

Country Technical Note on  
Indigenous Peoples' Issues

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# Republic of India



Investing in rural people



IWGIA

# Country Technical Note on Indigenous Peoples' Issues: Republic of India

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# Country Technical Note on Indigenous Peoples' Issues – Republic of India

IFAD's Policy on Engagement with Indigenous Peoples (2009) recommends the preparation of Country Technical Notes to provide country-specific information on indigenous peoples. This enables policy implementation at country level through the development of country programme strategies and project design. These Notes are intended as live documents to support learning on country specific indigenous peoples' issues.

## 1 Indigenous Peoples

### 1.1 Definition

India is a signatory to ILO Convention 107 (1957) and UN Declaration on the Rights of Indigenous Peoples (2007), but not ILO Convention 169 (1989). Internationally the 'Scheduled Tribes' (STs) of India are generally referred to as 'Indigenous Peoples (IPs)'. However, the Government of India emphatically rejects equating Scheduled Tribes (STs) with IPs<sup>1</sup> even while abiding by the operational directives of bilateral and multilateral agencies with regard to IPs while operationalising projects with their financial aid.<sup>2</sup> 'Adivasi', meaning the original inhabitants, is the popular term commonly used in peninsular India; 'tribes' and more recently 'indigenous Peoples' are popular in the north-east. Further, all *Adivasis* are not STs; all STs are also not *Adivasis*. For the purpose of this report, IPs, STs, *Adivasis* and tribal peoples are used interchangeably.

STs refer to 'such tribes or tribal communities or parts of, or groups within such tribes or tribal communities as are deemed under Article 342 to be Scheduled Tribes for the purposes of this Constitution' [Article 366(25)].<sup>3</sup> Under Article 342 (1), the President issues notifications listing the STs with reference to a particular State/Union Territory (UT) along with specific geographical areas within them, after consultation with the Governor. Clause (2) of the Article empowers the Parliament to pass a law to include in or exclude from the list of STs, any tribe or tribal community or parts of these. The area definition can also be altered. The ST status confers on the tribe or part of them a Constitutional status for availing the rights and safeguards provided for the STs in the Constitution in their respective State/UT. This includes reservation of seats for STs in elected bodies of the Parliament, the legislative assemblies of the States, the local government bodies – the panchayats and municipalities, in education and government employment. Special welfare schemes are provided to the STs for various purposes. There are also specific protective legislations enacted for the protection of lives and properties of STs.

Neither the Constitution, nor any law spell out any criteria for being included as STs. However, the general criteria<sup>4</sup> followed are (a) indication of primitive traits, (b) distinctive culture, (c) geographical isolation, (d) shyness of contact with the community at large, and (e) backwardness. The procedure for inclusion in or exclusion from the list of STs follow the Government of India 1999 (as further amended in 2002)<sup>5</sup> approved modalities. The claims are

<sup>1</sup> 'We regard the entire population of India at the time of our independence, and their successors, to be indigenous', quote by Permanent Mission of India to the United Nations, *India's Approach to the 75th session of the UNGA*, New York, 2020, [https://www.pminewyork.gov.in/pdf/menu/submenu\\_\\_554119307.pdf](https://www.pminewyork.gov.in/pdf/menu/submenu__554119307.pdf)

<sup>2</sup> For an objective appraisal on the tribe/indigenous peoples debate see Xaxa, Virginius. *Tribes as Indigenous People of India*, Economic and Political Weekly, 24 (21), 1999, pp. 3589-95.

<sup>3</sup> So far there have been nine notifications, see <https://tribal.nic.in/clm.aspx>

<sup>4</sup> This takes into account the definitions in the 1931 Census, the reports of the first Backward Classes Commission (Kalelkar) 1955, the Advisory Committee on Revision of SC/ST lists (Lokur Committee) 1965, the Joint Committee of Parliament on the Scheduled Castes and Scheduled Tribes Order (Amendment) Bill, 1967 and Chanda Committee 1969.

<sup>5</sup> Press Information Bureau, Ministry of Tribal Affairs, *Change in Criteria for inclusion in ST List*, <https://pib.gov.in/PressReleaseFramePage.aspx?PRID=1514486>

to be agreed to by the concerned State Government, the Registrar General of India and the National Commission for Scheduled Tribes. The Ministry of Tribal Affairs forwards the representation it receives for inclusion of a community to the concerned State Government/U.T for recommendation as required under Article 342. On obtaining this recommendation, the same is sent to the Registrar General of India for endorsement and to the Central Government. Thereafter, the Ministry of Tribal Affairs refers the proposal to the National Commission for Scheduled Tribes for their recommendation after which it is processed for the decision of the Cabinet followed by the Parliament in the form of a Bill to amend the Presidential Order. Claims that are neither accepted by the Registrar General of India or the concerned State Government or not supported by the National Commission for Scheduled Tribes are rejected. The ST certificates are issued by the district and taluk<sup>6</sup> authorities. The person should belong to an ST community in respect of the State and to the area within that State where the community is scheduled, irrespective of the religion she/he may profess, and be a permanent resident in that State on the date of notification of the Presidential Order applicable in her/his case. The claimant continues to enjoy the ST status if the person migrates to an area within the same State where her/his community is not scheduled, but loses the ST status if the person migrates to another State even if the community is in the ST list in that State. The child of an ST married to a non-ST can be an ST only if the father is an ST. ST status is contested and politically volatile with many communities vying to enter the list. Some are left out due to area definition with their area of habitation not included. There are those who struggle to obtain the certification from the authorities while allegations abound of fake ST certificates being issued to non-STs.

