

RECORD OF THE VISIT OF THE NATIONAL COMMISSION FOR SCHEDULED TRIBES TO THE STATE OF KERALA AND LAKSHADWEEP ISLANDS FROM 7/10/2009 TO 13/10/2009

The Commission led by Smt. Urmila Singh, Hon'ble Chairperson and Shri Maurice Kujur, Hon'ble Vice Chairperson accompanied by Shri Aditya Mishra, Joint Secretary and Shri P. V. Mohandas, Additional PS to Chairperson visited Kerala and Lakshadweep from 7/10/2009 TO 13/10/2009.

08/10/2009 [Thursday]

2.0 MEETING WITH THE DIRECTOR, TRIBAL WELFARE DEPARTMENT OF GOVERNMENT OF KERALA:

Director, Tribal Welfare Department, Govt of Kerala briefed the Commission about the status of literacy, occupational pattern, utilisation of TSP funds and various welfare schemes being run by the State Govt in respect of Scheduled Tribes.

It was noted that as per 2001 Census, Scheduled Tribe population is 3.64 lakhs which constituted 1.14% of total population of Kerala [3.18 crores]. Kerala has no scheduled area as no Block or Taluk has more than 50% tribal population. However, Puthur Grama Panchayat in Attappady Block in Palakkad district and Noolpuzha village in Wayanad District has more than 50% tribal population. Scheduled Tribes live in a scattered manner in Kerala. There are 7 ITDPs covering 2.86 lakh tribals having 79% of the tribal population. The tribal population is spread out through out the 4 districts in the Kerala State.

On a query from the Commission, Director, TWD, Govt of Kerala informed that the Scheduled Tribes and other Traditional Forest Dwellers [Recognition of Forest Rights] Act 2006 enacted by the Govt of India was under implementation in the State. The various committees envisaged under the Act have been constituted. 51 Forest Rights Committees have been constituted and 32,440 applications were received from the tribal families for recognition of their rights, which were being scrutinised. Around 33,000 tribal families are anticipated to be benefited under the Act. The Govt of India has already released a sum of Rs. 27.6l lakh under Act. 275[1] of the Constitution as one time grant to cover the expenditure related to the implementation of the Act.

3.0 VISIT TO MODEL RESIDENTIAL SCHOOL, CHALAKUDY, THRISSUR

The school was started during the year 1998. It has its curriculum based on the Kerala State syllabus and provides free education to students whose parents have family income below Rs. 10, 000/-. While the ST students are admitted based on an entrance test conducted at the State level, the students belonging to PTGs are admitted without any entrance test and income limit. Total present strength is 277 out of which 160 belong to ST categories. The academic track record of the school has been exemplary with 100% pass since 2004 except in 2005 where only one student had failed. The infrastructure of the school was excellent with well

equipped library, computer and science laboratories. The students are also engaged in various extra-curricular activities like gardening, agricultural operations herbal plant cultivation, tailoring, craft classes, music yoga, kalaripayattu, band and various club activities. Under the 'Learn & Earn Programme', the students are also imparted professional training like garment making, note book and office stationary and synthetic bag making etc.

The Commission closely interacted with the faculty members and students and noted that the students were feeling a home-like and a very conducive environment for their over all development, with the strong support and guidance by the faculty members and management. The Commission appreciated the efforts of the Govt of Kerala in establishment of such an exemplary residential school for STs, which presented itself as a model institution for others to follow.

4.0 VISIT TO KADAR PRIMITIVE TRIBAL VILLAGE, ATHIRAPPALLY

The Commission visited the hamlets of 'Kadar' tribals which were having a primitive look. These tribals were engaged in collection of minor forest produce and under various schemes of NREGA. A market set up also existed for their collection of minor forest produce. The over all standard of health of these primitive tribes was intimated to be satisfactory. The Govt. of Kerala has also provided necessary housing and educational facilities to the tribes. The connectivity to their hamlets was also reported to be satisfactory.

09/10/2009 [Friday]

5.0 MEETING WITH THE LAKSHADWEEP ADMINISTRATION

The Commission had a meeting with the authorities of the Lakshadweep Administration led by Shri Rajendra Prasad Paul, Secretary & District Collector and other senior officials. It was informed in the meeting by Shri Paul that Shri J. S. Dadoo, Administrator and Head of Lakshadweep Administration had to proceed to Kochi due to certain important engagements, hence he could not attend the meeting with the Commission.

