

# Report on India's Policy and Action on Behalf of Tribal Populations

*The Second Session of I.L.O. Committee of Experts on Indigenous Labour, which was held at Geneva from 15 to 26 March 1954, adopted a number of resolutions concerning the protection and integration of indigenous forest-dwelling tribes. In accordance with a decision taken by the Governing Body of the I.L.O. the resolutions of the Committee were referred to the governments concerned. The following report is based on observations forwarded to the Office by the Government of India with reference to the resolutions, supplemented by information contained in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes, Government of India, 1954.<sup>1</sup>*

## GENERAL POLICY

The Constitution of India contains elaborate provisions for the protection and well-being of the tribal population. The basic policy of the Government is to raise the level of tribal life without disrupting its social and economic structure. The state governments have been pursuing plans for the cultural and technical advancement of the tribes without interfering with the pattern of their life. No member of the tribal population is deprived of the benefits of the country's general legislation on the ground of his being of tribal origin.

The recruitment and employment of members of the tribal population are governed by the general laws of the country, and no discrimination is made in their application. In the matter of recruitment to government services the Government of India extends privileges to members of the scheduled tribes. The privileges include reservation of a certain percentage of posts in the government, the waiving of age limits for entry into government service and a reduction in the fee for admission to examinations for selection. There is a large body of legislation in the states guaranteeing the right of tribal peoples to occupy and use land and prohibiting the lease and transfer of tribal lands to non-tribals.

When steps are taken to improve the conditions of the various tribal groups, the stage of development reached by each group is kept in view.<sup>2</sup> Under the plans for the provision of education and vocational training sponsored by different state governments, schools especially adapted to the needs of the tribes concerned have been opened. Steps have been taken in some states to produce elementary books in tribal

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<sup>1</sup> See also the article by L. M. SHRIKANT on p. 241 above.

<sup>2</sup> Many institutions for tribal welfare are so designed as to make it possible for the personnel of a particular institution to live in close proximity with the tribal population concerned.

dialects. In the state of Hyderabad emphasis is placed on the teaching of tribal history and culture within the scope of the general syllabus followed in the schools. In the selection of teaching staff, preference is given to persons belonging to a tribe or a tribal area.

#### NATIONAL AND STATE AGENCIES

The Constitution contains special provisions in respect of tribes that have been specified for inclusion in the appropriate schedule of the Constitution. These tribes are known as the scheduled tribes.<sup>1</sup> Under article 338 of the Constitution a special officer, the Commissioner for Scheduled Castes and Scheduled Tribes, was appointed in November, 1950. The Commissioner investigates the working of the constitutional safeguards for tribal populations and makes reports to the President of the Republic. The Commissioner, whose duties also include advice on development plans for the tribes, is assisted by six regional assistant commissioners, whose duties include the establishment of close contact with the tribal populations with a view to gaining first-hand knowledge of the disabilities under which they live and to educating them in the measures found desirable.

In accordance with a constitutional provision the states of Bihar, Madhya Pradesh, Orissa and Madhya Bharat are required to appoint ministers to look after tribal welfare. The first three states have already appointed such ministers. The ministers of Orissa and Madhya Pradesh belong to the tribal population. In Bihar the minister is assisted by officers of the secretariat of the Welfare Department and the administrative heads of the districts, known as deputy commissioners. In six important districts aboriginal welfare officers have been appointed, along with 212 welfare officers. The state government of Bihar has also decided to set up a tribal research institute at Ranchi to promote research, among other things, into the customs, manners, languages and culture of the tribes inhabiting the state. The administrative staff for tribal welfare in Madhya Pradesh, apart from the minister, consists of a director, a deputy director and an assistant director at the headquarters and 11 area organisers, assisted by a total of 33 circle organisers. Two officers are entrusted with propaganda and publicity work. In Orissa the minister is assisted by the secretariat of the Tribal and Rural Welfare Department, the head of which is also in charge of a special directorate of the Department. In 13 districts seven honorary rural welfare officers and six stipendiary rural welfare officers assist the Department. However, the work of executing and supervising development schemes has been assigned to district welfare officers, who function under the direction of the deputy commissioners. The district welfare officers are assisted by rural welfare inspectors, social workers, village guides, etc. The state of Madhya Bharat has set up an independent department under a director, who is assisted by an assistant director and four regional officers. In conformity with constitutional provisions a Minister for Tribal Welfare will be appointed.