STs are vastly heterogeneous communities, racially, linguistically and ethnically; the extent of their assimilation with the dominant population too varies and includes the uncontacted Sentinelese of the Andaman and Nicobar Islands at one end. Racially they differ; they are Veddis, analogous to the Australian aborigines belonging to the proto-Australoid racial stock, Paleo-Mongoloid Austro-Asiatic in north-east India, Greco-Indians across Rajasthan and Gujarat and the Negrito group of the Andaman - the Great Andamese, Onge, Jarawa and Sentinelese. Linguistically they belong to different language groups: Austro-Asiatic Family in central and eastern India such as the Munda, Santhal, Ho etc. and Khasi of Meghalaya); Indo-European (e.g. the Bhil of Rajasthan); Dravidian Family in central (Gond) and southern India, which includes Gond, Oraon, Khond, Bhil, Mina, Garasia, Pradhan, Adiya, Paniya etc. the Tibeto-Chinese Family speaking the Tibeto-Burman stock and the Mon Khmer group of languages in north-east India (Naga, Mizo etc) and Andamanese (Onge and Jarawa of the Andamans). Bhils of over 5 million are followed by the Santhal, Munda and Gond while the Onge and Jarawa the Andaman and Nicobar Islands, the endangered Particularly Vulnerable Tribal Groups<sup>7</sup> are at the other. By religion, they have their own distinct belief systems and practices along with various elements of the dominant religions; some profess their own religion as the Santhals; most others are brought under the rubric of Hinduism by virtue of not being part of any recognised non-Hindu religions. A significant number are Christians, especially in the north-east, and a smaller number Muslims as the Van Gujjars of the Himalayan region. There have been demands for official recognition of their religions and languages from central Indian tribal belt. The North-East Indian States, spread over a geographical area of 2,62,179 sq. km, are home to over 220 ethnic communities accounting for 12 % of the ST population. Besides racial and linguistic differences, this region has a unique history with distinct political and historical narratives.

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<sup>6</sup> A sub-district administrative unit consisting a number of revenue villages each of whom have one or more villages or habitations or hamlets.

<sup>7</sup> Earlier referred to officially as Primitive Groups, a derogatory term.

Matters related to STs were handled by the Ministry of Home Affairs until 1985 after which it was brought under the newly created Ministry of Welfare along with the matters relating to Scheduled Castes, Other Backward Classes and Minorities. This Ministry got renamed as the Ministry of Social Justice and Empowerment in 1998. In 1999 a separate Ministry of Tribal Affairs was carved out with the objective of ‘providing more focused attention on the integrated socio-economic development of the most under-privileged sections of the Indian society namely, the STs, in a coordinated and planned manner’.

## 1.2 The Scheduled Tribes

Nine Presidential orders,<sup>8</sup> along with amendments to some of these orders, have been issued thus far (Annexure 1) of which eight are in operation.<sup>9</sup> 705 tribal peoples are notified specific to the States (though many of them are listed in more than one State) in 26 states and 6 UTs out of 28 States and 8 UTs (Annexure 2) with a population of 104 million constituting 8.6% of the total population (2011).<sup>10</sup> This makes India the home to the largest IP population of the world’s IPs estimated at some 370-500 million. The States of Haryana and Punjab and UTs of Delhi and Puducherry have no ST population. Of the STs, 75 were identified in 1975 as Particularly Vulnerable Tribal Groups in 18 States and one UT (Annexure 3) for providing special schemes due to their pre-agricultural level of technology, very low level of literacy and declining or stagnant population.

The tribal peoples are found concentrated in specific geographical regions (Annexure 4). 46.1% STs inhabit the eastern and central region, (Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Odisha and West Bengal), 27.7% in the western region (Dadra & Nagar Haveli, Daman & Diu, Goa, Gujarat, Maharashtra and Rajasthan), 12% in the north-eastern region (Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura), 3.2 % in the northern region (Himachal Pradesh, Jammu & Kashmir, Ladakh, Uttar Pradesh and Uttarakhand), 11% in the southern region (Andhra Pradesh, Karnataka, Kerala, Tamilnadu and Telangana) and 0.1% in the island region (Andaman & Nicobar Islands and Lakshadweep).

