

Sphere of Exclusion

A Policy Document



Submitted by

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Resisting Exclusion, Stigma and Oppression and Ensuring Rights for Nomadic, Semi-Nomadic and De-notified Tribes

150 million Indians do not have an identity and do not enjoy citizenship rights! These are the people who belong to the nearly 1500 nomadic, semi nomadic tribes and the 198 de-notified communities.

When criminal laws were consolidated to create the Indian Penal Code in 1860 and the Criminal Procedure Code in 1898, several sections were devoted to the subject of regulating these communities stigmatised and labelled as “criminal tribes”. In 1871 the Criminal Tribes Act (CTA) in India declared 150 nomadic communities as “addicted to the systematic commission of non-bailable offences.” The CTA was extended across the country and more communities were brought under it. These legislations and especially the CTA condemned a large section of the Indian population to live in extreme poverty and degradation. Historians say the British did it to control nomadic populations in their territories.

In 1952 the Criminal Tribes Act, was repealed by Independent India, and a slew of measures announced to remove the stigma, oppression and exclusion of these tribes was announced. Yet the stigma and oppression remains, and the socio-economic inclusion of these communities in the mainstream remains a far cry. Governance and law and order mechanisms in Independent India still depend on old administrative structures and norms, and still operate within colonial mindsets when dealing with NTDNT communities.

Rajasthan has nearly 32 communities that may be classified as NTDNT. The Government of Rajasthan has classified some (28) of the communities into Scheduled Caste and Other Backward Caste communities. These communities have a nomadic way of life and are primarily engaged in traditional occupations including herding livestock, hunting and gathering, blacksmithing, entertainment and snake charming. These communities do not fit easily into geographical boundaries, land and property norms and laws requiring proof of residence as essential to citizenship rights. The traditional and historical ways of living for these communities create disconnect between their means of livelihood and their freedom to live with dignity in a republic which is wedded to settled modernity. These communities have become especially vulnerable to trafficking, sexual abuse and have been reduced to begging as livelihood.

Thus the lack of a permanent address, ration cards or official documents and the resultant difficulty in getting caste certificate make it difficult for households belonging to these to prove their existence, their caste status and hence leave them ineligible for any benefits. Therefore despite being included in SC, ST or OBC categories, they are unable to enjoy the entitlements and other welfare measures meant for SC/ST/OBC communities. The stigma of belonging to erstwhile “criminal tribes’ has not been removed from them and they continue to face social ostracism. It needs a strong will on the part of the state and civil society to reach out to these communities that have faced historical neglect and injustice for so long. Three major issues facing nomadic tribes and de-notified tribes (NTDNT) in India today are:

1. identity, citizenship and basic human rights;

2. access to responsible and accountable governance structures;
3. and access to entitlements and welfare measures and policies.

1. Ensure Access to Identity, Citizenship and Rights

Given the nomadic and semi-nomadic nature of their lives, NTDNT communities face difficulty in proving domicile and residential status. This has made it difficult for the NTDNT populations to claim identity. Identity is the most basic right from which all other rights can be accessed. Members of the NTDNT community find it a challenge to prove their identity and access citizenship rights and legal safeguards.

The question of identity has two aspects. Firstly it gives an individual and community a standpoint from which they can interrogate the state regarding equality and citizenship rights. Secondly identity establishes the basis of enumerable representation in political bodies, state institutions, educational opportunity and access to public goods. Identity and self-awareness will enable the NTDNT community who hitherto received the state's welfare measures passively to interrogate the state on both norms of welfare and social justice.



The state strategizes the dispensation of welfare measures and the distribution of public goods on quantitative considerations. For the purpose of redistributive justice on quantitative terms, the state needs to determine target populations of NTDNT communities.

Arising from a combination of ignorance, social disregard and concern for the potential economic burden on the state, there has been little attempt to identify and survey NTDNT populations. There is little authentic data available regarding the community and their access to various state benefits including food security, education, health, housing, sanitation, and social, economic and political inclusion.

Our experience of working with the NTDNT communities shows that these communities are amongst the most excluded of all communities within Scheduled Castes and Scheduled Tribes. In an interaction with children of the NTDNT communities we gathered data on education, and even though most of the children were from settled households we found that 72% were not enrolled in school, within the enrolled there was high risk of dropout, mostly girls. Even though the households were mostly settled, seasonal migration was common, children were vulnerable to abuse and discrimination in school.

