

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. 11/2/2015/Maharashtra/Dist (Pune)RU-IV

Dated : 29.4.2016

Tour Report of the National Commission for Scheduled Tribes (NCST) to Pune and Nashik in the State of Maharashtra from 28-01-2016 to 01-02-2016 for meetings with senior officers of State Govt. on issue of fake caste certificates, to Study Model to Address Distress Tribal Migration for Livelihood by Tribal Development Department, and Disha Foundation, Nasik and field visits.

- 1.0 The Commission led by Dr. Rameshwar Oraon, Hon'ble Chairperson, accompanied by Shri Ravi Thakur, Hon'ble Vice-Chairperson, Smt. K.D. Bhansor, Director, NCST and Shri R.K.Dubey, Assistant Director, NCST, Regional office, Bhopal visited State of Pune and Nashik in the State of Maharashtra from 28-01-2016 (evening) to 01-02-2016 for meetings with senior officers of State Govt. on issue of fake caste certificates, inspection of activities of Disha Foundation, Nashik and field visits in accordance with programme communicated to the State Govt. vide Wireless message No. 11/2/2015/Maharashtra/Dist(Pune)/RU-IV Dated 15-01-2016.

29-01-2016

- 2.0 Inauguration of “ हस्तकला बिक्री केन्द्र तथा पाक कला प्रशिक्षण केन्द्र” (Cooking Training Center) at Tribal Research and Training Institute, Pune by Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST.

Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST inaugurated हस्तकला बिक्री तथा पाक कला प्रशिक्षण केन्द्र (Handicraft Sale Center and Cooking Training Center) at Tribal Research and Training Institute, Pune in the morning in presence of Chief Secretary, Government of Maharashtra and Secretary, Tribal Development Department, Government of Maharashtra. In the Cooking Training Center, the tribal staff preparing food in the Ashram Schools will be provided training for preparing healthy and hygienic food for the students. In **Tribal handicraft sale center** the tribal art has been displayed which is also available for sale. Commission was informed that a tie up has been made for marketing and supply of these produces with some companies and the products are also being exported abroad.

Rameshwar Oraon

डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi



Photo: Dr. Rameshwar Oraon, Hon'ble Chairperson NCST inaugurating the Handicraft Sales Center and Cooking Training Center at TRTI, Pune.



Photo: Dr. Rameshwar Oraon, Hon'ble Chairperson and Shri Ravi Thakur, Hon'ble Vice Chairperson, NCST visiting the Cooking Training Center at TRTI, Pune.

Commission also visited Tribal Museum in the TRTI campus, Pune which has a large collection of the articles used by different tribal communities of Maharashtra State.

Rameshwar Oraon

डा. रामेश्वर उराव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

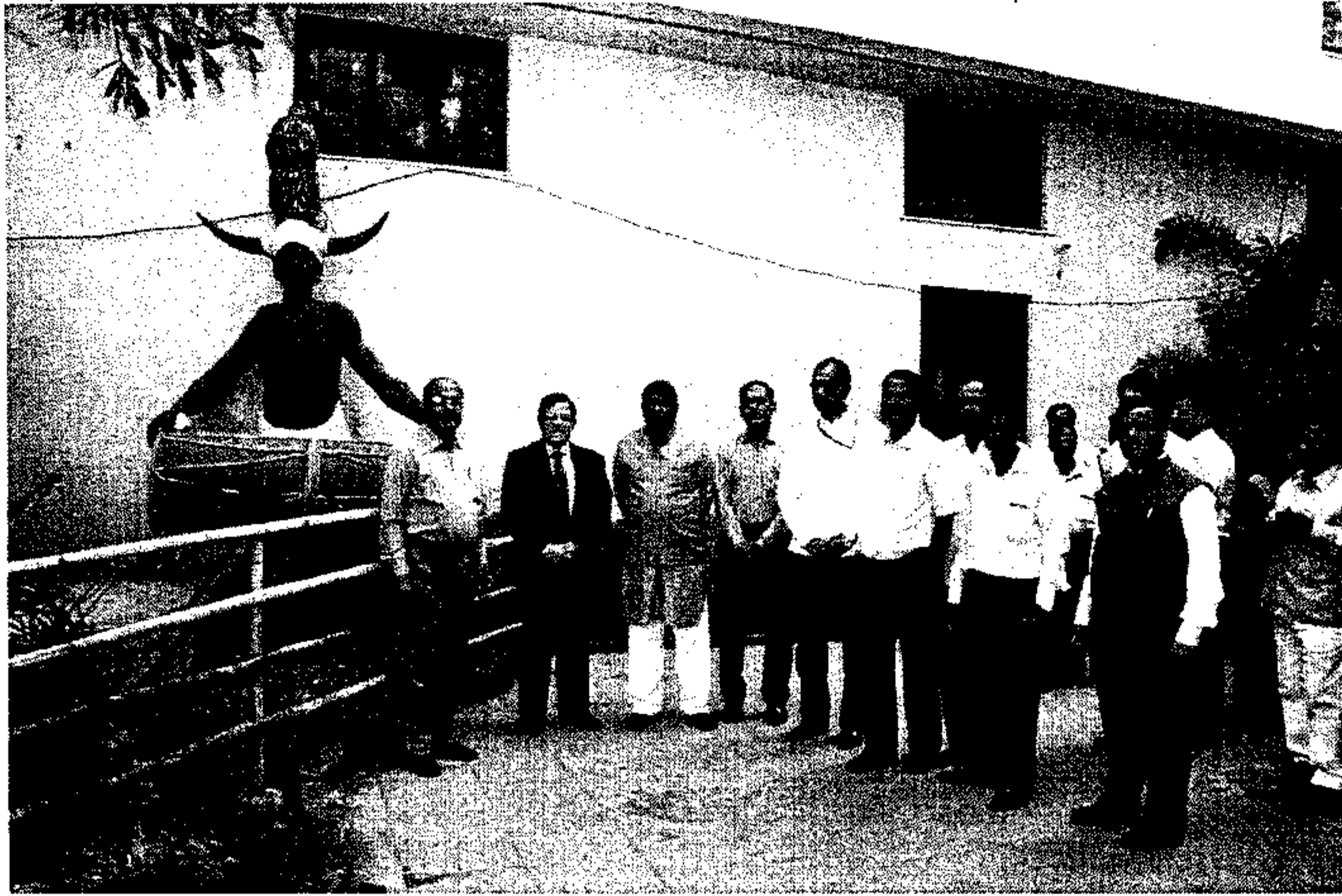


Photo: Dr. Rameshwar Oraon, Hon'ble Chairperson and Shri Ravi Thakur, Hon'ble Vice Chairperson, NCST outside the Tribal Museum at TRTI, Pune



Photo: Dr. Rameshwar Oraon, Hon'ble Chairperson and Shri Ravi Thakur, Hon'ble Vice Chairperson, NCST visiting the Tribal Museum at TRTI, Pune

Rameshwar Oraon

डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Meeting with Chief Secretary, Government of Maharashtra, Secretary, Tribal Welfare department, Commissioner, TRTI and other officers of Govt. of Maharashtra on the issue of fake caste certificates.

