

## **AN EVALUATIVE STUDY OF THE RIGHTS AND ENVIRONMENTAL PROVISIONS FOR TRIBES IN INDIA**

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### **Abstract:**

From ancient times to the present day, tribals are known as a community that protects water, forests and land. Various footprints of this community are found in Sindh culture. From the British rule to the established government, the struggle of this community has been going on. The government has introduced various schemes to bring this class into the mainstream. Various commissions work to make progress in social, economic, political, educational and cultural aspects. The government has implemented various welfare schemes for the protection and conservation of tribals. These include the Forest Rights Act 2006, the PESA Act 1996, the Scheduled Castes and Tribes Act 1989 and the Scheduled Tribes Commission. Tribals need to be given effective support in terms of education, health, employment, land forest rights, self-reliance, etc. Environmental conservation is truly done by this class. There is a need to take care of the health of tribal women, the need for women's employment and empowerment, and the need for women's education. Injustice and atrocities against tribals should be reduced and strict implementation of various laws and schemes related to forest dwellers should be done in the 75th Republic year.

**Keywords:** Environment, Forest Rights, Forest Right Act, 2006, PESA Act, 1996, SC-ST Act, 1989, Scheduled Tribes Commission

### **Introduction:**

Excavations in the Indus Valley Civilization reveal that before the arrival of the Aryans, the people living at this place were called Dravidians. These people were snake worshippers and lived in the Indus Valley. Later, it was known as the Harappa or Nagar civilization. This is the original culture of the tribals also called the culture of the original inhabitants. The ancient historians named it the Indus Valley Civilization. These nomadic people are the ancestors of the Shudras-Dalits-Tribals, which is why the Indus Valley Civilization is called the Dravidian civilization.<sup>1</sup> The tribal community is considered to be the most important element in the Indian social system. This community is also known by various names such as Adivasi, Girijan, Vanyajati, Janajati, Uncivilized and Aborigines.<sup>2</sup>

<sup>1</sup> Mohite, D. K. (2020, November 30). Adivasi Samaj, Parampara v Vachal. Retrieved from <https://lokmarathi.in/>: [https://lokmarathi.in/prof-dr-kiran-mohite-written-about-tribal-society-traditions-and-way-of-life/#google\\_vignette](https://lokmarathi.in/prof-dr-kiran-mohite-written-about-tribal-society-traditions-and-way-of-life/#google_vignette)

<sup>2</sup> University, I. G. (2021). Anthropology of Indigenous People- BANE 146. New Delhi: School of Social Sciences IGNOU .

Scheduled Tribes are known by different names as in America they are called Red Indians, in Australia 'Aborigines', in Europe 'Gypsies', and in Africa and Asian countries they called tribals.<sup>3</sup> The Constitution of India has given the name Scheduled Tribes to the tribals.<sup>4</sup>

The Indian Constitution has included more than 700 Scheduled Tribes under Article 342. Of these, 75 tribal tribes are extremely backward. These tribes reside in various states and union territories of the country. While many tribes are found residing in a single state. There are the highest number of 64 Scheduled Tribes are residing in Odisha.<sup>5</sup> Article 366 (25) of the Constitution define Tribals as "such tribes or tribal communities or parts of, or groups within such tribes, or tribal communities are deemed under Article 342 to be Scheduled Tribes for the purposes of this Constitution".<sup>6</sup> According to the 2011 census, the population of Scheduled Castes is 10.4 crore and their proportion is 8.6% of the country's population. If we were to give a simple definition of the word tribal, Adi means first and Vasi means resident.<sup>7</sup> That is, since they are the first inhabitants of our earth, it would not be wrong to call them the protectors of the earth. From ancient times till now, this community has been preserving its culture. On the one hand, this culture does not seem to have completely succumbed to the modern development, the progress of technology and the increasing development of AI technology. This community has cultivated its affection and love for its culture and water-forest-land even today. The tradition that the earth is our mother and the environment is our god is still prevalent today. This society still maintains the customs that have been followed since ancient times. Even today, the society is still firm on one culture, one language and unity. The foreign invasion of India and the rise of British rule in this regard have been the cause of tribal displacement. Various laws made by the British government have become anti-tribal. Because according to these laws, the rights of tribal on water, forest and land have started to end. Even today, 75 years have passed since India became independent; the tribal community still has to fight for its rights and entitlements. Crimes against Scheduled Tribes are increasing every year. For this, the Scheduled Castes and Tribes Act, 1989 is in force.