In establishing administrative machinery for the welfare of tribes and backward classes, the Bombay state government gave a lead by constituting the Backward Class Department in 1931. The Department is headed by a director, who, among other things, advises the govern-

<sup>1</sup> Similar provision has been made in the Constitution in respect of certain backward castes of the main community.

ment on policy matters and the planning of schemes for tribal welfare and supervises the execution of policy and the schemes. Each of the Department's five assistant directors is in charge of a zone comprising six districts. Seventeen welfare officers assist the assistant directors in various zones. Officers of the Revenue Department posted at Dahan and Kalyan act as ex-officio welfare officers to assist the Backward Class Department. In each district a backward-class committee has been established, presided over by the administrative head of the district. For the entire state of Bombay a Backward Class Board has been constituted. The state government of the Punjab has created a post of welfare officer for the tribes and backward classes. The officer will be assisted by district welfare officers and other staff.

For the administration of the autonomous tribal districts in the state of Assam the Constitution provides for the establishment of district and regional councils. Three-quarters of the members of the councils are elected by the tribes on the basis of adult franchise. The councils are empowered to legislate, subject to the assent of the Governor of Assam, on a number of subjects, such as the allotment of land, the regulation of shifting cultivation, the inheritance of property, etc. They enjoy considerable autonomy in administrative matters. The Naga tribal area and the North-East Frontier Tract in Assam are administered by the President of the Republic through the agency of the Governor of Assam.

The Tribal Areas Department of the Assam Government deals with matters relating both to the autonomous tribal districts and the welfare of the scheduled tribes in the non-autonomous districts. The Planning and Development Department of the state government formulates and co-ordinates development schemes, including those for the scheduled tribes.

Certain areas having a considerable tribal population have been declared by the President of the Republic to be scheduled areas in accordance with constitutional provisions. Each state government having one or more such areas within its jurisdiction is required to establish a tribes advisory council to advise concerning the welfare and advancement of the tribes living in the scheduled area or areas. The councils are consulted on such matters as the framing of regulations in respect of transfer and allotment of land and moneylending. The Constitution further lays down that three-fourths of the membership of a tribes advisory council shall consist of representatives of the scheduled tribes in the legislature of the state concerned. If the legislature does not have the requisite number of tribal representatives, the remaining seats of the council have to be filled by other members of the scheduled tribes. States with scheduled areas have already set up tribes advisory councils. Although the state of West Bengal does not have any scheduled area a council has been set up in that state.

It is recognised that the policy for raising the level of life of the tribal population will have to be gradual, as any sudden impact of modern civilisation may disrupt the basis of tribal society. Adequate provision has therefore been made for associating the tribal population with the work of raising its level of life. An important administrative problem is how to find suitable personnel for welfare work among the tribes. The personnel recruited so far has been trained mostly on the job. It is proposed to educate and train young persons from the tribes in the work of improving the conditions of tribal life.

Commendable work is also being done by non-official agencies such

as the Bharatiya Adimjati Sevak Sangh. To the Sangh's central organisation at New Delhi are affiliated 31 private institutions, which are spread over 13 states.

#### LIVING STANDARDS

The payment of grants-in-aid by the Government of India to the state governments for the purpose of promoting the welfare of scheduled tribes and raising the level of the administration of scheduled areas began during the financial year 1951/52. The main criteria used in determining the amount of aid are the population of the scheduled tribes and its proportion to the total population in the state, the general level of progress in the state and the nature of problems before the state government and the plans for tribal welfare sponsored by the state government itself. The amounts of grants-in-aid given during the past three years are, in round figures, 14.1 million (1951/52), 17.6 million (1952/53) and 26.8 million (1953/54). The amounts were allocated out of a lump sum of 150 million rupees earmarked for the entire duration of the current five-year plan (1951-56).