Data reflect the vulnerability of NTDNT Community

- In Rajasthan total 36.9 lakhs SC and ST households (18.91 lakh rural SC households + 17.99 lakh ST households) resides out of total 1.02 crore households account for 36.17%. DNTs, NTs and SNTs also scheduled under the SC, ST OBC (few) thus tentatively they would be 10-12 lakhs households but do not have housing, food and social security properly
- A total 79,516 rural ST households, or 4.41 per cent, have a member in a government job. Among rural SC households, the count is 74,408, or 3.93 per cent. As a proportion of the entire rural population in the state, ST households with a member in a government job account for only 0.78 per cent, while such SC households account for 0.73 per cent. DNT, NTs and SNTs families /households are most sufferers even among the SCs and STs.
- SC/STs account for 29 percent of the district population and 79 percent of the population is in rural areas. The underemployment rate is around 16 percent. Males in the 15–24 age groups make up 9 percent of the population. 46 percent of the population is illiterate, 20 percent have completed primary education, 24 percent have completed secondary education and only 10 percent has completed higher secondary and higher levels of education. During a workshop cum convention of the children we had gather the data on education, mostly the child were from the settled location where we and allied organisations are actively involved, found 72% did not enrol, 28% within enrolled have reported dropout and most of them were girls, migration is rampant and also face abuse and discrimination at workplace and study places.
- There is a 17 per cent increase in registered cases of atrocities against members of the Scheduled Castes in 2013 as compared to the figures in 2012 and the conviction rate is around 23 per cent.
- Rajasthan has 8028 cases of incidence of crimes in 2014 against SC people from total of 47064 cases in all India. Rate of crimes against scheduled castes in Rajasthan is 65.7 percent of all India 23.4. Rate of Crime against Scheduled Castes means number of crimes against Scheduled Castes per one Lakh population of SCs.
- A total of 40,300 cases of atrocities against SCs were reported in the country during 2014 in which Rajasthan have 6734 cases.
- A total of 189 cases of SCs' arson were reported during the year 2013 in which Rajasthan have 26 cases.
- Rajasthan have 3952 incidence of crimes against scheduled tribes in 2014 from total 11451 cases in all India.

- Rate of crimes against Scheduled Tribes during 2014 in Rajasthan is 42.8 of total 11.0 in all India.

Overall if we see the situation among the SC, STs which is most vulnerable due to a feudal, discriminatory and patriarchal mind-set and it can be easily imagine the living status of the DNT, NTs and SNTs which are the most disadvantage groups within SCs, STs for their dignity, survival even their claim for citizenship.

Legal Provisioning for NTDNT communities

The Constitutional Mandate for Affirmative Action for Backward Classes

Under fundamental rights guaranteed by the constitution all citizens have the right against discrimination (Article 15) and equality (Article 16). The constitution under Article 15(4) provides for affirmative action for the advancement of socially and educationally backward classes. To make provisioning it is important to first ascertain the population of a caste in each state to compare their educational level with the state average. Under article 16(4) of the Constitution, reservation is also provided to backward classes in state services if such groups are not adequately represented in the state's services. These clauses in the constitution provide the foundation behind reservations for backward classes. NTDNT communities are covered with SC, ST and OBC categories, there is no data to see the reservations NTDNT have been able to access. Our work with these communities reveals that the NTDNT community is not able to access the benefits of state and constitutional provisions. The NTDNT communities are not be able to take the benefit of reservations and build a case for affirmative action specific to their community, as they do not have population data and access of legal entitlements specific to their communities. The Supreme Court has also directed such periodical revision to be undertaken.

The need for data of backward classes has been held by various national commissions. All the commissions have strongly recommended collection of caste data in the census. (Kalelkar 1956; Havanur 1975; Mandal 1980),

National Commission for De-notified Nomadic and Semi-Nomadic Tribes

In 2006 the National Commission for De-notified Nomadic and Semi-Nomadic Tribes (NCDNSNT) was constituted under the Ministry of Social Justice and Empowerment, Government of India. The NCDNSNT has made efforts to collate data from a variety of sources and developed a comprehensive report. The report outline the historical perspective of the communities, provides an overview of de-notified and nomadic tribes indicating their location in SC, ST and OBC lists; it tries to estimate the population NTDNT, talk about the salient socio-economic features of these communities, reasons for the decline of their traditional occupations. The report also deals with atrocities and human rights violations faced by the communities, gender concerns, along with recommendations.

