

**Poverty Alleviation Strategies of Castes and Tribes in India**  
**DRAFT PAPER (Not to be cited)**

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**Introduction: Caste, Tribe and Poverty**

Scheduled Castes (SC) and Scheduled Tribes (ST) are legally recognised by the Indian Constitution and given a separate status and protection, distinct from groups officially designated as minorities. Scheduled Caste is a constitutional and legal term in India for peoples commonly known as ‘Dalits’ meaning ‘crushed’ or ‘broken’. Scheduled Tribe is a constitutional term used for administrative purposes of ‘adivasis’ literally meaning original inhabitants. While the Constitution classifies SCs and STs in its articles 341 and 342 and provides for special policies in the form of affirmative action/reservations for these categories in higher education, employment and political representation through its articles 330, 332 and 334, it does not take into its ambit all the ‘Dalits’ or all the ‘Adivasis’.<sup>1</sup> The list of Scheduled Tribes and Scheduled Castes of each individual state varies in India and this is also reflected in the recognition of tribes and castes designated as ‘poor’. Further, the creation of other categories like the Other Backward Classes (OBCs) and the ‘Mahadalits’ have added to the quagmire of confusion.<sup>2</sup>

It is estimated that the tribal population of India is about 8.2 per cent and the Scheduled Caste is 16.2 per cent (2001 Census) of the total population, which by all accounts is a colossal number. Both these groups in India are at the bottom of the totem pole in terms of the human development index (HDI). Although there is a general lack of disaggregated data, per capita total expenditures among SC and ST households are generally lower than the average for all states in India.<sup>3</sup> A recently published interim report of the Institute of Human Development in India shows that there is a difference of 32 per cent between the human development indices (a composite indicator representing three dimensions of human development—economy, education and health) at the national level and those of the

Scheduled Tribes. In international comparison, this places the STs firmly in the lowest human development category, akin to HDI of sub-Saharan Africa followed closely by the SCs.<sup>4</sup> According to UNDP (2010) 37 per cent of the population in India lives below the national poverty line. Of this, 41.8 per cent of the rural population lives below the poverty line; and 80 per cent of the rural poor belong to the marginalised caste and tribal communities.<sup>5</sup>

As a consequence, SCs and STs are affected by poor health, have limited access to basic services, their communities are marked by social disintegration and abject poverty. This inequality is evident in various facets of life such as ownership of land, education and employment. The tribals in India constitute 7 per cent of the landless people in India which is the second-largest section after the Scheduled Castes (10 per cent) and they own only 3 per cent of the large landholdings. In 2000, only 16 per cent of all SC households cultivated land as owner-cultivator as against 41 per cent among non-SC/ST households.<sup>6</sup> Even their school attendance which had risen in the late 1980s and early 1990s has gone down during 1994-2000.<sup>7</sup>

This paper focuses on the programmes and policies that the state has formulated to overcome the challenge of poverty and discrimination amongst the identified categories of 'SCs' and 'STs'.

### **Defining and Measuring Poverty**

The definition of poverty in academic and policy discourses on international development has undergone considerable changes in recent decades. At least three broad strands can be delineated. First is the prosaic money-metric approach. Generally speaking, here poverty is defined by the official donors in a relatively simple quantitative way largely based on the concept low income per capita or low consumption per capita computed through Living Standard Measurement Surveys (LSMS). Second is the approach of the United Nations aid agencies who actively promoted the concept human development as an alternative approach based on the seminal ideas of Amartya Sen on the different forms of entitlement that could lead to the realization of capabilities. Briefly stated Sen's understanding of the status of being poor extended beyond income levels to income-associated conditions such as health and education to include what he calls "unfreedoms" like tyranny or bad treatment by the state and exclusion from participation in decisions, particularly those directly affecting the poor themselves. In turn, his idea of development is a

process of expanding the real freedom that people enjoy—put in other words, ‘the removal of major sources of unfreedom’. These would include poor economic opportunities as well as systematic deprivation, neglect of public facilities as well as intolerance or over-activity of oppressive states.<sup>8</sup> The third approach is largely based the perspectives from the NGOs and academia who emphasize vulnerability as a core element in defining poverty. Over time, the meaning of vulnerability and associated human insecurity has been further expanded to include not only the economic shocks such as the current global financial crisis (GFC) but also natural disasters such as global warming, tsunami etc. especially applicable to small states. As the world faces up to the prospects of global warming and climate change, efforts to satisfy the criteria of efficiency and fairness as a global solution are reaching an impasse together with the global search for solutions between growth, income equality and environment becoming difficult.<sup>9</sup> However, any approach to development and poverty alleviation must recognize and acknowledge the nature of aspirations for development.<sup>10</sup>

