



A NOMADIC TRIBES
AND DE-NOTIFIED TRIBES'
**AGENDA FOR
JUST FUTURES**

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ActionAid Association is an Indian organisation working for social and ecological justice in 24 states and two union territories. Together with supporters, allied organisations, communities, institutions and governments, we strive for equality, fraternity and liberty for all.

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Introduction

In 1871, the British colonial government passed the Criminal Tribes' Act, which covered the territories of the North-Western Provinces, Punjab and Oudh. Through an amendment in 1876, this act was extended to the Bengal Presidency and then across the Madras Presidency in 1876. This draconian legislation held that: "If the Local Government has reason to believe that any tribe, gang or classes of persons is addicted to the systematic commission of non-bailable offences, it may report the case to the Governor General in Council, and may request his permission to declare such tribe, gang or class to be a criminal tribe." Once the Governor General endorsed the request of the local government, this had to be published in the local Gazette and the district magistrate was to maintain a register of the members of the criminal tribe resident in that district. If the Criminal Tribe had no "fixed place of residence" then the law provided that they be forced to settle in a fixed place.

Over the years nearly 200 nomadic communities were notified as "criminal tribes." Scholars have identified six main categories of communities that have been declared "criminal tribes:" 1) petty traders, who transported goods on animals, supplying essential items like salt and forest produce to villages, 2) performing artists, including musicians, dancers, singers, storytellers, acrobats, gymnasts, puppeteers and tightrope walkers, who entertained people with their art, 3) communities engaged in public entertainment using performing animals such as bears, monkeys, snakes and birds, 4) pastoral and forest communities, including groups involved in hunting, gathering, shifting cultivation and pastoralism, trading in forest produce, animals, meat or dairy products, 5) artisans who were skilled in working with bamboo,

iron, or clay, creating and repairing various articles and trading them with settled villagers and 6) mendicants and healers like sadhus, fakirs, fortune tellers, genealogists and traditional healers, including those who carried and sold medicinal herbs. These nomadic communities had long established relations with settled communities, providing a variety of services that were compensated by money payments or payment in kind and charity.

The Criminal Tribes' Act, however, extended its draconian provisions to draw divisions in the traditional relations between settled and nomadic communities by holding that: "it shall be the duty of every Village-Headman and Village-Watchman in a village, and of every owner or occupier of land, to give the earliest information in his power at the nearest police station of the arrival at such village or on such land (as the case may be) of any person who may reasonably be suspected of belonging to any such tribe, gang or class."

The reasons behind the passing of this act have been ascribed to the negative feelings and antipathy to the romani people or gypsies, that dominant sections of Europe had, which the British shared. However, we need to see the Criminal Tribes' Act in the colonial context where the British used legislation to dominate a colonized people, and in that sense the Criminal Tribes Act was part of an arsenal of measures used for transforming rural society in India "as a more sedentary, stratified, and predominantly agricultural form" of society.

Recognizing the injustice and colonial implications of the Criminal Tribes Act, the Government of India repealed it in August 1949, and on 31 August 1952 de-notified the "criminal tribes" identified by the Criminal Tribes Act. These communities have over the years referred to themselves as 'De-notified Tribes' or DNTs, and by the more wider term Nomadic Tribes and De-Notified Tribes or NTDNTs – based on the understanding that the vulnerabilities faced by these communities are shared

even by those nomadic tribes that may not have been notified as criminal under the Criminal Tribes Act.

Though 31st August has been since celebrated as 'Vimukti Diwas' or liberation day, the repeal of the Criminal Tribes Act and the denotification of all "criminal tribes" has not been enough to end the vulnerabilities faced by NTDNT communities that arise from the discrimination, stigma and oppression that they face from society and authorities, and the socioeconomic precarities brought about by their available means of livelihood in an increasingly modern, market driven economy based on clearly defined individual property rights on the disappearance of the commons and customary rights of communities.

The Current Status of Nomadic Tribes and De-notified Tribes

Nomadic tribes and de-notified tribes (NTDNT) in India continue to face social and economic marginalization due to a combination of historical discrimination, socioeconomic factors and inadequate government policies.

Though the Criminal Tribes Act was repealed and the "criminal tribe" status de-notified, the stigma remained in the mindsets and attitudes of personnel of the criminal justice system, and in police and jail manuals. Furthermore, new laws, such as the Forest Acts and legislation protecting animals, often kept them and their occupations "criminalized."

To this antipathy at the hands of the law needs to be added the manner in which NTDNT communities have remained "invisible" to makers of laws and policies. This lack of recognition and representation that NTDNTs experience is a major reason for their continued economically marginalized status, especially when economic developments have adversely impacted their precarious livelihoods.

A marker of the “invisibility” of NTDNT communities is that despite their significant numbers, there has been no comprehensive census of their communities in India. NTDNT communities are scattered across the country, predominantly falling under the Other Backward Classes (OBC) category in some states, while in others they are classified under Scheduled Castes (SC) and Scheduled Tribes (ST) categories. There are also communities that do not fall under any of these categories. The fragmentation of these categories, along with challenges such as lack of caste certificates or exhausted quotas, severely limit their access to the benefits intended for them. Consequently, NTDNTs remain among the most marginalized and impoverished groups in India, with their status in many states still undefined, exacerbating their exclusion and vulnerability.