The report highlighted significant anomalies in categorising communities such as spelling errors, synonyms counted twice and the arbitrary categorisation of NTDNT communities under SC, ST and OBC categories. Thus Kalbelia community of Rajasthan which is a DNT community registered as SC are denied benefits due to the confusion of their self naming

jogi which is an OBC category. Many Jogi-Kalbelia households are denied SC caste certificates.

The NCDNSNT report has also called for the proper enumeration of NTDNT communities.

NTDNT Community in Twelfth Five-Year Plan (2012-2017)

The Twelfth Five Year Plan has made several clear-cut provisions for the development of NTDNT communities. A development package worth a budget of INR 32,684 crores was earmarked for the Ministry of Social Justice and Empowerment towards the welfare measures and development of the SCs, OBCs, DNT, persons with different abilities (PWDA) and other vulnerable groups. There is no specific provisioning for NTDNT communities, nor any analysis of the realisation status and schemes and developments plans till the year 2015-16. The Plan intends to improve educational standards of the NTDNT through access to scholarships and hostel facilities. It also aims to help these communities achieve economic empowerment through capacity building for skill development, imparting employable skills to their unemployed youth and by provision of loans on priority basis. An Integrated Infrastructure Development Programme to be planned to provide basic amenities to the existing DNT settlements and development of clusters.

However without proper enumeration of targeted population and strategies to reach them it is likely that all these provisions would not reach the NTDNT communities.

Government Schemes for NTDNT Communities

The Central Government has launched two schemes for the benefit of the NTDNT community:

- i. Dr. Ambedkar Centrally Sponsored Scheme of Pre-Matric and Post-Matric Scholarship Scheme for Denotified, Nomadic and Semi-Nomadic Tribes (DNTs), and
- ii. Nanaji Deshmukh Centrally Sponsored Scheme of Construction of Hostels for Denotified, Nomadic and Semi-Nomadic Tribes.

Affirmative Action and Efforts by Rajasthan Government

The Rajasthan State Government has made various efforts to improve the condition of the NTDNT community. Out of 602 hostels for senior-secondary classes, the Rajasthan Government is running 30 hostels exclusively for the students from NTDNT communities, and is also providing pre-matric and post-matric scholarships to the students. In case of the Gadia Lohars community, the state government has been implementing a Special Integrated Scheme for house-cum-shop for Gadia Lohars. The state government is providing financial assistance to help them purchase raw material for manufacturing equipment's and tools for agricultural and industrial purposes.

Demands

- ***Commission comprehensive household survey to analyse the socio-economic, cultural and political status of de-notified, nomadic and semi nomadic communities in the state of Rajasthan.***

- ***Review and analyse budgetary provisions, realisations and resultant impact in the living status of NTDNT communities in the state of Rajasthan.***
- ***Implement 100% distribution of identity proof, including caste certificates, voter cards, Aadhar cards, ration cards, NREGA cards, Bhamashah registration through an intensive campaign in the state of Rajasthan***
- ***Implement 100% coverage of households for homestead rights, settlement rights and where necessary proper rehabilitation.***
- ***Implement 100% coverage of households for financial inclusion so NTDNT community can enter into economic mainstream and avail benefits from financial institutions.***

2. Accountable and responsive governance:

The State of Rajasthan has nearly 32 communities which may be classified as de-notified (DNT), nomadic tribes (NT) and semi-nomadic tribes (SNT). The communities are primarily engaged in traditional occupations, such as herding livestock/pastoralism, hunting-gathering, entertainment, blacksmithing and snake charmers and so on. Historically, these groups were either pastoralists and hunter-gatherers nomads or entertainers and have known only those ways of survival. They did not fit into geographical boundaries, land and property norms and laws requiring proof of residence as essential to citizenship rights, therefore creating a disconnect between their means of livelihood and their freedom to live with dignity. It is not surprising that this community has become especially vulnerable to trafficking, sexual abuse and beggary. Therefore the service providers (officials) and local governing system may play an important role to be delivered the services for these communities as an accountable and responsive manner.