The state governments have their own five-year plans for the welfare of tribes and other backward classes. Out of the total provision of 238.9 million rupees made by the state governments 32.5 million rupees were spent in 1951/52, 39 million in 1952/53 and 47.4 million in 1953/54. An increase in the grant-in-aid paid by the Government of India to a state government provides the latter with an incentive to increase its own allocations correspondingly. The state plans aim at the development of agriculture and rural life, roads and communications, education, and medical, public health and general welfare facilities.

#### *Agricultural and Rural Development.*

Shifting cultivation, as a form of food production, is still prevalent in the states of Andhra, Assam, Bihar, Madhya Pradesh, Orissa, Manipur and Tripura. The state governments have initiated pilot projects to wean tribes away from shifting cultivation and to settle them on land. The tribes are gradually taking to the new mode of cultivation. Governmental measures to encourage settled cultivation envisage the allotment of land, the provision of better seeds, agricultural implements and irrigation facilities, the introduction of better farming methods through demonstration and experimental farms and training in improved techniques of agriculture for tribal students. In the south, where some tribes depend on stockbreeding for their livelihood, state governments make efforts to provide facilities for training in stockbreeding, to open veterinary dispensaries and to improve the quality of stock by making available better quality cows, bulls, etc. Steps have also been taken by state governments to improve conditions in important subsidiary occupations, such as hunting, fishing and minor cottage industries. Small-scale and cottage industries have been started, and tribal students have been given facilities for training in various arts and crafts. The formation of co-operative societies and marketing organisations has been encouraged. A number of forest labourers' co-operative societies are already in existence.

#### *Roads and Communications.*

The tribes living in the forests are more or less inaccessible, and roads must be opened before work for tribal welfare and the improvement

of tribal conditions can be begun. State governments are making an increased effort to open up tribal areas. The national five-year plan also places special emphasis on the construction of roads and bridle paths, the construction and repair of suspension bridges, etc., in the tribal areas so as to connect those areas with the nearest villages. During the period 1951-54 a total of 962 miles of roads were constructed in 13 states. Over two-thirds of the mileage was constructed during the year 1953/54. The Iengar Committee set up by the Government of India has drawn up a special plan for the development of roads and communications in the tribal areas of Assam at a cost of 25.6 million rupees. By the year 1955/56 a sum of 15.8 million rupees will be spent under the special plan. Roads are also being constructed in the North-East Frontier Agency in Assam.

### *Education.<sup>1</sup>*

The state governments lay considerable emphasis on the provision of educational facilities for scheduled tribes. During the financial year 1954/55 the state of Assam, for instance, allocated sums for the training of 100 tribal teachers in basic education techniques. Bihar proposed to establish new hostels in addition to maintaining 61 existing ones. Madhya Pradesh maintained 288 existing schools and set up 30 new schools. During the same year 20,704 scholarships were awarded by state governments to students belonging to scheduled tribes and the various backward communities. About 20 per cent. of these scholarships were made available to students pursuing higher professional education in the fields of medicine, engineering, agriculture, veterinary science, technology, law, teachers' training and the fine arts.

### *Medical and Public Health Facilities.*

The common diseases among the tribes are yaws, scabies, malaria, smallpox, leprosy, tuberculosis, trachoma and elephantiasis. The incidence of these diseases is attributable to malnutrition, impure water, inadequate and insanitary housing and ignorance of personal and environmental hygiene. The medical and health services available to tribal communities are limited, and special arrangements are therefore made for the benefit of these communities.

Some state governments have completed malaria surveys of backward areas and framed anti-malaria plans on the basis of the surveys. In Andhra a special medical team has been constituted to deal with hill diseases. Arrangements have been made in some states for the distribution of medicine chests through multi-purpose co-operative societies, etc. The efficacy of the new treatment has weakened to some extent the well known prejudice of the tribes against modern medicine. In some states subsidised mobile dispensaries, child welfare and maternity centres and first-aid and health centres have been opened. State governments have also taken steps to improve the water supply by digging new wells and repairing old ones and by constructing tanks. New houses and huts have also been constructed, and loans and subsidies have been extended to members of the tribes for the building or repair of houses. In the course of their visits to tribal habitations welfare officers, private social

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<sup>1</sup> Report of the Commissioner for Scheduled Castes and Scheduled Tribes, Government of India, 1954.

workers and public health nurses participate in the work of instructing the tribes in preventive and protective measures. Grants are given to tribal boys and girls for the study of such subjects as medicine, nursing and midwifery.