The government made various rules and laws after independence, but even today they have to fight for their rights and entitlements to the extent they are needed. While achieving social, economic, political, and educational progress and using modern technology, the government has neglected environmental protection. Although various laws have been made for environmental conservation, it does not seem that the environment is being protected in this way. This class has been protecting the environment since ancient times. Various laws have taken away the rights of this community over the forests. Their residence is still in the mountains, valleys and forests on a large scale. But they are being displaced in the name of

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<sup>3</sup> Singh, V., & Singh, M. (2017). Dynamic Concept of Tribes in India: A Historical Excursion. *International journal of economic perspectives*, 11(1), 160-168.

<sup>4</sup> Bhengra, R., Bijoy, C. R., & Luithui, S. (1999). *The adivasis of India* (Vol. 209). Minority Rights Group.

<sup>5</sup> Affiars, M. o. (2023-24). *Annual Report*. New Delhi: Government of India.

<sup>6</sup> Ibid.

<sup>7</sup> IGNOU, op. Cit.

modernity. They have not received the due compensation for this and this society is still struggling and fighting for it.

### **Tribal Relation with Environment:**

Tribals have many families or collections of families. Each class group has a common language, a specific name, feelings and emotions attached to that territory, agricultural income for food, political organization of each group, etc. Elements add to the culture of the tribals. Dr. B. S. Guha has classified the tribal community into three geographical divisions. The first division includes the northern and north-eastern regions. It includes Kashmir, eastern Punjab, Himachal Pradesh, northern parts of Uttar Pradesh and the hilly parts of Assam. The tribes of Lepcha, Baiga, Khasi, Garo, Kuki, Mikir, Chakma etc. are found in this region. The second division is in the central region. It includes the area from the Gangetic plain in the north to the Krishna River in the south. It also includes the Vindhya and Satpura mountains. It includes West Bengal, Bihar, Jharkhand, southern Uttar Pradesh, southern Rajasthan, Chhattisgarh, Madhya Pradesh, Orissa and the northern parts of Maharashtra. It includes the tribes of Santhal, Munda, Oroan, Birhor, Gond, Baiga, Bhil, Koli, Meena etc. The third division is the south and it includes the area south of the Krishna. This includes the Mysore, Kochi, Hyderabad, Andhra Pradesh and Tamil Nadu regions. The Nilgiri region includes the Toda, Kota, Badagas, Paniyas etc. while the Hyderabad region includes the Chenchu, Kurumba, Urali etc. tribes. The Andaman and Nicobar region includes the Jarawa, Nicobarese, Shompen etc. tribes.<sup>8</sup>

The relationship between the environment and tribals has existed since ancient times. The five elements of the tribal society, earth, water, fire, air and sky, are considered to be Gods. The love of tribals for water, forest, and land elements of the environment is unparalleled. Foreign and domestic governments have displaced tribals from their lands in the name of industrialization, mining, factories, and modernization. This class, which has a close connection with forests and land, has become homeless in the name of development. Hunting, worshipping forests as gods, protecting the land, using wood for cooking, extracting honey, using fruits, tubers, and various trees in the forest as medicine, etc. are activities that tribes have been doing since ancient times. But the government has always ignored this class. Many tribes have had to fight for their rights. Like the Sardar Sarovar Project in Gujarat, Tungabhadra Dam Project in Karnataka, Bhilai Steel in Chhattisgarh, Rourkela Steel Project in Odisha, Khadakwasla Dam in Pune, Sambalpur Dam Project in Odisha, etc. Due to these projects, tribals have had to be displaced. Even today, this class continues to suffer from extreme injustice and has to fight for its rights.<sup>9</sup>

### **Laws Hampering Adivasis way of living:**

<sup>8</sup> Jain, D. K. (n.d.). *Bharat ke Adivasi*. 'Bharat ke Adivasi' book by Dr. Kamini Jain.

<sup>9</sup> Kadam, D. S. (2021). *Adivasi Samajacha Jangal, jamin Sampatti Malaki Vishayk Sangharsh Ek Abhyas*. Aurangabad: BAMU University.