Although it is very difficult to get data on development indices of these communities, yet extrapolating from the data available for SC and ST populations when can easily draw a conclusion that indices for them would definitely be worse off.

Impressions compiled from a recent workshop of 60 children belong to DNT, NT and SNTs by ActionAid India are as follows:

- 3/4th of the children were living in vulnerable housing conditions, most of them did not have toilets in their home;
- Almost 2/3rd of the families are dependent on unclean sources of water are forced to live with no electricity or irregular electricity supply;
- Children don't have sufficient clothing even in bitter cold;
- Many children are dependent on begging for their food, many are forced to sleep hungry.
- 5% shared that they have experienced the untouchability;
- 63% said they suffered physical abuse and beating due to the community they belong to.

Education:

- Rajasthan is among the bottom five states in the country in terms of the literacy level for scheduled caste (SC-59.7 %) and among the last six for scheduled tribes (ST-52.8%) as per the census 2011. Women' education is worse among SC 44.5% and ST 37.3%. It can safely be presumed that NT/DNT community access to education would be much worse as they face both the scourage of untouchability and stigma. The quality of education if they access it all would also be suspect. Education departments/ institutions needs to overhaul in terms of addressing the institutional discrimination, exploitation (corporal punishment, mental and sexual harassment) faced by NT/DNT children. Girls' enrolment in schools at primary level is 47.79%, 54 girls do not reached up to class 8th in Rajasthan, Children born with low birth weight are 46%, Children under 3 with anaemia are 79%, Immunization coverage is very low, 72.1% cases of sexually abused (53.22%) did not report to anyone, 66.8% of street children reported physical abuse, 87.22% girls reported neglected in family, 11 children died between the age of 15-19 years and 33 out of 100 girls get married between 0-19 years, (as per the "STUDY ON CHILD ABUSE: INDIA 2007" conducted by MOW&C development-Gol.). on the same parameters, can we imagine the situation of NTDNT children in given situation? It would worsen once we conduct the study to know the actual status of them.

There is an increase in child labour cases in the state of Rajasthan from 1991-2001. The work participation rate has increased from 6.46 (1991)to 8.25 (2001). Going by the data of lack of access to education, it is most likely children of NT/DNT communities would be forming a substantial part of this most vulnerable group. In Rajasthan, 6 out of 100 children (5-14 years)engaged in labour, 56.38% children were working in illegal/ hazardous occupation, 65% children are child labour because of their parents pressure and 76% child labour handed over their earnings to their parents (as per the "STUDY ON CHILD ABUSE: INDIA 2007" conducted by MOW&C development-Gol.)

Land:

As these communities are constantly on move, it impacts the life of their children. There is a need to make special provision where land entitlements especial homestead lands are allotted to these communities so that they can set up base and acces education and other entitlements.



As per a study in western Rajasthan by UNNATI – land distribution is heavily skewed against SCs and STs. Even when distributed to them it is not likely to remain in their possession unless active safeguards are not instituted. Similarly it would be futile to provide for widening the provision to include NT/DNTs if such safeguards are not constructed

Alternate Livelihood:

There is a clear need of imagination on part of policy makers, for creating space to value the precious skills the NT/DNT communities' poses. Several new and alternate uses of these skills and traditional knowledge passed on by generations can be made in newer contexts. Many of these communities are folk artists of art forms that have brought name and fame to Rajasthan, these needs to be honoured and preserved and taught to non NT/DNT youth as well.

At the same time the young people, women and men should have access to mainstream opportunities and should have the option to choose vocations other than their traditional occupations. Many NT/DNT skills could be repurposed but many others may have become irrelevant or obsolete under the new and legal regimes –such as those of animal trainers banned by acts preventing cruelty to animals. These communities should be specifically targeted for alternative livelihood options instead of just catching them for offences under the said acts. This would be very important for inclusive growth and equitable society, that is envisioned by the government

There is an urgent need to examine if the actual implementation of the programmes by the concerned authorities is satisfactory or it needs a more systematic monitoring. As is understood from various field examples at different fora, meetings, consultations and workshop discussions, the accountability of duty bearers needs to be clearly established and mechanisms created to ensure the accountability need to be strengthened. Any instance of institutional discrimination and laxity in implementing these measures should be strictly examined and rectified.