There are 640 administrative districts in the country. STs constitute a majority in 110 districts, 20 to 50% in 87 districts and 10 to 20% in another 74 districts. Of the 5,985 blocks (tehsils/ talukas) in the country, STs are a majority in 1,063 blocks, 20 to 50% in 700 blocks and 10 to 20% in another 626 blocks. Of the 5,97,483 villages in the country, STs are a majority in 1,10,118 villages, 20 to 50% in 45,902 villages and 10 to 20% in another 29,800 villages.<sup>11</sup> Many of these ST inhabited regions have been carved out legally and administratively to provide a higher degree of autonomy in governance and command over natural resources.

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<sup>8</sup> The Presidential notifications (<https://tribal.nic.in/clm.aspx>) in the form of orders are:

1. The Constitution (Puducherry) Scheduled Tribal Order, 2016(C.O.268) dated 22nd December, 2016
2. The Constitution (Jammu and Kashmir) (Scheduled Tribes) Order, 1989(C.O.142) dated 7th October, 1989
3. The Constitution (Sikkim) Scheduled Tribes Order 1978. (C.O 111)
4. The Constitution (Nagaland) Scheduled Tribes Order, 1970 (C.O 88)
5. The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967 (C.O. 78) dated 24 June, 1967
6. The Constitution (Dadra and Nagar Haveli) Schedules Tribes Order 1962 (C.O 65)
7. The Constitution (Andaman and Nicobar Island) Scheduled Tribes Order 1959 (CO.58)
8. The Constitution (Scheduled Tribes) (Parts C States) Order, 1951 (C.O. 33) dated 20 September, 1951
9. The Constitution (Scheduled Tribes) Order, 1950 (C.O. 22) dated 6th September 1950)

A number of amendments have also been made to these orders by way modifications to these orders.

<sup>9</sup> The Constitution (Goa, Daman and Diu) Scheduled Tribes Order 1968 became defunct on account of reorganization of Goa, Daman and Diu in 1987

<sup>10</sup> Registrar General & Census Commissioner, Ministry of Home Affairs. *Scheduled Tribes of India as revealed in Census 2011*, <https://tribal.nic.in/downloads/statistics/3-STinindiaascensus2011.pdf>

<sup>11</sup> Ministry of Tribal affairs, Government of India. *Statistical Profile of Scheduled Tribes in India*, New Delhi, 2013, <https://tribal.nic.in/ST/StatisticalProfileofSTs2013.pdf>

## 2. Status of Scheduled Tribes

In almost all indicators that reflect the status of STs, they, by far hold the lowest rung amongst all other social groups, well below the national average. Amongst STs, the eastern and central tribal regions fare worse while those from the ST majority states in the north-east fair far better, often well above the national average and in many instances, in the top bracket. Moreover, disparity between STs and non-STs are minimal or not at all in most of the north-east states; in some instances, STs are better off. While there could be a number of factors for these inter-tribal differences, what must be reckoned with are the difference in the historical political trajectory that the north-east and the peninsular region had in terms of political assertion for autonomy and control over natural resources. The north-east has a higher degree of autonomy recognised by law than any other parts of the country. The ethnic communities continue to manifest collective control over customary and traditional land and forests with the result that their traditional institutions of self-government remain vibrant and strong while the modern institutions of self-governance are expected to provide an overarching protection. Key findings on some indicators are listed below.

### 2.1 General

70.9 % of STs are located in rural areas, while 29.1 % reside in urban areas (75th Round NSS 2017-18). According to the 2011 census, around 90 % of the STs live in rural areas. The urban ST Mean Family Size in 2011 was a low of 3.3 as compared to non-STs. The rural ST Mean Family Size too was low at 4.7 as compared to 5 for non-STs. The Total fertility rate for STs was higher than other social groups at 2.48 when compared to 2.26 for Scheduled Castes (SCs), 2.22 for Other Backward Classes (OBCs) and 1.93 for others (2015-16 NFHS).

### 2.2 Access to basic facilities

**2.2.1 Road:** About 46 % of ST households have access to motorable road/lane/constructed path, a marginal improvement from earlier years, as compared to 62 % of Other households. 'Others' exclude STs, SCs and OBCs.

Indicator	ST		SC		OBC		Others		Source
	2012	2018	2012	2018	2012	2018	2012	2015	
Motorable road/lane/constructed path with/without Street Light	42.2	46.37	45.5	52.6	56.1	59.8	59.5	62.5	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018

**2.2.2 Drinking Water:** 'Improved sources' of drinking water includes piped water into dwelling/yard/plot, public tap/standpipe and tube well or borehole, and 'other improved sources' include protected well, protected spring and rainwater collection. 85 % of the ST households have access to 'improved sources' of drinking water, a small improvement from 2012, as compared to about 90% of SC households and 88 % of Other households. Only 19 % ST households have access to piped water supply as compared to 28 % for SCs, about 33 % for OBCs and 45 % for Other households. About 28 % of STs have proximity to the principal source of drinking water as compared to 50 % for SCs, 54 % per cent OBC households and 62 % for Other households. According to 2011 census, 10.7 % ST households had access to tap water and 7.9 % had access to tap water from a treated source.