The Commission held a meeting with Chief Secretary, Government of Maharashtra, Secretary, Tribal Welfare department, Commissioner, TRTI and other officers of Govt. of Maharashtra on the issue of fake caste certificates.



Photo: Team of National Commission for Scheduled Tribes in the meeting with State Government Officers at TRTI, Pune

The State Government presented a note of compliance to the Commission on its earlier communications and meetings taken on the subject as given below:

| S. No. | Points | Submissions of State Government |
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| 1. | Commission received a specific complaint regarding issuance of ST certificate, due to O.M. DoPT, to non ST persons who belonged to Halba Koshti/Halbi Koshti/Koshti community as above communities are not covered under the list of STs notified by the GOI. In fact it is very clear after the judgment of Hon ble | As per the O.M. No. 36011/2010-Estt(Res) issued on dated 10 th August, 2010 by DoPT of Central Govt., the candidates belonging to Halba Koshti/Halbi Koshti/ Koshti appointed against the post reserved for ST category on the basis of the ST certificate, their services had been protected in the light of the judgment of the Hon ble Supreme Court in Milind s case. Shri Harishchandra |

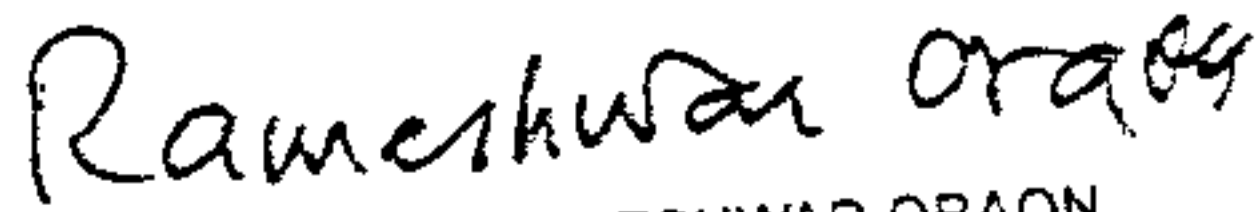
Rameshwar Oraon
डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
राज्य सरकार/Govt. of India
पुणे, महाराष्ट्र/2010

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| <p>Supreme Court of 1994 in the matter of Madhuri Patil that community certificates are to be issued only to those communities which are notified vide Presidential order for inclusion in the list of Scheduled Tribes. Here Halba/Halbi finds mention in the Presidential order and not the Halba Koshti/Halbi Koshti/ Koshti caste.</p> | <p>Chavan, Hon ble M.P. Lok Sabha had lodged complaint about the said O.M. issued by DoPT to Hon ble National Commission for Scheduled Tribes (NCST).</p> <p>This Deptt. had sought the opinion of TRTI, Pune and submitted the report vide letter dated 15-05-2013 to Hon ble NCST.</p> <p>As per the report of TRTI, the original complaint dated 18-12-2012 filed by Shri Harishcandra Chavan, Hon ble M.P; Lok Sabha along with various associations/Organizations, through which they have requested to instruct DoPT to cancel O.M. No. 36011/2010-Estt(Res) issued on dated 10th August, 2010, dealing with appointment of candidates belonging to Halba Koshti/Halbi Koshti/ Koshti caste against vacancies reserved for the Scheduled Tribes and to initiate departmental enquiry against employees, officials and legal advisers who have intentionally issued the aforesaid O.M.</p> <p>The O.M. dated 10th August, 2010 issued by the DoPT, which was based on the judgment of the Hon ble Supreme Court in Milind s case, delivered on 28-11-2000, inter-alia, it was held that “ Having regard to the passage of time, in the given circumstances, including interim orders passed by this Court in SLP (C) No. 16372/85 and other related affairs, we make it clear that the admissions and appointments that have become final, shall remain unaffected by this judgment.”</p> <p>Therefore, the O.M. issued by the DoPT is just a replica of the above referred judgment of the Supreme Court, The O.M. made it clear that these candidates shall not get the benefits of reservations after 28-11-2000.</p> <p>The Hon ble NCST arranged various meetings on this issue and sent the minutes</p> |
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Rameshwar Oraon

डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

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| | | <p>of the meeting to State Government. The minutes of the above meetings was sent to the General Administration Deptt. and this Deptt. also.</p> <p>Meanwhile, Joint Secretary, DoPT, Govt. of India had informed vide his D.O. letter dated 29-11-2013 that in the recent judgment by the High Court of Judicature of Bombay (Nagpur Bench) vide its order dated 20-12-2012 (W.P. No. 4283/10 in the case of All India Adivasi Employees Federation V/s. UOI), observed that the Office Memorandum dated 10-08-2010 has been in consonance with the law laid down in the judgment of the Apex Court. The Adivasi Employees Federation has already filed the SLP before the Supreme Court and the matter is subjudice.</p> |
| 2 | <p>To investigate the above matter of fake certificate, Commission held several Sittings with Officials of Government of Maharashtra, DoPT, Ministry of Law and Ministry of Tribal Affairs. Proceedings of the Sittings held on 30-08-2013, 04-09-2013 and 25-06-2014 in this Commission were sent to the Government of Maharashtra and copy of each such sitting is attached herewith for your ready reference.</p> | <p>On the basis of the interim order dated 14-07-1986, passed by the Hon ble Supreme Court in Milind s case, the then State level Scheduled Tribe Certificate Scrutiny Committee has issued provisional validity Certificates to the candidates as belonging to Halba Koshti community. Due to the final Judgment delivered in Milind s case by the Hon ble Supreme Court on 28-11-2000, the admissions and the appointments made on the basis of the Halba Koshti certificates have automatically become final. Hence the point as raised regarding investigation of such certificates does not arise.</p> |
| 3 | <p>Based on the inputs given by the Officers, of State Government of Maharashtra, the Commission in its 75th meeting held on 17-08-2015 observed that due to issuance of above said O.M. of DoPT over 20,000 posts are grabbed by Halba Koshti/Halbi Koshti/ Koshti caste (non tribal community). It was decided in the meeting of this Commission that State Government of Maharashtra should identify such number of posts and take immediate</p> | <p>The information on these points is related to General Administration Department which has submitted report vide their letter no. बीसीसी-2016/प्र.क्र 30ए/16-ब dated 21-01-2016 (copy provided to Commission) on the corrective measures taken by the State Government in this regard.</p> <p>The aforesaid O.M. issued by the DoPT, is applicable to the employees of the Central Government and its undertakings. The State Government, as such, has no control over these establishments. Therefore, it is desirable to collect these</p> |


 डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
 अध्यक्ष/Chairperson
 राष्ट्रीय अनुसूचित जनजाति आयोग
 National Commission for Scheduled Tribes
 भारत सरकार/Govt of India
 नई दिल्ली/India

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| | remedial action so as to ensure that same number (equivalence of such posts) are carried forward so as to provide benefit to eligible genuine STs, which were filled by ineligible non STs candidates. | statistics from various establishments of the Central Government and to act accordingly by the DoPT. |
| 4 | It was also advised by the Commission that if needed so, necessary Statutory amendments may be carried out in this respect. Copy of the minutes of above meeting were forwarded by this Commission to the Chief Secretary, Government of Maharashtra, vide letter No. HCC/Maha/1/2013/RU-IV dated 06-11-2015 (copy attached) | As above |
| 5 | Vide this office letter No. KAV/3/2013/MTAF1/SEOTH/RU-IV dated 05-11-2013 representation of Shri A. V. Kisave of Pune for correction of spelling of Dhangad and Dhangar or addition of Dhangar as synonym of Oraon was sent to the Ministry of Tribal Affairs. In this regard Ministry of Tribal Affairs vide its letter 12026/37/2013-CL & M-I dated 07-04-2014 (copy attached) interalia intimated that above matter was also raised by the Hon ble MPs of Lok Sabha and the said matter was taken up by the MoTA with the Government of Maharashtra, on 08-06-2012 and 19-03-2013. However, action taken on it has not been reported to this Commission. | Ministry of Tribal Affairs vide their letter dated 08-06-2012 and 19-03-2013 sought the comments of the State Govt., on the representations received from Shri Bhausahab Wakchaure, then M.P. (Lok Sabha) and Shri Rao Saheb Danve Patil, Hon ble M.P. (Lok Sabha) and Ms. Praniti Shinde, Hon ble M.L.A., regarding inclusion of Dhangar, Talwar Kanade and various Nomadic and De-notified Nomadic Tribes Communities in the list of STs of Maharashtra. The State Govt. obtained report form TRTI and submitted the reply vide letter 28-11-2014 to the Ministry of Tribal Affairs. As per the instructions of the Hon ble NCST, the copy of the reply of State Government is being submitted herewith. |
| 6 | Further, this Commission, vide its letter dated 23-04-2014 (Copy attached) sent the representation dated 13-08-2013 of Shri H. Jawale, Member of Parliament (Lok Sabha) to the Chief Secretary Govt. of Maharashtra concerning violation of rules for issuance of ST certificates as a result of it Tokare Koli and Mahadev Koli of Jalgaon, Dhule, Nandurbar and Nashik districts of Maharashtra are facing problems. | In response to the representation of Shri Haribhau Jawale, then Member of Parliament (Lok Sabha) dated 13-08-2013, a report was called from TRTI, Pune. The said report has been submitted by TRTI on 14-01-2016. The reply on this subject will be submitted to the Hon ble NCST at the earliest. |

Rameshwar Oraon

डा. रामेश्वर उराव/Dt. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
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| | However, Commission has not received any reply on it. | |
| 7 | <p>During the recent visit of Hon ble Chairperson, Hon ble NCST to Kinwat, District Nanded, issue of fake certificates of Mannervar Community (non tribal) as Mannervaru was brought to the notice. In this regard, copy of the visit report of Hon ble Chairperson, Hon ble NCST was sent by this Commission, vide its letter No. RU-IV/Maha(CP)/Tour/2015 and dated 06-11-2015 to all concerned and copy of its was endorsed to the Chief Secretary, Government of Maharashtra.</p> | <p>The Government of Maharashtra enacted an Act viz Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis) Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of issuance and Verification of) Caste Certificate Act, 2000 (Mah.XXIII of 2001) and Maharashtra Scheduled Tribes (Regulation of issuance and Verification of) Certificate Rules brought into force with effect from 5th June, 2003.</p> <p>As per the provisions of Act and Rules, the responsibility of issuance of Scheduled Tribe Caste certificates is vested on the Sub Divisional Officer of the Revenue Dept. of the State and officers authorized by the Collector as competent authority for issuance of Scheduled Tribes caste certificate.</p> <p>The Scheduled Tribe Caste Certificate Scrutiny Committees work as per the guidelines of the Hon ble Supreme Court in the matter of Madhuri Patil and provisions and procedure laid down in the above Act and Rules. The Mannervaru and Mannewar tribes are included in the list of Scheduled Tribes of State of Maharashtra.</p> <p>On verification of these caste certificates by Scrutiny Committees, it is generally found that the Munnervar, Munnurvar, Munnur, etc. communities are falsely taking the certificates of Scheduled Tribes, though they have been included in the list of S.B.C in the State of Maharashtra.</p> <p>The information regarding the other issues raised in the visit of the Hon ble Chairperson of NCST to Kinwat, Dist. Nanded, have been sought from concerned officers, which will be submitted to Hon ble NCST at the earliest.</p> |

Rameshwar Oraon

डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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During the discussion, it was informed that so far 2466 ST caste certificates of State Government employees have been identified and invalidated by the concerned caste certificate scrutiny committees in the State. The State Government is taking necessary steps to fill all such posts from ST candidates which is a continuous process. **The Commission stressed that Halba Koshti/Halbi Koshti/ Koshti caste certificate holders, who had obtained employment under ST category and have been given protection by Hon'ble Supreme Court should not be treated as ST employee anymore and they should be adjusted against their actual category in the concerned rosters. As a result of this, the ST points which fall vacant in the roster should be filled by appointing ST candidates to fulfill the reservation quota for this category. The State Government should take action in this regard for employees working in State Government services and State owned undertakings. The progress in this regard should be reported to the Commission from time to time. The State Government officers informed it can be done by them in the State Government services and State owned undertakings but in case of Central Government employees and PSUs, it is very difficult for the State Government to verify the certificates as the State Government has no control on these organizations for which concerned department in Central Government will have to be involved by the Commission.**