The Government of India established the first Commission for De-notified, Nomadic and Semi-Nomadic tribes in October 2003. However, due to certain limitations, the commission faced challenges in fulfilling its mandate. The National Commission For De-notified, Nomadic and Semi-Nomadic Tribes, headed by Balakrishna Renke was formed in March 2005 to complete the unfinished tasks. In July 2008, the Renke Commission submitted its report, which included several recommendations. Building on these recommendations, a working group established by the National Advisory Council proposed a detailed set of recommendations for these communities in 2011. Taking into account the suggestions put forth by both NAC and the Renke Commission, in February 2024 the government decided to establish a National Commission for De-notified, Nomadic and Semi-Nomadic Tribes for a duration of three years. The Renke Commission had carried out a study to understand the status of the de-notified tribes and highlighted that 50 per cent of NTDNTs lacked any kind of documents and 98 per cent were landless (Renke Commission, 2008).

Subsequently, in 2017 the National Commission under Chairperson Bhiku Ramji Idate came out with a report which delved deeper into

the challenges faced by the de-notified tribes. One of the primary sources of information for the report on the challenges faced by these communities were the grievances expressed through petitions and memorandums received by the Commission. The Commission categorized these grievances based on their nature and took appropriate action accordingly. A substantial number of over 3,200 petitions and memorandums were submitted, covering a wide range of issues. These included appeals for constitutional recognition, the creation of a separate schedule for these communities, inclusion in SC/ST lists and provisions for education, housing, and other essential services.

The Idate Commission became aware of various issues affecting these communities through the grievances and representations received from the states, union territories, as well as individuals and organizations. Out of more than 3,700 says 3,200 in the previous para petitions and memorandums received, the highest number of petitions, 618, concerned infrastructure and sanitation. These petitions highlighted the need for basic amenities such as roads, drainage systems, toilets, community centers and cremation grounds. The second highest number of petitions, approximately 568, focused on housing facilities and land allotment for housing or agriculture.

Around 551 petitions were received advocating for separate reservation in education and the creation of a separate schedule for de-notified and nomadic communities, similar to SC and ST categories. Other petitions addressed issues related to the lack of identification documents like aadhar, ration card and caste certificate, as well as requests for inclusion in SC/ST/OBC or in NTDNT categories. Additional significant grievances included the lack of nearby schools, requests for special scholarship schemes and separate hostel facilities and the difficulties faced by these communities in

obtaining loans due to lack of documents and identity proof. Artisan and acrobatic communities also sought special assistance from the government to sustain their traditional livelihoods.

A Nomadic Tribes and De-notified Tribes Agenda for Just Futures

This document has emerged from multiple processes that have occurred in the last few decades and have been re-visited in the past few months. ActionAid Association has been working with NTDNT communities to further rights and entitlements for more than two decades. ActionAid Association has built alliances with both community-based organizations and civil society organizations, both at the level of grassroots interventions and for informing policy advances at various levels. ActionAid Association has made contributions to many reports and policy recommendations made by Government appointed bodies both at the Central and State levels. Over the past few months grounded consultations were conducted across a number of states to listen to de-notified tribal and nomadic tribal communities, to ensure comprehensive representation and inclusivity. At the state level, consultations with DNT leaders from eight districts were organized in Rajasthan, fostering direct engagement and feedback from the community leaders. Additionally, a significant DNT Convention took place in Maharashtra, serving as a platform for collective discourse and collaboration. Across various states, a substantial number of participants from diverse DNT and nomadic tribes contributed their insights:

In Uttar Pradesh, 1,044 participants representing Nat, Bhatu, Dharikar, Rangdharwa, and Jagga communities participated. Rajasthan saw 3,900 participants from Gadia Lohar, Kalbeliya, Banjara, Nat, Bhat, Singiwal, Sikhligar, Kalendar, Mirasi, Sansi, and Bagri/Bawaria communities. Bihar had 250 participants from Nat, Kanjar, Sapera, Madari, and Chidimar communities. Gujarat witnessed 5,370 participants

from Sandhi, Chhara, Devi Pujak, Chuvalia Koli, Miyana, and Koli (rapar) communities. Andhra Pradesh and Telangana had 4,000 participants from Yanadi, Koti, and Kollam communities. Maharashtra had the largest participation with 50,000 individuals from Pardhi, Kaikadi, Wadar, Kolhati, Madari, Vaidu, Tirumali, Dabri, Gosavi, Banjara, and Masanjogi communities. In Haryana, 5,000 participants from Banjara, Sapera, Bazigar, Nat, Kalandar, and Sansi communities took part. In total, about 70,000 community members were part of the consultations.

This document is thus informed by collective listening by ActionAid Association encompassing extensive consultations at both state and community levels, and seeks to present a comprehensive agenda reflecting the diverse needs and perspectives of de-notified and nomadic tribes.

1. Fast-track Urgent Development Interventions for Particularly Vulnerable Amongst Nomadic Tribes and De-notified Tribal Communities

While all NTDNT communities in India face vulnerabilities, it is vital to recognize that the extent and nature of these vulnerabilities can vary significantly among different groups within this category. Factors such as geographical location, socioeconomic status, historical experiences, cultural practices and access to resources contribute to the disparities in vulnerabilities among NTDNT communities. Some NTDNT communities may face severe economic deprivation, lack of access to basic services such as healthcare and education and social exclusion due to entrenched discrimination and stigma. These communities often struggle with poverty, unemployment and marginalization, making them highly vulnerable to exploitation and neglect.