### *Research.*

Realising the importance of information on the conditions of life and work of the tribes for the purpose of formulating plans, the state governments of Bihar, Madhya Pradesh, Orissa, West Bengal and Vindhya Pradesh have set up tribal research institutes, which are undertaking a systematic study of the social and economic conditions of the tribal people and assisting governments in formulating schemes. The central Government extends financial assistance to certain research institutions in the country.

## RECRUITMENT AND CONDITIONS OF EMPLOYMENT

### *General Employment Situation.*

The following table shows the occupational distribution of the scheduled tribes according to the 1951 census.

OCCUPATIONAL DISTRIBUTION OF MEMBERS OF SCHEDULED TRIBES

Occupation	Males	Females	Total
Agriculture, etc. . . . .	8,679,011	8,631,790	17,310,801
Production other than cultivation . . . . .	411,442	353,814	765,256
Commerce . . . . .	59,514	64,243	123,757
Transport . . . . .	34,030	28,627	62,657
Other services and occupations	443,652	430,127	873,779
Total . . .	9,627,649	9,508,601	19,136,250

It will be observed from the table that out of about 19 million members of the scheduled tribes, some 17.3 million are engaged in agriculture. While agriculture is clearly the main economic activity of the tribes there is growing evidence of diversification of the tribal economy in certain regions.

The tribes in the north-east of India are generally settled agriculturists living on terraced fields. In the southern zone of the country the main activity is the collection of forest produce. Shifting cultivation is more or less common in all zones, but it is widespread in the central zone. Members of tribes also work as hired agricultural labourers and share-croppers. Among the more important subsidiary occupations are hunting, fishing, minor cottage industries such as basket-making, and employment with forest departments and their contractors.

The resources of the tribal areas appear to be insufficient to provide acceptable standards of living. Agricultural methods are primitive and crude, and productivity is low. Consequently members of the

tribes have to seek work outside the tribal economy. Certain developments have, moreover, turned some former land-holding tribes into tenants. Members of these tribes migrate for employment on the Assam tea estates in order to be able to pay rent in respect of their holdings and interest on their debts. Such factors are responsible for a movement of the tribal population to areas of new employment. On the other hand the growth of forest enterprises, tea, coffee and other plantations, the mining industry, etc., have created new avenues of employment for the tribal population.

Over half-a-million adult workers and an equal number of young workers are employed on the plantations in Assam. Nearly half of them belong to the Gond, Kond, Santal and other tribes of southern and central India. During the year 1949/50 over 25,000 persons were recruited for work at the Assam plantations from the states of Bihar, Orissa and Madhya Pradesh.

The collection of forest produce and other types of work in the forests (such as the felling of fuel, the manufacture of wood charcoal and the felling of timber and bamboos) for the government departments, either directly or through contractors, constitute another important sphere of tribal employment. Suitable members of tribes are given work, especially in Madras, as forest guards, watchers and foresters. Many persons in the plains of the tribal areas of Assam work as timber contractors and small merchants. Tribal workers in that area are able to earn substantial wages through work with the forest department and contractors on the fashioning and extraction of timber and by helping in silvicultural operations.

Among non-agricultural occupations, mining is the most important source of employment for the tribal population, though a number of tribal workers in mines tend to return to their farms after a short period of work. The main collieries in Bengal and Bihar, situated in or near the tribal territories, obtain much of their labour force from among the tribes. In Madhya Pradesh the bulk of mineworkers belong to such tribes as the Gond, Mawasi and the Mahar. In the manganese ore mines of that state about 50 per cent. of the labour employed in 1948 was tribal. Similarly, in iron-ore mining the labour employed by contractors, to whom work is farmed out, consists largely of the members of such tribes as the Santal and Kond. Almost the entire unskilled labour force (some 17,000 persons) in the mines and quarries of the Tata Iron and Steel Company comes from the tribal communities. The mica mining industry in Bihar gives employment to some 250,000 tribal people. Most of the mica mines in that state are located in deep forests, where the chief source of manpower is the local tribal communities. Before the last war 70 per cent. of the workers in mica mining came from the Santal tribe. The percentage has now been reduced to 25, owing mainly to migration of the members of the Santal tribe to the tea plantations of Assam. It may be mentioned in passing that some tribal groups appear to have special aptitude and skill for certain mining operations. The Santal, for instance, make good pick-miners and coalgetters.

