tribals, such areas are declared as tribal pockets. There are such 15 pockets in the State. But during seventh five year plan, some more pockets are added from areas of Panchmahal and Vadodara district. There are two criteria for declaring an area as tribal pocket :

- * Pocket should have a population of 10,000 of which 50 percent should be tribals.
- * Pocket should be a complete part of a taluka.

The details are provided in Appendix 8 of the report.

Tribals in Scattered areas :

There are 74.81 lakh tribals in the State, Excepting those living in Tribal area subplan, the rest remain scattered. Among these scattered tribals, the number of Halpati-Talaviya is more. Mostly they are agriculture labourers and unskilled workers. The economic development programme of tribals of this area is under regular plan and more emphasis is laid on family oriented programmes.

Primitive Groups :

During 6th five Yea Plan, these five tribes living in least resources viz. Kathodi, Kolgha,

Kotwaliya, Padhar and Siddis were declared as those belonging to primitive groups. These five tribes are most backward economically. The level of literacy is extremely low. The Government of India provides grant in aid at 100% for their development programmes.

This is a picture of tribal people in India, in Gujarat State in districts and in talukas. We had a glimpse of efforts made during 1st to 8th Five Year Plan, for tribal welfare and tribal development. We also had looked at the information about families. Now we shall have details about 140 families belonging to seven tribes viz. Kukna, Vasawa, Halpati - Talaviya, Varli, Kolcha, Dungari Garasiya, Sokla Garasiya etc- their usual dress, food, economic conditions, social life, festivals etc. All tribes have their speciality in one field or the other. It is possible to achieve development based on these specialities. It is therefore necessary that we should collect information about their folk-life, way of living, cultural traits and family life. On basis of these factors, the development outline be worked out.

In a study about 'the last man' i.e. deprived person in relation to tribal development schemes, we have covered the areas, families and tribe-wise percentage. They are from eastern strip of the State. For the present study, following villages are selected :

- Pindwad from Dharampur taluka Valsad District
Girnar from Kaprada taluka
- Here, Kunkana, Varli and Kolcha tribes are covered.
- Magnad village from Jambusar taluka Bharuch District
Tenchha village from Amod taluka
- Here, Halpati-Talaviya and Vasava tribes are covered.
- Koliwada village from Dadiyapada taluka Narmada District
Poicha village from Rajpipla taluka
Here we have covered Vasava and Kotwaliya tribes.
- Begadiya village from Danta Taluka Banaskantha District
Piplawali Vav village from Danta taluka
Here the Dungri Garasiya tribe is covered.

Thus totally 140 families are covered from 8 villages and 7 tribes were identified for collection of data in relation to development schemes vis-a-vis their conditions. Efforts were also made to collect their own opinions about their deprivation. A sincere effort is made to incorporate in next chapter the information including probable causes of their deprivation,

from respective tribe habitating in that part of tribal areas. Besides, the data collected from previous studies also refer to deprivation conditions of poor tribals. That is also incorporated in next chapter. This has been collected from various tribal groups. Alongwith this, some more information is collected from integrated areas having tribal population, scattered tribal population mostly from urban areas, primitive groups etc. which also is reflected in a study of deprivation.

We have seen earlier about 'the last man' - the areas covered by them, their villages etc. We have covered in this study following villages and respective tribes :

- Vasava and Kotwalia families from Narmada and Bharuch district.
- Halpati - Talaviya - Rathod tribes from Jambusar and Amod talukas of Bharuch district.
- Kukna, Varli from Dharampur talukas of Valsad District and Kukna, Kolgha from Kaprada taluka of Valsad district.

All these families live BPL life or just around it.

Measures taken for development of deprived :

After independence of the nation, provision was made in the Constitution of India for development of backward areas and of people habitating in these areas and the measures were started since planned development started for development of nation in 1952. In planned development programmes initiated in 1952, several areas were divided into Development Blocks and the entire planning were made to implement Block Development Schemes. However from 1st to 4th Five Year Plan, only scattered structure could be built. Some development schemes were discussed and some scattered efforts were made for development. Consequently, the alienated tribal people living in very difficult places of deep valleys or remote forest areas or hilly tops remained untouched of any concrete benefits educationally, economically and socially. Considering this vital fact, the Government of India, after 5th Five Year Plan changed the strategy. The sector-wise different schemes and financial resources were placed under a single administrative authority under integrated development programmes and thus a new way was paved. Thus, ever since the first five year plan till 10th five year plan (1951 to 2001) in long period of time, several steps were taken from time to time for tribal development in general and for development of specific tribal communities in particular. They included :

- (1) Special Development Planning for scheduled tribes - 1951
- (2) Formulation of 5 principles - Panchshil 1956
- (3) Multi-dimensional development blocks for schedule tribes - 1961
- (4) Tribal sub plan (TSP) - Integrated tribe development programmes - 1974
- (5) Infrastructure development for tribes and poverty alleviation programmes 1985.
- (6) 'Trifed' constituted - 1987
- (7) Establishment of State Schedule Tribe Financial Corporation - 1989
- (8) 73rd and 74th Constitutional Amendment - Partnership of tribes in progress - 1993
- (9) From Welfare to Development and from development to Empowerment - 1997
- (10) Establishment of tribal Ministry - 1999
- (11) Seperate Financial Corporation for schedule tribe - 2001

Thus several concrete and effective measures were planned and implemented to pave ways for development. In 1998, New Gujarat Pattern was worked out which is still continuing to operate.

We thus examined several steps taken for development of tribals since independence. Due to these efforts new dimensions of development could be reached for scheduled tribes, for scheduled areas and for ST families. Nevertheless the total inner and outer development is yet to come at several places. They are yet deprived of sweet fruits of progress and development. What then could be new strategy for their inclusion in development march? We have suggested few below based on my study in tribal areas. Based on those derived from society and families and those which are based on my experiences in field work.