It was informed by the Administration that the entire population of the Lakshadweep islands almost comprised of Scheduled Tribes and thus, plethora of developmental related activities from almost all govt departments in the islands were aimed at overall welfare and development of natives/scheduled tribes. As per the 2001 Census, the total population was 60,650 [Male: 31,131, Female: 29,519]. The natives of Lakshadweep are predominantly Muslim by religion with high level of literacy [Male: 92.53%, Female: 80.47%] It is significant to note that though being predominantly Muslim territory, the percentage of female literacy is significantly higher than the national percentage for Muslim females which is only 19%. The islands are well placed in terms of availability of nursery schools, junior basic schools, senior basic schools, high schools and senior secondary schools, which are also supported by one Kendriya Vidyalaya and one Navodaya school. The Administration in conjunction with the Calicut University has also established University centres in two islands i.e. Kadamat and Andrott where degree courses are conducted. In addition, a B .Ed centre has also been established in Kavarathi.

The Administration pointed out that there was a need to further increasing the reserved seats for higher and professional courses in mainland institutions for island students. The Commission advised that the details of the specific proposal formulated by the Administration in this regard may be communicated to the Commission for recommending to the concerned Ministry/Departments of the Govt.

Action: By Lakshadweep Admn

The Commission enquired about the status on identification of families under BPL scheme. It was informed by the Administration that the issue of BPL cards in accordance with the revised guidelines was in process. The Commission observed that as the issue of BPL cards was linked with many welfare schemes, it was necessary for the Administration to take urgent action in the matter so that the deserving people could take advantage of various schemes of the Govt.

Action: By Lakshadweep Admn

It was pointed out by the Administration that connectivity with the mainland by sea was a basic a requirement for development of the Islands and movements of the inhabitants. There was an urgent need to augment the existing facilities to meet the requirements. The Commission advised that, the matter was required to be critically examined keeping in view the futuristic requirements, especially for development of necessary infrastructure at the islands which required long lead time. The Administration should therefore formulate their proposal in this regard taking into account the futuristic load and impact of various developmental schemes which were underway. The Commission desired that the proposals in the matter should be submitted to the concerned authorities urgently.

Action: By Lakshadweep Admn

On a query from the Commission regarding employment opportunities to the local inhabitants, Shri Rajendra Prasad Paul, Secretary, Lakshadweep Admn. clarified that there were limited opportunities for employment in any industry due to non-viability of manufacturing operations as a result of the geographical distance from the mainland. However, the Administration was making all out efforts to improve employment of the local inhabitants by introducing various schemes like SHGs etc. A great potential exists for tourism which needs to be promoted within the framework of the existing guidelines of the government especially applicable to Lakshadweep Islands. The initiatives taken by the Administration so far have also resulted in significant achievement in boosting tourism in places like Bangaram Island etc. where Commission could also assess the progress during its visit.

The Commission desired that the Lakshadweep Administration could intensify their efforts to market their tourist potential of the Island both at national and international level as it appeared to be an attractive and feasible preposition for overall development of the Islands.

Action: By Lakshadweep Island

The Commission noted from the reply of the Administration to the questionnaire that no case pertaining to atrocities perpetrated on Scheduled Tribes were reported. Notwithstanding this, there was a need to strengthen the existing system to ensure effective implementation of SC&ST [POA] Act 1989.

Action: By Lakshadweep Administration

It was noted from the reply to the questionnaire that Low Temperature Thermal Desalination Plant at various Islands were being installed to provide safe drinking water in collaboration with National Institute of Ocean Technology [NIOT], Chennai. One plant is already installed at Kavaratty while another one was awaiting commissioning by the end of December 2009 at Agatti. The Commission appreciated the efforts made by the Administration to ensure supply of safe drinking water to the inhabitants of the islands and desired that the remaining Islands should also be covered at the earliest for supply of safe drinking water.

Action: By Lakshadweep administration

10/10/2009 [SATURDAY]

6.0 VISIT TO BANGARAM ISLAND

The Commission visited Bangaram island to have an assessment of the efforts made by the Lakshadweep Administration to promote tourism as an industry as claimed in the meeting held with the Secretary on 9/10/2009 at Agatti Island. The public-private partnership [infrastructure built by Lakshadweep Admn – being administered by private agencies on lease hold basis] was found to be running successfully with tourists getting attracted not only from India but also from abroad. Similar initiatives could be translated into other islands for improving opportunities of employment to local inhabitants and also earn revenue to the exchequer.

Action: By :Lakshadweep Administration

11/10/2009 [SUNDAY]

The Commission had a meeting with the Panchayat Members, village representatives, teachers, and general public of Agatti Island. The representatives indicated acute problems relating to connectivity of the islands by sea with main land mainly due to non-availability of adequate number of ships. The problem was further aggravated as most of the time, the available ships were also under break-down for minor works. This has resulted in a situation where the inhabitants of the Islands had to abnormally wait on the mainland as well as on the island for undertaking their journeys due to non availability of ships as it was not possible for them to afford another option of travel by air being too expensive. This has also resulted in non-availability of essential and basic commodities like vegetable etc. at the Islands very often. The Commission desired that the Lakshadweep Administration should look into the problem on an urgent basis and take effective measures to improve the connectivity of all islands by sea. The breakdown period

of the ships which is further aggravating the situation should also be reduced through proper preventive maintenance. The existing fleet of the ship should also be augmented to meet the emergent demand.

Action Lakshadweep Administration

The representatives indicated that take-off facility for helicopter was not available in the island. Therefore, even the serious patients including accident cases, which occurred after 5 pm, had to wait till the next day morning. It was requested that take off facilities during night hours for helicopter to evacuate such patients were necessary to avoid loss of valuable life in future due to paucity of facilities, especially considering the fact that no specialised hospital was available in any one of the islands. The Commission requested the Administration to urgently formulate a proposal for creation of necessary facilities for take-off of helicopter at night.

Action Lakshadweep Administration

The representatives also indicated non-availability of medical specialists in the hospital. On a query by the Commission, it was explained by the Officer-in-Charge of the hospital and the representatives that majority of the emergency cases were pertaining to maternity and child birth related cases. The Commission desired that the Administration should arrange specialist doctors under the NHRM scheme from the mainland rather than waiting for emergency to arise in such cases where at present it may not be always possible to provide emergency services by taking the patients to the mainland.

Action: By Lakshadweep Administration

The representatives mentioned that the expenses being incurred by the general public other than government servants in connection with medical services on the main land in emergency cases were not being reimbursed. The Commission desired that the local administration should look into the problem and formulate a feasible proposal to provide basic medical services, including specialist facilities, wherever necessary to the local inhabitants in the island,

Action: By Lakshadweep Administration

The representatives indicated that the present level of availability of seats for higher education on the main land was not adequate to meet the demand and aspirations of the local inhabitants. The Commission desired that the Administration should conduct a proper assessment of the requirement and take necessary action to request the concerned authorities to increase the number of seats of Scheduled Tribes of Lakshadweep under intimation to the Commission.

Action: Lakshadweep Administration

On a query from the Commission, it was confirmed by the local Administration that supply of safe and potable drinking water was expected to commence from December 2009 after commissioning of Thermal Desalination plant.

The Commission also visited the site of construction of the new jetty at the island and reviewed its progress.

12/10/09 [Monday]

7.0 REVIEW OF COCHIN PORT TRUST (CPT), KOCHI WITH REGARD SERVICE SAFEGUARD AVAILABLE TO ST EMPLOYEES

7.1 MEETING WITH ST ASSOCIATION/FEDERATION

The Federation of Central Govt Scheduled Castes and Scheduled Tribes employees (Kerala), Cochin Port Trust Unit, Willington Island, Kochi submitted a memorandum on the issues concerning the ST employees.

It was noted that the cases pertaining to (i) Smt. Mary George, Senior Deputy Chief Accountant-II, in Chief Mechanical Engineering Department, regarding harassment by Police, (ii) Shri George Johnson, Welder in Mechanical superintendent Office pertaining to his promotion, (iii) Shri Lalu M. B. Auto Electrician in I.C. Engine Office of CME's Office regarding his promotion, (iv) Shri R. Ramesh, Lascar in Ernakulam Wharf Traffic Department regarding his appointment and further issuance of safety equipments, and (v) Smt. Anita Xavier, Section Officer, DLB Office regarding reported misappropriation of stipend funds were pending for a suitable reply/clarification from the management. The Commission observed that such cases had arisen as a result of lack of proper communication and interpretation of the relevant rules/authorisation by the concerned administrative authorities. In this regard, the Liaison Officer could play an effective role, which was not demonstrated during the interaction held by the Commission with the complainants. The Commission, therefore, desired that the Federation should again discuss these issues with the Liaison Officer to solicit a proper reply/clarification to the affected persons.

The representatives of the Federation also indicated improper management of the roster and attempts on the part of the management to conceal the factual position contained in the matters relating to promotion and concerning DPCs.

It was assured by the Commission that the issues raised by the federation would be discussed with the authorities of CPT with the directive that an appropriate reply to all the complainants should be furnished within a month.

7.2 MEETING WITH CHAIRMAN, CPT AND OTHER SENIOR OFFICIALS

The Commission briefly mentioned the issues raised by the Federation and emphasised that there was a need to strengthen the existing grievance management system in the organisation as it was pointed out by the representatives of the ST Federation that in respect of many cases contained in their memorandum submitted to the Commission, replies were not furnished by the CPT in spite of lapse of considerable period. It was assured by the Chairman, CPT

that appropriate responses to the individual grievances would be furnished to the complainant under intimation to the Commission, within a month.