Indicator	ST		SC		OBC		Others		Source
	2012	2018	2012	2018	2012	2018	2012	2015	
Drinking water from improved sources	82.1	85.0	79.3	89.7	79.1	85.7	85.2	87.8	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018

Principal source of Drinking Water for Exclusive use of household	16.8	28.4	28.4	44.9	38.2	53.5	49.8	61.35	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018
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**2.2.3 Sanitation:** Only 58 % ST households have access to latrine for their exclusive use, the same as SCs, as compared to 79 % Other households. However, the improvement has been significant as compared to 2012 though disparity with others continues to be high. 74.7 % ST households practiced open defecation (2011).

Indicator	ST		SC		OBC		Others		Source
	2012	2018	2012	2018	2012	2018	2012	2015	
Motorable road/lane/constructed path with/without Street Light	42.2	46.37	45.5	52.6	56.1	59.8	59.5	62.5	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018
Access to Latrine for the exclusive use of the household	23.0	57.8	26.4	57.3	39.3	68.2	61.9	78.9	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018

**2.2.4 Drainage:** Only 15 % of the ST households have access to improved drainage facility as compared to 26 % for SCs, 39 % for OBCs and 52 % for Other households. Overall drainage facility has improved across all social groups. Census 2001 reported that 77.3 % ST households had no drainage facility.

Indicator	ST		SC		OBC		Others		Source & Year
	2012	2018	2012	2018	2012	2018	2012	2015	
Drainage	9.6	15.0	19.7	26.1	29.1	38.7	41.4	51.6	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018

**2.2.5 Electricity:** Household electrification has been remarkable with over 90% of households across social groups having access to electricity. The highest increase has been for ST households at 91 % and for SCs with 93 %. It was 96 % for OBCs and 99 % for Other households. Census 2001 reported a figure far below at 51.7 % for STs.

Indicator	ST		SC		OBC		Others		Source & Year
	2012	2018	2012	2018	2012	2018	2012	2015	
Electricity	79.5	91.0	79.5	93.4	84.6	95.9	93.2	98.5	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018

**2.2.6 Cooking Fuel:** Liquefied Petroleum Gas (LPG) is the predominant available non-polluting sources of cooking fuel. Only 37 % of the ST households had access to LPG as cooking fuel as compared to 54 % for SCs and 72 % for Other households. 63 % of ST households continue to rely on traditional source of fuel as firewood and crop residue. However, Census 2011 reported that only 9.5 % ST households used clean cooking fuel.

Indicator	ST		SC		OBC		Others		Source
	2012	2018	2012	2018	2012	2018	2012	2015	
Liquefied Petroleum Gas (LPG) for Cooking	-	36.6	-	53.8	-	63.3	-	72.3	NSS 76 <sup>th</sup> Round 2018

**2.2.7 Housing:** Overall housing conditions deteriorated across social groups except for STs as compared to 2012. 30 % of ST households have 'good' housing condition as compared to 32 % for SCs, 44 % for OBCs and 53 % for Other households. But STs also have the highest percentage of houses in 'bad' condition.

Indicator	ST		SC		OBC		Others		Source
	2012	2018	2012	2018	2012	2018	2012	2015	
Housing in Good Condition	28.4	29.8	33.4	31.6	45.7	43.6	57.3	53.4	NSS 69 <sup>th</sup> Round, 2012 and NSS 76 <sup>th</sup> Round 2018

## 2.3 Land holding

Landlessness is higher amongst ST households than any other social group. 9 % of them are landless as compared to 7 % amongst other social groups. STs are the least amongst social groups in the category of land size class of 0.002-1 ha at 69 % as compared to SCs at 86 %, OBCs at 75 % and others at 70 %. However, within the category of 1-2 ha class, STs tops with 15 % as compared to 5 % for SCs, 10 % for OBCs and 11 % for Others. In the 2 – 4 ha category, STs are better off than SCs with 6 % as compared to 2 % amongst SCs and 5 % for OBCs but lower than Others with 7 %. In the 4-10 ha category, STs with over 1 % are better off than SCs (less than 1 %). OBCs (2 %) and Others (3 %) are more in this category. STs are the least in the above 10 ha category with 0.03 % as SCs while OBCs are 0.23 % and others are 0.55 %.

Percentage Distribution of Households by Size Category of Land Holdings, by Household Type						
Land size class (ha)	ST	SC	OBC	Others	All	Source
Landless ( $\leq 0.002$ )	9.41	7.18	6.98	7.40	7.41	NSS 70 <sup>th</sup> Round 2013
0.002-1.000	68.83	85.70	75.25	70.22	75.42	
1.000-2.000	14.64	4.77	10.43	11.31	10.00	
2.000-4.000	5.74	1.84	5.12	7.18	5.01	
4.000-10.000	1.36	0.48	1.99	3.34	1.93	
>10.000	0.03	0.03	0.23	0.55	0.24	
	100	100	100	100	100	