- (1) The benefit of schemes have not reached everywhere due to internal and external causes. The deprived areas, some tribal groups and some tribal families are totally leftout. They cannot be neglected. they need to be attended to on priority basis and the missing links should be filled. If some well-determined transparent efforts are made both in deep remote areas or in urban areas - giving them top priority, only then the money spent will be meaningful and the plans will cover them really rather than on paper.
- (2) When the forester or the tribal are to be resettled; the people's partnership should be encouraged and repeated efforts are required to be made. Only then the decaying tribes or deprived tribal groups will be able to reach the development path. This effort could be made, involving local Government Official, forest department and local citizen, who are considered leaders.

- (3) It is necessary that the rights on land, on forest and such other rights need to be kept intact. This is pre-condition for development efforts come on right path; and their social, educational, cultural and economic conditions can be improved. The situation is that rights provided them have remained just on paper; and in reality there is a big zero. Therefore, tribal areas, tribes and families donot benefit from rights bestowed on them. They remain deprived of their legal constitutional rights. Therefore simple administrative structure should be deployed to provide them their rights.
- (4) The deprived tribals have lack of facilities of literacy in their areas, they have no contacts and sometimes, some people try to make them/keep them deprived. Therefore their unawareness needs to be turned into awareness, their lack of skills are to be turned into skills and most intensive efforts need to be made. Only then the objective of developed economy will be realised. The plans should be formulated which can deploy their human wealth and human labour; which is plenty In Gujarat, after 56 years of independence, there are tribal families from 37 percent tribal areas, living BPL life; and in this there are large number of tribal who are deprived ones.
- (5) The tribal areas, tribal families have remained 'deprived' because of defects in formulation of schemes as well as their implementation. Therefore, the postulates / inference on which the schemes are formulated should be changed so that the harm can be stopped. The structure should be planned in such a maner that the formulation of scheme, its implementation, the goals etc. are realised practically. The defects should be removed, the needy should be identified, the non-needy should be outsted - such arrangements should be made.
- (6) Many members in tribal families live their lives under severe deprivation. They might be deprive of e.g. employment of other requirement; or some physical matters. But such deprivation keeps him backward. He lives BPL life of lowest quality. The land has become smaller and smaller due to its division among members of the family. The forests have decayed making the life of tribals much difficult; educations rare, the crops also cannot proude their decent living. Therefore employment oriented programmes at local level should be developed to provide economic earning. The more schemes about occupations like agriculture, animal husbandry, forest based occupation and other Government schemes should be started so that deprived can hope to get somethings in future.

(7) Limited budget and limited number of beneficiaries :

As such budget figures allocated for tribals look attractive. The budget figures are indeed very large. The goals are also attractive. But if we compare the large number of people and still larger areas, the funds are not upto the requirements. There are examples when only 11 per cent of totaly allotted funds were utilised. Instead total funds should be used to benefit more number of people.

- (8) After independence, several schemes were implemented in tribal areas, resulting into increase in awareness. With increase in education; we have now a class of educated tribal people. They are comparitively, economically sound, yet they take away maximum benefits, and those who need them most remain deprived. The rich and prosperous tribal people formulate criteria of the scheme in their advantage and wrongly avail of plenty of benefits. Efforts should be made to prevent such white collar tribals from taking undue benefits to get the strategy of development successful.

(9) Deprivation from natural resources :

The forest, the land, the water etc. are natural resources in tribal areas. But for last few years, there have been restrictions on their use. Even if such restrictions have advantages, the local tribals should be allowed to use such natural resources, so that they may not remain deprived of their use and that they can get their primary requirements.

- (10) The achievements of tribal development are not just 'zero'. It is a mix of success and failure making a picture rather sterious. The big budgetory provision is made; the schemes have been implemented; but if, as was found in one of the research studies; only 11 percent of budget provision was utilised. This was indeed very disturbing. If the budget covers entire area and entire population, it needs to be monitored otherwise, more and more areas and more and more people will become deprived. Thus the achievement of planning is not zero. Even where the process of development was effective; there were some deprived people there too. And they express their dissatisfaction very clarly. The area could be urban mohalla or deep forests, or rural areas; each place has its problems. The deprivation to any body is pathetic. The deprived people depend on labour and live BPL life. They try to adjust to the situation amidst severe deprivation. It is suggested that a seperate study be made only for deprived people and seperate schemes be implemented for them. In short, such measures should be worked out that they also get adequate opportunities for development and the structure should be well-knit.

HEALTH FACILITIES AMONG TRIBAL AREAS

- Arunbhai B. Patel

Introduction :

We find a lot of variations in 698 scheduled tribe communities. The structure of one scheduled tribe community is different than another one. Some tribal communities belong to pre-industrialisation period and they being dependent on agriculture and forest for their living, they have special significance for environment. They interact with earth, sun, wind, rain and forest in their day to day life among their meaningful relation with nature. They also maintain themselves from primary sources like land and forest. However the forests and wild life are severely decayed.

The shortage of this resource has adversely affected tribal people's food habits. It is said that in each case of defective nutrition, there have been vast area of inadequate nutrition. Those suffering from inadequate / defective nutrition suffer from filaria, T.B., leprosy, skin diseases, diseases among children, women etc. The problem become more deteriorated with lack of sanitation and cleanliness. The tribal children are born with less weight, mortality risk, higher maternity death, existence of several infectious diseases, habit of wine, addiction to drug abuse etc. which are leading to ill-health. Thus they live in lower health level.

The traditional indigenous health practices have given them life for generations in tribal areas. They have come into contact with modern allopathic medicines only for last few decades only. Now, of course, more and more tribal people resort to its use; but the health and medical services are not within their reach. They are unaffordable too.

Government had decided to provide health services according to requirements of each area. The planning commission had also made some relaxations in some of its principles; and thus health services were available among tribal areas. Now which are their health problems? What are the facilities available and what are the defects? It is necessary to look into these aspects.