Over the last decade there has been a perceptible movement towards convergence of these different and sometimes overlapping approaches which has brought to fore a multidimensional definition of poverty encapsulating the three core elements: lack of opportunity, insecurity and vulnerability and powerlessness. Poverty, then, is treated as deprivation of basic capabilities. Such that the capabilities approach changes not only the measurement criterion in poverty assessments but in turn, also alters quite significantly policy options/choices to poverty alleviation as it directs attention to the need to strengthen the capabilities of individuals and households to participate in the initiatives for improving their own welfare. Also, it needs to focus attention on political and social constraints as much as on economic constraints external to those who live below the poverty line.

In India as elsewhere, there has been vigorous debate about revising the mechanisms to identify the “poor”, so that social assistance may be better targeted. An Expert Group under the chairmanship of N.C. Saxena, outlined the contours of the revised scheme for identifying those eligible for social assistance a census for which would be conducted between June to December 2011.<sup>11</sup> This scheme is said to be more sensitive to vulnerable households and favoured groups such as agricultural labourers, destitute households, mahadalit castes, women-headed households and those comprising entirely of aged persons.<sup>12</sup>

In August 2009, the government made public the Report of the Expert Group. Scholarly analyses of the Report have pointed out that these methodologies treated the SC populations across states very differently. In two of the states (Bihar and West Bengal), more SC households were classified as “poor” according to the 2009 methodology as compared to former estimates. That was the only similarity between the SCs in West Bengal and Bihar, where the state government’s introduction of the mahadalit category and its recognition as a putative category by the Saxena Expert Group for the purpose of enumerating the poor complicates the scenario.<sup>13</sup>

What is even more amazing, as is evidenced by a very recent affidavit that the Planning Commission submitted before the Supreme Court, a person is to be considered ‘poor’ only if the monthly expenditure is below Rs. 781 in the rural areas (which translates to Rs. 26 or 52 Canadian cents a day) and Rs. 965 in urban areas (which translates to Rs. 32 or 68 cents a day).<sup>14</sup> Thus, the official poverty lines in India “do not measure poverty any more; they measure *destitution*” (emphasis present).<sup>15</sup>

Even while we say that 37 per cent of the people are below the poverty line, it must be remembered that identification of persons on the basis of a narrow definition of poverty based only on income, in a population that works predominantly outside the formal sector, is problematic. For instance, where income fluctuates from day to day, as it does for a vast majority of the Indian population, a single static poverty line is an inappropriate indicator of vulnerability. Another important problem in identifying the poor in India using the official poverty line is that the line is defined at an absolutely low level of income, corresponding to the expenditure required to purchase a minimum of calories. It is in no way an indicator of purchasing power to provide for a minimum decent standard of living.<sup>16</sup>

### **Governing SCs and STs: Antecedents and Anatomy of Poverty**

The Constitution of India contains extensive provisions for scheduled castes and tribal peoples’ right to development and has specifically mentioned these two groups for affirmative state action. While there are numerous articles that refer to both the social groups, 2 specific Schedules of the Constitution underline the principle of non-discrimination against scheduled tribes. Besides, for purposes of specific focus on the development of SCs and STs, the government has adopted a package of programmes. Despite these constitutionally guaranteed entitlements and policy initiatives the plight of the SCs and STs remain far from

satisfactory. It may also be stressed here that the history and cultural experience of scheduled tribes and castes are different even though they both have been economically relegated to the same lower rungs of society.

### *Scheduled Tribes*

During the period preceding the British colonial rule, the tribal communities notionally at least were part of the 'unknown frontier' or outside jurisdiction of the state authority. This had led them to evolve an intricate convivial-custodial mode of living into which the states normally did not intervene. In other words, they had their own tradition of governance outside the purview of the state. Much of this changed with the introduction of the concept of private property which began with the permanent settlement of the British in 1793 and the establishment of the *zamindari* system that conferred control over vast territories, including tribal territories, to designated feudal lords for the purpose of revenue collection by the British.<sup>17</sup> This drastically changed and forced the restructuring of the relationship of the tribal peoples to their territories as well as the power equation between them and 'others'. The predominant external caste-based social system sanctioned and practiced a rigid and highly discriminatory hierarchical ordering. Subsequent to colonization, the relationship between the mainstream communities and tribal communities of these regions was transformed.<sup>18</sup> Introduction of capitalism, private property and the creation of a countrywide market broke the traditional economy based on use value and hereditary professions.