As per the Agriculture Census 2015-16, STs had the least share in number of operational holdings at 8.65 % as compared to 11.84 % for SCs, and 79.33 % for Others. The share in area operated by holdings was 11.27 % for STs, 8.54 % for SCs and 79.21 % for Others showing a high degree of inequity. The average size of holdings was the highest for STs in the categories of marginal (below 1 ha) of 0.48 ha, small (1-2 ha) of 1.41 ha while it was lower when it came to semi-medium (2-4 ha) at 2.68 ha, medium (4-10 ha) at 5.66 ha and large (10 ha and above) at 15.11 % when compared with all other social groups (0.38 ha, 1.40 ha, 2.69 ha, 5.72 ha, and 17.07 ha respectively). Most tribal land holdings have low productivity, primarily because these are located in hilly and undulating terrain, are unirrigated and therefore dependent on rain water. Swidden or slash and burn cultivation is prevalent, particularly in the north-east and in Andhra Pradesh and Telangana. They usually adopt non-intensive methods of cultivation.

## 2.4 Economy

**2.4.1 Poverty:** The ST poverty rates remains extremely high. 47.7 % of STs lived below poverty line in the rural area and 30.4 % STs in the urban area were poor (Planning Commission 2009-10, Stat Profile 2013). STs were the most amongst social groups who were in the lowest wealth quintile at 45.2 % as compared to 25.9 % of SCs, 18.2 % of OBCS and 9.4 % of Others. Their percentage rapidly declined in the second (25.5 %), middle (14.9 %), fourth (9.1 %) and highest (5.4 %). STs were the least amongst social groups from the middle quintile onwards. In the case of Others for instance, their share steadily progressed from the lowest quintile being the least to the highest in the highest quintile (2015-16 NFHS). ST households in the rural and urban areas owned assets the least (98.8 % in rural areas and 93.7 % in urban areas) even though close to the other social groups. In terms of Average Value of Assets, STs (Rs. 884,000 in rural and Rs. 1,890,000 in urban areas) were better off than SCs (Rs. 879,000 in rural and Rs. 1,315,000 in urban areas) but far less when compared to OBCs (Rs. 1,645,000 in rural and Rs. 2,120,000 in urban areas) and Others (Rs. 2,603,000 in rural and Rs. 4,054,000 in urban areas). Only 24.7 % STs in the rural areas and 17.3 % in the urban areas were indebted, the least as

compared to the SCs (34.7 % in rural and 23.4 % in urban areas), OBCs (38.3 % in rural and 25.3 % in urban areas) and Others (34.7 % in rural and 19.3 % in urban areas). The average amount of debt was the least for STs at Rs. 23,692 in rural areas and Rs. 80,282 which was higher than the SCs in urban areas. However, this has to be seen along with their having the least income and therefore constituting the heaviest burden.<sup>12</sup>

Another study (see below) shows that the poverty ratio for each social group in rural (25.4 %) as well as urban areas (13.7 %) in 2011-12 was lower than in 2009-10 (33.3 % and 20.9 % respectively). There was, however, a large difference in the declines between these two years for the SC (from 42.3 % to 31.5 %) and marginal decline for ST (from 47.4 % to 45.3 %). A similar trend was seen in the urban areas (STs from 30.4 % to 24.1 % and SCs 34.1 % to 21.7 %).

<b>Poverty by Social Groups, 1993-94 to 2011-12</b>						
Social groups	Share in population		Percent population below the Tendulkar line			
	2011-12		1993- 94	2004-05	2009-10	2011-12
Rural						
ST	11.1		65.9	62.3	47.4	45.3
SC	20.8		62.4	53.5	42.3	31.5
OBC	45.0		44.0	39.8	31.9	22.7
FC	23.0			27.1	21.0	15.5
All	100.0		50.3	41.8	33.3	25.4
Urban						
ST	3.5		41.1	35.5	30.4	24.1
SC	14.6		51.7	40.6	34.1	21.7
OBC	41.6		28.2	30.6	24.3	15.4
FC	40.3			16.1	12.4	8.1
All	100.0		31.9	25.7	20.9	13.7
Rural + Urban						
ST	8.9		63.7	60.0	45.6	43.0
SC	19.0		60.5	50.9	40.6	29.4
OBC	44.1		39.5	37.8	30.0	20.7
FC	28.0			23.0	17.6	12.5
All	100.0		45.7	37.7	29.9	22.0
Source: Panagariya, A and Vishal More. <i>Poverty by Social, Religious &amp; Economic Groups in India and Its Largest States 1993-94 to 2011-12</i> Working Paper No. 2013-02, Institute for Social and Economic Research and Policy, 2013, p.6-7.						
<a href="https://pdfs.semanticscholar.org/8e45/65253fb1291c547b0aff5377fd9c673e9282.pdf">https://pdfs.semanticscholar.org/8e45/65253fb1291c547b0aff5377fd9c673e9282.pdf</a>						

**2.4.2 Livelihood:** STs largely inhabit the rural areas. To a larger extent, they work on the farms as they hold more land. A majority of them are also forest-dependent people having customary and traditional forest rights, which by law have been vested in them for which formal recording and titling is slowly progressing.

**2.4.2.1 Workers Participation Rate (WPR):** WPR declined across all social groups during the period 2011-12 and 2017-18, with the decline for STs being the highest, from 61 % to 54 %. WPR was higher amongst STs in 2017-18 at 54 % as compared to 47 % for SCs, 45 % for OBCs and 42 % for Others. Generally, their income is lower.

Indicator	ST		SC		OBC		Others		All	
	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18

<sup>12</sup> The National Statistical Office (NSO), Ministry of Statistics and Programme Implementation. *All India Debt and Investment Survey – 2019, NSS 77th Round, (January - December 2019)*, September, 2021, <https://www.thehinducentre.com/resources/article36470537.ece/binary/Report%20no.%20588-AIDIS-77Rm-Sept.pdf>.

Workers Participation Rate (WPR)	61	54	52	47	50	45	46	42	50	45
Source: Employment-Unemployment Survey (EUS) 2011-12 and Periodic Labour Force Surveys (PLFS), NSSO, 2017-18										

**2.4.3 Employment:** STs enter the workforce much earlier in life than non-STs, mostly in subsistence agriculture, and now increasingly as casual labourers. They are underemployed and earn lesser.

2.4.3.1 *Employment Status:* 55 % of STs are self-employed in 2018, an increase by 3 % from 2012 comparable to OBCs and Others (54 %) but higher than SCs (38 %). Their share in regular employment is the least, marginally increasing from 10 % to 13 %. 31 % are casual labourers, a marginal decline from 38 % corresponding to increase in self-employment but lower than the share of SCs (42 %) and much higher than that of Others (16 %).

Indicator	ST		SC		OBC		Others		All	
	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18
Self-employed	52	55	34	38	54	55	55	54	52	51
Regular Employee	10	13	17	20	18	22	29	32	20	23
Casual Labour	38	31	49	42	29	23	16	14	30	25
Source: Employment-Unemployment Survey (EUS) 2011-12 and Periodic Labour Force Surveys (PLFS), NSSO, 2017-18										

2.4.3.2 *Employment by sector:* Agriculture continues to be the main source of employment for the majority of STs at 67 %, almost double that of Others. Their presence in industry and service sectors are marginal and least amongst the social groups. There has been a general decline in employment in agriculture across all social groups. Amongst the non-agricultural sectors, STs are employed in construction and constitute the largest segment amongst them. Their presence is the least in finance, business, real estate etc. STs also constitute the least in the manufacturing sector; the electricity, gas and water supply; trade, hotel and restaurants; public administration, health and education. They are similarly less in transport, storage and communications sector. They are the least in such occupations as legislators, senior officials, managers, professionals, technicians, clerks, service workers, market sales works, craft and related trades workers, plants and machine operators, and assemblers.

Sector	ST		SC		OBC		Others		All	
	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18
Agriculture	69	67	46	14	48	43	35	35	46	44
Industry	18	18	31	31	24	26	24	23	25	25
Services	13	15	24	25	28	31	29	42	29	31
Source: NSS Employment and Unemployment Surveys of 2011-2012; and PLFS, 2017-2018										

2.4.3.3 *Unemployment:* During 2011-12 to 2017-18, the open unemployment rates rose across social groups including ST workers. The percentage of increase in open unemployment is the least amongst STs.

Unemployment Rate (15+ years and UPS), 2011-12 and 2017-18										
Unemployment Rate (15+ years and UPS), 2011-12 and 2017-18	ST		SC		OBC		Others		All	
	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18	2011-12	2017-18
	1.9	4.5	2.7	6.6	2.5	6.3	3.4	7.1	2.7	6.4
Source: EUS and PLFS, NSSO, 2017-18										

## 2.4.4 Income

2.4.4.1 *Economic Status*: 36 % of ST households (2011) derived their income from casual labour. A higher proportion of STs own un-irrigated, irrigated and other land as compared to SCs and Others. 18.1 % of the ST households are farmers with irrigation facilities as compared to 29 % among 'Others'. The rest depend on rainfed agriculture. They own agricultural equipment the least (1.61 %). While their share in salaried government job is 4 % as compared to their population share of 8.6 %. Their share in employment in the public and private sector is the least amongst the social groups at 0.58 % and 1.5 % respectively. An overwhelming bulk of the monthly income of all social groups is less than Rs. 5,000. The STs constitute more than other social groups. The STs whose monthly income is between Rs.5,000 and 10,000, and more than Rs. 10,000 was 9 % and 4.5 % respectively which was the least amongst the social groups.

<b>Economic Deprivation among different social groups (in %)</b>	<b>ST</b>	<b>SC</b>	<b>Others</b>
Landless households deriving major part of their income from manual casual labour	35.65	54.71	34.51
Households paying income tax / professional tax	3.35	3.48	5.05
Households with Destitute/living on alms	0.23	0.40	0.39
Monthly income of highest earning household member is < 5000	86.53	83.55	70.29
Monthly income of highest earning household member is 5000 - 10000	8.95	11.74	19.89
Monthly income of highest earning household member is > 10000	4.48	4.67	9.77
Total Households owning un-irrigated land	42.59	18.45	30.49
Total Households owning irrigated land	18.05	17.41	28.8
Total Households owning other land	12.82	6.98	13.04
Households having motorized two/three/four wheelers and fishing boats	9.88	12.62	24.51
Households owning mechanized three/four-wheeler agricultural equipment	1.61	1.94	5.05
Households without any phone	57.39	31.73	22.46
Households with salaried job in government	4.36	3.95	5.35
Households with salaried job in Public	0.58	0.93	1.24
Households with salaried job in Private	1.48	2.42	4.18
Source: Socio-Economic and Caste Census, 2011 <sup>13</sup>			

2.4.4.2 *Monthly Per-capita Consumption*: STs are mostly in the lowest quintile in the Monthly Per-capita Consumption Expenditure (MPCE) deciles, and the least in the 41-60 %, 61-80 % and 81-100 % quintile. In contrast, the Others are substantially high in the two top quintiles.

<b>Percent Distribution of the Population by MPCE, 2017-2018</b>						<b>Source</b>
<b>MPCE Quintile</b>	<b>ST</b>	<b>SC</b>	<b>OBC</b>	<b>Others</b>	<b>Total</b>	PLFS 2017-2018
Lowest 20%	33.9	21.7	16.5	9.5	17.0	
21-40%	23.8	22.2	20.6	14.6	19.4	
41-60%	19.0	22.0	20.0	18.6	19.9	
61-80%	14.9	21.5	23.8	25.1	22.9	
81-100%	8.5	12.5	19.1	32.4	20.8	
Total	100.0	100.0	100.0	100.0	100.0	

2.4.4.3 *Wages*: There has been a general increase in wages for regular employees over the years. But the wage rates are lower for STs and the increase rate is lower. So too the wage rate of STs are lower in the case of casual labour; generally, the rates prevailing also depends on the region besides other factors as skills etc.

## 2.5 Migration

<sup>13</sup> Compiled from *Socio Economic and Caste Census (SECC) 2011*, Department of Rural Development, Ministry of Rural Development, Government of India. *ST Households Summary*, <https://secc.gov.in/getSTHhdSummaryNationalReport.htm>, *SC Households Summary*, <https://secc.gov.in/getSCHhdSummaryNationalReport.htm> and *Other Households Summary*, <https://secc.gov.in/getOtherHhdSummaryNationalReport.htm>

With declining resource rights over the years owing to large parts of forestlands being diverted for mining and other infrastructural activities, the declining income from agriculture, the demographic pressure and the rising aspirations, the out-migration of the STs is on the rise. Some parts of the western region are drought-prone and the central belt is a militarised zone with violent conflict between the Maoists and the armed forces of the State. Many of them move to the urban areas as contract labourers; women in large numbers from Jharkhand, Chhattisgarh, Orissa and West Bengal are domestic workers in metros.

## 2.6 Education

The literacy rate of ST males was far below that of non-ST males, 68.5 % as compared to 80.9 % (2011). Similar is the situation of ST females with 49.7 % as compared to 64.6 % for non-ST females. At the all-India level, the STs have the highest share of ‘not literates’ at 36 % and the lowest share of population having completed secondary level or any higher level of education. The share of ‘not literate’ among STs is much higher for women at 45.3 % compared to men at 26.9 %.

Indicator	ST	SC	OBC	Others	Source
	2017-18	2017-18	2017-18	2017-18	
Not literate	36	32.38	27.36	16.1	NSSO 75th Round (2017-18)
Up to primary	27.1	20.4	19.3	16.1	
Middle	17.1	16.9	16.4	15.1	
Secondary & Higher	19.9	23.8	28.3	33.9	
Graduate and above	5.0	6.1	8.8	18.7	

When the share of ‘Educated till primary level or below’ is added to the share of people with no literacy, it accounts for 58.1 % of the ST population as compared to 43.7 % for the non-STs. Except for some states in north-eastern region where the share of ST population is very high, the share of non-ST population with education till primary (including not literates) is lower than STs. The share of ST women who are not literate is far higher than ST men. With an overwhelming majority living in rural areas and a high share within them living in forested and hilly terrains, availability of schools and access to them have been major issues for them. The access for upper primary and secondary schools are far worse. The situation has however improved. When it comes to graduation and above, STs are extremely challenged on many fronts, ranging from social discrimination to economic hardship and cultural incompatibility in an alien world, leading to large scale drop outs.

## 2.7 Health

The health status of STs is relatively poor as compared with the rest of the population on most health indicators. However, the health status of the STs in the north-east generally is not only better than the STs of peninsular India, but comparable to the better off in the rest of the country. There has been improvement in ST health status over time though the gap with the rest has remained more or less the same. This correlates with the progress made with their socio-economic status over time.

**2.7.1 Neonatal, Infant and Childhood Mortality:** The Neonatal Mortality Rate (NMR) was 31 number of deaths per 1,000 live births amongst the STs in 2015-2016 (down from about 40 in 2005-2006), compared to 23 amongst Others down from 35. Infant Mortality Rate (IMR) for the STs was 45.2 in 2015-2016 down from 62.1 in 2004-2005. IMR among the non-STs declined from 49 to 32.1 during the same period.