In this respect, in fact the duty bearers in institutions/government officials should serve as a role model for others to follow. Under their roles and responsibilities, the officials and duty bearers must be ready to deliver services to all members of the society equally, including

those members belonging to the DNT and NT communities, especial provisions to be laid for the communities under different government schemes / programs in true spirit.

The local governing bodies are to be made accountable, and corrective actions need to be taken to sensitise them to address social exclusion and vulnerabilities. The communities shouldn't be neglected from Public Distribution System and even health departments should reach out to them so that their health needs are met.

Local institutions are to be made sensible and accountable so that they can immediately act upon providing services at local level. The village chief/*Sarpanch* and secretary as local governing body are considered as institution (PRIs) to take this responsibility at local and extend the aid to the members of the nomadic communities, corrective action must be taken to sensitize them and train them to address social exclusion, especially to address the vulnerability of the community, bondage work, child labor, women and girls violence, child marriage, settlements, housing, water and sanitation aspects, declining sex ratio, food and social insecurity among the DNT and NTs (mentioned 29 subjects under 11th scheduled list of PRIs functions in tune with social justice and economic development).

Similarly the Public Distribution System (PDS) ration shops, Health department workers (ANM + Asha) should be made aware of their duty to serve DNT families possessing ration cards and health cards likewise the quality education.

National and international legislations, provisions

- SCs/STs Prevention of Atrocities (PoA) Act 2015 Amended version of 2015.
- In 2005, the Government of India established the *National Commission for De-notified, Nomadic and Semi Nomadic Tribes (NCDNSNT)* to study various developmental aspects of these Tribes Child Labour (Prohibition and Regulation) Act, 1986: for *elimination child labour. The Act provides power to State Governments to make Rules with reference to health and safety of children, through a recent notification, child domestic workers up to 14 years of age working in hotels and dhabas have been brought within the purview of the Act. It is one step towards the total elimination of child labour.*
- Constitution of India: especially article 21A (free and compulsory education for all children of the age of 6 to 14 years), article 23 (prohibition of traffic in human being and forced labour), article 24 (prohibition of employment of children in factories etc. "hazardous employment").
- International conventions and declarations: especially United Nations Convention on the Rights of the Child 1992; Convention on the Rights of the Child 1989.
- The Juvenile Justice (Care and Protection of Children) Act, 2000, amendment in 2015: section 26 Exploitation of Juvenile or Child Employee.
- The Commissions for the Protection of Child Rights Act, 2005: gives the preview of enumerating and make provisions for welfare of DNT, NTs and SNTs.
- Schemes and programmes: Scheme for Working Children in Need of Care and Protection; National Child Labour Project (NCLP); INDO-US Child Labour Project (INDUS)

Demands

- ***A Panchayat level committee should be formed for the status update of DNT, NT and SNTs in its jurisdiction and made accountable for their economic and social development both***

under universal entitlements and special provisions. It should be ensured that they get rations under PDS, enrol their children in schools/ Aganwadi, access work under NREGA, receive health services- vaccination etc., and social security such as pensions.

- *To address extreme level vulnerability, marginalisation and homelessness 5 acres agricultural land should be allotted to each household*
- *A special package and sub-plan is needed for the socio-economic empowerment of the DNTs. The Sub Plan should have due safeguards against diversion or non-utilisation of funds.*
- *An empowered grievance redressal and monitoring cell/ Task force should be formed at state level, and made responsible/ accountable for recording cases of atrocities against DNTs separately. The review of the progress should be done periodically by the State government.*
- *Provision of mobile education as well as ICDS (aganwari) units to their camping sites will help children of families which haven't been able to settle down to complete their education.*
- *Majority of the communities are dependent on their traditional occupations but due to the newer technologies, the communities are losing their livelihood. Government should protect and promote their occupations and provide them with alternate livelihood opportunities if that is not possible.*
- *Folk artists such as Kalbeliyas and Manganiyars are world famous and are promoting our culture they should receive similar honour and recognition within the state/country through promoting and protecting the folk by government.*
- *NT/DNT/SNT should get priority in land patta allotment especially for homestead land so that they can settle down and can access education and other entitlements and facilities.*