While the total forest cover in India is estimated around 765.21 thousand sq. kms of which 71 per cent are tribal/*adivasi* areas. Of these 416.52 thousand sq. kms are marked as reserved and 223.30 thousand sq. kms as protected forests. About 23 per cent of these are further declared as Wild Life Sanctuaries and National Parks which alone has displaced some half a million tribal peoples. By the process of colonisation of the forests that began formally with the Forest Act of 1864 and finally the Indian Forest Act of 1927, the rights of tribal peoples were reduced to mere privileges conferred by the state. The Land Acquisition Act of 1894 concretized the supremacy of the sovereign to allow for total colonisation of any territory in the name of 'public interest'. The Forest Policy of 1952, the Wild Life Protection Act of 1972 and the Forest Conservation Act of 1980 further downgraded the privileges of the peoples to concessions of the state in the post-colonial period. With economic reforms on

the anvil, there are now further attempts to change these paternalistic concessions to being excluded. Over 10 million tribal peoples have been displaced to make way for development projects such as dams, mining, industries, roads, protected areas etc.

Such a situation has arisen no less on account of the existing judicial system that had been evolved since colonization. For instance, the term 'Criminal Tribe' was concocted by the British rulers and entered into the public vocabulary through the Criminal Tribes Act of 1871 under which a list of some 150 communities including tribal peoples, were declared as (naturally) 'criminal'. While this retrograde enactment was repealed in 1952, the specter of the so-called 'criminal tribes' continue to haunt these 'denotified tribes'—the Sansi, Pardhi, Kanjar, Gujjar, Bawaria, Banjara and others. There is a whole history of legislation, both during the pre-independence as well as post-independence period, which was intended to protect the rights of the Tribal peoples. As early as 1879, the "Bombay Province Land Revenue Code" prohibited transfer of land from a tribal to a non-tribal without the permission of the authorities. There are many such acts and legislations to protect land rights.<sup>19</sup> However, the callous manner with which these legislations have been upheld by the judiciary in the prevalent politico-administrative system had led further to the denial of the right to development and exacerbated the discrimination against the tribal peoples.

### *Scheduled Castes*

India's Scheduled Castes are identified with belonging to a social category of "untouchables" but do not constitute any apparent or distinct ethnic, religious or cultural minority. In other words, they may belong to any region, language or even religion. However, it has been argued that the SC category is restricted to Dalits from Hindus, Sikhs and Buddhists but excludes Dalits from other minorities such as Muslims and Christians.<sup>20</sup> The British had earlier called these groups as 'Depressed Classes'. The term Scheduled Castes came into being with the Government of India Act 1935 to create a schedule or a list of castes that were considered socially discriminated and disadvantaged and needed to be uplifted. The term stuck and was drafted into the Indian Constitution after independence. There was an attempt in 1931 to have a census of the 'untouchables' as a separate cultural and social group but no specific or common criteria could be identified.

The Chairman of the Drafting Committee of the 1950 Constitution of India, Dr. B. R. Ambedkar, himself a Dalit, had wanted to do emancipate them from the caste system. His

strategy was to declare them as “distinct and separate from the Hindus” and have a separate identity for constitutional purposes so that they could be entitled to special rights. Gandhi on the other hand, had argued against their separation from the Hindus as he thought it would damage the unity of the nationalist movement and struggle for independence. However, the SCs and STs were granted preferential treatment in public sector appointments. So much so, the Untouchability (Offences) Act of 1955 reverses the onus of proof from accuser to accused when the accuser is a member of the Scheduled Castes.

### **Framework of Analysis**

Unarguably tribal peoples and scheduled castes, representing distinct cultures, have their own perceptions and indicators of poverty and well-being as well as their own ideas of strategies for poverty reduction. Nonetheless, these diversified concepts of poverty are often not incorporated in national poverty reduction strategies, thereby reflecting their general political marginalization. Therefore, the challenge to development and poverty alleviation is twofold: on the one hand, all peoples have the same right to development, resources and services as all other peoples; on the other, it must be recognized that the nature of the aspirations for development, resources and services of some (say the tribal communities) may be fundamentally different from those of others (scheduled castes). Development strategies must thus be designed to overcome the marginalization and at the same time ensure the rights of all peoples.

