

## TECHNICAL ADVISORY GROUP

- vi. There is a need to create a 'Denotified and Nomadic Tribes Rehabilitation Act'. The Act may include the following:
  - a) Allotment of houses with adequate space for raising animals;
  - b) Provision of water and other amenities;
  - c) Land for cultivation, which may initially supplement their subsistence and gradually may become their primary occupation;
- vii. The compensation norms for Denotified, Nomadic and Semi-Nomadic Communities may be group-oriented:
  - a) for those who have settled to normal agriculture or other vocations;
  - b) those who still lead nomadic life;

**B2. Protection of Electoral Rights and Mobile Voting System**

- i. Persons belonging to Nomadic Tribes may be given Mobile Voting Cards (MVCs) to enable them to exercise their democratic duty of voting during elections. These MVCs may have validity throughout the Migrational Trajectory of the Nomadic Tribes, while the votes can get registered for pre-determined locations and constituencies.
- ii. A special drive for grant of voting rights to the Denotified and Nomadic communities may be launched by the Election Commission of India so that Voter's Identity Cards can be issued to members of these communities in a time bound manner, and the members of the Denotified and Nomadic Tribes are able to exercise their voting rights.

**B3. Forest, Grazing and Passage Rights**

- i. Forest rights, grazing rights and passage rights for Nomadic pastoralists, across state boundaries and within a single state for the communities dependent on sheep, camel, goat, yak, buffalo and other animals, bees, birds or insects need to be ensured. In order to initiate the process, the benefit of Schedule Tribes

(Recognition of Forest Rights) Bill, 2006 may be extended to Pastoral nomadic Tribes, and 'Indian Forest Act' and 'Wild Life Protection Act' may be reviewed and properly amended to ensure that the peripetatic groups and pastoral nomads are not harassed by the grazing land authority or forest authority.

- ii. A Grazing Land Development Board may be set up, with proper community representation, to develop special pastoral and grazing lands. In the meanwhile, the existing grazing areas may be reserved for pastoral groups.

#### B4. Issuance of Domicile and Birth Certificates

- i. Nomadic and Denotified communities often face difficulty in obtaining birth certificates and domicile certificates. The difficulty is more acute in obtaining domicile certificates. Provision may be made for an easy issuance of these certificates; and the officials who do not provide the certificates may be punished under the proposed Prevention of Atrocities Act.

#### TECHNICAL ADVISORY GROUP

initiate the process of ensuring proper representation of the Denotified and Nomadic Tribes in both houses of the Parliament

#### C. Livelihood-Security

- 1.1 The provisions of the National Rural Employment Guarantee Scheme should be immediately extended to the denotified and nomadic tribes *wherever they are*.
- 1.2 *A Denotified and Nomadic Tribes Development Authority* is to be set up with branches in areas where there is sizeable concentration of population of these communities. This authority may have the following mandate:
  - i. To create a single window system from initiation to finalization of schemes livelihood support.
  - ii. To facilitate forward linkages for the units set up under the aegis of the Board.
  - iii. To facilitate finance at a nominal rate of interest.
  - iv. To provide entrepreneurial trainings and seed capital for setting up of enterprises.
- 1.3 Ten percent space in commercial complexes may be reserved for allotment in rural, semi urban and urban areas for the commercial activities that the Denotified and Nomadic tribes may wish to undertake. This space may be leased out to the Self-help Groups to carry out activity in micro-enterprise.
- 1.4 To set up at the national level, with branches in each major commercial regions of India a Special Purpose Vehicle (SPV), to procure and market the the craft, arts and other products of the DNTs and NTs.

#### C1. Hostels for Students & Old Age Houses

- i. For encouraging Middle school and High school level education, hostels may be created for the children from Denotified and Nomadic Tribes. In addition, special residential schools are to be conceptualized and created for these children.

- ii. Special provision for Old-Age Community Housing needs to be made so that they do not have to 'legalize' their deprivation reflected in their begging or by registering themselves under the present public order law as 'criminals' in order to find shelter in the Social Defense Community Wards.
- iii. A Rapid Housing and Construction plan is to be conceptualized and implemented for the Denotified and Nomadic communities.

## C2. Healthcare

- i. A combined plan of nutrition and health care for DNTs and NTs and their livestock be drawn and implemented in a time-bound manner, which may include:
  - a. Mobile medical units for immunization,
  - b. Maternity and child-care along with nutritional food to the mother during pregnancy, during one year after the delivery and to the female child until she is three years.
  - c. Free medical facilities in central and state govt hospitals.
  - d. For medical treatment, a DNT or NT patient and one attendant may be made eligible to avail of free travel in public transport systems
  - e. Families and livestock may be covered under a medical insurance scheme. The premiums for the insurance scheme may be paid by the Central Government.
- ii. The DNT-NT District Development Authority, as proposed in C1-ii, be entrusted with the responsibility of ensuring the implementation of the DNT and NT health programme. In cases of denial of these provisions, the DDA be asked to take up the matter. Any denial of health care and nutritional food to them and their livestock by authorities be treated as an atrocity against them punishable under the proposed Prevention of Atrocities Act (DNT-NT).