However, within the broader category of NTDNT communities, there are also variations in resilience, level of organization and access to support networks. Some communities may have stronger social cohesion, cultural capital, or historical resilience strategies that mitigate their vulnerabilities to some extent. Additionally, government policies and interventions may disproportionately benefit certain NTDNT communities over others, depending on factors such as political representation, advocacy efforts and regional disparities in development priorities.

Therefore, while NTDNT communities share common challenges related to historical discrimination and socioeconomic marginalization, it is essential to recognize and address the specific needs and vulnerabilities of each community within this diverse category to ensure inclusive and equitable development.

The Government of India looks at the pre-agricultural level of technology, low level of literacy, economic backwardness and a declining or stagnant population as criteria for deciding if a tribe is a Particularly Vulnerable Tribal Group (PVTG). The few following examples, are indicative of the diverse challenges faced by particular NTDNT groups and illustrate the need for targeted and urgent policy and development interventions to address their specific vulnerabilities; they also show the need for creating a special category for the particularly vulnerable among NTDNT communities.

Pardhis

The *Pardhi* community or tribe have been hunters and gatherers for centuries. In a Kabir bhajan the name *pardhi* is used to denote a hunter. While concentrated in Maharashtra and Madhya Pradesh, the community is also spread across to Rajasthan and Gujarat in the west, Chhattisgarh and Odisha in the east and Telangana, Andhra Pradesh, Karnataka and Goa in the south. *Pardhis* were declared a “criminal tribe” under the Criminal Tribes Act, and were displaced from the forests, segregated and forced to live in camps outside village and city limits. The

community faces extreme poverty, displacement and discrimination. Despite the repeal of the Criminal Tribes Act, the prolonged prejudices against these communities has resulted in persistent discrimination and marginalization by dominant caste people. Social exclusion from mainstream activities and incidents of violence, harassment and forced evictions are common, with *Pardhis* often being denied access to public spaces, resources and basic amenities. This systemic discrimination exacerbates their socioeconomic challenges, deepening their cycle of poverty and marginalization. Moreover, the *Pardhi* community has historically endured harsh treatment from the police, which frequently targets them as scapegoats for crimes, leading to wrongful arrests and brutal treatment in custody. Allegations of assault, torture and sexual abuse by the police further perpetuate fear and mistrust within the community, hindering their access to justice and social integration.

Vasudev Community

Vasudev community singers go from house to house in the villages of Maharashtra, singing devotional songs of Krishna and receiving gifts. The Vasudev community is grappling with the erosion of its cultural heritage and livelihood. As Krishna worshippers, they traditionally travel from village to village, singing devotional songs and performing rituals, dressed in a distinctive attire. However, the popularity of their art is waning, and the community is struggling to sustain itself financially. Many younger members are seeking alternative employment opportunities, moving away from their ancestral profession. The nomadic lifestyle of the Vasudev community presents additional challenges. They often reside on the outskirts of villages, lacking permanent homes, basic amenities and proof of citizenship. This marginalization has left them vulnerable to socioeconomic hardships.

Mhasanjogi

The *Mhasanjogi* community is traditionally associated with funeral rites and members live in cremation grounds. Traditionally they are worship-

pers of *Masan*, the deity of the cremation ground. They have been shrouded in superstition and viewed as having mastery over death. They have historically subsisted on alms and have not been included in ration schemes and lack access to basic amenities like electricity and water. Their population has declined significantly over the years, and many now work as waste collectors. Their nomadic lifestyle has made it difficult for them to obtain essential identification documents like ration cards, exacerbating their struggles. This lack of documentation has hindered their access to government schemes and benefits, further entrenching them in poverty and marginalization.

Madari

The *Madari* community, which lives in North India with a major concentration in Rajasthan and Gujarat, faces a myriad of challenges that stem from their historical occupation as entertainers and their current socioeconomic status. Traditionally known for snake charming and performing with animals, the rise of animal rights and changing societal norms have forced many *Madaris* to seek alternative employment, often as farm workers and day laborers. The community grapples with high illiteracy rates, which perpetuates their position in the lower rungs of society. Poverty is rampant, with many families being landless and some resorting to begging to support themselves. Lack of permanent housing is a significant issue, with most living in temporary shelters or tents. The *Madaris* practice Sufism, a mystical branch of Islam, which might contribute to their unique cultural and social challenges. Overall, the *Madari* community's transition from traditional entertainment to other forms of livelihood, coupled with their struggles with illiteracy, poverty and lack of housing, highlights the need for targeted social and economic interventions targeted at them.

Boom Boom Mattukaran

The *Boom Boom Mattukaran*, also known as *Adiyan* or *Poo Idayar*, constitute a nomadic tribal community primarily located in the states

of Tamil Nadu and Kerala. Historically, they sustained themselves by traveling with a decorated bull, engaging in entertainment and fortune-telling activities commonly associated with their adorned cattle, known as Boom Boom Ox. Believed to have originated in Andhra Pradesh, they communicate in a blend of Tamil and Telugu languages. However, their traditional way of life has become unsustainable, leading them to rely on begging and labor for survival. Both private and government initiatives have been launched to settle them and provide them education, aiming to facilitate their integration into settled society.

