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Status of Tribals in India: A Broken Dream of Dr. B.R. Ambedkar

POOJA NARAYAN¹

ABSTRACT

“Justice has always evoked ideas of Equality, of proportion of compensation. In short, Justice is another name of Liberty, Equality and Fraternity.”

- Dr. B. R. Ambedkar

Dr. B.R.Ambedkar, the architect of our constitution has framed many social, economical, political, educational, legal and majorly Constitutional provisions for the upliftment of every section of the society including tribals. But it is really unfortunate that the provisions made exclusively for the betterment of tribals have not achieved it's purpose, rather it failed in implementation at the ground level. This peace loving community which once lived in isolation and did not like any kind of outside interference was forced to displace their natural habitat of forests after the advent of British in India and their greed for forest goods drove away this familial of nature. This displacement force them to start living in main stream areas where they were treated as people belonging to lower caste. They were started being recognized as Black magicians, robbers etc. Dr. B. R. Ambedkar was highly aware of this situation and also the political inactiveness towards the issue. He therefore carefully crafted several safeguards for the safety, progress and development of the tribals. Some of these Provisions are the appointment of a Minister-in-charge for Tribal welfare under Article 164, provision of administration of scheduled and tribal areas under Article 244, provision of grants from the Union Government to the states for the welfare of STs, and for raising the level of administration of scheduled areas under Article 275, protection and promotion of the claims of STs to services and posts under Article 335, the control of the Union Government over the administration of scheduled areas and the welfare of STs under Article 339 of the Constitution of India, among others. Still the condition of tribals in Our country has not improved and this dream of Baba Sahib is yet to see the light of the day.

Keywords: Tribal Rights, Constitutional Provisions, Dr. B. R. Ambedkar, Broken Dream.

I. INTRODUCTION

“It is Everyone’s right to live in a society based on Justice and to benefit from its

¹ Author is a Research Fellow at College of Law and Legal Studies, Teerthanker Mahaveer University, India.

advantages.”

- Oscar Aulliq-Ice

Dr. B. R. Ambedkar, coming from a background which gave him an insight into the reality of the lower caste, untouchables and tribals, has always strived and fought for equality. Equality connoting equality among human beings. He always advocated the need for upliftment of downtrodden communities and also emphasised on giving them equal rights and legal safeguards so as this may in turn can also contribute towards the development of the country.

Development of a nation hugely depends upon the status of the women and lower caste community, it is no secret, but still despite have specific constitutional provisions and various policies framed by the government all are turning futile.

As per the Census (2011), India has 8.6% of Tribal Population. Looking at their number it can be said that they are comparatively less than the mainstream population which in turn makes them victim of segregation and communal violence. The tribal community is not homogenous rather they belong to different ethnicity, culture and often also have different living styles. This heterogenous nature of the theirs often creates difficulty for the government to frame laws and policies for their welfare.

The tribals are basically the type of community which wants to stay isolated from the main land. They have their own laws and regulations, culture, language and living style, which they do not want to be disturbed. When the Britishers occupied India, they also followed and for sometime respected this living style of the tribals, but with due to time they started feeling the need to use forest products and export them to their homeland, which led to the enactments of the laws which interfered and displaced the tribals from their natural habitats. Due to this the tribals were forced to merge with the mainstream land where they were treated as belonging to lower caste and of being black magicians or robbers etc.

Dr. Ambedkar being aware about the atrocities tribals were subjected to always fought for their rights from Britishers as well as with the congress. When he got the opportunity, he drafted the Constitution of India by incorporating several provisions especially benefitting the tribals while also including Schedule V and VI dealing with the administration of the tribal areas.

The development and upliftment of the tribals also found its way in the Directive Principle of the State Policy under the Part IV of the Constitution of India. These policies are listed as a directive to the state for formulating laws in line with them. The economic and social development of the tribals started with the development of the policies based on three different approaches. These approaches were classified by a noted author Hasnain. He stated that there

are three ways to approach any tribal community 1. Isolationist, 2. Assimilationist and 3. Integrationist.

- **The Isolationist approach** is based on the concept of ‘do not disturb’. The approach followed a policy to stay away from the tribals and not develop them or disturb their natural habitat. But this can not work because it is necessary for the welfare of the tribals that the government with policies for their health, education, sanitation and all other development enter into their habitat and work for their benefit. Leaving them alone will not be good and a right choice. This approach was used by the Britishers in early days of their regime.
- **The Assimilationist approach** was based upon the ‘open the doors’. In this approach the tribals were led to mingle with the mainstream land and aimed at the two communities accepting and integrating with each other. However, this approach was criticised as being imposing of non-tribal culture and traditions upon the tribals.
- **The integrationist approach** has two approaches towards the development of the tribals 1) Protective and 2) Promotional measures. Under the protective measures policies were framed for the protection of land, forest, culture and tradition of the tribals, whereas under the promotional approach, policies for their welfare and upliftment were framed.

With the Integrationist approach India worked towards the development of the tribals through planning and implementing.