#### *Recruitment Methods.*

There is no recognised system of recruitment of tribal people except that for employment at the tea plantations of Assam.

The Tea Districts Emigrant Labour Act, 1932, empowers the state

governments to declare any area to be a controlled emigration area, to make provision for the transport and welfare of emigrants and to lay down that workers may be sent to Assam (where the tea districts are located) only by a licensed forwarding agent, acting for one employer or more, and only by prescribed routes and subject to prescribed standards of accommodation, feeding and sanitary arrangements during the journey. The Act further provides that an emigrant labourer and his family shall be entitled to repatriation at the expense of the employer three years after entry into Assam. Provision has been made in the Act for certain other matters as, for example, the appointment of a Controller of Emigrant Labour, the prohibition or restriction of recruitment in certain areas and the protection of children. Recruitment is carried out by employees of the licensed agents, who are carefully selected for recruiting in their home districts.

Two main systems have been followed in the recruitment of tribal workers for mines, namely the "zamindari" system and the "raising contractor" system. Under the former, which was discontinued in 1931 when the government declared it undesirable, tribal workers were attracted towards mining areas by the offer of small plots of arable land near the mines. The system had the effect of stabilising the tribal labour force in mines. Under the "raising contractor" system all recruiting is done by a contractor, who visits places of recruitment and makes advance payments of cash to recruits to enable them to repay debts, leave some money with the family and meet the expenses of transport to the place of employment. The employer is not held responsible before law in matters relating to recruitment and selection. The system became less common during the last war, when the government intervened with a view to ensuring an adequate supply of manpower to raise production at the mines. The government set up official agencies like the Directorate of Unskilled Labour Supply and granted licences to private recruiting agents. The labour recruited by the directorate received higher wages, the cost of which was partly borne by the government.<sup>1</sup>

At present, however, the recruitment of tribal labour is mainly carried out through private agents.

### *Conditions of Employment.*

There are no special regulations in respect of wages and other conditions of employment of tribals; general legislation<sup>2</sup> applies without discrimination to the tribal population employed in the occupations covered by the legislation. Members of tribes employed with the forest departments, or their contractors, receive, in the states of Madras and Bhopal, fair wages according to prescribed rates. By a resolution adopted in 1948 the government of Bombay decided: (i) to fix minimum wages for tribal workers in charcoal burning, forest operations and agriculture; (ii) to appoint labour officers with powers to investigate and settle disputes; (iii) to require employers to provide huts, drinking water and pre-employment medical examination for the benefit of

<sup>1</sup> The wartime expansion of the mining industry had some valuable results. For instance a number of rural workers were able to receive technical training in mining operations. Many among them decided to stay at their jobs after the war and provided the industry with a sizable skilled labour force.

<sup>2</sup> For example, the Minimum Wages Act, 1948, the Factories Act, 1948, the Mines Act, 1952 and the Plantations Labour Act, 1951.



seasonal tribal workers ; (iv) to prohibit the migration of tribal workers except under a licence issued by a district labour officer ; (v) to protect the remuneration of tribal workers ; (vi) to establish a welfare fund financed from a levy of 1 rupee per month per tribal employee imposed on contractors and government establishments employing tribal labour ; and (vii) to set up a special section in the labour department to implement the provisions of the resolution.

Efforts have been made, particularly in the state of Bombay, to promote the formation of co-operative societies of forest dwellers with a view to eliminating the institution of forest contractors. The existing societies provide their members with better working conditions and amenities calculated to improve educational, hygienic and social standards.