Action: CPT, Kochi

The Commission also advised the CPT that as a measure of transparency, the factual position concerning the matters relating to promotion including rosters should be shared with the employees. It was indicated by the Chairman, CPT that as a part of the ongoing computerisation programme, the rosters were also being computerised and the position relating thereto would also be available on-line. The process is targeted to be completed by the end of December 2009. The Commission appreciated the initiative taken by the CPT in the matter and observed that computerised management of rosters by CPT would inspire other organisations too to establish such systems. Chairman, CPT requested that during the implementation of the computerised management system of rosters, the Commission could also advise necessary input and check points. The system on its completion would also be demonstrated to the officials of the Commission.

Action: CPT, Kochi

Regarding lower representation of STs in group 'A' and 'B' in promotion [3.33 and 2.99% respectively] against the stipulated target of 7.5%, it was explained by the CPT that eligible candidates for promotion were not available in the feeder grades. The Commission advised that CPT could consider, in consultation with the Federation, possibility of direct induction of ST employees to improve their representation in the organisation. The management assured that the suggestion made by the Commission would be looked into.

Action: CPT, Kochi

8.0 REVIEW OF COCHIN SHIPYARD, KOCHI WITH REGARD TO SERVICE SAFEGUARD AVAILABLE TO ST EMPLOYEES

8.1 MEETING WITH ST ASSOCIATION/FEDERATION

Reps. of the Federation raised the issue of under representation of STs in the category of officers and supervisors (PSI) and above, which was only 2.5% and 2.1% respectively against the stipulated target of 7.5% and requested for immediate corrective action in this regard. The Federation suggested that rationalisation/grouping of various trades and induction/appointment of ST candidates against the reserved post for STs, where eligible candidates were not available in the feeder grade, could provide a solution to the present problem regarding lower representation of STs in various categories.

The Federation also suggested further relaxation in the eligibility criteria for promotion (from existing 60% available to STs against 65% to general candidates) in line with the relaxation being given against direct recruitment with minimum of 33 1/3% marks as against 50% marks required to be secured by the open candidate in test and interview for selection. It was also suggested that an appropriate HRD

plan should be implemented in respect of ST candidates to enable them to compete against the future vacancies.

The Federation emphasised that there was a need to advertise the recruitment of apprentices in the local news papers especially having wide circulation in ST areas so as to attract ST candidates for training as apprentices.

The Commission assured that the issues raised by the Federation would be taken up with the management of the Cochin Ship Yard Ltd.

8.2 MEETING WITH CMD, COCHIN SHIPYARD LTD AND OTHER SENIOR OFFICIALS

The Commission pointed out that the level of representation of STs in Group 'A' and Group 'B' was only 0.70% and 4.09% respectively which was considerably lower than the stipulated target of 7.5%. On a suggestion from the Commission, CMD, CSYL assured that rationalisation/grouping of various trades and induction/appointment of ST candidates against the reserved post for STs, where eligible candidates were not available in the feeder grade, would be considered to improve the present level of representation of STs in these categories.

Action: CSYL, Kochi.

CMD, CSYL, also confirmed that an appropriate HRD plan in respect of ST employees would be formulated urgently, to enable them meet the requirements against the vacancies likely to arise in the near future.

Action: CSYL, Kochi.

Regarding improvement in the representation of STs in induction of the apprentices, it was assured by the CYSL, that a wide publicity in newspapers which would also cover all tribal areas would be given. On a suggestion from the Commission, it was also confirmed that the information about induction of apprentices would also be communicated to the representatives of the Federation and also made available on-line system within the organisation.

Action: CYSL, Kochi

Regarding further relaxation in the eligibility criteria, for promotion in line with the relaxation available to the STs in direct recruitment, it was informed by the CYSL that against direct recruitment, the selection was based on the basis of a written test and an interview which was different from the criteria/standard being followed for promotion. Hence it is not advisable to adopt the relaxation available to STs against the direct recruitment in respect of promotion. However, an effective HRD programme in respect of STs, as already assured by the CYSL, would improve the avenues for promotion of ST employees.

On a suggestion from the Commission, CYSL assured that urgent action would be taken for computerisation of the rosters and further future vacancy circulars would be made known on-line to the employees.

Action: CYSL, Kochi

The Commission noted that during the last 5 years, there was no interchange of posts reserved for STs. Further, no post was de-reserved during the last 3 years.

The Commission also noted that considerable manpower (1938) was being engaged against various projects and reservation for STs was not being provided against the contracts for outsourcing in the absence of any instructions to provide reservation in such cases.