Tribes Engaged in Community-based Sex Work

Sex-work has emerged as a defining occupation in some tribes. These include the *Nat*, *Bedia*, and *Bachra* tribes in North India. Many women in these communities earn their living as sex workers. Though many from the community say the women who enter sex-work exercise choice, compulsion can be seen to play a major role. Amongst some communities there exists the ritual of *nath utarai* or "removal of the nose ring," which is said to be the initiation of a woman into sex work. This ritual can happen at the age of 13 years, thus involvement of minors in sex work is also a distinct possibility. Social scientists argue that these communities were entertainers, involved in multiple performing arts as dancers, acrobats, jugglers and magicians. With criminalization of their group and activities, sex work remained the only viable livelihood option. Their vulnerabilities continue even today.

2 Legislative Actions

New Laws Required

2.1 Recognition of De-notified Communities. It is crucial to draft and introduce a new law based on the 1992 Statute on Minorities to provide explicit recognition to "De-notified Communities."

2.2 Legislation for Protection. A new legislation should be enacted with a scope and intent similar to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, to address various offenses and atrocities committed against the NTDNT community.

Immediate Review, Revision and Revocation of Existing Acts

2.3 Abolition of the Habitual Offenders' Act

The Habitual Offenders' Act, 1952, needs to be abolished and steps must be taken to promote the de-criminalization and protection of the NTDNT communities from police atrocities. While the CTA was repealed post-independence, several states introduced the Habitual Offenders' Act (HOA), 1959 through state legislatures, which essentially carried forward CTA, even though it was a vestige of the colonial era. HOA strengthens the stigma associated with nomadic and semi-nomadic communities. HOA is currently enforced in ten Indian states – in Himachal Pradesh through the Himachal Pradesh Habitual Offenders Act (1969), in Karnataka through the Karnataka Habitual Offenders Act (1961), in Andhra Pradesh and Telangana through the Andhra Pradesh Habitual Offenders Act (1962), in Gujarat through the Habitual Offenders Act (1959), in Maharashtra through the Bombay Habitual Offenders Act (1959), in Kerala through the Kerala Habitual Offenders Act (1960), in Punjab through the Restriction of Habitual Offenders Act (1918) and the Punjab Habitual Offenders (Control and Reform) Act (1952), in Rajasthan through the Habitual Offenders Act (1953) and in Tamil Nadu through the Restriction of Habitual Offenders Act (1918).

2.4 Review and Revise the Prevention of Begging Act 1959

The definitions pertaining to the criminalization of specific categories of NTDNTs in the Prevention of Begging Act (1959) need to be re-exam-

ined to ensure that they do not perpetuate discrimination and marginalization of NTDNT communities.

2.5 Review and Revise the Bombay Prevention of Begging Act 1959

An immediate re-examination of this act and similar laws across urban areas is necessary for addressing the unjust targeting of street performing nomadic communities and for promoting their rights and livelihoods.

2.6 Review and Revise the Prevention of Cruelty to Animals Act 1986

A revision of the provisions that prohibit NTDNTs communities from engaging in street entertainment with animals is required to allow these communities to continue their traditional practices while ensuring the ethical treatment of animals. Provisions under the Act should be introduced for building alternative skills and entrepreneurship of community members, which already exist in them.

2.7 Review and Revise the Wildlife Protection Act 1972 and the Forest (Conservation) Act 1980

The provisions in these acts that adversely affect forest and NTDNTs communities need to be re-examined to ensure that they are not unjustly hindering the rights of these communities to sustainably use and access the resources of their land. Provisions should be made to allow nomadic and forest dwelling NTDNT communities to access forests for grazing of cattle, sheep, buffalos, camels and other animals, harvesting minor forest produce and dwelling in the forests. This should be done especially in sanctuaries and national parks. Traditionally NTDNTs live in a symbiotic relationship with the forest and wildlife.

2.8 Review and Revise Excise Laws

Revisiting the provisions in the excise laws that prohibit the brewing and selling of traditional liquor by NTDNT communities is necessary to end this discriminatory practice and respect their cultural traditions and livelihoods.

3. Statutory Enumeration of Nomadic Tribes and De-notified Tribal Communities

A special census and the enumeration of De-notified, Nomadic and Semi-Nomadic Tribes should be carried out. NTDNTs should receive special focus in the upcoming census, the caste census, and priority in the issuing of unique identification (UID) and other government ID cards. States unaware of the existence of nomadic communities should refer to the provisional lists of nomadic communities prepared by the National Commission on De-notified and Nomadic Tribes to enable identification of communities. The district administrations must proactively issue caste certificates and birth and death certificates to NTDNTs in the districts. A caste certificate is a prerequisite if NTDNTs are to receive entitlements that SCs, STs and OBCs get. Pastoral, former hunter-gatherers and other forest communities should be paid special attention due to their geographical isolation during this process.

4. Mainstreaming Nomadic Tribes and De-notified Tribal Communities in All On-going Programs and Schemes

De-notified Tribes (DNTs) and Nomadic Tribes (NTs) have historically been marginalized and continue to face challenges in accessing basic services and opportunities. Despite various government initiatives, these communities often remain excluded from mainstream development programs. The unique lifestyle and transient nature of NTDNTs lead to additional barriers to their education healthcare, and economic stability. Girls and women from these communities face compounded

disadvantages due to gender-based discrimination and limited access to education and healthcare. Lack of formal addresses and permanent settlements hinder their ability to avail of government schemes, including employment opportunities under MGNREGA and financial services. Therefore, targeted interventions are crucial for mainstreaming NTDNTs into on-going programs and schemes, ensuring their inclusion in education, skill development, healthcare, financial services and livelihood opportunities.

4.1 Special NTDNT Sub-plan: The implementation of a special NTDNT sub-plan in both union and state budgets is necessary to improve the socioeconomic conditions of the NTDNT communities. This plan should be accompanied by proper safeguards to prevent any diversion or underutilization of funds and should be given legislative strength to ensure adequate support for the NTDNT communities.

4.2 Education and Child Rights

4.2.1 Special efforts should be made to ensure education for children of nomadic NTDNTs through residential schools. Creating baseline data of school going and out-of-school children from NTDNT communities is essential for this. Community-wise data segregation is essential for addressing community specific barriers in accessing educational facilities. NCPCR and SSA must initiate this in a mission mode. Based on the survey block/cluster level planning for education enrolment, retention and attainment will need to be made. A special drive must be undertaken by the government to ensure enrolment and retention of girl children in schools and hostels. Residential schools should be set up wherever there is high concentration of the NTDNT population. Also, residential hostels should be set up in all major cities in India where NTDNTs can stay for higher studies and preparing for competitive exams and training for employability.

4.2.2 An administrative guideline should be issued under RTE, to introduce multilingual teaching. Children of NTDNTs should be taught in their mother tongues and also taught English and the state language. Special teachers should be appointed and trained to create a pool of teachers who know the NTDNT languages.

4.2.3 Special scholarships should be provided to NTDNT students till the masters level and the scholarship amount should be extended on the lines of UGC research fellowships in case of girl students for pursuing doctorate level studies.

4.2.4 In areas where there are large numbers of NTDNTs, special measures should be taken in a time-bound manner by the authorities for improving their education status by introducing special schemes which have components like remedial/residential bridge course education, special libraries, playgrounds, vocational training centers and counselling.

4.2.5 Access to creches and ICDS centers should be enabled on the migratory routes of nomadic communities. Also, special anganwadis need to be set up wherever needed, for early childhood care and education of children.

4.2.6 Children from acrobatic communities such as *Nats* and *Dombaris* should be selected at the school level and they should be given special training with scholarships. They should be encouraged to participate in national and international sports competitions and in acrobatics.

4.2.7 Children who are from traditionally entertaining communities like musicians, theatre artists, puppeteers, jugglers and magicians have special talent. To promote their art and culture, a National Schools of Arts along the lines of the National School of Drama should be set up so that such children can develop their talent. The government should

provide financial support to such schools to hire members from the community as teachers and trainers.

4.2.8 The National Commission for the Protection of Child Rights should be asked to constitute a working group on NTDNT children to evolve measures/ strategies for dispensation of education to NTDNT children.

4.3 Concessional loans and skill development programs should be provided for NTDNTs. These should be ensured through the National Scheduled Castes Finance and Development Corporation and the National Backward Classes Finance and Development Corporation.

4.4 NGOs running awareness campaigns and vocational training centers for NTDNTs should be provided with financial assistance, ensuring their sustainability.

4.5 Health services

4.5.1 The government should ensure the introduction of mobile dispensaries to provide health services to nomadic communities.

4.5.2 Women from the NTDNT communities should be identified and trained as ASHA workers for basic healthcare, maternity and child-care.

4.5.3 Rationing through PDS should be provided free of cost to families with expecting mothers and children up to three years along with nutritional supplements.

4.5.4 Free medical facilities should be provided in central and state government hospitals to all NTDNT families. They should be admitted on producing an election card or ration card only or on the basis of a recommendation from the local organization/gram panchayat mem-

ber/municipality member/government employee in private hospitals free of cost. NTDNT patients and one attendant may be made eligible to avail free travel in public transport systems.

4.5.5 Families and livestock may be covered under a medical insurance scheme. The premium for the insurance scheme should be paid by the central government/state government.

4.5.6 Basic healthcare training should be provided to traditional healers and traditional birth attendants (dais).

4.5.7 Sensitization programs should be introduced in all medical and para-medical colleges for hospital staff and doctors about the situation of NTDNTs. A Protection Cell for NTDNT patients should be formed in each hospital including private hospitals where NTDNTs can complain against any discrimination.

4.5.8 Balwadis, anganwadis, creches and all provisions under the Integrated Child Development Services should be ensured on a priority basis for NTDNT communities by ensuring their availability.

4.6 Women and girls

4.6.1 NTDNT women should be given priority while providing loans, training, asset building and land distribution ensuring their inclusion. Women among NTDNT communities are economically active and are frequently the only breadwinners of their families.

4.6.2 Special attention should be paid to women and girls from NTDNT communities for health, education and protection of girl children, ensuring their well-being.

4.6.3 A Special Cell for Protection of Rights of NTDNT Women should

be created in the National Commission for Women/at the NTDNT Commission, to address specific issues faced by NTDNT women.

4.6.4 A Special Cell for Women and Children for the Protection of Rights and Entitlements of NTDNT Women should be created in police stations where the concentration of NTDNTs is high. The Special Cell will work in coordination with the Home Ministry and the Ministry of Women and Child Development at the state and central levels.

4.6.5 Special rehabilitation programs should be implemented for NTDNT women and families engaged in sex work.

4.6.6 State Commission for Women and departments of Women and Child Development should evolve state level action plans to envision prevention of trafficking of women and girls from the NTDNT communities and also the rehabilitation of those who are victims of trafficking.

4.7 Employment and Livelihoods

4.7.1 Concerned panchayats must be made responsible for implementing MGNREGA schemes for the benefit of NTDNT communities, ensuring their participation. The requirement for a permanent address should be made flexible. Wage employment under MGNREGA should be provided on a priority to the homeless, ensuring their livelihood. Opening of a bank account or a post office account for disbursement of MGNREGA wages should be made possible even for those with temporary habitations, or for homeless NTDNTs, ensuring their financial inclusion.

4.7.2 Self-employment for NTDNTs must be encouraged under the Deendayal Upadhyaya Antyodaya Yojna - National Rural Livelihoods Mission (DAY-NRLM), ensuring their economic empowerment.

4.7.3 Recognizing NTDNTs as traditional entrepreneurs and vendors, under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, allowing them to vend anywhere in the country. A special license can be issued by the Ministry of Labor to families which can be used for street vending (rural and urban), and free space for selling their traditional products in melas and exhibitions organized by state and central governments should also be provided to them.

4.7.4 The Building and Other Construction Workers Act should recognize NTDNTs such as Vaddar, Patharkatani and Lodha as traditional construction worker and enrol them as a registered construction workers to avail the facilities.

4.8 Banking Services

4.8.1 Banks and post offices should be advised to evolve simple guidelines for opening NTDNT community members' bank accounts, ensuring their access to banking services. Banks need to be advised to set an appropriate percentage of priority sector lending for NTDNTs.

4.8.2 The Department of Financial Services should add NTDNTs as notified by the state governments as a distinct category in the list of weaker sections eligible for priority sector lending, ensuring their financial inclusion.

4.9 Revitalizing the Cultural Heritage of NTDNT Communities

4.9.1 Promoting NTDNT art and culture through Lalit Kala Academy. Destigmatizing traditional art and dance performances done by Jadugar, Bazigar, Naat, Kolathi and Bedia communities. Promoting dance groups with adequate financing on the lines of theatre groups.

4.9.2 The state/central government should organize NTDNT cultural festivals every year funded by the Ministry of Culture and Tourism at the state and central level. There should be special provisions for organizing cultural melas on performing arts, crafts and exhibits of NTDNT communities.

5. Special Reservation for Nomadic Tribes and De-notified Tribal Communities

Nomadic Tribes and De-notified Tribes (NTDNTs) in India represent some of the most historically marginalized and neglected communities, who have been suffering from systemic discrimination and exclusion for decades. Despite being a focus of government efforts aimed at enhancing their welfare and socioeconomic status, NTDNTs continue to endure widespread discrimination and are consistently marginalized from various aspects of everyday life, including access to education, health-care, employment opportunities and social justice. The persistent challenges and barriers encountered by these communities emphasize the inadequacy of existing measures and highlight the urgent necessity for more targeted and effective interventions. This critical situation calls for a re-evaluation of the approach towards addressing the needs and rights of NTDNTs, highlighting the need for policies and programs that specifically cater to their unique circumstances and the historical injustices that they have been facing.

5.1 Creating a new reservation category for NTDNTs

A new category should be created for NTDNTs and nomadic tribes, distinct from other Backward Classes, to recognize their unique needs and challenges. For identifying existing NTDNTs coming under the Scheduled Caste (SC), Scheduled Tribe (ST) and Other Backward Caste (OBC) categories, they should be classified into – SC (DNT), ST (DNT) and OBC (DNT) till such time that a Third Schedule is created under the Constitu-

tion of India. Furthermore, there should be sub-reservation for particularly vulnerable de-notified communities. This should be decided on the basis of an enumeration exercise.

5.2 Creating a 10 per cent Quota for NTDNTs

The government should allocate a separate 10 per cent quota for NTDNTs in educational institutions and government jobs. This measure will provide them with access to opportunities and help in bridging the gap between them and other communities. Creating a new category for NTDNTs and providing a separate 10 per cent quota for them as socially and educationally Backward Classes is the need of the hour. It will not only help in their upliftment but also promote social harmony and their inclusivity in the country.

6. Creating an Institutional Framework for Promoting the Rights of Nomadic Tribes and De-notified Tribal Communities

NTDNTs are among the most marginalized and disadvantaged communities. They continue to face significant challenges, including lack of access to education, healthcare and basic amenities, as well as social discrimination and legal injustices. A major contributing factor to these challenges is the complete absence of any institutional mechanism dedicated to addressing the unique needs and issues faced by these communities. The current generic approaches to welfare and development fail to cater to their specific circumstances, leading to ineffective policies and inadequate support. Therefore, there is an urgent need to establish a robust institutional framework that can provide focused attention, representation and resources to uplift and empower NTDNTs, ensuring their inclusion, welfare and protection in the broader societal fabric.

6.1 Creating a Separate Ministry for NTDNT Communities

There should be a separate special ministry dedicated to the development, welfare and protection of De-notified Tribes (DNTs) and Nomadic Tribes (NTs) at both the state and central levels. This ministry will need to focus specifically on addressing the unique needs and challenges of these communities, ensuring that their issues receive the attention and resources that they deserve. Establishing such a ministry will demonstrate a commitment to the upliftment and empowerment of these historically marginalized groups, providing them with a platform to voice their concerns and a mechanism to facilitate their progress. A NTDNT cell in all Human Rights Institutions such as NHRC, NCW, SC and ST Commission and NCPCR should be established.