The Tribal Development Commissioner Gujarat State, Gandhinagar had suggested to undertake a research study on "Health facilities among tribal areas". so that some steps for improvement can be taken on the basis of the research study. There are certain specific objectives of this study :

Objectives of the Study :

- (1) To examine the facilities provided for tribal areas.
- (2) To find out which are the diseases in tribal communities and what are the causes ?
- (3) To look into sickle cell anaemia disease among tribals.
- (4) To examine the health conditions and make suggestions on that.

Scope of Study and procedure of Selection :

There are 43 tribal talukas. Two villages from each taluka were selected at random. One of these two villages was having a health centre facility and other was without such facility. So far possible, two villages were taken from two different directions. Thus 86 (43x2) villages were identified for the study. From each village, 10 families were selected with random method. Thus we had 860 families for study.

We required two kind of information for this study. For primary information, we relied on field work and field based methodology; and for secondary type of information, which was also very essential, we referred to library and studied several books and literature.

Research Methodology :

- (1) For information about identified families, health status, diseases/epidemic, problems etc. we used a schedule.
- (2) For collection of information from medical officers/ doctors we prepared a statement; and included the information about diseases, causes, problems etc.
- (3) For first hand information about health conditions, an observation method was deployed to know about activities of the place and those of health centre. In order to provide additional support to the study, discussion was held with concerned official by paying personal visit to them.

The tribal areas are indeed backward. If we look at the characteristics for bad health conditions are poverty, inadequate and un-nutritive food, habitation, cloths, unclean water, lack of health education, traditional beliefs, addiction to drugs, lack of employment opportunities and lack of transport communication.

Faith is unseen power :

Tribals even to-day have faith in unseen powers and in human powers, They believe that the tribe has spiritual relation with totem. There have been several beliefs and supersti-

tions around this. There is always a Badvo or Bhagat who is considered to be super human and he commands great respect among tribals. He is an indigenous spiritual superhuman doctor.

Powerful mystical powers :

Tribals usually have faith in mysterious elements. The mysterious power could be attributed to hills, forests, ancestors, dead heroes, villages, ghost, witch etc. They offer something to them to keep them pleased. If we keep them pleased, they will protect us, make us prosperous and bring good wishes for us. That is what they believe.

The common seasonal or occasional diseases among tribals are fever, motion, vomiting, diseases related to women, skin diseases, body ache, ring worm etc. The long standing diseases are bronchise, TB, anaemia, problems of menstruation, stomach ache, pain in chest etc.

In the tribal groups habitating in eastern strip such as Dungari Bhil, Nayak, Halpati, Dhodiya, Kunkna, Varli, Bhil, Kolgha, Gamit, Chaudhari, Rathwa, Vasava, Kotwaliya etc. they usually have hereditary and uncontrollable disease of sickle cell Aunemia. About 1.5 percent people seem to be seriously suffering from this.

In tribals living in South Gujarat area are sometimes suffering from Lepto Spirasis. This disease is a result of pollution in water caused by mixing of mouse's urine in water during monsoon. This causes headache, fever and body ache. It may cause early death.

Some tribal women, being short in height, are considered to be high risk cases. The children of such mother are having less weight, pre-matured birth, lack of nutrition etc. Since the marriages take place at early age, the physical growth is not found. A period when a woman grows in body, here she becomes a mother and become very weak. It she gives birth to many children, her body is washed away gradually. Besides, the delivery is done by illiterate, untrained Dai; and she may perhaps spoil the case.

As regards health treatment, mostly they depended on Bhagat-Bhoova or Balva. But now they come to health centre for treatment. They have gained faith in dispensaries, and freely use alopathic drugs, injections etc.

Earlier, they used to depend on some roots of plants/trees or leaves from forest; but now there is dirth of people knowing proper use. On one hand, no. of diseases have increased and on other hand they donot have persons who can treat them from herbs of forests. So they

have no resort but to come to allopathic doctors - in Government Health Centres or private practitioner as the case may be.

The cases of infant mortality have reduced due to intensive efforts by Primary Health Centres, Community Health Centres, ICDS workers etc. The immunisation Programme has resulted into reduction of infectious diseases or polio. But because of bare-foot practice, and uncleanliness one finds boils, skin diseases, worms etc. The infant illness includes motion and vomiting, cough, asthma, cold, malaria, Typhoid etc.

Government provides assistance for treatment of major disease. This include TB, Cancer and Leprosy.

There are 43 Health Centres. The conditions of 36 centres was as below :

- (1) Only 10 Centres had adequate staff. 26 had not adequate staff.
- (2) The posts of 5 medical officers were vacant. The M.C. of nearby centre was given additional charge who used to visit on limited days only.
- (3) The posts of 11 Pharmasists, 6 Lab. technicians, 23 MPHW, 14 FHW, 5 peons etc. were vacant. Therefore the health services were affected.
- (4) The drugs or injections are of ordinary type.
- (5) Eight M.O. opined that adequate medicines should be provided.

That there should be medicines for all diseases. The injection against rabid (dog-bite), poison should be available. Ear drops should also be provided.

- (6) There should be a refrigerator.
- (7) It is also necessary to have facilities for investigation in pathology etc. Such an examination of blood, urine, X-Ray machine, Sonography, Sicklins test etc. should be provided even in remote place.

Why tribals donot come to Primary/Community Health Centres ? (1) Carelessness (2) Illiteracy (3) Poverty (4) Lack of adequate staff (5) Inadequate facilities in the centres (6) Lack of transport communication (7) Lack of faith.

Suggestions :

- (1) In all tribal villages, there should be one rural health guide. This guide will be assisting the multiple health worker in implementaton of various national health programmes.

His work can be monitored by village Panchayat and the village Panchayat will pay him the honorarium. If the selection is made for such guide who knows the traditional herb medicines used by tribal, it would be much better; because in this case, the tribals will trust him most.