Basic to any strategy that would ensure the rights of different peoples to development is a well-conceived legal framework or regime that takes into account indigenous peoples’ notions and indicators of poverty and their own strategies to development of the resources. The critiques by Amartya Sen on the question of development strategies and poverty alleviation do underline the need for such an approach or recourse. Understanding poverty in terms of development of capabilities and entitlements has an advantage when dealing with different communities. According to Sen, changes in property rights regimes and shifts in natural resource use due to economic, social, political, and environmental reasons impact negatively on peoples’ welfare. So much so, he specifically focuses on legal issues of ‘entitlement’ in the study of development. Based on a set of rights of “ownership, transfer and rectification”, Sen brings in law as an important mediating agency in his ‘entitlement’ approach. It centres on an individual’s entitlements, which depends not only on the

endowment that an individual starts with, but is also related to exchange relations. Sen further states that “production opportunities, trade possibilities, legal rights to the produce, and social conventions” all affect entitlements or, what he calls the “e-mapping”. Upon this, he makes the argument that poverty results from both a “fall in the endowment” and “unfavourable shifts in exchange mapping”.<sup>21</sup>

Analysis of legal shifts with reference to natural resources ownership and control enable us to understand how for instance, the decline in access to, and the degradation of common property resources can result in change of ownership endowments, and consequent entitlement failures. Thus, Sen underlines the role of laws and legality both in bestowing and transferring endowments, and in providing an individual with entitlements to meet her/his needs. Implicit at least in this line of argument is the recognition of legal pluralism that accommodates customary laws rather than the dominant legal systems suppressing traditional or customary rights of these segments of the population.

It is for these considerations I am of the view that legal pluralism is of crucial significance. I therefore underline legal pluralism as key survival strategy and an important plank for development of the tribal communities and scheduled castes in India. Against that perspective I intend to make a critical analysis of how the present legal framework has led to the social exclusion and economic deprivation of the communities by not only denying their entitlements but more importantly denuding them of their endowments—social, cultural and economic. By focusing on the shifts in entitlements and endowments arising from legal changes, I demonstrate in this paper that poverty alleviation can be brought about through imaginative legal measures and mechanisms incorporating customary laws and practices.

A mention needs to be made here about affirmative action or what is known popularly known as reservations in India. Reservations, while meant to uplift the SCs and STs and other identified social groups (both in education and employment) should not be construed as an anti-poverty programme or as an alternative for poverty eradication interventions. Programmes that attack poverty should continue independent of reservations because there are poor people in all castes and religious groups. Reservations are meant to “instill self-confidence and courage” among the historically underprivileged sections of society.<sup>22</sup> Thus a discussion on reservations falls outside the purview of this paper.

That having been said, what is basic to the approach of this paper is that schemes measuring poverty become pointless unless there is a clear understanding of 'who' is being targeted. In other words, identity too is important for any policy measure to be meaningful.

### **Inefficacy of Existing Legal Regime**

India's response to the needs of the scheduled castes and scheduled tribes is based on the welfare model of development which endeavours to empower both groups to benefit from modern development. It is felt that if tribals or scheduled castes have been marginalized they should be compensated by welfare actions. This idea had evolved in the first Five-Year Plan in the 1950s and was modified over time through welfare programmes by different government committees such as the Elwin Committee (1959), Scheduled Areas and Tribes Commission (1961). However, the major obstacles of indebtedness, land alienation, educational backwardness, and inadequacy of communication continued.

In 1980s and 1990s a new phase of development programmes called Poverty Alleviation Programmes (PAPs) were introduced. These can be broadly categorised into four categories such as employment generation schemes (Integrated Tribal Development Project (ITDP), Swarnajayanti Gram Swarojgar Yojana); area development (Drought Prone Area Programmes); social security; and other programmes such as housing (Indira Awas Yojana). These programmes sought to aim at certain 'target groups' such as scheduled castes and tribes, apart from others like women. These schemes were meant to expose the communities to markets and products of these schemes could receive monetary value leading to decline in poverty, unemployment and migration.