This community has been unjustly treated since the British era. Initially, they were opposed by the kings, zamindars, and moneylenders. For example Indigo Movement, Santhal Movements etc. The society, which has been suffering injustice since long as it belongs to the Scheduled Tribes, has been accused of crimes since long ago. This class was seen fighting against the British laws along with the moneylenders.<sup>10</sup> But today, even after getting independence, it has to fight for its forest rights. The need of the hour is to conserve it and restore forest rights, not just use it for voting. Various laws were made to eliminate the rights of the adivasis over the forests during the British rule. The Indian Forest Act of 1865 imposed many restrictions. In 1865, wood was needed for railway lines and shipbuilding. The British government passed this act to control the forests. After this, the Forest Act of 1878 imposed stricter laws on the adivasis who had rights over water, forest and land. This act divided the forest land into three parts. The first part was the reserve forest, in which the British government had complete control. The second part was the protected forest, in which some parts were given access to the tribes. The third part was opened to the public as the village forest. Under this act, a bureaucratic system came into being and an administrative effort was made by the British to control the forest. The Forest Act of 1927 made the classification of forests more effective. The British government started imposing stricter restrictions regarding forest rights. Severe punishments were meted out to anyone who misused the forests under the control of the government. Various types of taxes were imposed on the adivasis.<sup>11</sup>

After India's independence, a new forest policy was implemented in 1952. However, this policy did not focus much on the tribes and focused most of its attention on commercial and industrial development centers. This led to environmental degradation along with the tribals. This law also imposed restrictions on the tribals. Through this, efforts were made to stop shifting cultivation by focusing most on the administration of the forest department. Due to the growing dissatisfaction of the tribals and the agitations taking place in various places and the increasing pressure on the government, the government decided to implement the Forest Policy of 1988. Under this, the focus was on forest conservation and the tribal community. Under this law, an attempt was made to identify the needs and problems of the tribal community and solve them. A large amount of help was taken for forest conservation and management by taking the tribals along. By accepting that the tribal community is a part of our own culture, an attempt was made to preserve the tribal culture and give them rights over water, forest and land, in a real sense, under this policy.

#### **Acts and Policies for Tribal Rights:**

**The Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act, 2006:**

<sup>10</sup> [https://cdn.visionias.in/value\\_added\\_material/9dd83-resentment-against-the-british-rule\\_tribal\\_peasant-and-civil-rebellion.pdf](https://cdn.visionias.in/value_added_material/9dd83-resentment-against-the-british-rule_tribal_peasant-and-civil-rebellion.pdf)

<sup>11</sup> Chemmencheri, S. R. (2015). State, social policy and subaltern citizens in adivasi India. *Citizenship Studies*, 19(3-4), 436-449.

The tribals and hill tribes, who consider forests as divine powers, were oppressed from the British era to independence. This class has been struggling for its rights since the British era. With the aim of putting an end to this struggle, the Government of India enacted the Forest Rights Act 2006.

This Act deals with forest dwellers, other traditional forest dwellers and community rights. It was decided to grant land rights based on the residence of these Scheduled Tribes and Non-Scheduled Tribes. Through this, provisions were also made in the Act to preserve the cultural and traditional customs of the tribal community. This class has been cultivating the land around us for generations. Naturally, this class is always striving to get ownership of such land. This law includes Scheduled Tribes and other traditional forest dwellers, which are dependent on forests for their livelihood. This law also includes the cattle grazing tribe of Scheduled Tribes. The Government of India has allowed the concerned tribes to produce minor forest products. This includes bamboo, trees, trunks, silkworm cocoons, honey, tendu, medicinal plants and all non-timber plants such as tubers, roots.<sup>12</sup>

The Act provides for the cultural, religious, ceremonial, and traditional practices of indigenous communities, including the right to worship their sacred deities and gods. It also provides for the use of common forests by various communities under the Community Forest Reserve Rights. Through this Act, the concerned person will apply to the Gram Sabha along with the evidence and the Gram Sabha will verify the application and then recommend these claims. The Sub-Divisional Land Committee (SDLC) will review these recommendations and send them to the District Level Committee (DLC) for further examination. This committee will give its final report and give ownership of the land. If the forest dwellers and other traditional forest dwellers feel that their claim is being rejected, they can file a complaint with the SDLC or DLC. In this regard, the State Level Monitoring Committee (SLMC) will do its job in every state and the Ministry of Tribal Affairs will be the nodal agency at the highest level.<sup>13</sup>

The Forest Rights Act has been implemented in various states and union territories. The implementation of this Act is monitored by collecting information from each state and union territory on the claims received and the rights distributed every month. The total number of cases registered under the Forest Rights Act, 2006 till February 2024 is 50,26,801. Out of these, 84.44 percent of the claims have been disposed of. Out of these, 49.44 percent of the individuals have been allotted lands under forest rights.<sup>14</sup>

The Following information has given data about claims of tribals on land and its rejection.

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<sup>12</sup> Affairs, M. o. (2014). *Forest Right ACT 2006 - Act, Rules and Guidelines*. Government Of India.

<sup>13</sup> Ibid.

<sup>14</sup> Affairs, M. o., *Annual Report*, op. Cit.



## Annexure 7

Statement of Claims and Distribution of title deeds under The Scheduled Tribes and Other Traditional Forest Dwellers  
(Recognition of Forest Rights) Act, 2006 as on 29.02.2024:

S. No.	States	No. of Claims received upto 29.02.2024			No. of Titles Distributed upto 29.02.2024			No. of Claims Rejected	Total No. of Claims Disposed off	% Claims disposed off with respect to claims received	% of Titles distributed over number of claims received
		Individual	Community	Total	Individual	Community	Total				
1	Andhra Pradesh	2,84,294	3,294	2,87,588	2,25,826	1,822	2,27,648	58,299	2,85,947	99.43%	79.16%
2	Assam	1,48,965	6,046	1,55,011	57,325	1,477	58,802	NA/NR	58,802	37.93%	37.93%
3	Bihar	8,022	NA/NR	8,022	121	0	121	4,215	4,336	54.05%	1.51%
4	Chhattisgarh	8,88,028	53,949	9,41,977	4,78,563	49,270	5,27,833	4,00,649	9,28,482	98.57%	56.03%
5	Goa	9,758	378	10,136	647	15	662	49	711	7.01%	6.53%
6	Gujarat	1,82,869	7,187	1,90,056	97,342	4,791	1,02,133	2,332	1,04,465	54.97%	53.74%
7	Himachal Pradesh	4,880	466	5,346	256	59	315	54	369	6.90%	5.89%
8	Jharkhand	1,07,032	3,724	1,10,756	59,866	2,104	61,970	28,107	90,077	81.33%	55.95%
9	Karnataka	2,88,549	5,940	2,94,489	14,981	1,345	16,326	2,53,269	2,69,595	91.55%	5.54%
10	Kerala	44,200	991	45,191	28,641	258	28,899	12,233	41,132	91.02%	63.95%
11	Madhya Pradesh	5,85,326	42,187	6,27,513	2,66,901	27,976	2,94,877	3,22,407	6,17,284	98.37%	46.99%
12	Maharashtra	3,90,477	11,323	4,01,800	1,98,504	8,407	2,06,911	77,580	2,84,491	70.80%	51.50%
13	Odisha	6,33,388	15,477	6,48,865	4,59,742	7,824	4,67,566	1,44,439	6,12,005	94.32%	72.06%
14	Rajasthan	1,12,636	9,055	1,21,691	49,102	2,741	51,843	66,547	1,18,390	97.29%	42.60%
15	Tamil Nadu	34,877	2,584	37,461	10,536	531	11,067	14,849	25,916	69.18%	29.54%
16	Telangana	6,51,822	3,427	6,55,249	2,30,735	721	2,31,456	94,426	3,25,882	49.73%	35.32%
17	Tripura	2,00,557	164	2,00,721	1,27,931	101	1,28,032	68,848	1,96,880	98.09%	63.79%
18	Uttar Pradesh	92,577	1,162	93,739	18,049	861	18,910	74,761	93,671	99.93%	20.17%
19	Uttarakhand	3,587	3,091	6,678	184	1	185	6,493	6,678	100.00%	2.77%
20	West Bengal	1,31,962	10,119	1,42,081	44,444	686	45,130	96,587	1,41,717	99.74%	31.76%
21	Jammu & Kashmir	32,207	10,224	42,431	315	4,190	4,505	33,187	37,692	88.83%	10.62%
TOTAL		48,36,013	1,90,788	50,26,801	23,70,011	1,15,180	24,85,191	17,59,331	42,44,522	84.44%	49.44%

Source: Ministry of tribal Affaires Report-2023-24

**The Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996:**

The PESA Act has been implemented to improve the living standards of the tribals and enable them to achieve progress in their areas. The 73rd Constitutional Amendment has strengthened the Panchayat Raj institutions, but this constitutional amendment was not applicable for the development of tribal-dominated areas. For this, this Act was passed by the Parliament in December 1996 to improve the living standards of the tribals in tribal-dominated areas, to provide them with cultural and forest rights, and to provide them with rights over natural resources. This Act has given the Gram Sabha the power to manage local planning, development, and natural resources. It has been made mandatory for the government to obtain the consent of the Gram Sabha for any development project. There is a

ban on transferring land to outsiders. This Act provides social, economic, and political rights to the tribes.<sup>15</sup> The PESA Act has been implemented in ten states. These include the states of Maharashtra, Madhya Pradesh, Rajasthan, Telangana, Himachal Pradesh, Gujarat, Chhattisgarh, Andhra Pradesh, Orissa, and Jharkhand.<sup>16</sup>

#### **National Commission for Scheduled Tribes:**

The Indian Constitution has given rights to Scheduled Tribes along with Scheduled Castes since 1950. Under this commission, this commission works for the welfare of Scheduled Tribes and to preserve their geographical and cultural heritage. The National Commission for Scheduled Tribes is mainly important for maintaining the existence and influence of the tribal community in the social system. In 2003, under the 89th Constitution Amendment Act (2004), the National Commission for Scheduled Castes and Scheduled Tribes was divided into two parts, namely the National Commission for Scheduled Castes (under Article 338) and the National Commission for Scheduled Tribes (under Article 338A).<sup>17</sup>

The Commission was established under Article 338 A of the Constitution and has made every effort to provide protection to the Scheduled Tribes. The National Commission for Scheduled Tribes is very important and this Commission also has a historical background. The Scheduled Tribes are considered the most deprived and backward community in the society. For this reason, this class has remained separated from social, economic, political, educational, and various social interests. The Commission is working to end the caste system that has existed in India since the Vedic times and to create its own existence. The National Commission for Scheduled Tribes has come to be known as a constitutional commission. The Commission has gained importance with the aim of establishing equality in the society. Indian society is divided into various social strata and these tribes are considered as the most backward and deprived of development. The commission works to provide various development opportunities to the tribals with special focus on them. In order to preserve their culture and bring them into the mainstream, the government established the Ministry of Scheduled Tribes in 1999. Through this, various schemes and various public welfare facilities were provided.

If there is deprivation of rights and development, the Commission is competent to take action against it. The Central Government, State Governments and Union Territories will formulate various schemes and will also consider and try to provide special concessions and subsidies for the Scheduled Tribes.<sup>18</sup> The Commission will work on various decisions taken by the President for the development of the Scheduled Tribes. The Commission will work to

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<sup>15</sup> Ananth, P., & Kalaivanan, S. (2017). Grassroots governance in scheduled areas in India: the way forward of PESA act. *International Journal of Innovative Research and Advanced Studies (IJIRAS)*, 4(1), 18-21.

<sup>16</sup> Center, C. (n.d.). <https://computerworldcenter.com/>. Retrieved from Pesa Act Information in

<sup>17</sup> Laxmikanth, M. (2023). *Indian Polity* (7th ed.). New Delhi: Tata McGraw Hill Education Pvt. Ltd.

<sup>18</sup> Nath, B. K., & Parakandathil, R. P. (2015). *Scheduled Castes and Scheduled Tribes in India and their Higher Education*.

review the decisions taken by the States, the Centre and the Union Territories for these tribes and give recommendations to them.

**The Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989:**

India is divided into various cultures, traditions, castes, languages and many more. These entire dimension shows unity in diversity. But today the caste based discrimination followed by many people in a hidden way. This caste system has been originated from Vedic period through Varna system. In this system most affected people are untouchables (SCs and STs). Article 17 of Indian constitution has been eradicated the untouchability in all level. Therefore, the constitutional policy is providing safeguards for this under privilege section. In 1955 the government of India has implemented Protection of Civil Right Act, under the section of 3 to 7 related to the punishment whose are practicing Untouchability. Later it was improved and renamed respectively as The Protection of Civil Right Act in 1976 and The SCs and STs (Prevention of Atrocities) Act, 1989.<sup>19</sup> These Acts proved that the discrimination against SC-ST increasing every day. This Act has passed with an intention to protect socially depressed and ignored. Under the section 18 of this Act does not allowed anticipatory bail to accused person.<sup>20</sup>

The table below gives the number of atrocities committed against Scheduled Castes and Scheduled Tribes from 2018 to 2022 for each state and union territory.

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<sup>19</sup>[https://www.indiacode.nic.in/bitstream/123456789/15338/1/scheduled\\_castes\\_and\\_the\\_scheduled\\_tribes.pdf](https://www.indiacode.nic.in/bitstream/123456789/15338/1/scheduled_castes_and_the_scheduled_tribes.pdf)

<sup>20</sup> Empowerment, M. o. (1989). The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. New Delhi: Government of India.



Annexure to RSUQ No. 303 for reply on 24<sup>th</sup> July, 2024

State/UT Wise Cases registered under Crime against Scheduled Castes (SCs)/Scheduled Tribes (STs) during 2018 to 2022

SL	State/UT	Scheduled Castes (SCs)					Scheduled Tribes (STs)				
		2018	2019	2020	2021	2022	2018	2019	2020	2021	2022
1	Andhra Pradesh	1836	2071	1950	2014	2315	330	330	320	361	396
2	Arunachal Pradesh	0	0	0	0	0	0	0	0	1	0
3	Assam	8	21	28	15	14	6	4	10	16	9
4	Bihar	7061	6544	7368	5842	6509	64	97	94	103	146
5	Chhattisgarh	264	341	316	330	323	388	427	502	506	516
6	Goa	5	3	2	4	8	5	2	2	5	1
7	Gujarat	1426	1416	1326	1201	1279	311	321	291	341	330
8	Haryana	961	1086	1210	1628	1633	0	1	0	0	0
9	Himachal Pradesh	130	189	251	244	210	1	1	3	7	4
10	Jharkhand	537	651	666	546	674	224	342	347	250	283
11	Karnataka	1325	1504	1398	1673	1977	322	327	293	361	438
12	Kerala	887	858	846	948	1050	138	140	130	133	172
13	Madhya Pradesh	4753	5300	6899	7214	7733	1868	1922	2401	2627	2979
14	Maharashtra	1974	2150	2569	2503	2743	526	559	663	628	742
15	Manipur	0	0	0	0	0	1	2	2	0	1
16	Meghalaya	0	0	0	0	0	0	0	0	0	0
17	Mizoram	0	0	0	0	5	0	8	0	0	29
18	Nagaland	0	0	0	0	0	0	0	0	0	0
19	Odisha	1778	1886	2046	2327	2902	557	576	624	676	773
20	Punjab	168	166	165	200	162	0	1	4	0	0
21	Rajasthan	4607	6794	7017	7524	8752	1095	1797	1878	2121	2521
22	Sikkim	5	4	0	2	3	1	2	0	1	4
23	Tamil Nadu	1413	1144	1274	1377	1761	15	31	23	39	67
24	Telangana	1507	1690	1959	1772	1787	419	530	573	512	545
25	Tripura	1	0	2	3	2	0	2	2	0	3
26	Uttar Pradesh	11924	11829	12714	13146	15368	145	36	3	4	5
27	Uttarakhand	58	84	87	123	114	7	8	13	6	1
28	West Bengal	119	145	109	108	104	101	99	90	92	90
	<b>TOTAL STATE(S)</b>	<b>42747</b>	<b>45876</b>	<b>50202</b>	<b>50744</b>	<b>57428</b>	<b>6524</b>	<b>7565</b>	<b>8268</b>	<b>8790</b>	<b>10055</b>
29	A&N Islands	0	0	0	0	0	1	3	2	3	3
30	Chandigarh	1	1	3	0	4	0	0	0	0	0
31	D&N Haveli and Daman & Diu+	1	2	1	0	0	3	0	0	3	5
32	Delhi	36	76	69	136	130	0	2	1	5	0
33	Jammu & Kashmir*	1	2	7	13	11	0	0	0	1	1
34	Ladakh	-	-	0	0	0	-	-	0	0	0
35	Lakshadweep	0	0	0	0	0	0	0	1	0	0
36	Puducherry	7	4	9	7	9	0	0	0	0	0
	<b>TOTAL UT(S)</b>	<b>46</b>	<b>85</b>	<b>89</b>	<b>156</b>	<b>154</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>12</b>	<b>9</b>
	<b>TOTAL (ALL INDIA)</b>	<b>42793</b>	<b>45961</b>	<b>50291</b>	<b>50900</b>	<b>57582</b>	<b>6528</b>	<b>7570</b>	<b>8272</b>	<b>8802</b>	<b>10064</b>

Source: Crime in India

# Clarifications are pending from Nagaland for the year 2022

Note : '+' Combined data of erstwhile D&amp;N Haveli UT and Daman &amp; Diu UT during 2019

\* Data of erstwhile Jammu &amp; Kashmir State including Ladakh during 2019

Source: [https://sansad.in/getFile/annex/265/AU303\\_b1Qf0g.pdf?source=pqar](https://sansad.in/getFile/annex/265/AU303_b1Qf0g.pdf?source=pqar)**Conclusion:**

1. The position of Scheduled Tribes is important for environmental protection. Biodiversity is being protected by these tribes.
2. The government is striving to achieve progress in the fields of social justice, empowerment, protection of livelihood, participation in government and women empowerment etc.
3. As the Indian government has recognized their rights, the trust in the government has increased and the government is taking notice that this class will not become Naxalites.

4. The atrocities committed against this class are being protected due to the Scheduled Castes and Tribes Act, 1989 of the Government of India. But this law needs to be made stricter.
5. The government is committed for developing the tribal community to provide them with health, education, technology, housing, forest rights and environmental rights.
6. Even in the 75th Republic year, the welfare schemes implemented by the government do not reach this community.
7. The government needs to pay attention to the issues of malnutrition, poverty, illiteracy, health etc. on a large scale.
8. The government needs to create new sources of production for them and remove the stigma of Naxalism attached to them.
9. The government should be perfect so that the living standards of tribals can improve, women have the right to forest land, they can get a place in society, and they can also be recognized along with other societies.
10. Only when constitutional rights and forest rights truly reach this community, can we truly prosper and celebrate the sweetness of the 75th Republic Day.

#### **Suggestions:**

1. Effective use of Scheduled Castes and Tribes Act to reduce injustice and atrocities against tribals.
2. Provide employment opportunities by providing quality education.
3. Provide health services as malnutrition is highest in rural tribal areas.
4. Provide economic self-reliance to tribals instead of relying solely on forest-based businesses and emphasize cottage industries and agricultural products.
5. Pay attention to water, electricity, roads, communication, etc. to increase connectivity of tribal areas.
6. Strict implementation of the Forest Rights Act 2006.
7. Provide tribal women with rights in health, education, employment, empowerment, forest land rights.
8. Effective implementation of various laws made for tribals.
9. To implement awareness and training programs for various rights for the overall development of the tribal community.
10. To try to preserve the customs, traditions and culture of the tribals.
11. To provide various employment opportunities to this class and provide them with financial assistance for their business.

#### **Way Forward:**

While discussing with the tribals of Nandurbar and Jalgaon districts, they did not given the expected answers when researcher inquired about the Forest Rights Act and the PESA Act. The tribals have only heard about forest rights and various other entitlements and are not aware of the provisions of these laws. During the discussion, it was evident that

corruption and corrupt officials exploit the tribal community. The language barrier for the tribals to communicate and interact was apparent among the tribal population. Lack of education, poor health facilities, and malnutrition are widespread issues. The government needs to address these concerns. Even today, there are not enough resources available to access the tribal areas. Road development, connectivity, and water facilities are insufficient. The government's changing rules and increasing injustices toward the tribals each time are alarming. There is very little information available about the SC/ST Act, 1989 for the tribal community. The researcher has observed various factors during the discussions and through his own observational method. The government needs to implement solutions immediately and create awareness in the tribal areas.