The Commission observed that there are complaints received from various groups in the Commission that the Munnervar, Munnurvar, Munnur, etc. communities (Telugu speaking) are falsely taking the certificates of Scheduled Tribes, though they have been included in the list of S.B.C in the State of Maharashtra. This is being done by adding suffix 'lu' in the land records to become Mannervarlu (speaking Kolam language) which is enlisted as Scheduled Tribes at S.no. 27 in the ST list of State. It was also pointed out that these Telugu speaking communities are also claiming to be Mannewar which appears at S.no. 18 in the ST list of the State along with Gond and other tribes. This has been recently informed to the Commission during the visit of Hon ble Chairperson, NCST to Kinwat in Nanded District of the State where it was informed that the students of 135 schools of the District belonging to Munnervar community were issued Mannervarlu ST certificate by adding suffix 'lu' in their records. **The Commission also noted with concern that there are also complaints that the members of Mannervarlu community are not being provided ST caste and validity certificates and opined that the members of this tribal community should be provided caste and validity certificates so that they can avail the benefits of various developmental schemes meant for Scheduled Tribes. On the other hand, other communities with similar nomenclature should not be allowed to obtain ST caste and validity certificates and grab the benefits available to Scheduled Tribes. The same view was expressed in the case of Koli community (Special backward class) which tries to obtain caste and validity certificates claiming to be Koli Mahadev Scheduled Tribe. On the contrary, Tokare Koli and Mahadev Koli Scheduled Tribes of Jalgaon, Dhule, Nandurbar and Nashik districts of Maharashtra are facing problems in obtaining ST certificates. The Commission has also received demand for separation of Mannervarlu community which appears along with Kolam at S.no. 27 and making it as a separate entry in the ST list of the State and as per the laid down procedure, the State Government has to consider the demand on merits.**



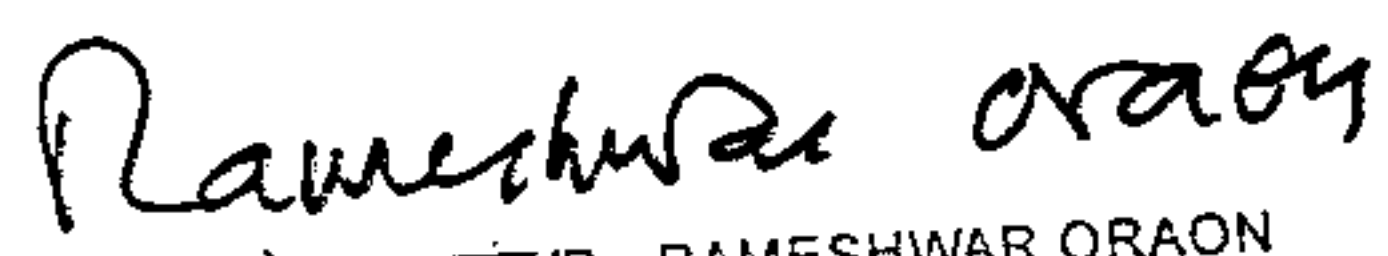
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The Commission was informed that about 2600-2800 doubtful caste certificates of Mannervarlu community have been identified and report has been sent to the State Government for taking action against the issuing officers. Special Counsels have been appointed for the cases which are pending in the High Court in the matter.

The Commission also stressed that in the ST list of State, Oraon, Dhangad is appearing at S.no. 36 and in some States the word Dhangad appearing with Oraon in their ST list have been replaced by word Dhangar as the Oraon s who are cultivators are also called Dhangar . All the Dhangar are Oraon only. So the Dhangad who are Oraon should be given ST certificates. On behalf of the State Government, it was submitted that in leaders of Dhangar caste of the State are demanding inclusion by way of correction at S.no. 36 of the ST list as Dhangar instead of Dhangad only by replacing the single character d by r . At present the caste Dhangar and its sub-castes are included in the list of Nomadic Tribes (C) of the State and 3.5 % of reservation is applicable to them. The social status of this community is equivalent to Maratha caste and in case of Maharashtra, they are totally different from Oraon, Dhangad Scheduled Tribe. In view of the TRTI, Pune the Dhangar caste does not fulfill the criteria laid down by Government of India for inclusion as a Scheduled Tribe. However, keeping in view the demand, the State Government has referred the matter for in depth study to the Tata Institute of Social Sciences, Mumbai, and to know whether the Oraon, Dhangad as a Scheduled Tribe and Dhangar as Nomadic Tribe are same or different. Further action can be taken on the basis of findings of the above study.

In the end of the meeting, the Secretary, Tribal Welfare Department informed the Commission about various initiatives taken by the State Government for the Tribal Community of the State. Some of the initiatives are as under:

1. Construction of Sports Hostel for promoting sports activities among tribals at Nashik.
2. Construction of modern kitchen for providing meals to the inmates of tribal Ashram Schools presently 7500 students of 20 schools are being provided balanced diet through this kitchen.
3. APJ Abdul Kalam Amrit Aahar Yojana for providing one meal per day to pregnant and lactating mothers to curb the menace of malnutrition. There is more malnutrition among pregnant and lactating mothers in tribal Districts like Gadchiroli and the Government is focusing on the Tribal Districts.
4. The process of appointment of Doctors has been simplified and the involvement of State Public Service Commission in the process has been dispensed with. They are being appointed through walk-in-interviews in tribal areas.
5. State Government has issued instructions that appointment on 12 group C posts in the Scheduled areas will be made from the Scheduled Tribe candidates only. These posts include the posts of Patwari, Gram Sevak, Nurse, Teachers, etc. The Commission desired that a copy of this instruction may be provided to it so that it may recommend taking similar action in other State also.


डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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30-01-2016

The Commission left Pune for Nashik in the morning by road and on way, visited following places to interact with the tribal students and villagers:

1. **Visit to Jai Hind Adivasi Ashram Shala, village Kolwade, Sangamner Taluka in Ahmadnagar district** : The Commission reached this educational institution run by Smt. Mathurabai Bhau Sahab Thorat Sevabhavi Trust. The Commission was informed that the school was started in the year 1994 and 200 girls are residing in the Kalsubai Kanya Ashram Shala. Another 200 boys are residing in the boys hostel. The village is inhabited by Koli Mahadev ST community. It was informed that an amount of Rs. 900/- per boarder per month is provided by Government of Maharashtra and about Rs. 4000/- student per year is provided by the Sanstha. The Commission appreciated the visionary person who established this trust for providing education to the poor tribals of the area and was impressed with the performances by the students. After interaction with the students and visit to the hostels, following recommendation are made by the Commission:

- a. **The quality of education being provided to the students particularly in English, Science and Maths needs improvement.**
- b. **There is no bed or mattress provided to the students. Double Decker beds and mattresses should be provided to the students who are presently sleeping on the mats.**
- c. **Almirah should be provided in each hall for the boarders so that they can keep their belongings in it which was presently lying on the floors.**
- d. **There was only fan in the hall in which the boarders sleep which is not adequate for them. Atleast one more fan should be provided in each hall to make their stay in the hostel comfortable.**
- e. **It was informed that no Scholarship is provided to the boarders. The Commission desired to confirm the fact as other State Governments provide Scholarship to the boarders.**
- f. **The Hostel and the School is located in a remote area outside the village and there is a need for regular police Patrolling so that the inmates particularly girls feel secured.**
- g. **There is a need to motivate the tribal students who come from a very different background so that they can think bigger and achieve higher in life. The tribal dialects, dances, songs and culture should be kept intact while providing modern education to them.**

Rameshwar Oraon

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राष्ट्रीय अनुसूचित जनजाति आयोग
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2. **Meeting with tribal beneficiaries in Gondhevasti, Kolwade, Sangamner Taluka in Ahmadnagar district:**

The Commission interacted with the tribal beneficiaries of various schemes and saw their living conditions. The villagers informed that they have been benefitted by various schemes like supply of light electric motor pump, poultry units, house under Gharkul scheme, construction of community temple under Thakkar Bapa scheme, watershed scheme etc. Following recommendations are made by the Commission for improvement in the living conditions of the tribal villagers:

- i. **There is scarcity of water in the village and water is presently being supplied through tankers. Deep boring tube well should be installed in Gondhevasti, Kolwade for improving water supply.**
- ii. **Besides above, the villagers have demanded for supply of water from Sangamner through pipe line and the same should be considered urgently.**
- iii. **The villagers have demanded for construction of road from Kolwade to Mallarghat for improvement in transportation.**
- iv. **As the villagers are facing problem due to scarcity of water and fodder, dairy farming has not been very beneficial for the tribals. The Commission suggested promoting poultry and goat rearing on a larger scale to enhance the income of tribals and eggs, chicken and meat produced by them could be supplied to the tribal ashram schools and hostels for providing nutritional food to the inmates.**
- v. **As far as agriculture is concerned, only Bajara is produced by the farmers as irrigation facilities are not available. Water conservation activities should be promoted under MGNREGS and other schemes for providing irrigation facilities in the area as the quantum of rain fall during the monsoons is good but there is no adequate arrangement to collect and preserve the water for the lean season.**
- vi. **The tribal women should be provided vocational training to enhance their skills. They could be given training in stitching and orders for making uniforms for the inmates of tribal ashram schools and hostels. Thus, these women could be provided work and their financial condition could be improved.**

After the discussion with the tribals at Gondhevasti, Kolwade, Sangamner Taluka in Ahmadnagar district, the Commission further proceeded for Nashik and reached there in the evening where Commissioner, Tribal Research and Training Institute, Pune, Commissioner, Tribal Development Department, Dr. Anjali Borhade and team of Disha Foundation formally welcomed the Commission. The Commission had an initial discussion on the model set up by an NGO Disha Foundation and Tribal development Department to address distress tribal migration for livelihood.



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अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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The Commission was informed that Disha foundation is a pioneer organization of India who has initiated efforts to ensure safe and productive Labour Migration in Nasik region since December, 2002. Programme of visit to one of the village where Disha Foundation has undertaken its activities was also finalized in the discussion.

31-01-2016

1. Visit to Nandnagon Kohli

The Commission visited village Nandnagon Kohli in Trymbakeshwar Block, one of the source villages of tribal migrants where Disha foundation has started its intervention to minimize distress tribal migration, with support of Tribal Development Department. Commissioner, TRTI, Pune, Commissioner, TDD, Government of Maharashtra and other departmental officers accompanied the Commission. Team of Disha foundation and villagers warmly welcomed the Commission. Local government officials were present in the meeting. Thereafter, Dr. Anjali Borhade provided overview of project work in the village. She first thanked NCST for their visit, and expressed that it is a big day for Nandgaon, for Disha and also for the cause of tribal migration, as NCST has taken note of it and visited specially to see the migration work. She provided detailed overview of seasonal migration in Maharashtra and Nasik region. Compared to other states in India, Maharashtra reports the largest number of net migrants. Migration within Maharashtra state is quite high which is towards Mumbai, Thane, Pune and Nasik from drought prone and tribal blocks of the State and also from other states like Bihar, Uttar Pradesh, Rajasthan.

She informed that Nasik is known for its robust agriculture economy (including biggest wine yards of India) and set up of three five-star industrial areas. Nasik's old pilgrimage status attracts tourists throughout the year and hence transport and hospitality industry is on boom. Due to these factors, Nasik city attracts nearly 4 lakh migrant labourers, which includes nearly 60% tribal youth within Maharashtra as well from other states of Bihar, Uttar Pradesh, Rajasthan and Madhya Pradesh who are engaged in agriculture, construction and hospitality sector. She further mentioned that migration from tribal blocks of Nasik region to nearby cities is very high (nearly 85% of the total population) as per study conducted by this NGO in 2011.

Describing policy Apathy and emerging need of comprehensive policies to manage labour migration Dr. Anjali Borhade presented the current policy environment in Maharashtra and in India to address such labour migration. Based on Disha's various studies and last 12 years' different interventions in migration sector, it is observed that at source level, migrants are not available to avail existing government programs, while at destination cities, they do not hold local citizenship status, hence the city administration can't provide them access to basic public services and other government schemes. Hence, migrants are excluded from both ends. It seems that labour migration is not understood at policy level so far, and hence migrants are excluded from various programs and policies at source as well destination cities in India, mainly from programs of health, education, livelihood and food security, which severely affects migrants' social and development indicators at both source and destination level. She further informed that evidences from different studies in India suggests that internal migration can play an important role in poverty reduction, economic and social



डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

development, hence positive facilitation of safe migration should be specially emphasized which mainly includes access to basic public services mainly health, education and livelihood. Moreover, the high volume of migration and inter-linkages with all Millennium Development goals which concluded in December 2015, and now with upcoming Sustainable Development Goals (SDGs) and National policies (National Health Policy, National Population Policy and India Vision 2020) means that success in meeting these needs can help support the achievement of the SDGs and these policies. Hence, increased emphasis is required to address the special needs of the migrant population.