But while the rural areas did benefit, the tribals without access to even land and hence agriculture and its allied economic activities, were not able to receive any benefit of these development programmes. These programmes were unsuitable for tribes. Added to that was the government failure to implement the programmes properly. Two kinds of tribal economies are identified in India: (1) Hill or forest-dwelling economies which depend on shifting cultivation, hunting and food gathering (North East and areas in Orissa, Chattisgarh and Jharkhand); and (2) Plain or valley-dwelling economies which depend on settled cultivation, livestock, hunting and fishing. There could be a third kind of pastoral economy dependent tribes. However, all three are based on self-consumption. In contrast, the national economy is based on industrial capital with investments in industries and construction of

dams and distribution of loans and subsidies to tribals to aid them in self-employment, the aim being national development.

What is even more ironic is that there are important federal enactments already in place purported to help assist the tribal peoples in respect of their access to resources, including the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which prohibits wrongful occupation, cultivation or transfer of any land owned by or allotted to a member of a Scheduled Caste or a Scheduled Tribe (3.1.iv) and any wrongful dispossession of land or interference with the enjoyment of rights over any land, premises or water (3.1.v). The government established a National Scheduled Caste Finance and Development Corporation in 1989 to provide financial help SCs below the poverty line at low interest rate to initiate income generation activities. The government also made efforts to promote education and employment opportunities for the SCs/STs through protective discrimination policies as per the constitutional provisions and through scholarship facilities. Besides, in some areas, independent tribal authorities have important powers. In Scheduled Areas, tribal advisory councils must be consulted on any issue related to the Scheduled Tribes, and in Tribal Areas, tribal district councils have important autonomy in the allotment, occupation or use of the land, the management of forests (other than reserved forests) and the inheritance of property. At the local level, municipalities and *panchayats* (self-governments) are responsible for the supply of drinking water. *Panchayats*, in which seats are reserved for the Scheduled Castes and Scheduled Tribes, have increasing power over land acquisition since the *Panchayats* (Scheduled Areas) Act, 1996, and in the management of the food-based schemes since the Supreme Court delivered recent directions.

In terms of broadly addressing the discrimination against tribal peoples, a number of special programmes have been established by the Ministry of Social Justice and Empowerment and the Ministry of Tribal Affairs. These include the Village Grain Bank Scheme, initiated in 1997, which aims to prevent starvation deaths of communities living in remote areas, especially those who are not reached by the Public Distribution System (PDS). Affirmative action programmes have also aimed to increase access to education and employment, although social discrimination persists. Although land reform schemes have been carried out in a number of states to distribute government lands to tribal peoples, lack of political will has brought many of these initiatives to a halt.

Despite these legal devices buttressed by welfare schemes designed to check the marginalization of the tribal peoples and guarantee security of land tenures to tribal communities, current struggles of the tribal peoples have coalesced precisely around demands for autonomy, separate land legislation, and a different administrative system—all indicative not only of the inefficacy of the existing enactments but also the urgent need for greater pluralism. Reasons for the anomaly are not far to seek. For as many of these enactments, intended to protect the property rights of the tribal peoples presumably, there are as many ways to bypass these laws devised by powerful sections of the non-tribal peoples to which more often than not state institutions are without doubt complicit.

### **A Review of Government Initiatives and Policy Rationale**

It is now widely recognized that concomitant with or as a consequence of the forces globalization, economic growth witnessed in most parts of the developing world had led to an increase in inequality reflected in every segment of the society. Empirical evidence also point to two conflicting trends in the wake of globalization: modest reduction in the level of poverty and a stagnant proportion of people in extreme poverty.

Why has it been so? First, in the recent decades overall economic growth has been largely insufficient in most developing world. It is well documented that sustained poverty reduction is closely associated with economic growth, but that seems not to have been the case for India where sustained growth has not resulted in reduction of poverty. Thus growth has not percolated down to the poor scheduled castes/ scheduled tribes to the desired extent, as millions of them were still living in deplorable conditions. The persistence of poverty despite achieving increase in per capita income is a matter of concern to policy makers. Education, income is considered the pivotal anchors of development which reflect on health as well. The present state of the conditions of scheduled castes on the above indicators reflects that still there is literacy gap of more than 14 per cent in case of scheduled castes and 22 per cent in case of scheduled tribes in relation to other castes. The dropout rate is also on the higher side among the children of SCs/ STs.

The lack of responsiveness of the incomes of the poor to that of growth (known as poverty-growth elasticity) varied greatly from country to country. But generally, the growth that had occurred during this period has not generally been pro-poor. The poor lacked the minimum level of assets to fully benefit from the growth process. This included deficiencies

in the level and quality of education, skills and health, as well as in access to basic social services and infrastructure. The poor especially the indigenous peoples also faced unequal opportunities in access to credit, justice, risk management, and property rights. And they made lower returns to their endowments and productive activities because of their placement in the society or plain discrimination. Finally, we have more evidence now that deep poverty and inequalities of opportunity can also undercut growth—what the World Bank calls the ‘inequality trap’. Thus inequalities of opportunity not only prevent the poor from benefiting from growth but can also lower economic prosperity for the population as a whole. Inequality of opportunity matters the most for development policy because it is amenable to effective public policy intervention.<sup>23</sup>

Under these circumstances the available policy options are somewhat skewed. In recent years, a new phase development programmes have been introduced. One widely used toolkit of policymakers to deal with poverty alleviation in vogue for over a decade now is a scheme known as the conditional cash transfers (CCT). The core principle of this scheme—linking cash to verifiable benefits has two clear advantages: one, short-term monetary benefits and the other, long-term investments in human capital.

The ‘Food for Work’ programme was evolved into the rights-based Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) in 2006. This act for the first time guaranteed 100 days of manual labour to each poor rural household. More important the National Maternity Benefit Scheme is modified and the Janani Suraksha Yojana (JSY) has been put in place—both the schemes are based on CCT principle. Such of these CCT schemes, however, are limited in scope and geographic spreads, besides there are pronounced inter-state disparities in the reach of the schemes.

Fewer difficulties arise when communities control their own territorial space and pursue lifestyles largely apart from rest of the population. But ‘ethnic targeting’ of resources can become a sensitive issue where indigenous and non-indigenous groups live side by side as it happens in India. And the growing indigenous presence in small towns and capital cities poses further problems. There may be substantial evidence that, in urban and rural areas alike, indigenous peoples are subjected to particularly high levels of poverty and extreme poverty, but in urban areas, how is it possible to differentiate between scheduled castes and scheduled tribes or groups in a normal poverty alleviation strategy?

Another recent scheme called the Unique Identification (UID) project has been hailed as a 'unique' way out of the two-pronged 'security' and 'poverty' problems. Also, known as Aadhaar, this programme is aimed at creating a biometric database of the more than billion Indians which will purportedly produce a technology-based solution for good governance. How it will do so remains a mystery. The UID is supposed to keep benefits restricted to the "targeted" sections of Indians, thereby limiting government expenditure. However, another argument which points to the hidden agenda of the government puts UID as a "part of a larger effort to dismantle the PDS in India".<sup>24</sup> In place of the Public Distribution System (PDS) which was distributing subsidised food and other items to the poor in India through fair price shops, what perhaps is being attempted is a replacement with a cash transfer scheme and completely withdrawing the state from the sphere of food procurement and distribution. The UID would make a system of portable PDS possible whereby an immigrant worker on the basis of his UID could buy his PDS quota from anywhere in India. But how any fair price shop could practically keep a specified quota of grains to be supplied is not clear as it would not be known how many migrants and for what period would ask for a quota. In a bid to add social content to the UID scheme, the Government (Rural Development Ministry) now wants to link it with payment of wages through the National Rural Employment Guarantee Scheme (MGNREGS) in five states where the Ministry is issuing UID cards.<sup>25</sup>

Another major criticism of the UID originates from the previous discussion of Amartya Sen on poverty and individual freedoms: the demand to trade off one freedom (privacy) for another (development) does not have an appeal.

Further questions relate to the most appropriate institutional mechanisms for addressing poverty and development in India. Should there be a state entity, such as a secretariat or ministry for tribal affairs, with primary responsibility for these issues? If so, what should its role and functions be? Should they be essentially normative, aiming to ensure that all government policies and programs give due attention to indigenous issues and concerns? Or should they also be operational? Clearly the arguments for or against such an entity will vary from country to country, depending on the numerical importance of indigenous peoples and their degree of participation in the national economy. Where indigenous peoples are a small and vulnerable minority, threatened by extractive projects and multinational mineral company interests as in the case of the India there can be an urgent need for a state entity to safeguard indigenous rights through land demarcation and titling

programmes. This is underway in India where “the once comatose Tribal Affairs Ministry [has] suddenly begun to assert its rights over its responsibilities”.<sup>26</sup>

## **Conclusions**

The new concerns of most states are the interrelated issues of environment, sustainable development, decentralization, bottom-up participatory approaches to development, governance and the role of civil society.