3. Working towards creating an inclusive society:

An inclusive society represents to all in which every individual access their rights and responsibilities and have an active role to play. Such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice and special needs of vulnerable and disadvantaged groups like DNT, NTs and SNTs get ensure of their democratic participation and the rule of law. It is promoted by social policies that seek to reduce inequality and create flexible and tolerant societies that embrace all people respect the diversity and fosters engagement. Therefore to achieve social integration and social inclusion the voices of people, their needs, concerns to be heard. Not only some but all members of the society with different backgrounds must have a say and a stake in their shared society. This inclusiveness of society would create and maintain stability as well as a readiness to bring change among others in the society.

Once the community is brought in the preview of inclusive society then they would have holistic participation of the community in all forms of policy, advocacy and political activities including forming govt at different level. Also the community feels they have rights, role, and responsibility and considered them as part of the society in decision making process. Therefore there is needs to nurtures both within and intra society to have space for individual rights, dignity, diversity, pluralism, tolerance, non-discrimination, non-violence, equal opportunity, security, opportunity for participation and all other basic human rights & provisions are access by other section of the society

In order to have all-inclusive participation, there must be universal access to public infrastructure and facilities including their existence (such as proper housing, citizenship, community centres, access to recreational facilities, public libraries, information centre, access to public schools, health facilities, water supplies and sanitations). Unequal relations within communities and households may inhibit the use of facilities by vulnerable groups, DNTs and NTs sufferer most in area. Therefore there is need to create inclusive society by increasing their participation and involvement of such vulnerable group to reclaim the social capital, resources and dignity as an inclusive society. In the process equity distribution of wealth and resources play a critical role in building inclusive society and could be reflected among the vulnerable groups. Similarly, education do also pivotal role and opportunities to learn history, culture of one's own and other societies around them. Particularly for young people, education provides the opportunity to instill values of respect, appreciation of diversity, participating in discussions, decision-making and analysis of the impact of inclusive or exclusive policies affecting the lives of the people at local. Therefore, the academic institutions may play an important role to promote the learning about historical processes, cultural aspects, indigenous knowledge and how to deal the exclusion from the research/ studies.

Effective leadership is crucial for development of an inclusive society, which could promote the healthy debate and discussions, open consultations among the society members about the policies-formulations, capacities, budget etc. to accomplish the transparency, accountability and participation to lead social justice and economic development for the people as principle of people governed system (local governance).

Thus the social inclusion reflects, on one hand, an individual's experience and possibilities for self-actualization and on the other hand, societal capacities to eliminate causes of exclusion and ensure equal opportunities for all.

The following five steps may lead to accelerate and justify the action towards inclusive society to deal the exclusion, vulnerability and powerlessness and resourcelessness (stigma) among the most deprived DNT, Nomadic and semi Nomadic communities, like **1) Visibility:** First and foremost step people need to be noticed, recognized, and have their own voices. There is no possibility of having a voice if an individual or group is not accounted for and represented in the processes that make a formal society as so called mainstream society. One of the greatest difficulties even at a local level is the actual census of population. People remain uncouncted and therefore invisible. Thus DNT, Nts and SNTs should be very visible and inclusive by steps for their census, consolidating the concerns and then way forwards for their inclusion. **2) Consideration:** The concerns and needs of individuals and groups are taken into account by policy-makers. Often policy-makers do not consider the poor and marginalized groups as important stakeholders, and therefore there needs are not incorporated and concerns left away. Thus DNTs and NTs get aware of their benefits, entitlements and provisions in the constitution or state. **3) Access to Social Interactions:** People must be able to engage themselves in society and social networks in their daily life activities including economic, social, cultural, religious, and political activities. **4) Rights: People must have rights to act and claim,** rights to be different, legal rights, rights to access social services such as housing, education, transportation, and health care. They must have

the right to work and the right to practice their social, cultural and political life. The right to claim will regress if one is discriminated. **5) Resources to fully participate in society:** Those who do not have access rights to resources are not able to participate fully in society. However, even if people have rights to access, they cannot participate fully without adequate resources. Therefore, resources is an essential need for fully participate in all aspects of societal activities are the ultimate step for successful social inclusion.