She further explained Disha's community level efforts to create solutions to address migration related issues and informed that her NGO works at source and destination areas of migrants. It facilitates for safe and productive migration through **Migration Information and Resource Centers (MIRC)** which is core of all activities of the NGO. These centers are established at Nasik city (destination point) and 20 Panchayats of Peth and Trymbak blocks of Nasik district (source areas). At destination level, Disha supports migrants to access basic public services, rights and entitlements in general. Disha addresses issues of migrants such as Identity, Education, Livelihood skill building and job linkages, Improving living conditions and access to public services at destination places. At source areas, Disha is working to strengthen local livelihood and social security coverage. Disha mainly focuses on continuation of benefits of government programs at source areas such as agriculture development schemes, and all kind of social security schemes, which ensures to minimize distress situation of migrating families at source level. Disha's efforts are to provide migrants with informed choices at source and destination level, so that migrants can make better decision towards their safe and productive migration for livelihood.

She also informed about Disha's special Initiative with Tribal Development Department to address distress tribal migration and shared information about special initiative on tribal migration. Since October 2013, Disha Foundation and Tribal Development Department, Maharashtra has been working together to develop and implement an integrated, convergence based approach to facilitate and mitigate distress tribal migration in Trymbakeshwar and Peth blocks of Nasik district. Ministry of Tribal Affairs (MoTA) has supported this pilot project under Article 275(1) grant and has provided funding of Rs 3.5 crores for this center as a innovation grant, out of it, Rs 25 lakhs are given to Disha Foundation for three years to conduct household study of 20 villages and prepare plan to address migration issues of tribals in these villages. Remaining 3.25 crores funding is for construction and internal furnishing of the Migration Center in Nasik.

It was also informed that it is first of its kind state initiative to address migration at source and destination in a comprehensive manner in India. Set up of a dedicated Migration Research and Resource Center is in process through this pilot project, which will address Scheduled Tribe migration with active involvement of Tribal Development Department of the State and supportive role from various department such as Labour, Rural Development, Agriculture, Education, Women and Child Development, Urban Land Ceiling, Municipal Corporation, and Health departments. The center intends to address the migration at destination and source end. It has generated household level migration data of 20 villages in the project area for more informed implementation of existing programs and policies. The center facilitates migration at Nasik city- (a major destination of tribal s) via livelihood skill



डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

building and job linkages, education and health services, grievance handling and access to public services to the tribal migrants. On the other hand emphasis is provided to strengthen urban and tribal development linkages, better implementation of available government programs at source villages of migrants for sustainable development with the goal to reduce distress migration for livelihood. The project provides informed options to migrating families- if they wish to migrate; it is safe and productive migration through proper skill trainings and job linkages. If they wish to stay back in their villages, local livelihood sources are available. The project is working towards building different models of local livelihood in these 20 villages.

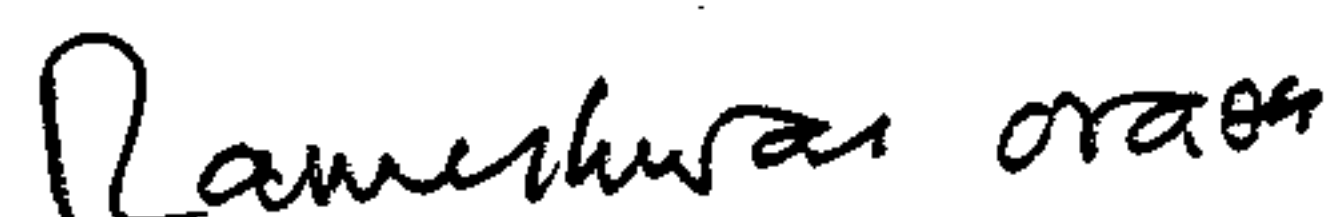
She further added, based on the result of ongoing project, Disha has proposed to Tribal Development Department to scale up the similar project in other migration pockets of Maharashtra. A detail proposal is submitted to The Commissioner, Tribal Development Department for MoTA s assistance, which she has approved and forwarded to their Secretary to be included in plan of year 2016-17 to be submitted to MoTA.

2. Interaction of the Commission with Villagers and project beneficiaries:

After the briefing of project, Chairperson, NCST suggested interaction with the villagers. He asked the villagers how many of them migrate to city for livelihood and almost all the villagers raised their hands indicating their migration. Villagers put forth key issues to the Commission mainly how lack of development of Nandgaon is leading to distress livelihood migration. MGNREGA implementation is very poor in the village. Irrigation facilities are not available at village. Hence, almost 85% villagers migrate to Nasik for livelihood as a labour. Drinking water facilities are not adequate; women have to fetch water from one and half kilometer daily.

The Commission further asked the villagers, how they have benefited from Disha s activities. One youth told he is good in sketching, Disha has tried to link him to JJ school of Art for further studies. Another youth told that he had participated in the skill building training on poly house conducted by Disha. Further another villager informed that whenever they need jobs or they face exploitation at work place, they contact Disha for assistance and they get required help. Disha s project beneficiaries expressed how Disha s various activities have proved beneficial for them mainly skill trainings, linkages to jobs, grievance handling, and to some extent agriculture development.

Thereafter, Commissioner, Tribal Research and training Institute, Pune also shared his views. He mentioned to NCST that Disha s project was accepted by TDD and sent to MoTA during his tenure as Commissioner TDD in 2011. He further mentioned that tribal migration situation is very pathetic, and it is happening due to gaps in planning at TDD. There is major need to conduct capacity building of officials during TSP development, as well bring convergence of schemes of other departments. A state level consortium is very crucial for effective implementation of schemes.



डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Suggestions by NCST:

After the discussions Chairperson, NCST suggested following key points to TDD, Maharashtra to address distress tribal migration at village level and also at destination level that can minimize distress of migrating families:

1. Sarpanch and other officials of Nandgaon should register and demand jobs under MGNREGA. Panchayat should initiate the process at the earliest.
2. Systematic village development plan should be prepared for Nandgaon and other 19 villages of Disha s project area. Capacity building of panchayat members must be initiated for proper use of PESA and other grants of village development. NCST suggested that ITDP should lead the process along with Panchayat members, Sarpanch, Gramsevak, Tahsildar, Agricultural officer and other relevant officials.
3. Every village should have education facilities from 1 to 10th class, which can promote secondary education of girls, as lack of these facilities leads to high drop out of girls from education system.
4. At city level, tribal migrants must be provided temporary shelter with basic amenities, education for children, temporary ration cards, job trainings, and assured minimum wages.
5. Disha and TDD should make a systematic plan to build convergence with other departments at source and destination areas for more effective outcomes of the migration project.
6. Disha s efforts are worth praising, NCST has taken Disha s work very seriously and aiming to suggest other state governments to replicate this model to address tribal migration. TDD Maharashtra should support Disha s work in other migration pockets of Maharashtra.

The Commissioner, TDD provided vote of thanks to the Commission for their visit and Disha Foundation for co-ordinating the visit.

Visit to Disha Foundation's Migration Resource Center at PethPhata in Nasik city: Efforts to address migrants needs at city level

The Commission made a visit to Disha s Migration Resource Center at PethPhata in Nasik city in the evening. Disha s team warmly welcomed NCST officials.

Firstly, Disha team provided exposure to NCST officials on actual living situation of tribal migrants at nearest two halt points PethPhata and Guari Ground, GangaGhat in Nasik city. These tribals are migrated from tribal blocks of Nasik district, most of them are migrated with families for livelihood, they get engage as unskilled labourers in agriculture, construction or other sectors, spend at least 8 months in Nasik city without any shelter and



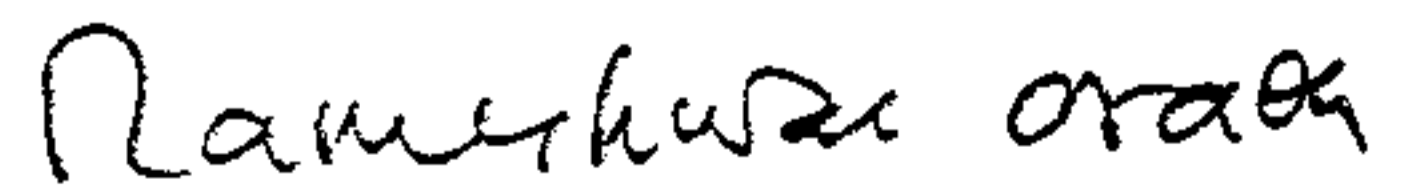
डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

basic amenities. NCST observed that nearly 600 tribal migrants on these two points including women, adolescent girls and small children were staying on the halt point, which is footpath area, these migrants are living without proper shelter and other basic amenities. Most of them sleep in sitting position, as they do not have proper place to sleep. They all were with their families, carrying their own fuel for cooking purpose. They cook, eat, and sleep at this half point. The halt point is strategic for them, as it is Nasik s one of the old labour market, where contractors come for labour hunt and they get job on daily wage basis.

The Commission interacted with migrants about their native locations, reasons of migration, how much wages they get in Nasik city and what are problems they face during migration. Most of the migrants responded that they are from nearby tribal blocks, they migrate for jobs, but able to find jobs only for 10-15 days in city, but they get better wages (nearly Rs. 250-300 per day) in the city which is much more than the wages in their villages (Rs. 180 per day). Most of them told that they face problems due to lack of proper shelter, they do not have access to basic amenities, PDS facilities, education for children and health services.

After visit to migrants halt point, the Commission visited Disha s migration resource center at PethPhata of Nasik city where these poor migrants are provided various need based assistance such as membership of migrants association Kashtakamai Sanghatna formed by Disha Foundation, registration of AADHAR card, ration cards, enrollment of children in education, livelihood trainings, linkages to jobs, legal assistance and support in case of grievances at workplace etc.

NCST had detail discussion with the team of Disha about the response migrants to the center. The team informed the Commission, that earlier migrants were hesitant and lacking trust in accessing the center, as no one worked to support them like this in the past. But now, migrants have good rapport with the center and Disha s team, they access the center with confidence. The Commission was informed about initiation of trade union of migrants (working in all kinds of sector) in 2004 in Nasik city, it was an effort to create an official platform for migrants to raise their issues. This is first union of migrant workers in India. It has tremendous response from workers, so far nearly 25,000+ migrants are enrolled in the union, which comprise inter and intra state migrants. The members of union are provided with official membership and photo identity card of the union. The total cost is Rs 20/- for life membership. It was also informed that they have focused on empowerment of migrants for accessing government programs and public services including health, education, and public distribution system. Awareness building and Leadership development are key activities for the empowerment of migrant communities. Disha have identified and trained 500 local leaders (350 men and 150 women) within migrant communities at destination as well from source villages. These leaders work voluntarily for their communities, they act as local resource persons for their respective communities to demand and facilitate other migrants access to various government programs and public services at source and destination level. This process seems to be very effective among migrant communities. Disha plans to develop and train more such volunteer leaders, who can take these initiatives forward and provide sustainability to Disha s efforts. Hence migrants leadership development is Disha s important agenda in next few years.



डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India 17
नई दिल्ली/New Delhi

Skill Development is utmost need of both migrants and labour market. Hence Disha s skills building Program is twofold; first to upgrade the existing skill through on-the job trainings and second to provide fresh training based on the market needs. Disha has made tie up with key employers of migrants mainly CREDAI, Farmers forums, and hotel associations to assure employability after the trainings.

In past 9 years Disha has started migration Information and Resource Centers at 10 panchayats. Grampanchayts are playing crucial role in facilitation of migration. These panchayats have provided free of cost space in their premise for MIRC's. These panchayats have made resolutions and started to maintain migration record of labour migration at their panchayat level, which is powerful step to create evidence base of the migration flow from these villages. Disha team showed resolutions of these panchayts to NCST Chairman and other officials. This data would be utilized for management of various government programs at source level mainly by Tribal department. Further the panchayats are actively engaged in Disha s pre departure training to migrants before the migration. The trade union card has been authorized by the grampanchayats, which is of immense value to migrants at destinations. The identity card has proved very important document for migrants against police harassment, wages exploitation, and identity in general for accessing public services in the Nasik city. Some migrants could able to vote with the union card in absence of any other photo id at one of source village Kharwal in Peth block. Panchayts have also been part of generating demand for livelihood skill building for migrants, and further building linkages to jobs with local contractors. Panchayats are actively engaged with Migrant Labour Grievance cell , which set up jointly by Labour Department, District legal aid society and Disha Foundation to deal with grievance handling including wages exploitations and exploitation at workplace and others. These panchayats have made contractors accountable for paying minimum wages and avoid wages exploitation and harassment at workplace. Few panchayats have banned some contractors in their villages who had repeated cases of wages exploitation against them.