#### LAND TENURE

The Constitution provides that the regulations in respect of the allotment and transfer of land in the scheduled areas or among the scheduled tribes shall be made by the states in consultation with the tribes advisory councils and in the case of the autonomous tribal districts of Assam by the district and regional councils with the approval of the Governor of Assam. The following is a review of the legislative and administrative measures adopted in various states to protect the rights of the tribes in respect of land.

##### *Bihar.*

The Ranchi District Aboriginal Raiyats Agricultural Lands Restoration Act, 1947, protects the rights of the members of the tribes concerned and restores, on payment of a certain amount, the lands lost by them in pre-independence days. The Bihar Privileged Persons Homestead Tenancy Act, 1948, prohibits the eviction of members of tribes from their homestead lands. After the abolition of the zamindari system in the state there were some cases of forcible ejection of members of tribes, but the government took steps to remedy this. The state government has also issued instructions for cultivable land to be allotted to the landless families of the scheduled tribes and castes. Out of the 8,047.43 acres of land reclaimed in the period 1951-54, 1,103.15 acres were allotted to scheduled tribes.

##### *West Bengal.*

The West Bengal Tenancy Act, 1885, restricts the alienation of tribal land. Similarly, under the rules framed under the Bengal Rent Act, 1859, the hill tribes in the Darjeeling district are not permitted to transfer land to other people without the permission of the administrative head of the district.

##### *Hyderabad.*

The state government has issued orders that lands under unauthorised cultivation of landless agriculturists, including members of tribes, may be assigned to their actual cultivators. However, unauthorised cultivators having adequate land elsewhere are removed from the government land, which is then assigned to landless agriculturists. All village lands are being allotted to landless members of tribes and backward

classes. Lands in tribal areas are allotted to members of the tribes alone. During 1951, for instance, over 172,820 acres of agricultural land were allotted to tribal agriculturists.

#### *Bhopal.*

The Bhopal Revenue Act extends privileges to scheduled tribes. Over, 7,000 acres of cultivable land were allotted to members of tribes during 1952, each family receiving at least 15 acres.

#### *Madhya Pradesh.*

The Land Alienation Act, 1916, protects land owned by tribes against alienation. By an amendment of 1948 tribal tenants were brought within the purview of the Act. Land held by a tribal tenant cannot now be transferred without the previous approval of the administrative head of the district. The tribes advisory council of the state has appointed a subcommittee to examine questions relating to the transfer and allotment of land. The state government has adopted a scheme under which government land is allotted to landless or petty cultivators or their co-operative societies, in consultation with the village council or the villagers of the place where the land is situated. The scheme will also benefit members of tribes.

#### *Madras.*

Certain government lands in the agency tracts are placed at the disposal of tribes for shifting cultivation but the lands cannot be disposed of by the tribes. The area of these lands works out at 5 acres for each member of a tribe. The state government is at present considering general tenancy legislation which will also benefit the tribal agriculturists.

#### *Andhra.*

The Agency Tracts Interest and Land Transfer Act, 1917, provides for control over the transfer of immovable property of the scheduled tribes inhabiting the agency tracts. Under an order of the government land can be assigned to non-tribals only when adequate land has been reserved for the present and future requirements of the tribes. Over the last few years the government has allotted more than 415 acres of land to members of scheduled tribes.

#### *Madhya Bharat.*

The Madhya Bharat Land Revenue and Tenancy Act provides for the security of land tenure of all classes of agriculturists. The rules made under the Act provide, among other things, for preferential treatment to members of the scheduled tribes in the allotment of land. The state government has also adopted the Madhya Bharat Scheduled Areas (Allotment and Transfer of Land) Regulation, 1954. It lays down that no unoccupied land in any scheduled area shall be allotted for agricultural purposes to a person other than a member of a scheduled tribe, and that no member of the scheduled tribes shall transfer land by way of sale, exchange, mortgage, lease or otherwise to a person not belonging to a

scheduled tribe, except with the previous permission of the administrative head of the district.

#### *Coorg.*

The revenue rules provide for grants of land to scheduled tribes. In granting land preference is given to the claims of scheduled tribes. Lands granted to scheduled tribes cannot be alienated during a period of 25 years after allotment without the permission of the government.

#### *Travancore-Cochin.*

The government has provided for lease as well as concessional registration of land in favour of backward communities. Such members of these communities as are in unauthorised occupation of government land are not evicted unless the land is required for a public need, in which case alternative land is allotted to the affected persons.

#### *Assam.*

The Assam Land and Revenue Regulation (Amendment) Act, 1947, protects the rights of tribes over land by means of the demarcation of belts and blocks of tribal land. Thirty tribal belts and blocks have so far been created in the plains of the Brahmaputra valley. Plains tribes, hill tribes, tea garden tribes and the Santal and Nepali cultivator-graziers have been declared to be eligible for the protection provided by the Act.

In the autonomous tribal districts of the state the various district councils have made laws to prohibit ownership of more than one piece of landed property by a person of non-tribal origin. In the Naga Hills district, where no council has yet been formed, the state government has restricted by executive action the right of non-tribal people to own land.

#### *Bombay.*

The Bombay Tenancy and Agriculture Lands Act, 1948, provides for security of tenure in the interests of all tenants, including the tenants belonging to scheduled tribes. It enables a tenant to purchase the land cultivated by him and prohibits the transfer of agricultural land to non-agriculturists. In the matter of the grant of government lands for cultivation and loans for the reclamation and development of those lands, preference is given by the state government to scheduled tribes and backward communities.

#### *Orissa.*

The Madras Agency Tracts Interest and Land Transfer Act, which provides for security of land tenure, is applicable to certain areas of the state of Orissa. These areas are predominantly inhabited by scheduled tribes. Under the Orissa Merged States (Laws) Act, 1950, no member of a tribe can transfer his holding to a person not belonging to the tribal population without the previous permission of the government. Similar provisions exist in the Central Provinces Tenancy Act, 1898, and the Central Provinces Tenancy Act, 1920, as recently amended. The state

government, moreover, bears the cost of the legal proceedings instituted by members of tribes of the Khoraput district to claim protection or the return of their lands under the Orissa Tenants Protection Act, 1948, and the Agency Tracts Interest and Land Transfer Act, 1917.

#### *Rajasthan.*

The Protection of Tenants Ordinance provides that no tenant who cultivates his land can be dispossessed of it.

#### *Other States.*

In certain states, for example Punjab, Mysore and the Patiala and East Punjab States Union, where no specific legislation for the benefit of tribes has been adopted, the general land tenure laws offer protection. The Mysore government reserves 20 per cent. of the land meant for grant in villages where such land exceeds 25 acres in area. A non-alienation clause is attached to the grants.

### DEBT REDEMPTION

With a view to helping the members of scheduled tribes to free themselves from indebtedness and in order to regulate the practices of moneylenders, a number of states have adopted legislative and administrative measures. The measures include the promotion of co-operative credit societies.

#### *Andhra.*

The Madras Agency Tracts Interest and Land Transfer Act, 1917, limits the rate of interest to  $6\frac{1}{4}$  per cent. and prohibits charging of compound interest. The state government intends to introduce the licensing of moneylenders. The above-mentioned Act provides that no immovable property situated in the Agency Areas and belonging to a member of the hill tribes may be mortgaged or transferred without the previous permission of the government. Forty-six co-operative credit societies are at present working for the benefit of scheduled tribes. The societies during 1954 together raised a capital of 202,182 rupees and received subsidies from the state government to the extent of 1,480 rupees. The government has completed its plan for the creation of a Scheduled Tribes Finance and Marketing Corporation, with an initial share capital of 200,000 rupees. The corporation, which will be managed by the government, will supply credit as well as the necessities of life at fair prices and will purchase goods at reasonable rates and find markets for them.

#### *Assam.*

In the autonomous tribal districts of Assam, the district councils of the Lushai and Mikir Hills districts have made regulations for the control of moneylending and trading by persons not belonging to the scheduled tribes of their respective districts.

*Bihar.*

The Moneylenders Act and the Regulation of Transactions Act prohibit moneylending at high rates of interest. By an amendment in the Bihar and Orissa Loans Manual, 1923, the members of scheduled tribes have been enabled to obtain loans from the government by offering as security the lands given by the state government for settlement. Members of tribes can also obtain medium and short-term loans from co-operative societies in different parts of the state. The state government is now pursuing a plan for the establishment of co-operative societies in the areas inhabited by scheduled tribes. In order to develop cottage and small-scale industries among tribes the state government has decided to extend to the tribal population loan facilities under the State Aid to Industries Act. Credit facilities for the purchase of live-stock, agricultural implements, fertilisers and seeds and similar purposes are available through both the government and co-operative societies.

*Madhya Pradesh.*

The general legislation for the regulation of moneylending is applicable to scheduled tribes. The tribes advisory council of the state has appointed a subcommittee to examine questions relating to money-lending in tribal areas. The state government is considering the question of developing facilities for short-term credit through multi-purpose co-operative societies.

*Madras.*

The Madras Debt Conciliation Act, 1936, the Madras Agriculturists Relief Act, 1938, and the Madras Indebted Agriculturists (Temporary Relief) Act, 1954, extend benefits to all agriculturists, including those belonging to scheduled tribes. However, the actual number of tribal agriculturists benefiting from the Acts is very small. Loans are made available by the departments of agriculture and revenue and by co-operative societies. A proposal to adopt comprehensive legislation on the regulation of moneylending is under the consideration of the government. Five multi-purpose co-operative societies had been established by the end of 1954 to give credit, in both cash and kind, to members of the scheduled tribes.

*Orissa.*

The Agency Tracts Interest and Land Transfer Act, 1917, limits the rate of interest chargeable to the scheduled tribes in the Ganjam Tract. The Orissa Debt Bondage Abolition Regulation, 1948, abolished the system of debt bondage in general. Facilities for the purchase of live-stock and digging of wells are offered at the scheduled tribe settlements. Twenty-nine multi-purpose co-operative societies have been established in the state to help scheduled tribes and backward communities.

*West Bengal.*

The West Bengal Moneylenders Act applies to scheduled tribes in the same way as to the rest of the population. Special loans for the purchase of cattle are made available to members of scheduled tribes.

*Hyderabad.*

Under the Tribal Areas Regulation, 1949, the state government has authorised the executive officials in tribal areas to control money-lending. Facilities for the purchase of livestock and other agricultural requirements are made available to scheduled tribes. Several multi-purpose co-operative societies are performing credit functions in the tribal areas.

*Madhya Bharat.*

The state government is examining a Debt Relief Regulation, which provides for both debt relief and the control of moneylending in the interests of the tribal population. Loans for agricultural purposes are made available to members of scheduled tribes on liberal terms.

*Travancore-Cochin.*

The state government subsidises and advances loans to co-operative societies, which finance the agricultural activities of the members of tribes.

*Ajmer.*

The Harijan Welfare Department of the state government extends financial assistance to scheduled tribes for the purchase of livestock and agricultural implements and the construction of wells. A sum of about 88,000 rupees was allocated for the purpose in the budget for 1954/55.

*Bhopal.*

The draft of general legislation for the provision of debt relief is being studied. It is also proposed to establish a co-operative bank with the object of promoting agricultural credit. A large number of agriculturists in the state belong to scheduled tribes.

*Kutch.*

The Bombay Agricultural and Debt Redemption Act applies to all classes of the population. The state government makes a grant of 50 rupees to tribal families for the purchase of agricultural implements and makes loans for agricultural purposes to members of tribes. During the year 1953/54 the state government gave financial support to a co-operative society that worked for the benefit of the tribes.

*Tripura.*

Under the general legislation every moneylender has to take out a licence. The law provides adequate safeguards in regard to interest rates. Under a scheme for the settlement of the Jhoomia tribe a grant of 500 rupees is made to each settled family for the purchase of seeds, livestock and implements.

*Vindhya Pradesh.*

Multi-purpose co-operative societies are being promoted by the state government for the benefit of the tribes. Eighteen societies were formed during 1954. They raised a capital of about 8,500 rupees, which was supplemented by a subsidy of 9,000 rupees and a loan of 18,000 rupees from the state government.

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