- (2) Because of lack of proper health care services in tribal areas, the quacks have got free ground. The Panchayati Raj Government should be entrusted the powers to take step against quacks.
- (3) Where in tribal areas, the sub health centres have not been established at 3000 population areas; they should be immediately established. There should be a Government building for each such sub centres and residential facility for multiple health workers. Each such sub centre must have a laboratory for urinel and blood sugar examination so that the female health worker can do such testings.
- (4) For a pregnant woman and lectating mother, the multiple female health worker will distribute salt and vitamin tablets. If she conducts delivery at odd hours, she should be paid extra honorarium as motivation.
- (5) The scheduled tribe local boys and girls should be given training for multiple health workes and they should be appointed on such post.
- (6) Each Primary health centre should have residential facilities for its staff members in Government quarters. It must have well equipped laboratory with a technician.
- (7) It is necessary that the medical officer remains present at PHC regularly. Instead of frequent meetings at Government level, there should be only one meeting in a month on fixed date; so that a medical officer can find more time for his health duties. The medical officer of PHC should be trained to handle MTP (medical termination of pregnancy cases).
- (8) The para medical staff at PHC should be given additional honorarium if they provide day and night services.
- (9) In tribal areas, there are several incidents of Snake bite or dog bite. The necessary injections should be available because if injection is not given in time, the case may result in a casualty. At each PHC and at sub centre also the medicine to combat snake bite or dog bite should be available. For preserving the medicines, there must be a deep freezer, refrigerator and instrument for disposal of bio-medical waste.

- (10) At Community Health Centre the important specialists posts such as Gynachologist, Pidiatrician, General Surgeon, Physician etc. should be filled to meet the requirements of tribal areas, under Government of India's guidance.
- (11) The authorities of PHC and CHC should have budgetary powers to purchase medicines locally in case of emergency.
- (12) The adequate health services are not properly provided in deep villages. For such villages a mobile dispensary should be made available to provide preventive, motivating and treatment services at the door step. e.g. in Dediapada taluka, for some time, a mobile dispensary is providing such services through Bharat Seva Sangh.
- (13) In order to control water-generated diseases in tribal areas, regular chlorianation and purification process is necessary.
- (14) Where the allopathic doctors are not available, the Ayurvedic and Homeopathic doctors could be appointed in PHC after some orientation training.
- (15) In national tuberculosis preventions programe, the voluntary non-government organizations and traditional health worker should be involved.
- (16) Panchayati Raj organisations and non-government organizations should be involved to identify leprosy cases.
- (17) Now a days both patients and diseases have become complex. All the hospitals have enough patients. It seems that tribals now do not have faith in Bhagat-Bhoova-Badva or blind faith in invisible power. On other hand, those staff members posted in tribal areas feel that they have been punished by being postel here; they donot devote enough time in their work, often go away to their native place etc. when a medical officer has given charge of two PHCs, the level of services of one of the centres will surely suffer and without a medical offices; what other staff members can do ? Mostly, PHC staff members donot stay at H.Q. They stay at taluka place. They cannot provide devoted services. Obviously, tribal people go to private practitioner, and spend money which they can hardly afford.

A service cadre can be made for such are as tuning genuine interest and devotion. The present structure and equipments should be monitored and made efficient. Wherever necessary, even punitive action also can be taken in the interest of tribal people.

- (18) In tribal area, one total diseases is sickle cell Anaemia. This is uncontrollable and derived from generation to generation. For treatment, sickling test is primarily essential. Thus all the tribal families should be covered to find out whether he is a victim or a villain. Another disease is Leplospirosis. Many people become victim especially in monsoon. We get information from news paper report about this. Such patients are shifted from small clinic to big hospitals. Of course, hospital are well equipped to provide better treatment, but what about the poor family residing in most remote hilly area ? They cannot afford to take treatment at such far off places and consequently suffer from disease.
- (19) Tribals have deep knowledge about vegetables and animals. They know traditional/ herbal treatment. Tribals initially want to try such treatment before shifting for allopathic one. Even to-day, there are Badva or Bhagat providing traditional treatment and often their treatment is effective. Where allopathy fails, there Badwa come forward for an alternative treatment. We should take them more seriously for their specialised knowledge.
- (20) Now the forests are decaying and only 8% area is under forests. The forests are no longer deep and wholesome. It is necessary to protect those vegetables which are on eve of destruction. Likewise we must find out those who have effective knowledge of herbal treatment, so that the proper vegetation and roots are put to proper medical use. The tribal person may be illiterate but he is rich in information about forest property. It is necessary to take knowledge from him, and save protect the useful herbs used in various treatment of diseases effectively. Such knowledge and efforts will be useful for next generation also in keeping him healthy.

IMPACT OF MIGRATION ON TRIBAL WOMEN'S EDUCATION

Dr. Niranjana Patel

Nature has not gifted natural resources to all in equal quantity. There is difference in acquiring these resources from place to place and accordingly there is great difference in density of population. The process of urbanisation is accelerated with economic development. Small towns soon become big cities. Due to economic progress, the process of industrial development also gets momentum. To avail the benefit of this, migration from rural areas to urban areas take place. This create many problems.

Tribal areas are covered with forests and are rather tough. Their problems are different than those of our society. The historical and cultural factors are responsible for this. The tribal areas have three natural resources viz. land, water and forests.

The agriculture work engages the youth only for a few months in monsoon. After monsoon the youth alongwith family. women and children go to other place or cities in search of employment. In some of the areas, the tribals, after finishing agricultural work migrate to cities where the construction work is going on. Even children below 14 leaving their study half way make a move alongwith adults. The study discontines. It is difficult to stop migration of children alongwith adults and therefore the problems related to their education crop up.

This study mainly focus on women, whose education suffer due to migration. The study was undertaken to highlight this issue of women's education in tribal society. What could be the position of migrated women mainly in education context ? What could be done to solve this issue ? The study was undertaken for the following objectives :

Objectives of the study :

- (1) To know the causes of migration of tribal women.
- (2) To examine weather basic facilities for these migrated tribal women are available for them.
- (3) Whether migrated tribal girls get any environment for education.
- (4) To examine, whether in original place of habitation the local facilities were available.
- (5) To examine whether in piace where they have migrated, there are facilities available for education.
- (6) To examine the causes of leaving the study half way by women/girls.