6.2 Creating a Permanent and Statutory Commission for NTDNT Communities at the Centre and in the States

Statutory commissions should be established at the national level and in each state to specifically address the needs and concerns of De-notified Tribes (DNTs) and Nomadic Tribes (NTs). This commission should work in coordination with the ministry and department dedicated to nomadic pastoralist affairs. The department will be responsible for implementing policies, programs and initiatives that support the socio-economic development of pastoralists, protect their rights and ensure sustainable management of pastoral resources.

6.3 Ensure Representation of NTDNT Communities in all Decision-making Bodies

All decision-making committees or commissions related to De-notified Tribes (DNTs) and Nomadic Tribes' (NTs) affairs should include adequate representation from the NTDNT communities. This will ensure that their perspectives, needs and traditional knowledge are considered in the

decision-making process. Representation can be achieved through direct participation of pastoralist leaders, community representatives, or experts who have a deep understanding of pastoralist issues.

6.4 Each state should establish separate welfare boards for De-notified Tribes (DNTs) and Nomadic Tribes (NTs). These boards will need to focus on the welfare and development of De-notified Tribes (DNTs) and Nomadic Tribes (NTs). The welfare boards will need to work closely with the statutory commission and the separate ministry and departments to coordinate efforts and implement the programs effectively.

7. Economic Empowerment and Upliftment of Nomadic Tribes and De-notified Tribal Communities

Economic empowerment and upliftment remain significant challenges for De-notified Tribes (DNTs) and Nomadic Communities. These communities possess unique traditional skills and knowledge, yet they are often marginalized and lack access to markets and opportunities for sustainable livelihoods. The crafts produced by these communities, although culturally rich, fail to reach wider markets due to lack of design and marketing support. Traditional performers from these communities, with their rich heritage in performing arts, struggle to find platforms to showcase their talent and earn a livelihood. Additionally, NTDNTs with traditional knowledge of forest flora are not adequately integrated in conservation efforts, resulting in underutilization of their expertise. Furthermore, the lack of viable alternative livelihood options and skill development opportunities force some community members into illicit activities for survival. Addressing these issues is crucial for the holistic development and empowerment of NTDNTs.

7.1. Design and Marketing Support for Crafts Producers: The government should consciously include and promote the crafts of the nomad-

ic and de-notified communities. Government agencies which promote cottage and small scale industries must be encouraged to design special schemes for NTDNTs so that their traditional skills are further honed and expanded to manufacture products for which there is market demand.

7.2. Traditional Performers: The government, through the Ministry of Tourism, should promote communities engaged in performing arts such as singing, dancing, theatre, playing musical instruments and puppetry. Additionally, community members can also be employed as guides for tourists inside the forests.

7.3. Forest-Dependent NTDNTs: The traditional knowledge of NTDNTs on flora and plant life in forests should be used for species conservation. This knowledge can also be used for forest conservation and collection of minor forest produce by the government.

7.4. Rehabilitation: Alternate viable livelihood options should be promoted with suitable skill development and training for younger members of the NTDNT communities. A special program for the rehabilitation of NTDNTs who are forced into crimes like brewing illicit liquor must be considered.

8. Protection and Rehabilitation of Nomadic Tribes and De-notified Tribal Communities in Forest Areas

DNTs and NCs living in forest areas have long faced marginalization, harassment and displacement due to lack of understanding and recognition of their unique cultural practices and livelihoods. Their traditional ways of life are often misunderstood, leading to unwarranted harassment by forest officials, especially when incidents of poaching or the deaths of endangered animals occur. Women and girls from these com-

munities are particularly vulnerable to sexual harassment due to their work in remote forest areas. Furthermore, nomadic communities which have been relocated from forests face challenges in securing livelihoods due to lack of land titles and recognition of their rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. Pastoral NTDNTs, who rely on grazing and access to water for their animals, also struggle when evicted from their land for forest preservation or the establishment of protected areas.

8.1 Sensitization of Forest Officials: The government should implement a comprehensive training and education program for forest officials to sensitize them on the unique history, culture and livelihood patterns of DNT communities. This program should be mandatory and include modules that cover historical background, cultural practices, traditional livelihoods and the challenges faced by NTDNTs. Additionally, the training should emphasize the importance of protecting the rights and dignity of these communities.

8.2 Disciplinary Action Against Forest Officials who Harass NTDNTs: Strict disciplinary action should be taken against forest officials who harass ex-hunting communities whenever an endangered animal is poached or found dead. This will prevent the targeting and harassment of these vulnerable communities.

8.3 Protection of Women and Girls: The government should ensure the safety and security of women and girls from DNTs who work in remote and isolated parts of forests by providing them with special protection against sexual harassment. Strict measures should be taken against forest guards and officials found guilty of misconduct to uphold the dignity and well-being of women and girls in these communities.

8.4 Land Titles for Relocated Nomadic Communities: The rights of nomadic communities who have been relocated from forests should be

ensured and they should be given land titles while implementing the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. This will help in securing their livelihoods and protecting their rights.

8.5 Recognition of Forest Rights of Pastoralist NTDNTs: Pastoral NTDNTs who are evicted from their land for the preservation of forests or establishment of protected areas and sanctuaries face severe problems of livelihood. Apart from the rehabilitation provided for hunter-gatherers and shifting cultivator communities, special attention should be paid to pastoral NTs. Their forest rights, such as grazing rights and rights concerning water for their animals, should be recognized to ensure their sustainable livelihoods.

9. Shelter and Infrastructure Development Programs

De-notified Tribes (DNTs) and Nomadic Tribes (NTs) in India face significant challenges in accessing adequate housing and basic infrastructure. These communities, often living in temporary or permanent settlements, lack secure and safe shelter. The absence of a targeted and inclusive housing policy under the Pradhan Mantri Awas Yojana (PMAY) exacerbates their vulnerabilities. Furthermore, the unique housing needs of NTDNTs are not adequately addressed in existing schemes, resulting in their continued marginalization. Additionally, communities like nomadic fishing communities face displacement and livelihood challenges due to lack of resettlement provisions near their traditional working areas. Lack of basic amenities such as roads, schools, electricity and drinking water in their settlements further impede their ability to lead a dignified life.

9.1 Nation-wide Survey: A survey of both temporary and permanent settlements of NTDNT communities must be conducted to determine

their housing requirements. The results of this survey should form the basis for introducing a suitable shelter program for houseless NTDNTs.

9.2 Inclusive Policy Design: The government should ensure inclusion of NTDNTs in PMAY through policy initiatives specifically designed for addressing their unique housing challenges.

9.3 The government should create dedicated sub-schemes within PMAY that cater to the specific requirements of houseless NTDNTs.

9.4 A new scheme for free housing should be adopted for communities living in tents for more than five years.

9.5 Free or Subsidized Housing: Eligible NTDNT households must be provided free or subsidized housing in a phased manner. This will ensure that NTDNTs have access to safe and secure housing. A national housing mission for NTDNTs should be constituted to ensure access to housing under different housing schemes.

9.6 Habitation planning should understand NTDNT livelihood needs. Diverse models in housing should be created to suit the livelihood and cultural needs of NTDNTs. For example, *Gadia Lohar* will need adequate space around their housing and closer to main roads and villages so that marketing of their blacksmith products is easier. If located in places that are away from their traditional places of operation, they will not settle down in the houses, and will abandon them. NTDNTs. For example, *Gadia Lohar*

9.7 Earmarking Funds: A proportion of the current outlay for PMAY should be earmarked for NTDNTs to prioritize them under the on-going housing programs of the central government. This will help ensure that NTDNT communities can construct dwelling units with financial

assistance.

9.8 Resettlement of Nomadic Fishing Communities: Homeless nomadic fishing communities must be resettled as close as possible to dams and reservoirs, so that they can continue their traditional occupations. This will help ensure that their livelihoods are not disrupted.

9.9 Integrated Infrastructural Development Program: An Integrated Infrastructural Development Program must be specially designed to provide basic amenities such as roads, schools, electricity, drinking water and community centers in existing settlements of nomadic and de-notified tribes. This will help ensure that NTDNTs have access to basic amenities and can lead a dignified life.

10. Police Sensitization and Training

The De-notified Tribes (DNTs) have historically faced discrimination and marginalization, not just from society but also from law enforcement agencies. This has led to a lack of trust and a sense of insecurity among these communities, hindering their integration into mainstream society. The police, as the primary enforcers of law and order, plays a pivotal role in ensuring the safety and security of all citizens, including those from marginalized communities. However, there is a pressing need to address the biases and prejudices that many police officers may harbor towards NTDNT communities. These biases can manifest in various forms, such as unwarranted detentions, torture and extortion, further alienating these communities. Moreover, lack of cultural sensitivity and understanding of the unique challenges faced by NTDNT communities can lead to ineffective and sometimes harmful interactions between the police and these communities.

10.1 Special Training: A mandatory special training of all subordinate staff should be introduced immediately in police departments to

address the biases and prejudices that most of the police officers have towards NTDNT communities. This training should focus on issues related to caste and community discrimination, cultural sensitivity and understanding the unique challenges faced by NTDNT communities.

10.2 Sensitization Workshops: Sensitization training modules and workshops should be conducted at the National Police Academy and Lal Bahadur Shastri Academy to equip police officers with the knowledge and skills needed to interact sensitively and effectively with NTDNT communities.

10.3 Engagement in Development and Welfare Programs: Police officers should be engaged in the implementation of development and welfare programs for NTDNT communities as a way of understanding their vulnerabilities rather than focusing on their criminality. This will help in building stronger relationships between the police and NTDNT communities which is critical for maintaining law and order.

10.4 Exemplary Disciplinary Action: Visible and exemplary disciplinary action should be taken against police officials who violate the due process of law by detaining members of NTDNT communities in jail without convictions, torture, extorting bribes and so on. This will send a strong message that discrimination and abuse of power will not be tolerated.

10.5 Special Cells for Women: Special cells should be set up to enable women of NTDNT communities to come forward and complain in case of sexual harassment. Strict procedures (like in juvenile courts, presence of a lady constable) should be followed by the police while dealing with women and children of NTDNT communities in police custody. This will ensure that the rights of women and children from NTDNT communities are protected and that they receive the support that they need.

10.6 Change in Prison Manuals: While some states such as Rajasthan have amended their prison manuals and removed caste-based labor, this must be done across the nation to ensure that caste-based discrimination is not meted out to members from the de-notified communities who are in jail.