Looking at those promising results, Disha has received growing demands from other panchayats to start the MIRC's at their villages, which are high migration corridors to Nasik and Gujarat. It can be summarized that Panchayats can play very significant role in addressing or managing migration at source level.

In past 10 years Disha has tried to create solutions to address migration related issues in collaboration with various government departments, such as labour, tribal, health, education, women and child development, Public Distribution system, Nasik municipal corporation and District legal services authority. **Disha aspire to institutionalize migration; to create pro-migrant response at state and central government through appropriate programs and policies.** Disha s efforts has some success in galvanizing the administration such as issuance of temporary food ration cards, education benefits to migrant children, grievance handling with Labour Department & district legal services authority, set up of health referral system with government health services, and creating pro-migrant response of central and state government to address migration issue in totality in Maharashtra (Mainly migration of SC/ST communities). But it is apparent that the proper institutional framework is crucial for addressing multiple needs of migrant populations. Administration will need

Ramchandra Arora

डा. रामचंद्र अरोरा/Dr. RAMCHANDRA ARORA
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत, नई दिल्ली/India
नई दिल्ली/New Delhi

constant support while developing institutional framework for migrant inclusive programs till the mainstream of migrants happens at larger scale.

The Commission expressed the need of wages standardization of migrants in cities like MGNERGA. He further expressed that temporary shelter and basic amenities must be provided to migrants. PDS ration cards have been issued to the nomadic tribes in Jammu and Kashmir and the same can be done for migrant tribal population of Maharashtra. Similarly, mobile teachers are also there in Jammu & Kashmir who move with these nomads and teach their children at the place of their night halt. This can also be done here. Medical facilities can also be provided to them at their place of stay. The process should be made more simplified and accessible to migrants.

01-02-2016

Meeting with Commissioner, Tribal Development Department, Government of Maharashtra and other officers at Nasik

At 10:30 hrs, the Commission held a meeting with Commissioner, Tribal Development Department and other officers of the department. Representatives of Disha Foundation were also present. After welcoming the Commission, a power point presentation was made on various initiatives taken by the State Government for Tribal Development. The Commission appreciated the efforts being made by the State Government and said that famous Maharashtra model is being implemented by other States also for development of tribal population residing in those States. It was also noted that the TSP outlay of the State plan was 8.9% during the year 2012-13 and 2013-14 which has further been enhanced to 9.4% in the year 2014-15 and 2015-16. Based on the feedback received from the tribals and field visits during the tour, the Commission pointed out some areas where improvement is required. These action points are as under:

1. The problem of shortage of qualified teachers particularly in Science and Maths subjects in tribal areas should be addressed urgently as it is affecting quality of education. As the teachers hesitate to work in the tribal areas, the tribal student should be groomed to become teachers and work in tribal areas.
2. Facilities of cots for the students residing in Ashram Schools should be provided as it was noted by the Commission that they were sleeping on the floors.
3. There are complaints that uniforms, blankets and sweaters are not timely being provided to the boarders. This situation is not good and needs improvement.
4. Almirahs should be provided in the halls of the hostels where the students could keep their belongings.
5. It was noted that only one or two ceiling fans were provided in the big halls of the hostels which may not adequate. The requirement of additional fans should be reviewed.
6. The quality of food being provided to the boarders was reported to be satisfactory. However, there is a need to provide dining tables with chairs to bring attitudinal change in the tribal boarders so that they can feel proud and fine themselves at par with others.

Rameshwar Prasad

डा. रामेश्वर प्रसाद/Dr. RAMESHWAR PRASAD
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission of Scheduled Tribes
समस्त अखण्ड/Gen. Office
नई दिल्ली/ND

7. Regular health checkup of boarders particularly the girls should be ensured to avoid any untoward incident. De-worming medicines and iron tablets should also be provided to them.
8. Adequate numbers of toilets and bathrooms with running water should be provided in the tribal Ashram Schools.
9. Adequate drinking water should also be made available in the Ashram Schools and hostels. This can be done by providing RO's in Ashram Schools and hostels which will also result in preventing water borne diseases.
10. Regular visit of police officials to the tribal hostels particularly the girl hostels should be ensured so that the boarders feel safe in the hostels. Phone and Mobile numbers of District Collectors, SPs, Local Police Officers, Officers of Civil Administration and Officers of Tribal Development Department should be prominently displayed in the hostels.
11. The incidents of obtaining false ST caste certificates should be affectively checked as such certificate holders deprive genuine tribals from the benefit of various developmental schemes and opportunities of services in the Government.
12. As far as activities of Disha Foundation are concerned, TDD can initiate a convergence committee for better co-ordination with concerned departments which will lead to more powerful impacts and can extend all possible support in the noble work.

The Commissioner, Tribal Development Department, Nasik gave vote of thanks to the Commission.

Visit of Annapurna Kitchen at Mundhegaon, Igatpuri.

The Commission left Nasik for Mumbai at noon and on way visited Annapurna Kitchen located at Government English medium residential Ashramshala at Mundhegaon, Igatpuri. The Commission was informed that this kitchen has a capacity of preparing meals for 20,000 students at a time. Presently about 3,000 to 4,000 students of 12 Ashrams schools situated in a radius of 35 to 40 Kms. are being served food from this kitchen. The Commission noticed that modern and state of the art equipments have been installed in the kitchen and food was being prepared in a hygienic atmosphere. **The Commission suggested that such type of kitchen should also be made in other parts of the state for providing meals to the tribal students of Ashram schools.**

After the visit, the Commission proceeded for Mumbai to return Delhi by air.

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Rameshwar Orankar

डा. रामेश्वर उरांक/Dr. RAMESHWAR ORANKAR
अध्यक्ष/Chairperson,
राष्ट्रीय अनुसूचित जनजाति आयोग,
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi