

डा. रामेश्वर उराँव

अध्यक्ष

(भूतपूर्व सांसद—लोकसभा)

(पूर्व जनजातीय कार्य राज्यमन्त्री)

Dr. RAMESHWAR ORAON

Chairman

(Ex Member Parliament-LS)

(Former Minister of State for Tribal Affairs)



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

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Government of India

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No. 23/02/12-Cood.

27th August, 2012

Respected C.M. Sir,

May I invite your kind attention to the discussion held on 2nd August, 2012 regarding the assessment of the National Commission for Scheduled Tribes (NCST) with regard to implementation of various development schemes and safeguards concerning the Scheduled Tribes in the State of Jammu & Kashmir, pursuant to the visit of the Commission to the State from 27th July to 3rd August, 2012.

2. The Commission expresses satisfaction with the various development related measures initiated by the State Govt. during your stewardship. However, I had apprised you of certain observations/points in critical areas, as under, which had emerged during the field visits to the tribal areas in Rajouri and Anantnag Distt, etc and the discussion held with the Chief Secretary and other senior officials of the State Govt. on 2nd August, 2012 and require urgent attention of the State Govt.

3. Briefly, the Commission has noted abnormal delay in finalization of programmes/ proposals for seeking approval of the Tribal sub- Plan (TSP), resulting in delayed allocation of funds by the Ministry of Tribal Affairs (MTA) and subsequent release by the State Govt. at the fag end of the year, which in turn, adversely affects the planned programmes. For example, the funds for the year 2011-12 were released by the State Govt. only on 29th March 2012 with only two days left for closure of the financial year. The Commission, therefore, recommends that the State Govt. should urgently review the existing system to ensure timely projection of demand on MTA for release of funds under TSP. The Commission is also willing to extend all support to the State Govt. in this regard. Further, in order to fill-up the wide gap in socio-economic conditions of STs vis- vis general category, particularly belonging to Gujjar and Bakarwal community (who constitute about 75% of the total ST population), there is an imperative need to allocate funds under TSP in proportion to the population of STs, over and above their reasonable share under the normal plan outlay.

4. The tribal people in the State have also demanded political representation in the State Assembly and Panchayats, as also available to the Scheduled Castes in the J & K State and on the pattern of other States having tribal population. The State Govt. may like to examine the demand.

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5. In order to have special focus on STs, the Commission would also like to suggest setting up of a separate Tribal Welfare Deptt.. Pending this, the existing administrative set-up of the Directorate of Tribals may be strengthened both at Hqrs. Level as well at District level. The State Govt. may also consider setting up of a State ST Commission to address grievances of the STs and monitor safeguards and development programmes concerning them, as also existing in other States. and demanded by the tribals during the visit of the Commission.

6. Based on the feedback received during the field visits, I had also highlighted the concern of the Commission relating to unsatisfactory working of Aaganwadi Centres in Tribal Areas, particularly in Rajouri District and problems being faced by the Bakerwal community relating to distribution of food, health, education, child-care etc, particularly during the period of their migration. The Commission recommends that effective measures may kindly be taken for provision of adequate food security, mobile health and education system and skill-upgradation during the period of migration of the Bakerwals. Another major issue highlighted by the Bakerwals pertains to the problem being faced by them relating to non-availability of residency proof in the absence of any supporting document(s) like ownership of land etc, and as a result, serious problems being faced by them relating to their access to many benefits extended by the Govt. I would request you kindly to have appropriate mechanism established to address the issue.

7. The Commission has also noted poor quality of education among STs and shortage of teachers and vocational opportunities, skill development training, inadequacy of the infrastructure (residential schools etc.) for tribal children. The demand for residential schools at Tehsil Hqrs in Rajouri and Poonch Districts and girls hostel in District Hqrs has also been projected, which need attention on priority.

8. The Commission was also informed that the uniform reservation of 10% to STs in districts, irrespective of their strength in a district and existing ban on inter-district recruitment on filling-up the posts reserved for STs in a district is resulting in posts remaining un-filled in districts having lower population of STs, and consequent diversion of reserved posts for STs to persons belonging to general category. On an overall basis, this is resulting in lower representation of STs vis-à-vis stipulated target of 10%. Besides, Special Recruitment Drive is also required to be carried out to fill up backlog vacancies in respect of STs. Further, the existing provision of reservation of 5 % in place of 10% in case direct recruitment quota in a department is 25% or more also requires re-consideration. The State Govt. may like to review these issues with a view to improving the overall representation of STs in service and also to meet the stipulated target of their representation (10% in the total population). The tribals have also demanded fixation of roster as per the existing instructions and introduction of reservation for STs at colleges and PG level in Universities, which may please be looked into.

9. The tribals have projected need for application of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and PESA Act to the State of Jammu & Kashmir. The Commission would also like to suggest to consider enactment of an legislation in the State to protect rights of the tribals as available under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and the PESA Act.

10. The issue pertaining to false caste certificate were also brought out to the information of the Commission. The Commission would like to suggest proper procedures and mechanisms to stop issue of false caste certificates, while facilitating timely issue of caste certificates to the genuine ST persons.

11. Considering the need for development of our tribal areas and improvement in the economic and social condition of our tribal populations to achieve our goal of inclusive growth, I would request you to kindly look into the deficient areas assessed by the Commission and formulate a coherent strategy to address these concerns and appraise us regarding action taken in the matter urgently. I would also like to discuss follow-up on these issues later at an appropriate date/time.

With high regards.

Yours sincerely,

Rameshwar Oraon
(Dr. Rameshwar Oraon)

Shri. Omar Abdullah,
Chief Minister
Govt. of Jammu & Kashmir,
Srinagar.