- (7) To suggest the measures, so that the tribal girls donot remain deprived of education due to migration.
- (8) To examine whether some arrangement has taken place for children who migrated with their parents to continue their education.
- (9) To know, whether the children of migrated families could have studied in Ashramshala or hostel in their native place ?
- (10) To examine the issues of tribals, type of migration, problems of habitation etc.

The study was conducted during 2007-2008. It was undertaken to study the difficulties due to migration, especially the impact on education and what could be done for their education in future.

Methods of Study :

For an evaluation study, mainly the interview, observation and schedule have been used to collect subjectwise information.

Schedule :

A Schedule was prepared keeping the main objectives in view. The migrated labourers were contacted personally and the information regarding migration etc. such as their native place, the condition of housing at the place of migration, economic conditions, employment, educational condition of children after migration etc. were collected through schedule.

Keeping the subject matter in view, and arranging the necessary questions logically and through the use of Schedule, the problems of migrated people were studied and through the method of observation the information about place of employment was collected.

Interview :

During the course of this study, the information about migration, its cause, and the difficulties for children regarding education after migration etc. was collected. The migration women, the women workers and management of voluntary organizations working in tribal areas, officials associated with education etc. were contacted personally, their interviews taken and the information regarding migration and its impact on women's education was collected.

Field Work :

In some specific areas of the State, the tribals come to earn livelihood, leaving his place of birth, behind.

In this study, 105 migrated sample families who have migrated and reached urban areas of Ahmedabad, Vadodara's and Surat in search of labour work or casual labour or masonry work are studied.

Findings based on the study :

(1) Among migrated labour force, large number are from Dahod, Jhalod and Limkheda talukas. The maximum number are Bhil (94.29%) and 5.71 percent are Patelia tribe.

(2) Following number of male/female were covered in this study :

- Ahmedabad :	16 male,	19 female =	35
- Vadodara :	25 male,	10 female =	35
- Surat :	22 male,	13 female =	35
Total	63	42	105

(3) The reasons for leaving the native place was lack of availability of work there (or around) to feed the family. Therefore, they migrated in search of employment / labour work.

(4) Out of 105 migrants, 65.72% were illiterate, 30.47% had obtained primary level of education and only 3.81% had obtained secondary level of education.

(5) 80% of migrant tribals were dependent on agriculture back home. 20% were engaged in agriculture labour. Beside they were also engaged in supplementary work such as casual labour or masonry labour.

(6) 72.38% of persons under study had non-irrigated land. It could not produce enough or adequate crops. That is why they migrated for labour work including masonry labour work.

(7) The migrated labour either come on their own or through a contractor, mukadam etc. or through some agent.

(8) The migrated labour used to stay in an open plot owned by municipality or Government, or just outside the compound wall of an open ground or open plot owned by contractor. Some were finding shelter on open, terrace of newly built commercial centres or on open land around railway line.

(9) Migrated labourers were working on some construction activity - some masonry work, or RCC terrace work, or passing on bricks to masoner, water spray on new construc-

tion completed, earth work, digging, preparing mixture used in construction, tar work, assisting a plumber or other labour work.

- (10) The average monthly income of migrated tribal was Rs. 1000 to 1500, depending upon type of work and number of working days.
- (11) Alongwith 105 migrated labour force, there were 49 school going children, of which 42 were in primary schools, 5 were attending Balwadi (KG) and 2 were in ICDS Anganwadi, taking education in pre-primary class.
- (12) The migrants under study were holding a view to give only primary level education to girls (from std. I to IV) and nothing more than this.
- (13) The girls of school going age are brought in migration for household work, taking care of younger siblings, shopping and helping in their labour with the result, the education suffers.
- (14) The reasons for not giving education to the girls are : poor economic conditions, taking care of young children, helping in household work, distance of school, change of school due to migration or family values of not giving education to the girls.
- (15) The migrated tribal do not take care to avail of benefits of Government Schemes for educational facilities; and they are not serious about education of their daughters.
- (16) The contractor or other anti-social elements often abuse the migrated women at the place of work or have their economic exploitation. This is not tolerable but because their weaker economic conditions and dependence they continue to suffer.

Conclusions and Suggestions :

The migration of labour from tribal areas is concern of a State Government. Migration of labour is a worst result of capitalist development policy. There is hardly any scope for progress of labourers. The migration also causes increase in population in urban areas. It creates a lot of problems of habitation and education. There is shortage of basic facilities for life. There are problems of encroachment. Therefore intensive efforts should be made to prevent migration; so that the labourers become free from exploitation, their human rights are protected. Wherever they migrate. They should be provided with the facilities. For maximising the economic benefits and minimising the level of expenditure, and for higher level of standard of living, following suggestions are made :

(A) At the place of habitation :

- (1) There should be complete note of facts at Panchayat level. From where the migration takes place. How many number have migrated ? Where are they going ? Such note at village Panchayat level will bring them relief.
- (2) There have been some ponds and dams in tribal area. It should be reached to them and irrigation facilities should be provided to tribals.
- (3) In interior villages, there are no schools upto std VII. Therefore secondary/middle school should be established. Hostels also should be erected; and encouragement should be provided to institutions providing technical education.
- (4) Where there is no school the HRD Ministry has started Kasturba Gandhi Balika Vidhyalay; so that the children can re-start one's education.
- (5) Special programmes should be planned for skill up gradation of tribal women. They should also be provided with the information about various Women Welfare Schemes of Government, so that the daughters be motivated for education. Guidance should be provided to them.
- (6) For taking care of their children, to facilitate education, the 'Balsakhi' system should be provided to take care of their children, so that women can spare some time for reading and writing.
- (7) Besides taking care of children below 5 years of age by 'Bolsakhi' they should be given preliminary education. Programmes should be planned to encourage cleanliness, health and nutritious food. (Mahila Somakhya 2004-05)
- (8) The migrated women should got motivated by free and compulsory education so that they educate their daughters.

(B) At the Place of Migration :

- (1) The Help-Centres should be started for migrated labour. There should be registration, providing I-card, Raton Card, Communication chart etc. They should be provided with information about employment position in other places, communication system in case of combating against physical and economic exploitation and providing of primary facilities.
- (2) Those who migrate temporarily or seasonal one have a specific problem of

- habitation or Night Shelter. It is necessary that Night shelters be provided at affordable rates to facilitate his stay during the period till he continues his work here.
- (3) Sometimes migrants stay on foot path. They donot get water to drink or for other purposes. Water should be provided by municipality in sintex tanks.
 - (4) There is no toilet facility for them. The problem is more acute with density of population. Therefore mobile toilets should be provided at affordable charges. Municipal corporation can provide this facility.
 - (5) There could be a van with small cabin where the labourer can keep his luggege and could stay overnight. There should be facilities of water and open land around.
 - (6) There should be seperate toilet for women.
 - (7) There should be adequate transport communication to facilitate migrants to visit concerned town/city.
 - (8) At the place of migration, the tribal labourers should get adequate wages, facilities for drinking water, health and habitation.
 - (9) It should be compulsory for employer, organisation, contracts, Government etc. to provide compulsorilly the basic primary facilities.
 - (10) There should be temperory shelter. It could be a shade made from sheets providing 10x12 ft. of accomodation. There should be common water pump, mobile toilet and temporary light arrangement.
 - (11) At the place of work, labourers should get household requirements at fair price shop, subject to production of Ration Card.
 - (12) Free health facilities at each Government Hospitals.
 - (13) For providing constant employment to migrant labourers at specific place, the construction activity should be continuous.
 - (14) With extension of construction activities, and with changes in technology, the conditions of labour also should im prove. Wages should be enhanced.
 - (15) The management should provide occupational training appropriate to work.
 - (16) Ahmedabad is an advanced city; and industrially well developed. For improving the speed in work, better techniques and material should be deployed. There should be positive change in technology.

- (17) For migrant women, the risky work and those work harmful to her health should be prohibited (e.g. work in mines is prohibited for women by law. (1952)
- (18) As per provisions made in factory Act, 1948, there should be creche for young children where more than 30/50 women are working in an industry / factory.
- (19) No Physical / hand labour work should be taken from pregnant women of young kids she should be given 12 week's holidays for delivery. (As per 1961 Act).
- (20) Children who have migrated with parents are worst affected. At the time of schooling, they are deprived of education. There are various schemes to promote education among tribals; but children, for some reason or other, do not avail of the benefits. If therefore the children who have co-migrated need not be illiterate. The Child Care Centres, Anaganwadi (ICDS), Balwadi (KG) etc. can be linked up with their education. Besides, those children who have left a school, should be provided with a bridge card and arrangements should be made for entry in nearby school.
- (21) The co-migrant children should be provided with certificate so that when he returns home, it facilitates him to be admitted in Balwadi/Anaganwadi/Primary School etc.
- (22) The co-migrant children migrate to urban areas need not remain illiterate. For the purpose, the Child Care Centres, Anganwadi, Balwadi etc. should be linked with primary education. Besides for those children who have left the school should be provided bridge card so that he can get admission in the school at or nearby place of migration.
- (23) There is frequent migration in tribal societies. Therefore, under law it self, they should be provided with the facilities of night shelter, education, health etc. Here below are the suggested measures for rights of labourers. (by Vipul Pandya, Construction Work labourers organisation, Ahmedabad)

Social Security measures and measures for prevention of exploitation :

Special efforts should be made to see that a tribal labourer is not exploited during his work. He should also get protection as per provisions of labour laws :

- Minimum wages Act, 1948
- Payment of Equal Wages for equal work Act, 1936

- Contract Labour Act 1930
 - The building and other construction works act, 1996
 - The Inter State Migrant Labour Act, 1939
- (1) If the above provisions are strictly observed, the exploitation of tribals can be stopped. In case of non-compliance of minimum wages act, the judicial powers should be vested in the Assistant Labour Commissioner to bring about just and fair solution.
 - (2) The Welfare fund under the buildings and other construction works Act, 1996 should be used mainly for social security and welfare of tribals.
 - (3) The contractor has brought labourers from the other States, he is entitled to get benefits of Inter State Migrant Works Act. If a labourers himself migrates in search of employment, he is not entitled to get the benefit of the Act. Something positive must be done to amend the provision of the Act suitably.
 - (4) Contract Labour Act 1930 and the building and other construction works act, 1996 provide for habitation, drinking water, sanitation facilities, toilet, canteen, creche for the workers at the place of work. This needs to be implemented strictly.
 - (5) The Attrocity Act can be effectively used against atrocities and exploitation on the migrant tribal labourers. The labourers should be made aware of it.
 - (6) The migrant tribals often become victim of police harrassment. Even when there is an incident of burglary, in a city, police suspect there labourer's involvement and apprehends them. Their constitutional right of freedom is at stake. This should be stopped.
 - (7) There should be Act covering not only labouriers in the field of construction but also in unorganised sectors, to improve their conditions, to control their employment situation and to provide them social security.

Benefits available to migrant construction workers :

- (1) Compulsory registration at the place of work.
- (2) If they have worked for at least 90 days, they become entitled to several facilities at the site place itself.
- (3) They are entitled to compensation and assistance in case of accident.
- (4) The work can be taken for a period not exceeding 9 hours. In case of overtime, the remuneration will be paid at double rates.

- (5) Free temporary residential accommodation at the site place and all security measures need to be provided.

(Bhaskar News : Gandhinagar : 9-5-2008)

With Government assistance, some Voluntary organizations have made accommodation for hostels in their native places on seasonal basis. This facility is provided to children who wish to continue their education back home, even when parents have migrated in search of work.

Even where the migrant labourers migrate in search of a work, the support schools have been started; where the child is admitted on the basis of migration card provided by Government. This is to continue child's education irrespective of change in place due to migration. 29 voluntary bodies have started so far 81 seasonal hostels and 59 support schools. (The Times of India :30-4-2008)

The nearest Ashramshala can prepare the list of children whose parents migrate to other places. The Ashramshalas should admit the school-going age children. If DPEP takes responsibility of providing funds, it will bring better results.

The children of migrant parents could also be admitted to nearest municipal primary school and admission could be given at any stage. For their habitation, the tribal boys' hostel could be approached.

The tribal women could be given occupational / vocational training into patch work, tailoring, embroidery, toy making, beauty parlor etc.

A number of schemes for women's welfare have been implemented by Government. If tribal women are provided benefits of these schemes, there could be improvement in economic and educational conditions.

If the non-government, voluntary organisations and social workers go to tribal areas and provide guidance to tribal, women for better living, many problems of women can be solved.

As an alternative education system the - 'back to school' and 'bridge course' schemes should be made permanent.

'Back-to-school' scheme :

It is a scheme to bring 6 to 14 years old children, who are out side the school system, wherein it could include;

- (1) Children who have never attended the school (totally illiterate children)
- (2) The children who have left the school half-way.

The children who have left the school half-way or those whose name have been removed from school register are involved in this programme, are given education of 90 days' learning during vocation period, their examination held, and on passing in it, re-admitted in schools.

Bridge-Course Scheme :

This scheme is meant to stop 'drop out' cases and to bring steadiness in the schools. In order to retain the children in the school :

(A) Education in same village but out side the school

- Vacation course
- Mid-term course
- Promotion course
- Night class

(B) Education in the same village school

- Additional seat in Ashramshala
- Community Hostel

(C) Education outside the village

- Farm school
- Tent School
- Agariya School
- Mobile School
- (Self workers)

Education outside village, other school Identity Cards :

Any of the above model can be useful in preventing stagnation in education.

It is suggested on the basis of this study that if sincere efforts are made both by voluntary organizations as well as Government to resolve the obstalles and issues at the place of migration and provide necessary facilities for education of children of migrant parents, it will benefit the children's education.

DEVELOPMENT OF FOREST SETTLEMENT IN GUJARAT : AN EVALUATION

- Shri Arunbhai Patel
- Shri Chandrakantbhai Patel
- Dr. Ravindra Pancholi

(1) Introduction :

In interior areas of forests, the roads are zigzag and uneven. It was difficult for forest department to cut the trees and reach them upto depot as per management plans. Even if labourers are brought from outside, it could not help much. Therefore the then states and British Government decided to settle the labourers in forest almost on permanent basis. For this purpose the forest department constructed the settlements which were known as forest settlements.

In Gujarat there are 199 such settlement villages. They are both totally settlement villages and partial settlement villages. The areas are located in Dahod, Godhra, Surat, Bharuch and Junagadh districts. Totally there are 3,392 settlers and they form 7,725.53 heactres of forest land. The total population of these settler families as per census figure is 1,18,112.

Before 1984, these settlements used to get least benefits of the development schemes; because they were not included in revenue villages. A special central assistance programme was undertaken for them during 2004-2007. The objectives were :

- (1) To satisfy the basic minimum needs of settlers.
- (2) To improve their economic conditions through improvement in land, agriculture and other sources..
- (3) To improve the communication media.

Considering these objectives, the responsibility of evaluation and monitoring of settlement villages has been entrusted to the Tribal Research and Training Institute, Gujarat Vidyapith, Ahmedabad. The Forest department has undertaken several programmes for development of settlements and the families residing there at various points of time. During this period, what benefits were availed by settlers ? What kind of facilities and administrative structure has come up in settlements ? It is intended to examine these aspects from the study.

(2) Objectives of the Study :

- (1) To examine the effectiveness of minimum needs programme, rural development programme and family - oriented programmes through their physical achievements.
- (2) To examine physical and financial effectiveness of different schemes;
- (3) To examine the problems which cropped up in villages and families due to distribution of loans.
- (4) To invite opinions and suggestions from local people and staff members about services provided in settlements and work done there.
- (5) To see whether the benefits provided and the work done there is as per accepted standards;
- (6) To make the planning more effective through this evaluation study.

(3) Research Methods :

This study is objective-oriented. It covers 199 settlements and 7 Forest Development Agencies.

Selection of Beneficiaries :

Benefits are provided through 72 different schemes in 11 sections. Ten beneficiaries are selected from each scheme, implemented during 2004-2007. Among community workers, the works undertaken during 2006 were given priority.

Tools of Data Collection :

The study is field work based. Different methods were deployed for data collection. Two separate schedules were prepared :

- (1) For individualised beneficiary schemes : Family statement.

Main respondents : Key informations, Focused Group discussion :
regarding scheme benefits and community work.

Participatory observation method :

This method was used for individualised benefits and community schemes.

Library :

The reference books on subject were studied

Field Work Planning :

The investigators were given 25 day's training at Tribal Research Training Institute. The Forest Officer, the Members of Forest Committees assisted in collection of information and observation.

Period of Field Work :

The field work was done into 3 phases viz.

- (1) August to October - 2007
- (2) 1st to 3rd November 2007 and
- (3) 26th November to 30 November - 2007

Field visit Observation :

The field work was done by surveyors; which was observed by Supervisors. Besides, field work data was cross checked by concerned officials. Thus field work observation was done at three different levels.

Field Observation :

The field observation during projects field work reflected following facts :

- (1) There was lack of people's partnership.
- (2) The Unit cost need to be enhanced; because otherwise the needy, people are deprived of benefits. The linkage with banks is essential.
- (3) Those people who are in direct contacts or those vested interest people get more benefits.
- (4) They donot get loan, because the land is not in their name.
- (5) In criminal case, they hardly get bails. The settler has to incur expenditure.
- (6) They find it difficult to get ST certificate.
- (7) It is necessary that forest department make partnership with those who are in the process of development. They may be Government Department, non Government Organization or other offices. e.g. village Mohini, Taluka Ucchal.
- (8) There should be certified verification of quality of goods. e.g. at Valpura (Sarasvani) Taluka Jhalod - the equipments of electric connection were without ISI Mark.

- (9) There has not be registration of land holders nor their heirs have been registered.
- (10) It is necessary to give more emphasis on community benefits rather than individual benefits.
- (11) The scheme of Kankrej Cow been a failure at implementation level. e.g. at Shishu and Dediya Pada. It is necessary that the animals could be selected keeping in mind the local situation.
- (12) At some places, the cash assistance is provided but the cow was not purchased. e.g. At village Gondaliya Tal. Umarpada.
- (13) The local community works should be as per local requirements and demand. e.g. the Varanda / wall of the school at Dediypada was washed away in first rain only.
- (14) More health facilities should be provided. e.g. In Shisha Village, a girl died of snake bite.
- (15) For check-dam, such site should be selected where more water can be stored.
- (16) In mix villages the members of Forest Committee should be forest settlers only.
- (17) Plan should be made to avail them all the benefits as provided in schedule 5 to schedule tribe areas.
- (18) The beneficiaries who are entitled to get recommendation of Panchayat extension to Schedule Area (PESA) should be provided with a copy. e.g. community works - Water, Roads, Electricity etc.
- (19) Marketing ties should be planned with TRIFED.
- (20) Efforts should be made for sustainable and equitable development.
- (21) At Mohbi, Tal. Dediypada the facility for health and education including residence of a teacher were ineffective.
- (22) The Link-roads should be well planned. e.g. at Achhala, Bhariveri, Ramesara etc.
- (23) In Junagadh district, only Shirvan village has got benefits.
- (24) There should be periodical monitoring and evaluation.
- (25) Total settlement villages sometimes form part of joint panchayat and often they avoid to attend Gramsabha somehow, their voice for development is incomplete.

- (26) The benefits are given in name of original settlers. Often there are quarrels for amount of benefits among heirs. Sometimes benefit is enjoyed without knowledge of other members. In some cases, record is noted on stamp paper.
- (27) Settlers are satisfied about levelling of land. The time for tractors was decided keeping in view the conditions of land. Some settlers felt that the tractor hours were less.
- (28) In Irrigation facilities, water wells, PVC pipe and oil engines were provided. Due to such facilities, there was improvement in agriculture in Mandvipara Taluka Songadh; Achhal village taluka Godhra Kalibel-Mandvi range etc. The crops have been changed.
- (29) The benefits of DFS programme were given to the Chairman or Secretary of the Forest Committee or their neighbours.
- (30) In some of the villages, the benefits were provided to beneficiaries from Indira Aas Yojana Sardar Awas Yojana, Shram Yogi Yojana etc. The widows and BPL beneficiaries were given assistance under these schemes at Achhala, Ubhadkai, Dist. Dahod.
- (31) In some of the villages, the cycle repairing kit or loans were provided but not under cycle scheme.
- (32) The village workers hardly visit villages in deep areas e.g. Shisha village, Sagai Range in Dediypada etc.
- (33) Two rooms out of three were found damaged, children were sitting in one room or varandah. Even the ICDS Anganwadi room was in damaged conditions.
- (34) Sometimes the equipments provided under individualised schemes remained unutilised. e.g. smokeless choalas village Velpura Tal. Jhalod, Bajpadiya (Bowls from Khakhara leaves) Gondaliya Tal. Umarpada.
- (35) The settlers were provided money in Gondaliya village talukas Umarpada but the cattle were not purchased.
- (36) In Gondaliya, the contractor brought the labour force from revenue villages therefore local settlers were deprived of labour work.
- (37) The musical instruments in Godhra taluka were distributed jointly for four villages viz. Adalpur, Kanpur, Mahadeviya, Dolatpur, resulting into mutual conflicts.

- (38) Most of the areas were deprived of post and tele-communication. In some big villages also there were no Primary Health Centre.

Main Problems of tribals living in forest settlements :

The tribals living in forest settlements have no ownership right on land and other properties. They cannot get bank loans on these hypothecation.

The forest settlers cannot get copy of 7/12 and 8-A, or 73AA. They also cannot get certificate of schedule tribe and have to remain deprived of benefits.

In criminal case, they cannot get bails, and the bails are to be invited from revenue villages for which they have to incur expenditure.

In Gangapur village, seven out of 15 settlers have lost their land under dam. They were given compensation at the rate of Rs. 2000 per hectre. Instead of providing land against land, it was argued by forest department that the land belonged to forest and dam is constructed on forest land only.

The unit cost of buffalow was Rs. 8000/- and for cow it was Rs. 6000/-. But these days a buffalow costs Rs. 20,000/- and a cow costs Rs. 15,000/-. The settlers are not in a position to raise the matching fund, and therefore remain deprived of benefit.

There are no village Panchayat or such agency in settlement villages and therefore development funds donot reach there.

Some Suggestions based on Field Observation :

- (1) Efferts should be made to enhance people's partnership.
- (2) The unit cost should be revised over a period of time (Bank norms/ Nabard norms)
- (3) Since land is not in the name of settlers, the Forest Department should arrange for evidences.
- (4) For getting schedule tribe certificate the forest department should give them adequate evidences and should recommend to the authorities.
- (5) In providing assistance to the settlers, the standard of qualities should be maintained.
- (6) The village inventory be made and in the settlers' accounts the rights to heir the property be indicated so that they can avail of benefits of the scheme.
- (7) Instead of providing cash assistance to the settlers, the assistance in form of articles / kind should be provided.

- (8) In case of programmes for settlers, the opinions should be taken from them to succeed the schemes.
- (9) From time to time, there should be monitoring and evaluation of the benefits given to settlers and settlement villages.
- (10) Employment oriented training be provided to facilitate self-employment; and appropriate kits should also be provided e.g., Tailoring, Carpentry, Masonary work, Centing work in construction etc.
- (11) Wherever there are possibilities for fishery, the facilities should be provided for fish-seeds, boat, net etc.
- (12) The opportunities for forest works be increased by opening out forest works and services of only settlers should be deployed there.
- (13) For collection of subsidiary or minor forest products and for reasonable prices as well as for marketing of these products, arrangements must be made.