Within this broad trend towards a concern for poverty reduction with attention to vulnerable groups, there are two rather separate issues which sometimes tend, unsatisfactorily, to be lumped together. One is the reduction of the material poverty and extreme poverty facing the marginalised. The other is the issue of community/indigenous rights within a multicultural state, including their rights to their autonomy, self-determination or self-development, or at least to exercise the greatest possible degree of control over their own development. The concept of indigenous “self-development” or “ethno-development” is certainly striking a chord among bilateral and multilateral international organizations concerned with development. Though the main concern here is with the issue of poverty and its reduction, these are necessarily related to concepts and peculiarities of community development.

What, in other words, is underlined here in this paper is that the reduction of poverty cannot be simply equated with the promotion of community development. Moreover, the targeting of development resources specifically at scheduled tribes or scheduled castes through CCT, while advisable in certain contexts, may not be the most effective way of redressing their poverty. In tackling the structural dimensions of poverty, it may be more useful to channel resources at the sectors and sectoral issues where indigenous peoples or specified caste communities continue to suffer discrimination.

It is also suggested that, largely because of the vigorous movement for the promotion and protection of indigenous autonomy (a global movement) and focussing on the areas of concern for the caste communities, there can be a tendency to confuse different though related issues. What is relevant to the design of anti-poverty policies and programmes is that respect for the cultural and political rights of indigenous peoples/ caste communities, and the promotion of their socio-cultural development, is not the same issue as the reduction of the

material poverty. The point may seem obvious. However, there has nevertheless been a tendency to deal with the two issues together, a tendency that needs to be corrected at the policy-making levels.

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## End Notes

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<sup>1</sup> The reservation quota for SCs is set at 17 per cent, and for STs at 7.5 per cent, while reservations for the OBCs have been capped by the Supreme Court at 27 per cent. Total reservation for seats should not exceed 50 per cent.

<sup>2</sup> Seats have been reserved since 2006 in educational institutions for OBCs and since 1993 in employment in central services.

<sup>3</sup> J V Meenakshi, Ranjan Ray, Souvik Gupta, Estimates of Poverty for SC, ST and Female-Headed Households, *Economic and Political Weekly*, July 29, 2000, p.2751.

<sup>4</sup> “Human Development Indices Differ Considerably for All-India STs”, *The Hindu* (New Delhi), 29 April 2006.

<sup>5</sup> UNDP, Poverty Reduction. Accessed on October 4, 2011.

[http://www.undp.org.in/whatwedo/poverty\\_reduction](http://www.undp.org.in/whatwedo/poverty_reduction)

<sup>6</sup> Planning Commission, Scheduled Caste Sub Plan: Guidelines for Implementation (New Delhi: Planning Commission, 2006), p. 1.

<sup>7</sup> Govind Chandra Rath (ed.), *Tribal Development in India: The Contemporary Debate* (New Delhi: Sage Publications, 2006), p.17.

<sup>8</sup> Amartya Sen, *Development as Freedom* (New York: Alfred A. Knopf, 1999).

<sup>9</sup> Winston Dookeran, “Politics and Development: A Strategic Conversation on the Missing Politics in Development,” in Winston Dookeran and Akhil Malaki (eds.), *Leadership and Governance in Small States: Getting Development Right* (Saarbrücken: VDM Verlag Dr. Muller Aktiengesellschaft & Co. KG, pp. 24-28.

<sup>10</sup> Priti Singh, “Elusive Justice: Denial Frame for Tribal Poor in India”, in Amita Singh and Nasir Aslam Zahid (eds.), *Strengthening Governance through Access to Justice* (New Delhi: PHI Learning Private Learning, 2009).

<sup>11</sup> Government of India, Ministry of Rural Development, Press Information Bureau, “Below Poverty Line (BPL) Census to be conducted along with Caste Census during June-December 2011,” 19 May 2011.

<sup>12</sup> Indrajit Roy, “‘New’ Lists for ‘Old’: (Re-) Constructing the Poor in the BPL Census”, *Economic and Political Weekly*, vol. XLVI, no. 22, 28 May 2011, pp. 82-91.

<sup>13</sup> In Bihar, the SCs have been bifurcated by the order of the state government into scheduled castes/dalits and mahadalits in 2007, ostensibly to better target communities that were backward. Over the years all castes in Bihar have been categorised as mahadalit except the Dusadh caste, a typical surname of the caste being Paswan. However that too changed when Nitish Kumar the Chief Minister of Bihar in 2010 announced the inclusion of Paswan category thus categorising all Dalits in Bihar as Mahadalits!

<sup>14</sup> “Is Just Rs. 25 All That You Need for a Day?” *The Hindu*, September 21, 2011, p.1.

<sup>15</sup> Utsa Patnaik, “How Little Can a Person Live On?” *The Hindu*, September 30, 2011.

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<sup>16</sup> Madhura Swaminathan, "A Further Attack on the PDS", *Outlook*, February 2001.

<sup>17</sup> The British colonial administration in India consisted of four political arrangements: 1) the Presidency Areas where the Crown was supreme; 2) the Residency Areas where the British Crown was present through the Resident, and the Ruler of the realm was subservient to the Crown; 3) the Agency (Tribal) areas where the Agent governed in the name of the Crown but left the local self-governing institutions untouched; and 4) the Excluded Areas (north-east) where the representatives of the Crown were a figure head. After the transfer of power, the rulers of the Residency Areas signed the "Deed of Accession" on behalf of the ruled and on exchange they were offered Privy Purse. No deed was however signed with most of the independent tribal states. They were assumed to have joined the Union. The government rode rough shod on independent tribal communities and they were merged with the Indian Union. This happened even by means of organized state violence as in the case of tribal uprising in the Nizam's State of Hyderabad and in the present state of Nagaland.

<sup>18</sup> The colonial incorporation of north-east took place much later than the rest of the Indian subcontinent. While Assam ruled by the Ahoms came under the control of British in 1826, neighbouring Bengal was annexed in 1765. Garo Hills were annexed in 1873, Naga Hills in 1879 and Mizoram under the Chin-Lushai Expeditions in 1881-90. Consequently, the struggles for self-determination took various forms as independence to greater autonomy.

<sup>19</sup> 1908 "Chotanagpur Tenancy Act" in Bihar, the 1949 "Santhal Pargana Tenancy (Supplementary) Act", the 1969 "Bihar Scheduled Areas Regulations", the 1955 "Rajasthan Tenancy Act" as amended in 1956, the 1959 "MPLP Code of Madhya Pradesh", the 1959 "Andhra Pradesh Scheduled Areas Land Transfer Regulation" and amendment of 1970, the 1960 "Tripura Land Revenue Regulation Act", the 1970 "Assam Land and Revenue Act", the 1975 "Kerala Scheduled Tribes (Restriction of Transfer of Lands and Restoration of Alienated Lands) Act" etc. are state legislations to protect tribal land rights. The 1874 "Scheduled District Act", the 1919 "Government of India Act" and later the "Government of India Act" of 1935 classified the hill areas as excluded and partially excluded areas where the provincial legislature had no jurisdiction. These formed the basis for the Article 244 under which two separate schedules viz. the V Schedule and the VI Schedule were incorporated in the Indian Constitution for provision of a certain degree of self-governance in designated tribal majority areas.

<sup>20</sup> Annapurna Waughray, Caste Discrimination and Minority Rights: The Case of India's Dalits, *International Journal on Minority and Group Rights*, volume 17, 2010, p. 330.

<sup>21</sup> See Amartya Sen, *Resources, Values and Development* (Delhi: Oxford University Press, 1984); and *Poverty and Famine and Social Exclusion* (Delhi: Oxford University Press, 1999).

<sup>22</sup> Dipankar Gupta, "Limits of Reservation", paper presented for a Symposium on Reservations and the private Sector: Redressing Disadvantages, May 2005. Accessed on October 1, 2011. <http://www.india-seminar.com/2005/549.htm>

<sup>23</sup> World Bank's *World Development Report 2006* (see "The Inequality Trap" on page 34 of this issue).

<sup>24</sup> R. Ramakumar, "What the UID Conceals", *The Hindu*, October 21, 2010.

<sup>25</sup> K. Balchand, "Aadhaar Scheme to be Linked to MGNREGS Wages", *The Hindu*, October 7, 2011.

<sup>26</sup> *The Hindu*, 15 September 2010