## TECHNICAL ADVISORY GROUP

## C3. Education

- i. Special scholarships and book banks may be created to provide to DNT's students from primary school to Higher education.
- ii. The number of primary, secondary and senior schools, colleges and vocational training institutes accessible to these communities may be adequate to cater to the entire NT & DNT population.
- iii. In areas where there are large numbers of DNT and NT communities, special measures to improve education may be implemented intensively so that within a specified time the educational standard of these communities is brought on par with the others.
- iv. Mobile schools may be set up at the locations of their stay and

## RECOMMENDATIONS OF THE TECHNICAL ADVISORY GROUP 2006

## D. National Commission for Vimukta Janjatis

A Permanent National Commission, known as *Vimukta Evam Ghumantu Janajati Rashtriya Ayog* may be set up for the Denotified, Nomadic and Semi-nomadic Tribes, by following the precedence of the National Commission for Scheduled Tribes that has been set up under Article 8A on the bifurcation of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes, to oversee the implementation of various safeguards suggested in this report for the Denotified, Nomadic and Semi-nomadic Tribes. The Commission may consist of a Chairperson, a Vice-Chairperson and three full time Members (including one lady Member). The term of Members of the Commission will be three years from the date of assumption of charge.

## Duties and functions:

The Commission should be assigned the following duties and functions:

- a) To investigate and monitor all matters relating to the violation of rights or denial of entitlements provided for the Denotified, Nomadic and Semi-nomadic Tribes in this report (Chapter 12), as well as under any law for the time being in force or under any order of the Government, and to evaluate the working of such safeguards;
- b) To inquire into specific complaints with respect to the deprivation of rights and entitlements of the Denotified and Nomadic Tribes;
- c) To participate and advise in the planning process of socio-economic development of the Denotified and Nomadic Tribes, and to evaluate the progress of their development;
- d) To present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- e) To make in such reports, recommendations as to the measures that should be taken by the Union or any State for effective implementation of those entitlements and other measures for the protection, welfare and socio-economic development of the Denotified and Nomadic Tribes, and
- f) To discharge such other functions in relation to the protection, welfare and socio-economic development and advancement of the Denotified and Nomadic

## TECHNICAL ADVISORY GROUP

Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

The Commission shall discharge the following other functions in relation to the protection, welfare and development and advancement of the Denotified and Nomadic Tribes, namely:-

- i. Measures to be taken to safeguard rights and entitlements of the denotified tribal communities and nomadic communities over grazing land mineral resources, water resources, etc. as per law;
- ii. Measures to be taken for the development of nomadic and semi-nomadic communities and to work for more viable livelihood strategies;
- iii. Measures to be taken to improve the efficacy of relief and rehabilitation measures for Nomadic and Pastoral groups displaced due to atrocity;
- iv. Measures to be taken for ensuring the protection of human rights and human dignity of the Denotified, Nomadic and Semi-nomadic Tribes;
- v. Measures to be taken to provide electoral rights and mobile voting cards to the Nomadic and Semi-nomadic tribes.

#### Powers of the Commission:

While investigating the matters referred to any competent authority of the proposed national commission to inquire into any complaint referred to the Commission, the Commission shall have full powers of a Civil Court trying a suit and in particular in respect of the following matters:

- a) summoning and enforcing the attendance of any person from any part of India and examining her or him on oath;
- b) requiring the discovery and production of any documents;
- c) receiving evidence on affidavits;
- d) requisitioning any public record or copy thereof from any court or office;
- e) issuing summons/communications for the examination of witnesses and

f) any other matter which the President may by rule determine.

**Consultation by Governments with the Commission:**

Union and every State Government shall consult the Commission on all major policy matters affecting Denotified and Nomadic Tribes.

**Monitoring:**

While investigating matters relating to the safeguards provided under the Constitution, the Commission will monitor the implementation and working of safeguards such as :

- a) Acting upon Article 23 of the Constitution which prohibits traffic in human beings and forced labour, etc, in respect of Denotified, Nomadic and Semi-nomadic Tribes

**TECHNICAL ADVISORY GROUP**

- iv. State Acts and Regulations concerning alienation and restoration of land belonging to Denotified, Nomadic and Semi-nomadic Tribes;
- v. Forest Conservation Act, 1980, in respect of Pastoral and Semi-nomadic Tribes;
- vi. The Panchayat (Extension to the Scheduled Areas) Act, 1996;
- vii. Minimum Wages Act, 1948, in respect of Denotified and Nomadic Tribes.

**NEXT**  
**PAGE**