



## *The Bhopal Declaration*

*Recently a conference was held in Bhopal of Dalit and tribal intellectuals and activists. They issued a Declaration called the Bhopal Declaration charting out a new course for Dalits and the tribal people for the 21st century. After calling for the implementation of the policies enshrined in our Constitution for their development, the Declaration emphasizes the importance, in this present era of privatization, of providing for representation for these deprived classes, not only in Government and public institutions but in private corporations and enterprises which benefit from Government funds and facilities. Indeed in the present economic system and of the future, it is necessary for the private sector to adopt social policies that are progressive and more egalitarian for these deprived classes to be uplifted from their state of deprivation and inequality and given the rights of citizens and civilized human beings.*

Address to the Nation by the President of India

**Shri K.R. Narayanan**

on the eve of Republic Day, 25 January 2002



## The Bhopal Declaration

*Adopted Unanimously*

*By*

The Bhopal Conference: Charting A New Course For Dalits For The 21st Century, held at Bhopal, Madhya Pradesh, India, 12-13 January 2002

We -- intellectuals and activists assembled at the Bhopal Conference, 12-13 January 2002 -- to deliberate the issues concerning the welfare of and justice to the 250 million Dalits (Scheduled Castes and Scheduled Tribes), and

**Declaring** our belief in Babasaheb Dr. B. R. Ambedkar's ideal of Social Democracy and his prophecy that, "A democratic form of Government presupposes a democratic form of society. The formal framework of democracy is of no value and would indeed be a misfit if there was no social democracy",

**Endorsing** the ideals of civil society enshrined in the Constitution of India, particularly its Preamble that declares the Indian State's commitment to Justice, Liberty, Equality and Fraternity,

**Recognising** that the tenets established by the Universal Declaration of Human Rights and various other charters of the United Nations which our nation has acceded to also emphasise the same principles,

**Recognising** also the tribals' legitimate and historical rights over forest and forest-produce,

**Acknowledging** the role of tribal communities, particularly tribal women, to the protection and conservation of the country's rich biodiversity and natural resources as well as its culture and civilisation

**Acknowledging** also the need to ensure that SCs and STs are given due representation in all bodies of decision making,

*"A democratic form of Government presupposes a democratic form of society. The formal framework of democracy is of no value and would indeed be a misfit if there was no social democracy".*

***Dr. Ambedkar***

**Recalling** the struggles that Babasaheb had waged for the emancipation of his people and the historic rights he had won for them,

**Mindful** of the fact that even after 54 years of Independence, the Dalit community is denied of its basic human rights and is also at the receiving end of the most brutal and oppressive forms of discrimination and exclusion,

**Reaffirming** that concerted action by society as a whole - especially coordination among the political leadership, officials and grassroots activists - is necessary for the over-all development of the most oppressed of India,

**Bearing** in mind the responsibility to take forward our struggle at this critical juncture in spite of the fact that most political formations are reluctant to pursue any policy favourable to the Dalits,

**Recognising** that the social consensus over the Dalit cause - reluctantly agreed upon at the time of Independence - has by and large broken down,

**Convinced** that informed and democratic discourse at all levels is essential to re-negotiate a new consensus over redeeming the pledges of the founding fathers of the Republic to do justice to Dalits,

**Convinced** also that the national psyche and public discourse in the country accepts uncritically the rigid hierarchy and discrimination caused by caste and thereby denies that caste is a major source of prejudice and brutal violence,

**Emphasizing** that Babasaheb's stress on struggle through democratic and constitutional means is relevant today,

**Regretting** that the post-Ambedkar Dalit intelligentsia has failed both in carrying forward his emancipatory movement as well as making a dent in the country's intellectual life,

**Recognizing** the need for Dalits to make common cause with other liberation and human rights movements in and outside the country,

**Conscious** of the hurdles that caste-Hindu society - and its tentacles in government, media, voluntary sector, etc., - is likely to hurl at any serious movement that challenges the entrenched system of discrimination and exclusion,

*The social consensus over the Dalit cause - reluctantly agreed upon at the time of Independence - has by and large broken down.*

**Noting** that women - especially Dalit women - represent the most oppressed sections of our society, and that they face multiple forms of discrimination, including caste-based, religious and patriarchal ideology and practices,

**Welcoming** the winds of change the world over that are conducive to Inclusion, Equal Opportunity, Diversity, Democratisation and Civil Society, and against discrimination, stereotype, stigma, exclusion and caste society,

**Hoping** that this country will no longer remain an exception to the global norm of Progress, Equality, Justice, Peace and Social Harmony, and

We hereby **Solemnly proclaim** that while we rededicate ourselves to work in unison to achieve basic rights of Dalits, we are convinced that unless the following issues are resolved no amount of activism on our part and pro-active measures from the State can liberate the community from the scourges of untouchability and exploitation.

**We therefore demand..**

#### **21-POINT ACTION AGENDA FOR THE 21<sup>st</sup> CENTURY**

1. Ensure that each Dalit family will own enough cultivable land for socio-economic well-being. The government should pursue all possible measures including the distribution of surplus land, government revenue lands and temple lands within a specific timeframe. If the need be, the government should purchase cultivate land and distribute it among Dalits.

2. Enact legislation and enforce it stringently to enable Dalits have an equitable share in the appropriation and use of the rural and urban common property resources. The law must be amended to ensure that lengthy litigation with the ulterior motive of denying Dalits of legal redressal, is not resorted to.

3. Enact legislation and enforce the right of Dalit agricultural labourers to living wages, to gender parity in wages, to job security, to better working conditions and welfare measures, and ensure punitive measures against offenders.

4. Appoint Statutory Committees at the national and state level to identify

*If the need be, the Government should purchase cultivate land and distribute it among Dalits.*

within specified time-frame all the Depressed Class lands occupied by non-Dalits, to assess the quantum of compensation to be paid by non-Dalits for their illegal utilization of lands, to identify the original owners and their nearest kith and kin for restoring these lands back to them, to expedite legal proceedings in courts specially appointed for this purpose against the illegal occupants and to ensure punitive measures against them.

5. Ensure the restoration of the alienated lands to the tribals, restore their rights over forest and forest-produce, provide them with compensation and rehabilitation measures, extend resources and capacity building measures for gainful utilization of their lands and forests and make those Dalits displaced due to construction of dams/developmental projects as shareholders of such enterprises.

6. Democratise the capital so as to ensure proportionate share for SCs and STs. Make budgetary allocation for SCs and STs to enable them enter the market economy with adequate investment resources, and develop their capacities and skills for such market enterprises.

7. Enforce with stringent measures the Bonded Labour System (Abolition) Act, 1976 and abolish forthwith child labour to ensure freedom with dignity for all the Dalits, and accordingly make suitable amendments in the appropriate legislations.

8. Amend Art. 21 of the Constitution of India: Fundamental Rights so as to include the following rights for all citizens, but with special emphasis for SCs and STs, and on the basis of two criteria, namely low economic income and without religious discrimination: the rights to a standard of living adequate for the health and well-being of women and men equally, including food, safe drinking water, clothing, housing, public health and medical care, social security and social services; the right to living wage and the right to own 5 acres of cultivable land or to gainful employment.

9. Implement compulsory, free and high quality education for all Dalits immediately, make allocation of funds proportionate to the number and level of the illiterates, ensure compensation to those families which forfeit their income from

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child-labour, increase the number and amount of scholarships, and provide better infrastructural facilities in SC and ST schools and offer market-oriented vocational and technical education.

10. Make the reservation quota applicable in all the public and private educational institutions from primary to technical and professional levels. Every SC/ST child with low income-base must be given quality free-education at State's expense. And every English medium school must implement Diversity in Admissions.

11. Recognize SC and ST women as a distinct category among women, and accordingly make segregated data on Dalit women available in census reports, action taken reports and progress reports, evolve national and state level perspective plan for mainstreaming SC and ST women in developmental programmes, market enterprises, financial allocation, reservation facilities in education, employment and health facilities, and mandate the National and State Commissions for SC and ST and for Women to study and report specifically the status of SC and ST women in their annual reports.

12. Implement effectively in letter and spirit the SC and ST (Prevention of Atrocities) Act, 1989 & Rules 1995, especially with regard to atrocities against Dalit women, and accordingly prosecute the dominant caste leaders and their minions who stoke the fire of caste clashes and the police officials acting in connivance with them. In cases of atrocities against SC/STs, a system of collective punishment has to be evolved as oppressors enjoy community support and protection and escape the law.

13. Ensure diversity or SC/STs' due representation in all public institutions of India, whether universities or academic or autonomous or registered bodies. Those institutions, which do not abide by the principle of Affirmative Action, must lose recognition and state funding. All private industry/ corporate houses must accept and implement Diversity in workforce immediately.

14. Ensure that in all state and national budgets allocations are made as per the proportion of SC and ST population and penal action taken against unutilisation

*Ensure diversity or SC/  
STs' due representation  
in all public institutions  
of the country*

or diversion of funds meant for these sections.

15. Every government and private organization must implement Supplier Diversity from socially disadvantaged businesses and Dealership Diversity in all goods and services.

16. The State must assume sole responsibility in protecting the SCs and STs. The State must identify those atrocity prone areas and deploy forces. In addition, provide arms licences to the SCs & STs as stipulated in the Atrocities Act for self-defence purposes, make the setting up of Dalit self-defence groups from village onwards mandatory, and specially train Dalit women to handle weapons in self-defence against the perpetrators of crimes and atrocities.

17. Eliminate the humiliating practice of manual scavenging on an urgent footing through effective rehabilitation, alternative and sustainable employment measures and developmental programmes, and prosecute violators of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, especially the gross violators Railways, Defence and Urban Local bodies.

18. Make it statutory for Parliament and State Assemblies to debate on the Annual Reports of the National and State level Commissions for SC/ST and Safai Karamcharis within the following year, and ensure that these annual reports and the action-taken reports of the government are made public.

19. Make reservation mandatory in the private and corporate sector in the same proportion as in the public sector and government institutions and develop the capacities and skills of Dalits to help them cope up with the demands of these different sectors.

20. Implement policy of reservation to SCs and STs at all levels of judiciary and defence forces. And make transparent appointment processes in Judiciary by doing away with the nomination system.

21. Bring out a Truth Paper in two years on the status of reservation during the past 25 years and place it before Parliament and State Assemblies for debate, and on a war footing fill immediately all the backlog posts meant for Dalits and that, too, only with Dalit candidates.

*The State must assume sole responsibility in protecting the SCs and STs. The State must also identify those atrocity-prone areas and deploy forces*





## *Introduction*

*Though the Bhopal Conference was held under the auspices of the Madhya Pradesh Government, it has caught the imagination of the Dalits everywhere. Distinguished Dalit scholars and economists were happy to be members of the Task Force which prepared this Report*



The Bhopal Conference, held on January 12-13, 2002, is a sterling example of the government-people interface to chart out a new course for the socio-economic development of the Dalits. Though the conference was held under the auspices of the Madhya Pradesh Government, it has caught the imagination of the Dalits everywhere.

The Bhopal Conference and the Bhopal Declaration generated intense debate in the country and the Honourable President of India in his Republic Day Address, 2002 acknowledged it and endorsed the initiative.

Shri. Digvijay Singh, the Honourable Chief Minister of Madhya Pradesh, became the first recipient of the, now historic, Bhopal Declaration. Immediately after receiving the Declaration, in the closing ceremony of the Conference on January 13, the Chief Minister made two significant announcements:

- 1 The Government of Madhya Pradesh would introduce Supplier Diversity from the ensuing financial year 2002-2003 where 30% of government purchases would be made from SC and ST traders and businessmen. He announced that, to start with, the Supplier Diversity would be implemented in the Department of SC and ST Welfare.
- 1 A *Task Force on the Bhopal Declaration* would be set up, under the Chairmanship of the Chief Minister himself, to make recommendations to the Government on the implementation of the 21-Point Agenda of the Bhopal Declaration.

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**Subsequently, the Madhya Pradesh government formed a 20-member Task Force on Bhopal Declaration by a notification on February 22, 2002.**

1.	Chief Minister	Chairman
2.	Minister for Scheduled Castes	Member
3.	Minister for Scheduled Tribes	Member
4.	Minister for Finance	Member
5.	Minister of State, GAD	Member
6.	Chief Secretary	Member
7.	Principal Secretary, SC& ST Welfare	Member -Secretary
8.	Principal Secretary, Finance	Member
9.	Principal Secretary,GAD	Member
10.	Secretary to CM (Dr. Amar Singh)	Member
11.	Commissioner,ST Welfare	Member
12.	Director,SC Development	Member
13.	Shri Chandra Bhan Prasad	Expert Member
14.	Shri Raja Sekhar Vundru	Expert Member
15.	Shri D.Shyam Babu	Expert Member
16.	Prof. Mrinal Miri	Expert Member
17.	Prof. Ram Dayal Munda	Expert Member
18.	Prof. Virginius Xa Xa	Expert Member
19.	Ms.Teesta Setalvad	Expert Member

**Special Invitee Experts**

1. Prof. B.M.Mungekar
2. Prof. G.Nanchariah
3. Prof. K.S.Chalam
4. Prof. S.K.Thorat
5. Prof. Kancha Iliah
6. Dr.Gail Omvedt
7. Prof. Tiplut Nongbri
8. Dr. K.S.Chauhan
9. Shri Martin Macwan
10. Shri Paul Divakar
11. Ms. Meenakshi Nath
12. Shri M.Laxmiah
13. Dr. Tulsi Ram

**Terms of Reference**

1. The Task Force will make recommendations to Implement the Bhopal Declaration.
2. The Task Force will focus on further expansion of Diversity into all sectors of the Government.
3. The list of Special Invitees is subject to change as per the needs of the Task Force which may include more experts on specified subjects.

The Task Force held its 1<sup>st</sup> Meeting on March 15, 2002 in the Conference Hall of the Vidhan Sabha, Bhopal. Upon discussions and deliberations on the making an

Action Programme of the Declaration, the Task Force decided to form Sub-Committees on the following issues:

<b>SUB-COMMITTEE</b>	<b>Declaration Points</b>
1. LAND AND COMMON PROPERTY RESOURCES	1,2,3,4
2. TRIBAL ISSUES	5,8,11
3. CIVIL AND HUMAN RIGHTS	7,8,12,16,17,18
4. DIVERSITY	6,13,14,15
5. EMPLOYMENT AND REPRESENTATION	19,20,21
6. EDUCATION	9,10,13

The relevant Agenda Points of the Bhopal Declaration are specified against each Sub-Committee.

**The following is the Composition of the Sub-Committees:**

1. **SUB-COMMITTEE ON LAND AND COMMON PROPERTY RESOURCES**

**Experts:**

Prof. B.C.Mungekar  
Prof. S.K.Thorat  
Sh. M.Laxmiah  
Dr. R.K. Nayak\*  
Sh. Velappan Karuppan\*  
Sh. M.M. Upadhyay\*  
Mrs. Neelam Rao\*

**Coordinating Officials :**

Sh. S.S.Wankhade, Secretary, Revenue  
Sh. Satya Prakash, Commissioner, Bhopal Division

2. SUB-COMMITTEE ON **TRIBAL AFFAIRS**

**Experts:**

Prof. Ram Dayal Munda

Prof. Virginius Xa Xa

Prof. Tiplut Nongbri

Sh. D.Shyam Babu

**Coordinating Official :**

Dr. Balwan Singh, Additonal Commissioner, Tribal Development

3. SUB-COMMITTEE ON **CIVIL AND HUMAN RIGHTS**

**Experts:**

Prof. Kancha Iliah

Ms. Ruth Manorama\*

Sh. Martin Macwan

Sh. Paul Diwakar

**Coordinating Official :**

Sh. S.S.Uppal, Secretary, Home

4. SUB-COMMITTEE ON **DIVERSITY**

**Experts:**

Prof. K.S.Chalam

Dr. Gail Omvedt

Sh. Chandra Bhan Prasad

Ms. Meenakshi Nath

**Coordinating Official :**

Sh. Sewa Ram, Commissioner, Tribal Development

5. SUB-COMMITTEE ON **EMPLOYMENT AND REPRESENTATION**

**Experts:**

Dr. K.S.Chauhan  
Sh. Raja Sekhar Vundru  
Sh. Narendra Kumar\*  
Sh. Rajeshwar Rangari\*

**Coordinating Official :**

Sh. R.Parasuram, Secretary, Human Resource Development

6. SUB-COMMITTEE ON **EDUCATION**

**Experts:**

Prof. Mrinal Miri  
Prof. Tulsi Ram  
Ms. Teesta Setalvad  
Dr.Y.S.Alone\*  
Dr. A.L.Kenadi\*  
Sh. Rajesh Rajora\*

**Coordinating Official :**

Sh. D.P. Dubey, Secretary, Education

(\*Special Invitees to the meetings of the Sub-Committees. See Appendix for the details of the Members of the Task Force.)



The six Sub-Committees were assisted and coordinated by Commissioners/Directors of the concerned departments, who were also the members of the Sub-Committees. The coordinating departments provided information and all necessary assistance.

**Terms of Reference of the Sub-Committees:**

1. The Action Agenda Points listed in the Bhopal Declaration have been apportioned as per the broad area specified for each Sub-Committee.
2. Each Sub-Committee has the freedom to include in its ambit other Action Agenda points if the Sub-Committee finds it to be in the interest of its broader agenda.
3. The Sub-Committees may decide to sit as many occasions as needed.
4. The Sub-Committees which desire to convene a meeting will well in advance inform the Member-Secretary who would finalise common dates for all the Sub-Committees to sit and deliberate.
5. Individual Members of the Sub-Committees may seek information independently from the coordinating department.
6. The Sub-Committees may call for any advice or information from other experts in the area.

The Sub-Committees held a series of meetings interacting with experts from various fields and benefited immensely from their experiences.

The Sub-Committees submitted their Reports in August 2002. The Government of Madhya Pradesh circulated the Recommendations to various concerned departments for their comments. After receipt of all the comments the full Task Force was convened on November 11, 2002 at Bhopal to have a comprehensive look at the Recommendations and the comments of the government departments. The experts and the Government discussed in detail the recommendations.

The Task Force commends the Government of Madhya Pradesh for its historic implementation of the Supplier Diversity by amending “The Madhya Pradesh Store

Purchase Rules” and issuing “The Scheduled Castes and Scheduled Tribes Welfare Department Purchase Rules, 2002”.

The Task Force, taking into consideration all the reports, findings and aspirations of 250 million Dalits of the country, hereby submits *The Task Force Report On Bhopal Declaration* to the Government of Madhya Pradesh and trusts that the Government will accept its recommendations and implement them earnestly thereby charting a new course for the Dalits for the 21<sup>st</sup> Century.



## *Conceptualising the Dalit Agenda*

*The concept and ideals of a civil society are enshrined  
in the Constitution of India framed by Dr. Ambedkar,  
whose preamble declares the commitment of the Indian  
State to justice, liberty, equality and fraternity.*



The Bhopal Declaration is a unique charter enshrining the aspirations, objectives and expectations of the 250 million Scheduled Castes and Scheduled Tribes of the country and it is the road map for their socio-economic development.

The Declaration is a single flowing text but it has two parts insofar as evaluating, recognising and acknowledging the status of Dalits at the turn of the century and in the second part it enlists a 21-Point Action Agenda for the overall development of the community. It is essential to look into the conceptual understanding of the Bhopal Declaration before any recommendations are made.

One of the basic tenets of the Bhopal Declaration is Babasaheb Dr. B.R. Ambedkar's ideal of Social Democracy. His understanding of the Indian society made him stress on the struggle through democratic and constitutional means. His prophecy that "A democratic form of Government presupposes a democratic form of society. The formal framework of democracy is of no value and would indeed be a misfit if there was no social democracy" is the greatest lesson India should learn. His struggles for the emancipation of his people and the historic rights he won for them paved the way for the Dalit movements. At the turn of the millennium and drawing inspiration from his ideals, the Bhopal Conference and the Bhopal Declaration have opened new vistas.

The concept and ideals of a civil society are enshrined in the Constitution of India framed by Dr. Ambedkar, whose preamble declares the commitment of the Indian State to justice, liberty, equality and fraternity. The concept of equality that the people of India gave onto themselves on November 26, 1949 included political, social and economic equality.

*It is essential to look into the conceptual understanding of the Bhopal Declaration before any recommendations are made*

The Declaration takes into consideration the fact that, even after 54 years of independence, the Dalits are at the receiving end of the most brutal and oppressive forms of discrimination and exclusion. It makes clear that there is a need for the Dalits to make a common cause with all emancipatory movements.

There is a need to ensure Dalit representation in all decision-making bodies without which their human rights will remain a mirage. The society as a whole with its political leadership, bureaucracy and grassroots activists should make a concerted effort for the overall development of the Dalits. The Declaration stresses the need for consensus over redeeming the pledges and promises of the founding fathers of the Republic on the rights of the Dalits.

The Declaration underscores the Indian psyche which is uncritical of the rigid hierarchy of caste system and caste discrimination. The fact that caste is the major source of prejudice and brutal violence unleashed on the community is unfortunately ignored.

The Declaration recognizes the legitimate and historical rights of tribals over forest and forest produce. The role of tribal communities, especially tribal women, in protecting and conserving the country's rich biodiversity and natural resources, its culture and civilization has been clearly amplified. Dalit women represent the most oppressed section of our society, and they face multiple forms of discrimination based on caste, religion, patriarchic ideology and obscurantist practices.

The Declaration recognizes the status of women and seeks to empower them. The recognition of SC/ST women as a distinct category in census, planning, development programmes, market enterprises, financial allocations, employment, and health facilities is essential for the all round development of Dalit women who are burdened by both gender and caste. The atrocities that are perpetrated on the Dalit women are to be dealt sternly. The National and State Commissions of Women should report in their annual reports on the status of SC and ST women. Unfortunately, the National Policy on Women does not yet recognize the SC and ST women as a distinct category.

*There is a need to ensure Dalit representation in all decision-making bodies without which their human rights will remain a mirage*

The Declaration expresses the hope that India will no longer remain an exception to the global norms of progress, equality, justice, peace, social harmony and to the winds of change the world over. Universally, democratic nations are conducive to Inclusion, Equal Opportunity, Diversity, Democratisation and Civil Society, and are against discrimination, stereotype, stigma, exclusion and caste society. India should be no exception.

While rededicating itself to the Dalit cause, the Declaration regrets that the post-Ambedkar Dalit intelligentsia has failed both in carrying forward his emancipatory movement as well as making an impact on the nation's intellectual life.

### **The Statement of Rededication**

We hereby solemnly proclaim that while we rededicate ourselves to work in unison to achieve basic rights of Dalits, we are convinced that unless the 21-Point Dalit Agenda is implemented no amount of activism on our part and pro-active measures from the State can liberate the community from the scourge of untouchability and exploitation.

### **The Dalit Agenda for the 21<sup>st</sup> Century**

The Bhopal Declaration took into consideration all conceivable aspects of Dalits' condition. The declaration emanates from the conceptual background of deep understanding of the political, social, economic and cultural aspects of the community.

The 21-point action agenda as a demand is all encompassing of Dalit liberation. Land as the single most important asset was discussed threadbare and concretized into action points in the declaration.

The Bhopal Declaration demands that the Government should ensure that each Dalit family will own enough cultivable land for socio-economic well being. It leaves it to the Government to pursue all possible measures including purchase of cultivable land. The declaration seeks a specific time-frame to achieve the goal.

*The Declaration expresses the hope that India will no longer remain an exception to the global norms of progress, equality, justice, peace, social harmony*

The declaration addresses the issue of land alienation and the land belonging to Dalits illegally occupied by non-Dalits. It demands the restoration of the same within a specific time-frame.

The inalienable rights of tribals over forest and forest produce, their rights as shareholders of the land from which they are displaced due to development projects are to be recognized. Compensation, rehabilitation, extension of resources and capacity building for tribals for utilizing their land and forests need to be ensured.

The declaration recognises Dalit agricultural labourers as a separate target group. It demands Dalit agricultural labourers' rights to living wages, equal wages, employment assurance, better working conditions and welfare. It demands legislation in this regard and punitive measures against offenders.

An equitable share in the community lands and such other rural and urban common property resources was demanded.

The Bhopal Declaration demands several legislative measures. Amendments to law that prevent lengthy litigations and denial of legal redressal for Dalits were proposed. Similarly statutory committees both at Center and State levels for restoration of land and removal of illegal occupation of Dalit lands were demanded. Effective and strict implementation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 and Bonded Labor System (Abolition) Act, 1976 and child labor abolition measures was on the agenda points.

Seeking further statutory provisions for compulsory debate in Parliament and state assemblies on the annual reports of the national and state SC/ ST commissions and the National Safai Karamcharis Commission, the declaration seeks that action taken reports are made public.

The declaration puts forward the basic issue of the state's role of protecting the Dalits. It demands mandatory provisions of arms licenses, setting up of Dalits' self-defence groups and training Dalit women for self-defence. Deployment of forces in atrocity-prone areas should be mandatory.

*An equitable share in the community lands and such other rural and urban common property resources demanded*



In the realm of education the declaration demands compulsory, free and high quality education for Dalits. Financial support from the Government at the level of allocation of proportionate funds, compensation for child labour, infrastructural facilities, market-oriented vocational and technical education were demanded keeping in view of the changing face of the employment market in the era of economic reforms in India where there will be far high demand for skilled jobs in the private sector. Reservation quota as an instrument to ensure equitable share in education, whether in government or private institutions, is the need of the day. From primary to technical and professional education all institutions need to implement reservations.

The Government should set aside funds for ensuring capital and credit opportunities to the Dalits. Adequate investment resources are necessary to enter the market economy. The entire country's market economy, now virtually controlled by a few privileged castes, needs to be democratized. Make provisions for the development of entrepreneurial skills, capacities for market enterprises. In every budget the Centre and States should allocate funds proportionate to the SC/ST population.

The issue of diversity and democratisation of all walks of life has been the mainstay of the Bhopal Declaration. Democratisation of capital and credit and ensuring a proportionate share for the Dalits in the market economy should be taken seriously. Diversity in workforce will be one of the major issues that will be haunting the nation in the years to come as a result of the liberalization of economy, globalization of trade and privatisation of services. The process of affirmative action will have to start right away in not only the private sector and corporate sector but also in all educational, academic and autonomous institutions. Registered bodies with the Government should comply with the basic tenets of democratisation of workforce. The institutions that do not practice workforce diversity should be stripped off government recognition.

The practice of obtaining supplies from a diverse group of communities and

*India's market economy, now virtually controlled by a few privileged castes, needs to be democratized*

awarding dealerships to a socially diverse group of businesses should be the basic tenet of democratisation. All the public and private enterprises must start practicing diversity. The share of the SC/STs should be automatically awarded to their businesses. It is imperative for the Government to initiate programmes to develop skills and capacities of the Dalits in this regard.

The Dalits have been completely excluded from the armed forces. Therefore, the demand for reservations in defence forces needs to be accepted. The community's rightful share in posts at all levels of judiciary can no longer be ignored. The lack of transparency in the appointment of judges, which adversely affected the community, should be done away with.

Finally, the Agenda set forth by the Bhopal Declaration demands a Truth Paper by the Centre and all States on the status of implementation of reservations during the past 25 years.

What started as a conference of Dalit activists and intellectuals in Bhopal has opened up new ideas and vistas of freedom. It will pave a long way in the emancipation of Dalits and bring about equality of the society and usher in a democratic, vibrant, responsive India in the 21<sup>st</sup> Century.

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## RECOMMENDATIONS



# *Reaching Out to the Poorest of the Poor*

*Of the people living below the poverty line (BPL) and among the landless agricultural labour, the Scheduled Castes and Scheduled Tribes (SC/STs) form the majority. The SC/STs are the most vulnerable section susceptible to hunger, malnutrition and disease. They are subjected to continuous exploitation and violence. Most of the existing schemes have failed to reach them. And the schemes are thinly spread, rendering their impact negligible. Therefore, the Government should target this group for providing guaranteed employment and care of its basic needs of food, clothing, shelter, education and healthcare.*



The greatest problem that confronts this section is the lack of food security. There are few employment opportunities and even though the BPL/ landless SC/STs are in constant search of work, there is not sufficient employment available to this asset-less, unskilled millions. This renders their existence so precarious, insecure, making them live in deplorable conditions and the problem of food security should be the first and foremost issue to be tackled by any democratic Government and by a country whose buffer stocks of foodgrains are overflowing.

- 1) It is imperative, therefore, that the Government recognises their right to work and to living wages as a fundamental right and guarantees employment at least 200-days in a year, which is made mandatory by law. Make Panchayat Raj Institutions accountable for implementing the Government's commitment of guaranteed employment by law.
- 2) Pool all rural development funds at panchayat, block, district and state-levels meant for employment-generation, and first spend the money to ensure at least 200-days employment in a year to this section. Works should primarily focus on improving the SC/ST lands and providing irrigation facilities and should be labour intensive. This should be made mandatory by law. Other types of work can be taken up only after fulfilling this commitment. And the decision on the type of work should be taken by the interested group.
- 3) If the Government/ Panchayats fail to provide employment for at least 200 days in a year to BPL/ landless SC/STs, they should be given 'unemployment allowance' which should not be less than 75% of the minimum wage under the law.

*There are few employment opportunities and even though the BPL/ landless SC/STs are in constant search of work, there is not sufficient employment available*

- 4) The Government should provide comprehensive medical and health insurance cover to all BPL/ landless SC/STs by paying full premium. Such insurance cover should enable these poor families to walk into a hospital without having to pay any money.
- 5) These vulnerable sections of BPL/ landless SC/STs should have across-the-counter access to foodgrains from Grain Banks set-up in every village and *mohalla*. The grain so borrowed can be returned in kind or through labour rendered under any scheme by the borrower.
- 6) Create and maintain a database on the BPL/ landless SC/STs at panchayat, block, district and state-levels. There should be family-wise, periodic monitoring of their living conditions at all levels mentioned above, based on uniform benchmarks such as: Do they have sufficient employment opportunities to sustain their families? What is the nutritional level of the family? What is the general condition of their health, especially that of mother and child? Are they in a position to send their children to school? Are they having proper shelter? etc.
- 7) Devise a trigger mechanism to alert the top political and bureaucratic machinery at the state-level whenever the condition of the BPL/ landless SC/STs in an area falls below the benchmarks. Officials should be given specific targets and their performance be measured accordingly.
- 8) Upto-date data on the BPL/ landless SC/STs and the resources allocated for their welfare should be made public and annual reports thereon placed before the state assembly. And also publish district-level quarterly data.
- 9) All government schemes whether Central or State should be redesigned and revised to first and foremost target this section to take care of their minimum needs. Such an exercise should be initiated at once at all levels.
- 10) During difficult times such as drought/ flood, surplus foodgrains with the government should be used in the food for work scheme to feed this section. The Government should not get into lengthy and time-consuming processes of de-

*There should be family-wise, periodic monitoring of their living conditions at all levels*

claring areas as drought-affected and wait for foodgrains' supply eternally from the central government. The District Collector should be empowered to indent foodgrains from the nearest FCI stocks as soon as an area is declared drought-affected.

- 11) Those who are unable to feed themselves cannot be expected to send their children to school. Hence the Government should adopt at least one child each from the families of the BPL/ landless SC/STs and take care of his/ her entire educational needs till he/ she starts earning for the family.
- 12) Provide social security to these families on the death of their bread-winner by a uniform insurance cover. The compensation should be paid within 15-days unlike the delays being experienced in the National Family Benefit Scheme.
- 13) A poor old person loses the strength to work as he grows older rendering him so helpless to sustain his life. Ensure compulsory monthly old-age pension to all BPL/ landless SC/STs.
- 14) End discrimination on the availability of safe drinking water to the SC/STs. Every SC/ST locality shall have guaranteed safe, potable drinking water. Enact legislation guaranteeing this right a responsibility of the State Government.
- 15) The central government should ensure time-bound provision of pucca housing for all BPL/ landless SC/ST families by 2008. The process should be started by the State Government by allotting house-plots.
- 16) Migrant labourers and nomadic tribes leave their place of origin to other places/ states for work. Migrant labourers be provided with a Ration Card so that they can obtain ration at subsidised prices in the new place of work. Such a card issued by a State Government should be accepted by all states/ UTs and the Government of India should initiate a scheme in this regard.
- 17) There should be not less than proportionate share for the SC/STs at constituency level in the funds at the discretion of the MPs and MLAs (such as in the MPLADS).
- 18) Similar provisions should be made for proportionate share to the SC/STs in the

*Those who are  
unable to feed  
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expected to send their  
children to school*

discretionary funds at the disposal of the ministers, chief ministers and the Prime Minister.

### **Urban Asset-less Families**

- 1) The Task Force recommends the formulation of schemes like construction of shops at commercial places in urban areas and allot them to SC/ST families. One segment of the community is well placed to make use of the opportunities open to it as a result of its educational attainments. Therefore, there is a need to sustain the development this section has so far achieved by helping it to advance further. Such an approach will have spill-over benefits.
- 2) However, a majority of urban SC/STs lead their lives in sub-human conditions. Their basic needs, especially housing, should be taken care of. The Government should construct colonies for them in the heart of the cities/ towns so that they can have access to civic amenities and employment. Special attention should be paid to *in-situ* development of juggi-jopri areas including proper drainage and sewerage and to create SC/ST housing societies. The urban development authorities should allot land for housing and either the Government Financial Institutions should provide interest-free housing loans in time-bound programmes to end homelessness among this section.

*A majority of urban SC/STs lead their lives in sub-human conditions.*

*Their basic needs, especially housing, should be taken care of*

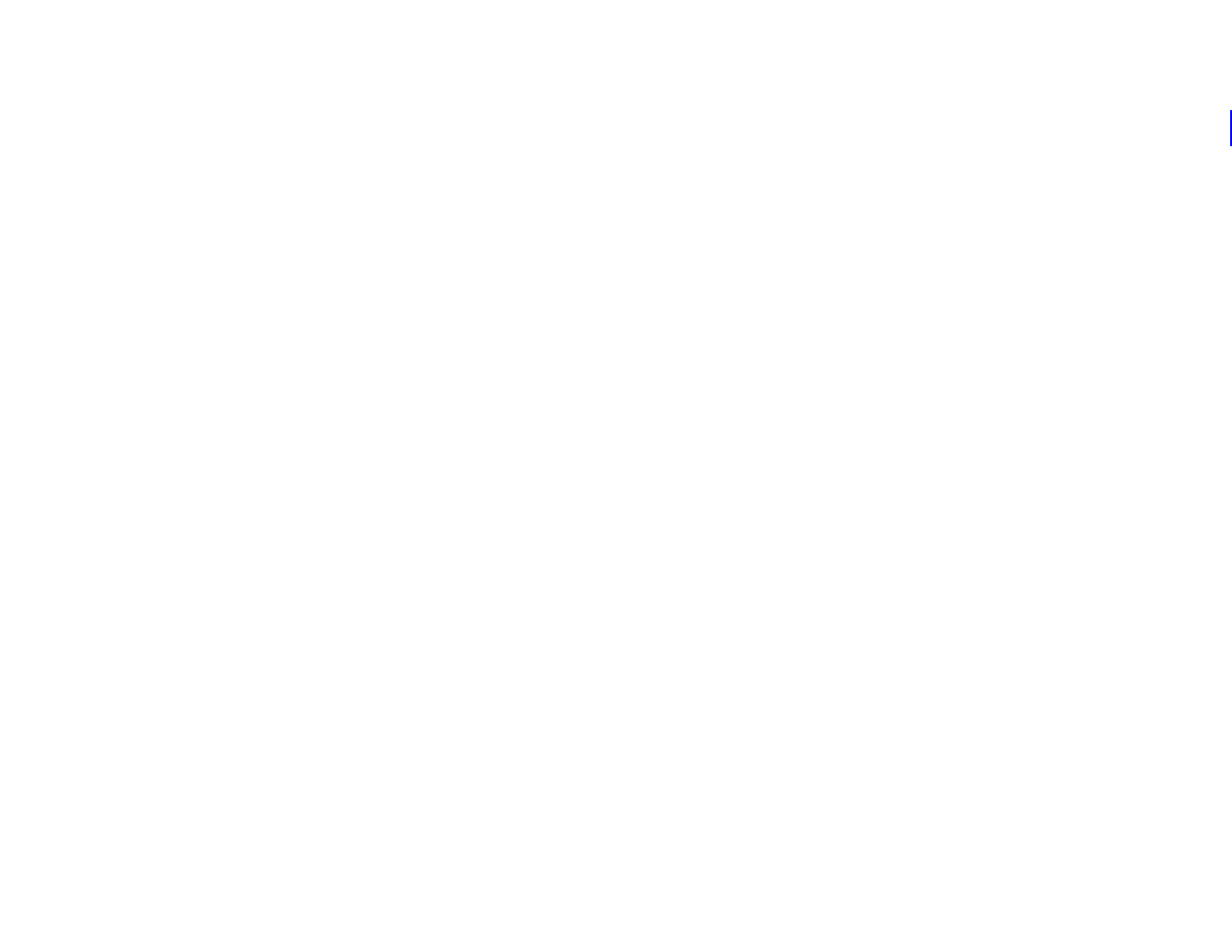




## *A New Dawn for Tribals*

*Tribal communities are the most marginalised section of the society and they are at the bottom of all human development indicators, as the data churned out year after year by national and international Human Development Reports amplify the reality. They live under the shadow of poverty, hunger and disease.*

*Their emancipation requires sustained welfare measures, restoring their age-old rights over forest and forest produce and bringing them on par with the rest of the society in all respects.*



First Rights of Tribals over Forest is an inalienable and irrefutable historical fact. The colonial rule for the first time deprived the Tribals of their forest and viewed forests only as a source of revenue. That process of Tribal impoverishment and alienation continues even today after 55 years of independence. First they were driven out of fertile lands and then into forests. Later, they were deprived of even the forests. Then their rights even over forest produce and revenue were taken away. Now their life-styles and freedom of movement — in the areas hitherto belonged to them — are severely restricted. Myriad laws and various state agencies harass them and deny them of their basic human rights. The Government of Madhya Pradesh should take the lead – and also persuade the Government of India – to end the tragedy of our Tribal brethren.

- 1) Tribals should be made co-sharers/ partners in all revenue from the economic activities in forest areas such as mining, logging, tourism, forest produce, etc.
- 2) It is unreasonable to expect the poor Tribals to bear the brunt of protecting the environment for the entire nation. The whole society and a plethora of environmentalists are depriving the Tribals of their livelihood in the name of environment. In fact, it is the responsibility of all of us to safeguard the environment. Environmental protection can be ensured by social forestation and by creating and expanding the green cover in non-Tribal areas also. Should the Tribals be starved in the name of protecting the environment? Therefore, it is imperative that the Government immediately have a relook at the Forest (Conservation) Act, 1980 which has not proved to be pro-Tribal. And the Government should consider, in consultation with the Tribal communities, how to ensure the First Rights of Tribals over Forest and Forest Produce.

*First they were driven out of fertile lands and then into forests. Later, they were deprived of even the forests*

- 3) The Government should invoke the Kyoto Protocol, 1997 to use carbon trading provisions for the benefit of the Tribals.
- 4) Degraded forest lands and revenue lands entered as forest lands should be given to Tribals for afforestation and allied activities. Tribals should have exclusive rights over all revenue from afforestation and allied activities.
- 5) Money-lenders represent the greatest curse on the Tribals. The scourge of indebtedness must be eradicated by all means including the enactment of strict laws and through self-help groups/ micro-financing facilities. A hassle-free access to credit and consumer/personal loans through their own Rural and Urban Banks can solve the problem. Special schemes should be drawn up so that they can have their own cooperative banks.

*Degraded forest lands and revenue lands entered as forest lands should be given to Tribals for afforestation and allied activities*

### **Land Alienation and Restoration**

- 1) There should be transparency and access to land records at the village level to the Tribals. Regular updating of land records and display of revenue details at the village level should be part of transparency. Tribals should be allowed to participate in the process of survey of land.
- 2) Ensure speedy disposal of cases where Tribals are involved and oral evidence should be admissible where records are absent. Where lands are restored to Tribals, the non-Tribals should not be granted stay by the courts. In cases where non-Tribal does not handover the possession of land to the Tribal after the court order the case should be registered under the SC/ST (Prevention of Atrocities) Act, 1989. Revenue officials should be made responsible for ensuring physical possession of the land to Tribals immediately. There should be a system of monthly monitoring of the restoration of land by Collectors and Commissioners and action should be taken against erring officers. State Commission for Scheduled Tribes should also monitor the cases.
- 3) All forest villagers should be given patta for the land, which they are cultivating

since the ages. And the Tribals residing in forest areas should be allowed to cultivate the land.

- 4) When new land is allotted to Tribals, they should also be provided with the compensation for livelihood for at least two years.
- 5) Name of female member of the family should also be included as *Bhumi Swamy* along with the male members in land records.
- 6) Drought-proofing should be ensured by developing critical areas under Integrated Watershed Management Programme. Watershed programme should also be continued and the construction of Rain Water Harvesting Structures needs to be encouraged.
- 7) The last date for application fixed in Madhya Pradesh Land Revenue Code, 1959 (being replaced by *Bhusudhar Adhinyam Bill, 2002*) has expired hence the date 31-12-1978 should be deleted to facilitate the Tribals to apply for restoration of possession of the transferred land. Similarly, the provision of restriction regarding the transfer of Tribal land to non-Tribal in Scheduled Areas should be made applicable to whole of the state.
- 8) Appearance of Advocate without permission is debarred in cases under Section 170(A)&(B) of Madhya Pradesh Land Revenue Code, 1959. Such provision should be made applicable to all revenue cases of Tribals.

*Name of the female member of the family should also be included as Bhumi Swamy along with the male members in land records*

### **Forest Economy**

- 1) The right of access to forests and forest produce should primarily be for the bonafide use of the Tribal communities living within and around forest areas. It can be done by involving Tribal communities living close to the forest in regeneration, afforestation, protection and management by ensuring the following conditions:
  - a) Adequate forest areas are entrusted to well defined users groups

- b) It should be linked with food for work scheme.
  - c) Security of tenure as well as long-term access to benefits from the resources are assured.
- 2) Forest villages should be intensively developed on the pattern of Primitive Tribal Groups. All forest villages should be well defined and the residents of these villages should enjoy all the rights as by those in any non-forest revenue village. This should be ensured by legislation. Heritable and inalienable rights on the land should be given on priority basis.
  - 3) Organised commercial cultivation and collection of medicinal plants by Tribals should be encouraged.
  - 4) Appropriate marketing of non-timber forest produce, on the lines of Tendu leaf marketing, should be encouraged as it will improve the economy of the Tribals.
  - 5) Integrated area development programme should be undertaken to meet the needs of the Tribal economy in and around the forest areas including the provisions of alternative sources of domestic energy on a subsidised basis to reduce the pressure on forests. Agro-forestry and social forestry should be promoted for meeting the food, fodder, fuel wood, timber, bamboo requirements of the people. Commercial forestry should be promoted for economic development of the Tribals. For example, encouraging bamboo cultivation will improve the economy of the Tribal.
  - 6) There is brisk economic activity in and around Wild Life Sanctuaries and National Parks but the Tribals have no role in it. Tribals should be trained to take part in commercial activities in these areas. For example, vehicles ply for tourists and Tribals can be trained in driving and purchase of vehicles should be financed by Tribal Development & Finance Corporations. Only the Tribals should be allowed to ply these vehicles. Instead of driving them out, the Tribals can be engaged in the management of these sanctuaries and parks. Also training them in flora and fauna will help the Tribals to become tourist guides.

*There is brisk economic activity in and around Wild Life Sanctuaries and National Parks but the Tribals have no role in it*

## Rehabilitation

- 1) The Government of India should formulate new rehabilitation policy for SC/STs. A Tribal community living in a village should be shifted and rehabilitated in one place and not in different places. Villagers should be taken into confidence while implementing the policies of shifting and in the process of rehabilitation from the beginning till the end. Rehabilitation should be on community basis ('Cultural Rehabilitation') and not individual basis as has been the case so far. Moreover, the dwelling unit constructed for the rehabilitation should be as per the requirements of the Tribal and he should be involved in the process of construction. Members of Parliament, especially the SC/ST MPs, should be persuaded to pressurise the Union Government to enact required legislation.
- 2) Rehabilitation cost should be part of the Project and the compensation should be paid at market rate. The process of rehabilitation should be completed before the start of the project. Rehabilitation package must invariably be one of up-gradation, offering better economic and social conditions than the one the Tribals were previously subjected to.
- 3) The Tribal whose land has been acquired for an industrial / mining project should be made a shareholder for royalty-sharing. In such industries one person from the family should be given permanent employment. It will be appropriate to give training in different trades to the Tribals in question so that they can get employment in industries established. Where employment is not provided to the affected-Tribals – for whatever reasons — a monthly stipend should be paid to them.
- 4) The land of Tribals should be taken on lease only, instead of acquiring the land for industries. The Gram Sabha, with the consent of the Tribal-owner, may renew the lease and the lease period should not be more than 20 years. The mining lease should be given to Tribal persons or Tribal Cooperative Societies. Necessary financial assistance should be provided through Tribal Finance and Development Corporation.

*Rehabilitation package must invariably be one of up-gradation, offering better economic and social conditions than the one the Tribals were previously subjected to*

- 5) There should not be displacement of Tribals for any project whether mining, energy or any other in the Scheduled Areas and Protected Areas. Displacement should only be permitted under unavoidable circumstances, such as under instances of great national importance or public interest. Even in such cases, the affected Tribal be given life-long remuneration which should be linked to the Consumer Price Index. This remuneration should be extended to his legal successors.
- 6) The Tribal whose land has been acquired for a dam should be allotted land in the command area so that he can get water for irrigation. Such Tribals should be exempted from irrigation cess. They should be given exclusive fishing rights and exclusive rights over boating for tourists.

*Displacement should only be permitted under unavoidable circumstances, such as under instances of great national importance or public interest*

### **Healthcare**

Because of genetic reasons, food habits, their environment and, more than anything else, their poverty, the Tribal communities are susceptible to various endemic diseases. Therefore a special drive is necessary to study the problem and come out with solutions. Meanwhile, the entire community should be covered under comprehensive health insurance.

### **Primitive, Nomadic/ Denotified Tribes**

- 1) Take care of health, employment and educational needs of Primitive, Nomadic/ Denotified Tribes. Encourage them to diversify from their traditional occupations.
- 2) Restrictions on mining and logging in forest areas have deprived them of the only avenues of work and, as a result, their food security has been threatened. Therefore, the Government should immediately initiate measures to provide alternate employment opportunities and grain banks so that their food security is ensured.
- 3) These groups should be given preference when implementing welfare schemes meant for the Tribals.



### Fast Forward...

When compared even to the condition of the Scheduled Castes, the socio-economic profile of the Scheduled Tribes tends to be more depressing. Unlike among the SCs, educated middle class among the STs is too small to call it a separate segment. Cultural and geographic barriers, in addition to poverty and discrimination, are preventing the upward mobility of the Tribals. Therefore, the government should make an extra effort to push the Tribal community into higher education and commensurate employment. Apart from striving to raise literacy and educational levels, the government should forthwith concentrate on improving the required skills among the already educated STs.

A very few among the educated Tribal youth may get jobs in the public sector and the remaining majority will be hard pressed to find suitable employment. Because their educational foundations are weak and their skills in English language or computers are not upto the mark.

- 1) Therefore, the government should consider all means to upgrade their skills in English, sciences, maths, management, computers, etc., through career counselling, special coaching camps so that they can get employment in the open market. Such an endeavour is practicable and will yield quick, tangible results. There can be no better motivation for Tribal parents to send their wards to school than the evidence that education gives returns that they never even dreamt of.

*There can be no better motivation for Tribal parents to send their wards to school than the evidence that education gives returns that they never even dreamt of*





## *Women and Child Development*

*Ensuring the well-being of the SC/ST women and children should be at the core of any development agenda. Because they happen to be the main victims of poverty and underdevelopment and unless they are specifically targeted in the welfare schemes, the community's advancement cannot be guaranteed. Moreover, returns on the expenditure for women's development, such as on their education, have been proved to be far more substantial than on development expenditure without gender component.*



The Task Force recommends the inclusion of gender component in all the developmental initiatives arising out of the Bhopal Declaration.

For example...

- 1) No effort should be spared when it comes to encouraging the education of the girl-child.
- 2) Keeping in view the fact that female SC/ST teachers can better motivate their families as well as the community to send children to school, the Task Force recommends that educated women of the community should be given preference in appointing teachers.
- 3) It is also a well-known fact that women-managed thrift societies/ micro-credit institutions/ self-help groups have been very successful, as experience shows in Bangladesh. Therefore, in the proposed SC/ST micro-credit/ self-help cooperatives, women should be given the pivotal role.
- 4) Similarly, women should be brought in in a big way in the Diversity Initiative. Encourage them to form cooperatives of small scale/ cottage industries and also train them to produce the kind of goods that can be purchased under Diversity.
- 5) Make it mandatory that 50% of the benefits in all initiatives go to the SC/ST women.
- 6) Health and nutritional requirements of women and children should be taken care of under specific schemes.

*Women should be brought in in a big way in the Diversity Initiative. Encourage them to form cooperatives of small scale/ cottage industries*





## *Land and Common Property Resources*

*By the year 2008, no SC/ST family will earn its livelihood as Landless Agricultural Labourers. They would have been allotted enough cultivable land by the Government, or will have on their own or by the support of the government, moved away to other professions, more dignified, more paying in nature.*

*The 2008-deadline should be split into annual targets of land distribution.*





Each SC/ST landless family should be provided with minimum 5 acres of agricultural land. Those SC/STs who are having less than 5 acres of land should be given extra land so as to take their total to 5 acres. All possible means including a new phase of land reforms should be pursued in this regard. We meanwhile recommend the following measures.

- 1) The Government should accelerate the distribution of grazing land, land found to be surplus under land-ceiling and *Bhoodan* lands. It should also pursue all means to curtail unnecessary and anti-SC/ST litigation in land reform cases.
- 2) A loan-cum-subsidy scheme should be started to purchase land by SC/ST families. The State SC/ST Finance and Development Corporation should take advantage of the existing schemes of the Government of India and formulate a viable scheme utilizing maximum amount of Special Central Assistance.
- 3) Purchase of land for distribution can be one of the better ways. Financial constraints cannot be cited as an excuse not to consider purchasing land for distribution. The Government of India and various state governments have borrowed money from national and international institutions for all conceivable reasons. Money can as well be borrowed for this purpose as it would definitely lift the poverty-stricken landless SC/ST masses out of their misery.
- 4) Degraded forest lands and revenue wastelands which carry the entry of minor forest and being treated as forest land should be identified and distributed to landless SC/STs. For that suitable legislative action is required at both state and central levels.
- 5) Mere distribution of land will not be enough to bring them out of poverty because the lands owned by the SC/STs or the lands distributed to them are not

*Financial constraints cannot be cited as an excuse not to consider purchasing land for distribution*

very productive. Therefore, the Government should take the responsibility to make all these lands productive so that the community can be economically self-sustaining. All rural development funds should be pooled and used for the betterment of these lands.

- 6) Those landless SC/ST agricultural labourers who wish to turn into tenants, should be extended all help including interest-free loans to pay tenancy charges as well as to buy inputs. The Government of India and state governments should declare a comprehensive scheme in this regard.
- 7) The community should have equitable share in the common property resources such as village tanks, sand and sand-stone, quarries, orchards, trees, etc., and to realise that suitable provisions should be made in Panchyat Act and other local bodies legislation. The commendable legislative changes that Madhya Pradesh has already brought about should be implemented in true spirit. The State Scheduled Caste and Scheduled Tribe Finance and Development Corporation should formulate special schemes to help SC/ST entrepreneurs to take advantage of the provision to M.P. Minor Mineral Rules.

*The community should have equitable share in the common property resources such as village tanks, sand and sand-stone, quarries, orchards, trees, etc*



## *Diversity: The Way Out*

*Create an all-inclusive, dynamic and prosperous society for India, where all traditional caste identities and birth-based notions and practices of advantages and disadvantages will become a thing of the past. The*

*Ideal of Diversity means that all institutions – both public and private – should reflect the ‘diversity’ in the society. Such an ideal can only be realised by ensuring Equality of Opportunity in all walks of life.*



### **Diversity: Supplies/ Dealerships/ Contracts**

- 1) While commending the Government of Madhya Pradesh for implementing the Supplier Diversity in SC/ST welfare departments, the Task Force recommends that the same be extended to all the government departments.
- 2) The State while buying goods and services from the open market should issue policy guidelines that goods and services in proportion to SC/ST population will be purchased from SC/ST entrepreneurs or enterprises controlled by them.
- 3) The automobile sector should come forward and provide dealerships to SC/STs and make special efforts in this regard.
- 4) The private sector, especially the consumer goods and pharmaceutical sector, which market their products through a network of distributors and dealers, should ensure that SC/STs are encouraged and given dealerships and distributorships.
- 5) In the changing scenario of disinvestment the Government should ensure that the oil/ LPG/ CNG dealerships to the SC/STs would continue and the disinvested oil companies should continue dealerships to SC/STs in the same manner as in the Government.
- 6) The private oil companies which are entering the market should ensure Oil/ LPG/ CNG dealerships to SC/STs in the pattern implemented by the government as their commitment to the social development of the country.
- 7) The Government should direct government & semi-government organisations that supply material to the Government to promote and register SC/ST entrepreneurs. And while making supplies to the various government departments, ensure that proportionate share of government purchases come from SC/ST entrepreneurs.

*The disinvested oil companies should continue dealerships to SC/STs in the same manner as in the Government*

*Encouraging entrepreneurial skills among the community requires initiating Capacity Building measures and providing working capital*

- 8) The large manufacturers should be encouraged to sell their goods to the government through business entities owned and run by SC/STs.
- 9) The Government, while giving licenses/ clearances/ tax-concessions to manufacturers, should put conditions that they will practice Dealership Diversity.
- 10) The Government should arrange training through diploma courses for educated SC/ST youth in skills and knowledge in modern methods of business and services and motivate them to set up enterprises.
- 11) The SC/ST corporations should formulate their schemes in such a way that SC/ST entrepreneurs can raise their capital requirements through these schemes. Encouraging entrepreneurial skills among the community requires initiating Capacity Building measures and providing working capital. The Government should introduce all possible programmes to make SC/ST businesses sustainable.
- 12) The State Government awards liquor licenses worth crores of rupees every year. Diversity in allotment of liquor outlets can promote many SC/ST entrepreneurs.
- 13) Diversity should be ensured in awarding contracts of various government projects in case of large contracts there should be a clause in contract deed that the contractor shall ensure diversity while awarding sub-contracts, employing workers & procuring material.

### **Diversity: Workforce**

- 1) SC/STs must have share in workforce in proportion to their population. If required, in-service training should be given to bring them to the desired levels.
- 2) The State should build an environment for wider acceptance of affirmative action in partnership with industry and corporate sector, including organizations in both manufacturing and services sectors of the economy.
- 3) Apex trade and industry bodies should be persuaded to establish Affirmative Action Committees within their organizations. They should also be persuaded

to voluntarily frame guidelines for their constituent units to encourage affirmative action within their respective organizations.

- 4) Trade and industry associations should build a dynamic database of the existing situation as far as actual employment to the disadvantaged groups is concerned. It should be mandatory for all bodies employing more than 50 workers to declare the social composition of their workforce, agents, sub-agents and the dealers.
- 5) Trade and industry associations can design a charter, which includes a voluntary commitment towards action on the part of their constituents.
- 6) Trade and industry associations can help publicise best practices in the field to encourage others to emulate the examples.
- 7) The Government can come out with an incentive and reward policy for best Diversity practitioners in the private sector.
- 8) A separate set of policy guidelines can be laid down for those private sector organizations that would like to participate in providing services on contract to the Government. These can be on the basis of certificates issued by trade and industry bodies, which again shall be required to get their procedures audited by independent ombudsmen appointed by the Government.
- 9) The SC/STs should be encouraged to promote cooperatives, registered bodies to run businesses, educational institutions etc.
- 10) All public institutions that don't follow Diversity and discriminate against SC/STs should lose recognition and government funding, if any.
- 11) All industrial/ corporate houses in private sector get various kinds of facilities from the Government such as land at concessional rates, tax-relief, etc. Moreover, public money is being invested in many companies. Such companies and industries should mandatorily follow reservations.
- 12) The other private sector companies/ industries should be persuaded to follow Diversity in supplies, workforce and contracts.
- 13) All disinvested companies should continue to provide for reservations to SC/

*All bodies employing more than 50 workers should declare the social composition of their workforce, agents, sub-agents and the dealers*

STs. The present policy of inserting a “best endeavour clause” should be changed and reservations should be restored.

- 14) A new legislation – which may be called “**the Diversity Act**” — should specifically declare the following practices as unlawful:
  - i. Failure or refusal to hire an individual or otherwise discriminate against any based on caste/ Tribe with respect to the terms and conditions of employment.
  - ii. To limit, segregate or classify employees or applicants for employment or training in any manner that would deprive or tend to deprive SC/STs of employment or training opportunities.
- 15) Create a Diversity Cell in the State SC/ST Commission, which will be the nodal agency to ensure the effective implementation of the Diversity Act.

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Diversity Act*

### **Democratising Credit**

- 1) A special law should be enacted so that the schemes of the financial institutions (FIs)/ nationalised banks/ cooperative banks redesigned to ensure that a minimum credit in proportion to SC/ST population flows to enterprises belonging to these categories. The Task Force rather feels that, given the decades old exclusion of the community, credit that is more than proportionate to their population is needed to accomplish a semblance of equality.
- 2) The above recommendation be made applicable by law to all private banks, FIs, non-banking finance corporations, etc.,
- 3) An asset-less SC/ST cannot furnish guarantees for taking loans and hence credit without guarantees should be arranged. Suitable amendments to the law should be made in the case of SC/ST borrowers to dispense with the provision of furnishing guarantees.
- 4) The national and state SC/ST Corporations should not be completely dependent upon 100% equity participation by the governments only. The corporations should go for market borrowing so that credit flow for SC/STs is not limited to the extent of budgetary support.



- 5) The Government should create SC/ST self-help groups/ urban & rural cooperative banks in every district for micro-financing and also for inculcating savings habit among the community. The Government should make a 100% matching contribution in purchase of shares, in addition bear management costs for first three years. The Union Government and the Reserve Bank of India should be approached for obtaining required clearances and concessions. The endeavour should specifically encourage SC/ST women to take the lead.
- 6) Credit facilities for the community are almost non-existent as it has no representation in the decision-making bodies of lending agencies. Therefore, suitable provisions should be made to have SC/ST representation in the boards of directors of banks and public financial institutions. The same can be implemented with regard to most 'private' FIs as huge amounts of public money are parked in them.
- 7) Similarly, there should be SC/ST representation in the Reserve Bank of India's board of governors and that of Small Industries Development Bank of India (SIDBI) as well as all state finance corporations (SFCs).
- 8) Why cannot the Government nominate – once in a while – an SC/ST chairman or managing director to one of the boards of banks/ FIs?
- 9) In an era of Globalisation, there is a need to encourage and protect the small investors. Who else can be more deserving and needy than the SC/STs who are small investors without whose participation India's stock markets can never have the required depth. Therefore, the Government of India should take all initiatives to bring the SC/STs into the stock market.

### **MNCs And International Organisations**

The Multi-National Corporations (MNCs), especially the US-based companies, have come to recognise the importance of their social responsibilities at home. For example, most American corporate giants justifiably feel proud of their Diversity practices. Therefore, it would not be difficult for the Government to encourage them to continue their praiseworthy policies in India also.

*The Government should create SC/ST self-help groups/ urban & rural cooperative banks in every district for micro-financing and also for inculcating savings habit among the community*

Similarly, the United Nations' (UN) organs and its specialised agencies follow Diversity at their respective headquarters. None of their offices located in India follow any policies that remotely favour the SC/STs. How can the UN or the World Bank be progressive in New York or Washington and remain oblivious to its own policies/ideals in India? The Government should impress upon these institutions to be caste and gender sensitive, just as they are race and gender sensitive at their headquarters.

### **A Word Of Caution**

Diversity in the Private Sector is the most sensitive area. The government should recognise the fact that the Diversity Initiative is totally new to India and utmost care must be taken to ensure that this new initiative is not confused with Reservations. Under Reservations, the onus is on the State to ensure its implementation; under Diversity, the onus falls on the society to ensure non-discrimination.

While we would have loved to celebrate a situation where the State comes out with strict legislative mechanism to ensure Diversity in all arenas of private enterprise/institutions, we understand the constraints that the Government may confront with. Lest this wonderful doctrine of Diversity gets clouded in controversies and confusions leading to a hostile response from the captains of private industry, the Task Force proposes a smooth introduction of Diversity in the Private Sector. We, therefore, recommend that:

- 1) The State should undertake a rigorous exercise of opening a channel of communication with organizations of private industry, and departments of SC/ST welfare, SC/ST intelligentsia, and SC/ST welfare organizations.
- 2) A series of government-sponsored Round Table Meetings should be organized between SC/ST representatives, government departments/ organizations and private industry on the utility of Diversity in creating a good, harmonious social order for India.
- 3) The best route to introduce Diversity in private sector could be, to begin with,

*How can the UN or the World Bank be progressive in New York or Washington and remain oblivious to its own policies/ideals in India?*

the Supplier Diversity, where leaders of private industry would morally find it difficult to oppose as goods purchased from SC/ST suppliers will have similar quality and pricing.

### **Missing Areas...**

The Scheduled Castes and the Scheduled Tribes remain excluded from a majority of sectors in the nation's economy. They are totally absent in media, capital market and, in general, the private sector. Their presence is negligible in areas of higher learning — even in the government-run institutions.

For example, there is no valid reason for the Government not to implement reservations in the armed forces. Efficiency argument can no longer be sustained because the Dalits had long ago proved their martial qualities in the (British) Mahar Regiment. In the United States and else where, minorities and Afro-Americans are encouraged into armed forces as part of the nation-building process. Why not in India?

So far the Government has taken a very narrow approach towards the development of the SC/STs. The approach has been to provide some education and jobs, however few, in the public sector. It is unlikely to solve the problem. Therefore...

- 1) The Government should consider how to help the Dalits to enter the hitherto closed sectors to them. It is the strong belief of the Task Force that concerted efforts and some fine-tuning will lead to opening up of newer opportunities to the community.
- 2) It is recommended to initiate a comprehensive scheme to mould the educated and unemployed Dalit youth to enter media and other service sectors, and the private sector.
- 3) The State Government should use its good offices to impress upon the Government of India to implement this and other recommendations at national-level.
- 4) The SC/STs' exclusion from the mainstream cultural arena has been most

*In the United States and else where, minorities and Afro-Americans are encouraged into armed forces as part of the nation-building process. Why not in India?*

stark, most visible since times immemorial. Even today, any attempt by the members of the community to break this fortress is resisted. The Governments, for instance, keep organizing cultural/ literary events. The Department of Culture, while organizing dance/musical events, must ensure that there are Dalit music/ dance groups participating. The Government must make every effort to encourage SC/ST artists and their art.

*The SC/STs' exclusion from the mainstream cultural arena has been most stark, most visible since times immemorial. Even today, any attempt by the members of the community to break this fortress is resisted*



## *The Bright Lamp of Education*

*By the year 2005, no SC/ST school-going age child will be out of School. By 2010, over 80% SC/ST children in the relevant age group will appear in High School Board Exams. The community will be encouraged and assisted forthwith to invest in economically rewarding subjects in higher education.*



The educational interests of the SC/STs are being sacrificed at the altar of the so-called merit. Their children are denied admission into better managed schools and colleges. What is regrettably forgotten is the fact that even the public/ private schools too have social responsibilities.

Merit is important and it ought to be taken note of but the comparison cannot be between unequals. The Supreme Court has held that reservations are not anti-meritorian. How can one equate the socially and economically disadvantaged sections with the rich and elite sections? Let there be different criteria for different groups.

- 1) A rational system should be devised to determine merit whereby students from a particular socio-economic background, such as rural-based or SC/ST students, are allowed to compete among themselves in entrance/ competitive examinations, etc.
- 2) The Centre and states must enact laws making it mandatory for all educational institutions to admit SC/ST students.
- 3) There ought to be mandatory set-asides in the education budgets in the states for SC/ST education. Defaulting states should be punished on the lines prescribed in the 73<sup>rd</sup> and 74<sup>th</sup> amendments.

### **Zero Drop-Outs**

The biggest challenge in SC/STs' education is that of Drop Outs, which in several states can be as high as 80% at high school-level. While several factors can be listed for this unfortunate phenomenon, the problem of acute poverty can

*What is regrettably forgotten is the fact that even the public/ private schools too have social responsibilities*

be held as the most decisive factor. This has been established by various studies. The same can be substantiated by several other indicators.

For stance, major landmark stages of Drop-Outs are first at Class VI after passing out of the Primary Stage [I-V], second at IX after passing out VIII, and the third at XI after passing out of High School. But, the highest rate of Drop Out occurs while entering class IX.

There is a very peculiar correlation between the age of an SC/ST child at class VIII, the academic sessions and India's cropping pattern. At stage VIII, a child is 14 years old, an age when he can be hired as a child labourer.

In most areas of the countryside, schools open in July, the mid- monsoon season when paddy is planted. The SC/ST landless agricultural labourers get work either during the peak of sowing season, or at the peak of the cropping season.

The academic calendar of Indian schools has three landmark stages: enrolment in mid-July, home examinations in mid-December, and final examinations in April-March, and incidentally, all the three stages coincide with India's main sowing/ cropping seasons, and these are the times when a landless family pulls all its labour force to earn grain for the whole year. This phenomenon pulls SC/ST children away from the school system, never to return again. Several experimentations have been carried out, including mid-day meals, but without any major success. Therefore, the Task Force recommends that:

- 1) Pay compensation to each BPL/ landless SC/ST family for sparing their children to attend schools. The rate per-child, per day can be as little as Rs. 2/ during non-cropping/ non-sowing months, and as high as Rs. 4/ during cropping/sowing months. While making this recommendation, we are not totally unaware of the state's finances, and hence, would like to append that the Central Government can be approached for funds. Unless something of this scale is adopted, the problem of Drop-Outs will continue to block the expansion of education amongst SC/ST communities.

*Pay compensation to each BPL/ landless SC/ST family for sparing their children to attend schools*



## Enrolment

One of the biggest challenges in SC/ST education is that, though now about 80 to 90 per cent students from the community have access to elementary level schooling facility, and majority of them do get enrolled, the rest 10 to 20 percent, despite availability of schooling facility fail to enrol.

Recognising the gravity of the problem, where even in the 21st Century, about 20 per cent children miss enrolment despite access to the school system, the Task Force recommends the following:

- 1) Each Panchayat head be made accountable to ensure that each child in the school-going age, gets enrolled. The Panchayats doing well in this regard may suitably be rewarded.

## Education of Girl Child

Given the existing gender bias in the society, SC/ST parents too tend to ignore the education of their daughters, which ultimately adds to the backwardness of the community, the Task Force recommends the following:

- 1) At every stage of education, the girl children should be awarded extra-benefits, and BPL/ landless parents should be awarded an extra amount of compensation, if they send their daughters to school.

## Quality Education

There are about 9.58 lakh SC/ST students enrolled for undergraduate courses (BA/ B.Com/ B.Sc./ B.Ed./ MBBS/ Engineering) in India, in which, 51.25 percent are Social Sciences/ Humanities. Not many from this background can find any honourable space in the market economy. Even if the private sector starts hiring qualified Dalits, the vast majority of educated Dalit youth will be left out. Realising the requirements of the new emerging market economy, where skilled workforce will be in high demand, we recommend the following:

- 1) From a very early stage, SC/ST students should be encouraged to focus more

*At every stage of education, the girl children should be awarded extra-benefits, and BPL/ landless parents should be awarded an extra amount of compensation, if they send their daughters to school*

on Science, Maths and English subjects.

- 2) In each SC/ST hostel, special coaching arrangements be made in order to add an extra input.
- 3) The Government should also extend freeship/ scholarship facilities to those SC/ST students who seek admission in better quality private schools.
- 4) Private/ Public Schools be persuaded to adopt the policy of admitting SC/ST students.

### Higher Education

Recognising that a mere plus-2 level education does not empower an SC/ST youth to find space in the market economy, we recommend the following:

- 1) More SC/ST students should be encouraged to undertake M.Phil/ Ph.D level studies by providing UGC fellowships to each and every SC/ST student undertaking these courses, so that they can fill up the college/ university level lectureship positions.
- 2) The State Government should institute 15-20 overseas fellowships for SC/ST students to pursue higher studies abroad. Active involvement of international foundations and charitable bodies may be enlisted so that the financial burden on the Government may be lessened.
- 3) Residential schools with adequate infrastructure such as hostels, teaching-learning material should be set-up at district and block levels for SC/STs.
- 4) Rates of Post-Matric Scholarship should be raised to realistic levels at which the student can meet the minimum requirements. The limit of annual family income for the eligibility of receiving scholarship should also be raised to Rs. 2,00,000/- from the existing Rs. 65,000/. And also link the income limit with the Consumer Price Index.
- 5) With the advent of Privatisation, even the government educational institutions are charging hefty fees from the SC/ST students. No fees should be charged

*The State Government should institute 15-20 overseas fellowships for SC/ST students to pursue higher studies abroad*

from the SC/ST students by the government institutions and if they do in unavoidable circumstances, the Government should have a provision in the budget that the SC/ST welfare department would pay the fees of the SC/ST students.

- 6) If the Central Government does not raise income limit and rates of maintenance allowances, the State Government should raise the same and finance the expenditure from its own resources.

### **Professional Education**

The importance of technical education and training in various crafts cannot be underestimated. And as the private sector one day will start practising Work Force Diversity, there is a need to prepare the SC/ST youth to enter the market economy. Therefore, the following measures may be considered:

- 1) More certificate/ diploma level training programmes be opened for SC/ST students.
- 2) That the Supplier Diversity has become a reality, a new type of Business / Management schools awarding certificate/ diplomas be set up for SC/ST students who after high school/ plus-2-levels can be imparted with Business/ Management skills.
- 3) The NGO sector has emerged as a new discipline all over the globe and has entered India in a big way. But SC/STs are more often out of it. The government should set up institutions where SC/ST youth with degree-level education can learn about this new discipline, and enter the sector.
- 4) Following initiatives are necessary for capacity building among SC/ST youth:
  - a) Vocationalisation at school level should be strengthened.
  - b) Industrial Training Institutes and Polytechnics should be modernised and should have industry linkages to assess the changing requirements of the industry and design their curricula accordingly. All the reserved seats in Engineering, Medical Colleges, Management Courses should be filled.

*There is a need to prepare the SC/ST youth to enter the market economy*

### **More SC/ST Teachers**

Considering the psychological disadvantage that the SC/ST students suffer due to the absence of SC/ST teachers in many schools and colleges, we recommend that more and more SC/ST teachers at all levels of education be recruited. Introduce skill-upgrading training programmes for SC/ST teachers.

*Considering the psychological disadvantage that the SC/ST students suffer due to the absence of SC/ST teachers in many schools and colleges, we recommend that more and more SC/ST teachers at all levels of education be recruited*



## *Employment and Representation*

*Representation in the government employment, however limited in scope, remains to be the only source of upward mobility for the educated SC/STs. But the way is blocked because of bureaucratic apathy and the shrinking public sector. It is not beyond the competence of the Government to fill all the reserved jobs in all categories and in all departments.*



The Task Force regrets the fact that even though highly skilled, specialised, educated SC/ST human resource is available, reservation quotas in the government jobs have not been filled in Madhya Pradesh and in the rest of the country.

- 1) Therefore, it is recommended that a special drive be undertaken to fill the backlog quota, especially in the educational institutions and universities. A continuous review on the filling up of backlog posts should be put in place.
- 2) The state should strengthen the existing mechanism to safeguard the genuine interests of the SC/ST employees who confront myriad forms of discrimination in promotions, transfers, etc.
- 3) The state should send a strong recommendation to the Central Government on the implementation of reservations for SC/STs at all levels of judiciary and that they should ensure representation of these sections in higher judiciary through quota.
- 4) Despite the proven valour and martial qualities of Dalits in the East India Company and British Indian Armies, the SCs and STs have been kept out of the defence forces and were denied a guaranteed quota. The State Government should recommend to the Government of India to introduce reservations for SCs and STs at all levels in Defence Forces so that these communities will perform their duties as defenders of the unity and integrity of the country.
- 5) General Administration Department of the State Government should prepare a status paper on reservations and results thereof during the past 25 years and place it before the State Assembly. While preparing the status paper various measures taken to fill the backlog posts should also be reviewed.

*A continuous review  
on the filling up of  
backlog posts should  
be put in place*

- 6) The Centre and other states should pass a special legislation on the lines of the Madhya Pradesh Reservation Act (*Act 21 of 1994, the Madhya Pradesh Lok Seva (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adiniyam, 1994 as amended in 2002*) and earnestly implement the same.
- 7) The SC/STs should be protected from the downsizing exercise by Central and State Governments due to the stipulations of the World Bank, IMF, etc., since they are the major losers as the employment opportunities shrink in the post-liberalisation, globalisation and privatisation scenario.

*The SC/STs should be  
protected from the  
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Central and State  
Governments*





## *Dalit Rights are Human Rights*

*Dalit rights are Human Rights. It is the responsibility of both the State and the society to see that the SC/STs, like rest of the population, lead their lives with dignity and without fear. Dalit Human Rights will remain a dream as long as their material conditions are not improved.*



## Atrocities

- 1) Recognize Dalits' Rights as Human Rights. Effectively implement in spirit and action the SC/ST (Prevention of Atrocities) Act and rules and hand over the responsibility of monitoring the implementation of the Act to the state/ national SC/ST commissions. The conviction rate should be improved and speedy prosecution of offenders should be done. In the cases of non-conviction by the trial court of atrocities, the state may file appeal to the High Court. Deterrent action u/s 4 of the Act must be taken.
- 2) Impose collective fine for social boycott on the SC/STs and for the practice of untouchability.
- 3) Afford full protection to all Dalits participating in the Panchayat Raj Institutions and other democratic institutions in the country.
- 4) Appoint special courts and special prosecutors to speedily try the cases under the SC/ST (Prevention of Atrocities) Act. In the cases falling under the Act, the state should file civil suits on behalf of the victims for compensation against the accused persons.
- 5) Regarding the atrocities emanating from the land, it should be mandatory for the state/ police to register cases under the SC/ST (Prevention of Atrocities) Act as well as other revenue laws.
- 6) The Government should review the cases of atrocities in which the prosecution failed and determine the reasons. If the failure is due to technicalities or legal loopholes the same may be rectified. If the failure is due to the laxity of investigating officer, suitable punishment should be awarded to him.

*Regarding the atrocities emanating from the land, it should be mandatory for the state/ police to register cases under the SC/ST (Prevention of Atrocities) Act as well as other revenue laws*

*The best and eminent lawyers should be engaged in the cases of atrocities. There should be a quarterly review of lawyers' performance in these cases*

- 7) The best and eminent lawyers should be engaged in the cases of atrocities. There should be a quarterly review of lawyers' performance in these cases.
- 8) Undertake mass-scale public awareness campaign and educational initiatives, with the active support of NGOs and other segments of civil society, in order to promote positive changes in attitudes towards and within communities discriminated against on the basis of work and descent-based discrimination, for which the necessary budget allocation should be earmarked.
- 9) Authorities should ensure free and fair entry of all persons in all religious places.
- 10) The primary health centres, information centres, government schools must be named after Babasaheb Ambedkar and Birsa Munda. They can be started in remote areas by providing 2-3 beds and necessary medicines so that they can cater to the needs of the community.
- 11) The State Government should ensure that the annual report of the State SC/ST Commission is tabled without delay before the Legislative Assembly. The annual report should contain a memorandum of action taken on the advice tendered by the Commission and the reasons for the non-acceptance, if any, of any such advice, and the audit report, The annual report and action taken reports, after debate in the Assembly, be made public through print and electronic media within 6 months of the debate and also appropriate action taken on these reports within the same time-frame.

### **The Bonded Labour System**

- 1) The bonded labour system is also a crime under the provisions of the SC/ST (Prevention of Atrocities) Act if the bonded labourers are SC/STs, and therefore cases against the employers of such bonded labour should be registered under the Act. The state must call for a meeting of all the NGOs in the areas that have been identified as bonded labour-sensitive areas and take their assistance to identify and rehabilitate the bonded labourers. Since the Government does not have latest/ authentic information on this savage system, an outside agency like the Babasaheb Ambedkar Institute of Social Sciences,

Mhow should be entrusted with the responsibility of conducting surveys to measure the problem at hand.

- 2) All bonded labourers – who are also landless agricultural labourers — should be distributed with surplus grazing and cultivable land along with financial aid to improve the land.
- 3) The strict implementation of the Minimum Wage Act may be done in order to discourage bonded labour system. An amendment to section 20 of the Act may be proposed for disposal within 3 months of cases related to non-payment/ less-payment of wages. Another amendment to the same act may be proposed for payment of wages of more than one month through bank cheque provided labour continue to work for one month or more.
- 4) Traffic in human beings and *begar* and other similar forms of forced labour are prohibited as per the provisions of Article 23 of the Constitution of India. For implementation of this provision, the Bonded Labour System (Abolition) Act, 1976 was enacted. An amendment to the Act may be proposed for submission of written information to concerned gram panchayat / local body/ labour office/ SDM for employment of the outside labourer by any employer. An amendment to section-18 of the Act may be proposed for increase of fine from Rs. 2,000/- to Rs. 20,000/- and payment to the bonded labourer may be made as per the rates decided by the State Government instead of Rs. 5/- per day. This amendment is necessary because the fine of Rs. 2,000/- and payment to bonded labourer at the rate of Rs 5/- per day have not been revised since the enactment of this Act. Another amendment (to section-26 of the Act) is essential for vesting of powers in the State Governments also to make rules. Otherwise the Government of India may expand the scope of rules in order to accommodate the proposals of the State Governments.
- 5) The offenders under the Bonded Labour System (Abolition) Act, 1976 should be punished under Section 4 of the SC/ST (Prevention of Atrocities) Act if the offences fall under the purview of this Act.

*All bonded labourers should be distributed with surplus grazing and cultivable land along with financial aid to improve the land*

## The Scourge Of Manual Scavenging

- 1) The manual scavenging system must be stopped immediately by converting all dry latrines into pour-flush latrines and rehabilitate all manual scavengers in dignified professions by imparting them proper vocational training. It should be the responsibility of the Government to provide alternate professions to manual scavengers and support them and their families financially until they settle in the new professions.
- 2) The State Government should recommend to the Centre to introduce much needed amendments to the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.
- 3) The National Commission for Safai Karmacharis (NCSK) must induct at least one representative from the manual scavenging community as a full-time member.
- 4) Private dry latrines cleaning system too has to be prevented.
- 5) The practice of manually cleaning human excreta in railways should be stopped immediately.

### Miscellaneous

- 1) Eminent Lawyers may be appointed to the lawyers' panel so that proper legal advice may be made available to SC/STs and women.
- 2) The police should leave the matter whether the crime committed is a crime or not to the court and not judge themselves. They should strictly follow the established procedure on every complaint and conduct investigation according to the law.
- 3) Each AJK (SC/ST) Police Station should have a vehicle for mobility in the area.
- 4) Post of SP, AJK may be sanctioned in each Police Range so that supervision of inquiries into atrocities on SC/STs may be done effectively.

*The National Commission for Safai Karmacharis (NCSK) must induct at least one representative from the manual scavenging community as a full-time member*

- 5) Minimum two years tenure may be fixed for the officers who have been posted in AJK.
- 6) Because of the paucity of DSP-rank officers for investigating into the cases of atrocities, inspector-level officers should be given one-step higher pay scale of DSP to fill the gap in the availability of DSP-level officers.
- 7) Mahila Police Stations may be sanctioned and established in balance districts in Madhya Pradesh so that speedy investigation and presentation of cases in courts may be facilitated.

*Because of the paucity of DSP-rank officers for investigating into the cases of atrocities, inspector-level officers should be given one-step higher pay scale of DSP to fill the gap in the availability of DSP-level officers*







## *The Budget*

*The Government's approach towards SC/ST welfare is a story of inadequate fund-allocations, non-spending of whatever little allocated and diversion of funds which harm their interests. Instead, the Government's financial commitment for the development of the community should match the magnitude of the problem.*



- 1) It should be mandatory by law for both the Centre and states that they set-aside a minimum of funds proportionate to the population of SC/STs for their development.
- 2) The central ministries should issue general guidelines and list-out eligible schemes leaving the details to the State Governments for their implementation. The idea of 'Block Grants' and 'United Funds' should be given serious consideration in which funds should be allotted to the states based on their SC/ST population.
- 3) The welfare department should be given full autonomy in the selection of schemes, dove-tailing of funds with schemes of other departments, allocation of funds, revision of schemes keeping in view the changing trends/ requirements/ demands and diversion of funds from one scheme to the other within the overall budgetary set-aside. The Allocation of Business Rules should be amended accordingly. Such autonomy to welfare department will bear fruit and will make a difference to the condition of the SC/STs.

*It should be mandatory by law for both the Centre and states that they set-aside a minimum of funds proportionate to the population of SC/STs for their development.*





## *The Information Society*

*The Revolution in the fields of Information Technology and computers is almost passing the SC/STs by. There is a need to narrow the Digital Divide so as to bring the fruits of scientific advancement to the poorest of the poor. Encourage the community to take part in the IT revolution and use IT for the betterment of their lives.*



The arrival of the information age is fast creating a digital divide of the technology access between the haves and have-nots. The Government should step in to bridge this divide and ensure that the vulnerable sections of the society such as the SC/STs are not left out. They also should have the right to information regarding their welfare.

- 1) The Government should introduce full and part-time diploma courses in IT and computers for the SC/STs at district-level.
- 2) Where appropriate, the SC/ST students should be financially helped to enroll in the private computer/ IT institutes.
- 3) Access to information and transparency are crucial for any programmes to succeed. Compilation of data-bases on the community and their dissemination can be accomplished with the help of IT.
- 4) STD booths have given employment to thousands of unemployed youth. Awarding of IT kiosks can be a source of revenue for unemployed SC/ST youth.

*The Government should step in to bridge the digital divide and ensure that the vulnerable sections of the society such as the SC/STs are not left out*







## *Institutionalising the Gains*

*What started on January 12-13, 2002 in Bhopal is nothing short of a revolution. It is the best example of a people-oriented and responsive administration. With the submission of this report and its acceptance (hopefully) by the government, the second phase of that revolution is about to begin. Much of its success or failure will depend on how the policies emanating from the Bhopal Conference are institutionalised in formal legislation, in creating needed institutions and by allocating resources sufficient to make the revolution vibrant and permanent.*



- 1) Include in the Ninth Schedule of the Constitution all acts, rules, regulations, etc., which are designed to safeguard the interests of the SC/STs so that lengthy litigation could not be resorted to to deny them of their rights.
- 2) The Planning Commission and the planning boards in the states should have a Vice-Chairman and one member each from these sections to safeguard their interests.
- 3) SC/ST welfare department should be entrusted with the responsibility to take all policy decisions regarding the administration of development programmes including budgeting of funds, making and release of allocations for development schemes; and powers to review, monitor and supervise the implementation of all the programmes for SC/STs.
- 4) Give more teeth to the SC and ST Commission whose advice is final and binding in all cases which are brought to its notice. The Commission should be given powers to award punishment in case of non-compliance, including the issuance of summons and non-bailable warrants.
- 5) The officers implementing schemes for the benefit of SC/STs should be sensitized about the problems of the community through training.
- 6) The Presidential Order, 1950 on the Scheduled Castes and Tribes be amended to include migrant SC/STs as a separate group in the list. All concessions extended to these groups by the individual states/ UTs shall be on first preference to the castes/ tribes as per the Presidential Order, 1950. The migrant SC/STs shall have a second preference only after the first preference claims have been attended to.

*Give more teeth to  
the SC and ST  
Commission whose  
advice is final and  
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which are brought  
to its notice*

- 7) It is also recommended that the revolution of social justice and empowerment initiated at the 'Bhopal Conference' should be a continuing process. The submission of the Task Force Report and its acceptance by the Government are just part of that revolution. More deserves to be done to make it a dynamic example of people-government interface for development. Towards this end, a Permanent Monitoring Body may be set-up, constituting senior officials and a few members of the Task Force.

*A Permanent  
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few members of the  
Task Force*

APPENDIX



*Members of the  
Task Force*



**CHAIRMAN**

**Shri Digvijay Singh**

Chief Minister, Madhya Pradesh

**MINISTERS/ OFFICIAL MEMBERS**

**Ms Vijaya Lakshmi Sahdo**

Minister, Scheduled Caste Welfare

**Mrs Urmila Singh**

Minister, Scheduled Tribe Welfare

**Col. Ajay Narayan Mushran**

Minister, Finance

**Shri Ghanshyam Patidar**

Minister of State, General  
Administration

**Shri A.V.Singh, IAS**

Chief Secretary

**Shri Rakesh Sahni, IAS**

Secretary, Welfare,  
Member Secretary

**Shri Sudeep Banerjee, IAS**

Principal Secretary, Finance

**Shri Ranbir Singh, IAS**

Principal Secretary, General  
Administration

**Dr. Amar Singh, IAS**

Secretary to the Chief Minister

**Shri Sewa Ram, IAS**

Commissioner, Scheduled Tribe  
Welfare

**Shri M.K.Singh, IAS**

Director, Scheduled Caste  
Development

**EXPERT MEMBERS**

**Shri Chandra Bhan Prasad**

Consulting Editor, The Pioneer,  
New Delhi

**Shri Raja Sekhar Vundru, IAS**

Deputy Secretary,  
Ministry of Social Justice and  
Empowerment  
New Delhi

**Shri D.Shyam Babu**

Fellow, Rajiv Gandhi Institute for  
Contemporary Studies  
New Delhi

**Prof. Mrinal Miri**

Vice-Chancellor, NEHU,  
Shillong

**Prof. Ram Dayal Munda**

Former Vice-Chancellor,  
Ranchi University  
Ranchi

**Prof. Virginius Xa Xa**

Department of Sociology  
Delhi School of Economics  
Delhi

**Ms. Teesta Setalvad**

Editor, Communalism Combat  
Mumbai

**SPECIAL INVITEES**

**Prof. Balachandra Mungekar**

Vice-Chancellor, Mumbai University  
Mumbai

**Prof. G. Nanchariah**

Vice-Chancellor, Dr. Ambedkar Central  
University  
Lucknow

**Prof. K.S. Chalam**

Director, Academic Staff College  
Visakhapatnam

**Prof. S.K. Thorat**

School of Social Sciences  
Jawaharlal Nehru University  
New Delhi

**Prof. Tulsiram**

School of International Studies  
Jawaharlal Nehru University  
New Delhi

**Prof. Kancha Iiah**

Osmania University  
Hyderabad

**Dr. Gail Omvedt**

Fellow, Nehru Memorial Museum and  
Library  
New Delhi

**Prof. Tiplut Nongbri**

School of Social Sciences  
Jawaharlal Nehru University  
New Delhi

**Shri Martin Macwan**

Navsarjan Trust  
Ahmedabad

**Shri Paul Divakar**

Dalit Human Rights Campaign  
Secunderabad



**Shri M.Lakshmiah**

Fellow, Centre for Dalit Studies  
Hyderabad

**Ms. Meenakshi Nath**

Social Activist  
New Delhi

**Dr. K.S.Chauhan**

Advocate, Supreme Court  
New Delhi

**SPECIAL INVITEESTO  
SUB-COMMITTEES**

**Ms. Ruth Manorama**

Dalit Women Initiative  
Bangalore

**Shri Velappan Karuppan, IAS (Retd.)**

Panchama Land  
Chennai

**Shri R.K.Nayak, IAS (Retd.)**

Kharavel Nagar  
Bhubaneshwar

**Shri Narendra Kumar, IAS**

Excise Commissioner  
Delhi

**Shri Rajeshwar Rangari**

IT Officer, Bank of Baroda  
Ahmedabad

**Dr. Yashadatta S. Alone**

Department of Fine Arts  
Kurukshetra University  
Kurukshetra

**Dr. A.L.Kanedi**

Ambedkar Central University  
Lucknow

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Commissioner, Jabalpur

**Mrs Neelam Rao, IAS**

Collector, Guna

**Shri Rajesh Rajora, IAS**

Collector, Balaghat

**Shri M. A. Khan, IAS**

Commissioner, Urban Development

**Shri K. Suresh, IAS**

Commissioner, Industries

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SUB COMMITTEES**

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**Shri S.S.Wankhade, IAS**

Secretary, Revenue

**Shri Satya Prakash, IAS**

Commissioner, Bhopal

*Tribal Affairs*

**Dr. Balwan Singh**

Additional Commissioner

Tribal Development

*Civil and Human Rights*

**Shri S.S.Uppal, IAS**

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*Diversity*

**Shri Sewa Ram, IAS**

Commissioner, Scheduled Tribes

Welfare

*Employment and Representation*

**Dr. Parasuram, IAS**

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Development

*Education*

**Shri D.P.Dube, IAS**

Commissioner, Education