II. CONSTITUTIONAL PROVISIONS FOR THE BENEFIT AND UPLIFTMENT OF THE TRIBAL COMMUNITY

Dr. Ambedkar being the architect of the Constitution of India took into account the social, economical and educational condition of the tribals in our country and incorporated several provisions in it. These provisions are discussed as follows-

1. Article 164 provides for the appointment of Minister in charge of tribal welfare in the states of Chhattisgarh, Jharkhand, Madhya Pradesh and Odisha and the 94th Amendment Act, 2006 made this appointment mandatory. This Minister is responsible for the social and economical upliftment of the tribals of the area.
2. Article 275 provides for the grant in aids, from the Union Government, to states for the upliftment of the STs and for raising the level of development of the Scheduled areas.
3. Article 335 provides that the claims of the members of Schedule caste and Schedule

Tribe community shall be taken into consideration while making appointment to the posts which are in connection with the affairs of Union and State Government. Furthermore the 82nd Constitutional Amendment Act provides that nothing in Article 355 shall prevent the state from making provisions in favor of the members of SC/ST community for relaxation of qualifying marks as well as assessment requirements in areas of reservation in promotion.

4. Article 339 provides that The President may by order appoint a commission to report on the administration of the scheduled areas and the welfare of the scheduled Tribes in the States. Apart from this the executive power of the union shall extend to the giving of directions to a state as to the drawing up and execution of schemes specified in the direction to be essential for the welfare of the Scheduled Tribes in the State.
5. Article 46 in under the scheme of Directive Principles of State Policy and it directs the state to promote the educational and economical interest of the SC and STs.
6. Article 244 provides that the provisions of 5th Schedule shall apply for administration of scheduled areas other than those of States of Assam, Meghalaya, Tripura and Mizoram, whereas the provisions of 6th Schedule shall undertake the administration of Scheduled areas and Schedule Tribes of the States abovementioned.
7. Fundamental Rights under the Part III of the Constitution of India, provides various fundamental rights which are available to all the citizens of the country including Tribals.

What are Scheduled Areas?

As per the Bhuria Commission recommendation areas having more than 40% tribal population as per the census of 1951, to be considered as Scheduled Area. At present 11.3% of the India's Land is designated as Scheduled area spreading over 14 states. The 10 states, which are Andhra Pradesh, Telengana, Odisha, Jharkhand, Chattisgarh, Madhya Pradesh, Rajasthan, Gujarat, Maharashtra and Himachal Pradesh are governed as per the provisions of Schedule Fifth in regard to the Scheduled Tribes residing therein. Whereas 4 states of Assam, Meghalaya, Tripura and Mizoram, are governed as per the provisions of Schedule Sixth.

The essential requirement of declaring an area as Scheduled area are- Significant tribal population, compactness, reasonable size, viability as an administrative entity and economic backwardness compared to neighbouring areas.

An inference can be drawn from the above discussion that the Constitution of India has

sufficient provisions incorporated for the benefit of Scheduled Tribes but unfortunately due to lack of their implementation the situations of tribals has hardly changed, and definitely have not reached to the level Dr. Ambedkar desired to.

III. FIVE – YEAR PLANS INCORPORATING PROVISIONS FOR THE DEVELOPMENT OF TRIBALS

With the hope of not disturbing the harmony the Indian planning started with the incorporation of welfare programmes aimed to eradicate poverty and uplifting the Standard of living of the tribals.

The First 5-year plan took up a no disturbance policy towards the tribals. It was believed that they will grow better if left alone. The tribals should be allowed to live peacefully in their environment with their belief systems and that the outsiders should not enter their natural habitat, however still assisting them in developing their natural resources so that they can live a better economic life. Emphasis was also made towards the preservation of the unique dialect, art and crafts of the tribals.

Under the Second 5-year plan the Ministry of Home Affairs provided fund to the Ministry of Community Development to establish Special Multi-Purpose Tribal Blocks (SMPT) in areas with prominent tribal population.

Under the Third 5- year plan these Special Multi-Purpose Tribal Development Blocks (SMPT) were renamed as Tribal Development Block. Apart from this a review commission was also established which was chaired by Verrier Elwin. This commission suggested that the Tribal Development Blocks should be established in every area where the tribal population is more than 60%. However, there was one drawback with these Tribal Blocks that their functioning was not in line with the general development plan for the area, which made implementation difficult.

With the aim of resolving the abovementioned drawback the Fourth 5- year plan adopted the Integrated area development approach and in the mid of this plan Planning Commission set up a "Task force on Development of Tribal Areas" with L.P. Vidyarthi as the Chairman.

This commission made an observation that even after various kinds of investments from the Centre and State government the development of tribals remains unsatisfactory. The problem resides in primitive methods of agriculture, land alienation, primitive methods of agriculture, indebtedness, adverse effects of industrialization, low rate of literacy, poor health of nutrition etc.

The Fifth 5- year plan was adopted while taking into consideration the recommendations of the Task Force on the Development of Tribal areas and developed a new approach known as Tribal sub-plan. This plan aimed to narrow down the gap which existed between in terms of development between a tribal area and a non-tribal area. It further aimed to integrate the development activities of the government and semi-governmental organizations by financing through the Integrated Tribal Development Projects.