Existing national and international laws

- ***“International human rights 1948:*** Law requires governments to respect individuals’ civil and political rights – such as their rights to free speech, fair trial, and political participation – and to promote their economic, social and cultural rights – such as their rights to health care and education.”
- ***Indian constitution:*** Clearly mentioned in preamble as well as part III (article 12-35) about the fundamental rights, right to equality, freedom against the discrimination, freedom of religion, cultural and educational rights etc. which give a constitutional safeguard to most deprive, vulnerable and exploitative communities and individuals like DNTs, NTs and SNTs too.
- ***Local self-governance-PRI*** and urban bodies system (73rd and 74th Amendment of constitution) will work towards ensuring the social justice and economic development at the local specially prioritizing the most dis-advantaged groups/ communities.
- ***National commissions*** of DNT, NTs and SNTs existence from year 2006 onwards in India- its many recommendations shows how much the matter is serious.

Some facts

- There are 10% population of DNT, NT and SNTs, which estimates 10-12 lakhs households out of total 1.02 crore HH in state. The Renke Commission estimated, about 10 % of the general population in India as belonging to NTDNT communities. Rajasthan has 6.6. population as per 2011 Census. Hence, the population of DNT may be estimated as, 66 lakh.
- More than 90 % DNTs, NTs and SNTs roam around one district to another. They are still not settled, no housing, no permanent source of livelihood, therefore no identity, no ration card, no education no social security, no safety, facing extreme level exploitation of women, girls and children.
- Some of them are having their traditional skills like Gadia Luhar engaged as blacksmith, Folk dance practices by kaalbelia women, Banjara engaged in trade of livestock (bullocks), Sapera and madari play with snakes and monkeys/ bear respectively, nat are engaged in singing and circus of their skills i.e. move on rope etc. But no promotional support thus maximum household either left out from the traditional skill or stopped play with the wild animals under the ‘wildlife protection act 1972 amended many times restricted to play with animals.
- There is no official category as NTDNT in the State of Rajasthan, unlike, the State of Maharashtra, which has an official category called Vimuktya Bhatke Jaat. In Rajasthan some of the communities, either are categorized as SC or OBC. However, they are not represented well in government job.

- There is scant academic work, done by institution/ universities.
- Efforts should be made to support mobilization of the community to represent their issues with the government. As community based institutions are lacking at state, district and even local level to raise voice for their issues and concerns.
- Very few people active/ represents the community in political parties. Political participation and influence is almost negligible from such vulnerable community. Similarly very few represents to PRI as sarpanch (head).

Demands

- ***A state level forum of the DNTs, NTs and SNTs needs to evolve, that may promote through reviving the state level DNTs and NTs board formed in year 2013.***
- ***Efforts should be made to represent those from NTDNT, coming under the SC or OBC category in Rajasthan, should be given special preference in state Government jobs.***
- ***Seats may be reserved in Block/ Taluka Panchayats and Zila Pandhayats/ Zila Parishads, and the Urban Local Bodies for DNTs wherever there population is concentrated. And this three tier system of local governance may accountable for rehabilitation including the behaviour change towards DNTs in their periphery.***
- ***A cultural institution/Academy may be set up in State to develop, preserve and exhibit the diverse and rich cultural heritage of DNTs. May also set-up an exclusive institution for research/study of DNT, NTs and SNTs affairs.***
- ***Bring together researchers, organizers, stakeholders, communicators, mass media and policymakers for removal of stigma and change the mind-set in society towards DNTs, NTs and SNTs making sure an inclusive society at local.***
- ***Make provision for leadership building among DNTs, NTs and SNTs. And support to evolve the community institutions.***
- ***To mobilise additional resources to improve the socio-economic conditions of DNTs, it is suggested that 10% of the funds earmarked for M.P./ MLA Local Area Development Fund.***
- ***Special provisions for the capacity building and training for the government officials, administrators, police officers, service providers (health, education, PDS, SJEd) should be ensured to enable them to address the concerns of DNTs, NTs and SNTs more effectively.***

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