The Sixth 5 – year plan continued with the sub plan approach and had the following objectives-

1. A progressive in the incidents of poverty and unemployment.
2. Improving the quality of life through minimum needs programme.
3. A reduction in inequalities of income and wealth.
4. Infrastructure development for the further exploration of potential of the tribal region.

The Seventh 5 – year plan gave more attention towards the rehabilitation of poor and removal of tribal women’s backwardness.

The Eight 5 – year plan gave more emphasis on providing basic amenities such as education, health and employment to all the section of the society including tribals.

The Ninth 5 – year plan planned for the generation of adequate productive employment, eradication of poverty, empowerment of women and socially disadvantaged groups. It aimed for providing food and nutritional security for all, laying emphasis on the vulnerable section of society. For the achieving this goal the Government of India adopted 73rd Constitutional Amendment Act which provided representation to the Scheduled Caste, Scheduled Tribes and women in Panchayati Raj Institutions.

The Tenth 5 – year plan aimed for human development.

The Eleventh 5 – year plan aimed towards the faster and more inclusive growth.

The Twelfth 5 – year plan aimed to achieve its objective faster, sustainable and inclusive growth.

An analysis of all the plans reflects that it could not address the underlying problem due to lack of knowledge about the ethnicity, culture, living etc of the tribals, which made these non-effective or futile.

IV. CURRENT STATUS OF THE TRIBALS IN INDIA

With a population of 8.6% of total, with approximately 80% being concentrated in the Central India, the tribals forms the most marginalised community of our country. The states with their

highest numbers are - Maharashtra, Madhya Pradesh, Chhattisgarh, Gujarat, Rajasthan, Jharkhand, West Bengal, Odisha and Andhra Pradesh. About 12% resides in northeastern regions while 5% in south and 3% in north. About the status of the tribals in various sphere of life, several reports have been published and all shows a lack of development in their lives. For instance according to planning commission report, the percentage of tribals below poverty line (BPL) are, as per the year 2011-12, 24.1% in the urban areas whereas this percentage is at a shocking percentage of 45.3.

According to the data released by the Periodic Labour force survey for the year 2019-20 the unemployment rate of tribal is at 3.9%.

As per the data released through the agriculture census, the percentage of tribals holding marginalised household i.e. below 1 HA is 56.3.

According to the data released by National Family Health Survey for year 2019-20, the tribals can be seen to be in poor state of health. For instance approximately 60% children below the age of 5 years are underweight, whereas infant mortality rate is at 61%. Approximately 75% women are anaemic.

As per the National Crime Bureau report the crime rate against the tribals is at 7.9% which as compared to the previous years high. This is happening even after a legislative enactment of Scheduled Tribes (Prevention of atrocities) Act, 1989, being in place.

According to the Census, 2011, the literacy rate among the tribals are 59%, whereas majority of their graduation is in non-technical sector making a percentage of approximately 69.

However the percentage of school pass outs is stable at 45.2.

The above data clearly reveals that even after so many year of India's Independence and adoption of the Constitution the development towards the tribals in very slow. When the world is moving so fast our dear forest community is still facing struggle for basic amenities and basic human right i.e. right to live with dignity. This situation definitely creates a perception that the dream of Dr. B.R. Ambedkar is becoming a utopia.

V. SUGGESTIONS/RECOMMENDATIONS

The beauty of India lies in its diversity. The way our country is a home of different communities, religions, ethnicity clearly beautifies our motherland. It is said that in India at every 20-25 km there comes a change of dress, food, language, way of living. And keeping in mind this diversity the architect of our Constitution, Dr. B.R. Ambedkar drafted it with so much details that it covers and protects every difficulty which might arise in the peaceful living of the human

beings. One such community is the tribals, which due to being associated with the forest culture of living are more than often outcasted and treated as different or of lower satire. But Baba Sahib was fully aware about their situation and therefore he added various provision for the upliftment and welfare of this community. Even so that two schedules of our Constitution are dedicated for the administration of the areas where the tribals live. However, at this juncture it will not be wrong to say that the dream which Baba Sahib saw in context of development of tribals has not been fulfilled and has rather become a distant reality. The reason for this can be attributed to the lack of knowledge about the ethnicity, culture, language, beliefs etc of the tribals. It is not so that the government has not adopted various plans and programmes for uplifting the status of the tribals but still it was not able to serve the purpose and turned futile.

The best approach for uplifting the tribals will be to slowly and steadily integrating them into the main stream land. Like an angry child who does not want to leave his room, needs to slowly and lovingly guided out of the darkness, similarly the tribals do not need a lot but rather just simple respect for their culture and traditions will do the trick. If we could look up to them as a preserver of ancient culture, art, crafts and dialects, we will see how precious and important their role is in the development of the country. And maybe we will be able to gift Dr. B. R. Ambedkar his dream of developed tribals and it shall not anymore remain a Broken Dream.

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