Infant and Child Mortality, 2005-2006 and 2015-2016								Source
	Year	Indicators	ST	SC	OBC	Others	All	NFHS-3 and NFHS-4
1	2005-06	NMR	39.9	46.3	38.3	34.5	39.0	

2		IMR	62.1	66.4	56.6	48.9	57.0
3		U5MR	95.7	88.1	72.8	59.2	74.0
4	2015-16	NMR	31.0	33.0	30.5	23.2	30.0
5		IMR	45.2	44.2	42.0	32.1	41.0
6		U5MR	57.2	55.9	50.8	38.5	50.0

Under-five years mortality rate (U5MR) amongst STs was 95.7 in 2005-2006 declining to 57.2 in 2015-2016. For the non-STs, the figure dropped from about 59 to 38.5. A significant progress is visible. Central and eastern States show higher NMR, IMR and U5MR values for the STs as compared to the Northeast or even states as Gujarat and Himachal Pradesh.

**2.7.2 Child Health:** Stunting is high in all the groups with the STs and SCs faring worse declining for all during the period 2005-06 and 2015-16. Similarly, underweight children are higher amongst STs and SCs than non-STs seeing a decline during the period. Wasting is seen in all the groups and have not significantly changed during the period with the STs showing more than non-STs. Anaemia among ST children is high with 63.8 % children. Across social groups, anaemia declined during the period. Over all, the non-STs fare better on all parameters. The picture is far better when it comes to the north-east as can be expected. Low Birthweight (LBW) is more prevalent among the STs than non-STs though the inter social group differences are not very significant. There has been a decline in the prevalence during the period 2005-06 and 2016-17. This correlates with the trend as noted above.

<b>Malnutrition Among Children aged 0-5 Years by Social Category and Gender of Children, 2005-2006 and 2015-2016</b>							
Index	Sex	ST	SC	OBC	Others	All	Source
2005-2006							
Stunting	Male	54.7	54.7	48.8	40.4	48.3	NFHS-3
	Female	53.7	53.1	48.9	40.5	48.0	
	Total	54.2	53.9	48.8	40.4	48.1	
Underweight	Male	55.7	47.6	42.8	32.9	42.3	
	Female	54.3	48.2	43.4	34.8	43.2	
	Total	54.9	47.9	43.1	33.8	42.7	
Wasting	Male	29.8	21.7	20.6	16.9	20.6	
	Female	20.2	25.8	19.8	16.0	19.2	
	Total	27.8	21	20.0	16.4	20.0	
Anaemia	Male	75.0	71.9	70.1	63.2	69.1	
	Female	77.3	72.9	70.5	64.5	70.1	
	Total	76.1	72.4	70.3	63.8	69.5	
2015-2016							
Stunting	Male	45.2	43.4	39.0	31.0	38.8	NFHS-4
	Female	42.6	42.1	38.4	30.2	37.9	
	Total	43.9	42.7	38.7	30.6	38.5	
Underweight	Male	46.5	39.6	35.8	29.0	36.1	
	Female	43.5	38.8	35.4	28.2	35.5	
	Total	45.0	39.2	35.6	28.6	35.9	
Wasting	Male	28.6	22.0	21.5	19.8	21.9	
	Female	25.5	20.5	19.6	18.5	20.1	
	Total	27.0	21.1	20.6	19.2	21.1	
Anaemia	Male	64.1	60.2	58.4	55.1	58.8	
	Female	63.4	61.3	58.9	54.2	59.1	
	Total	63.8	60.8	58.7	54.7	58.8	
<b>Low Birthweight (LBW)</b>							
2005-2006	Male	21.9	23.8	20.5	18.3	20.3	
	Female	22.7	23.4	22.3	23.6	23.0	
	Total	22.2	23.7	21.3	20.7	21.5	
2015-2016	Male	19.4	17.1	16.1	15.4	17.1	

	Female	21.7	19.9	18.4	17.8	19.4	
	Total	20.5	19.1	17.7	17.0	18.2	

**2.7.3 Nutritional status:** Both ST men and women (20.8 for men and 20.5 for women) had the least Body Mass Index (BMI) amongst social groups (21.4 for SC men, 21.9 for OBC men and 22.5 for Others men and 21.4 for SC women, 21.9 for OBC women and 22.7 for Others) (2015-16 NFHS). Both ST men and women had the highest prevalence of anaemia (32 % and 59.9% respectively) amongst the social groups (2015-16 NFHS)

**2.7.4 Other Morbidity Patterns:** Infectious diseases continues to be a major health problem, particularly the *Plasmodium falciparum*, the dangerous malaria strain, resulting in heavy death toll. Tuberculosis prevalence is significantly higher among STs.

### 2.7.5 Health services

**2.7.5.1 Child Birth:** About 68 % deliveries by the ST women took place in health facilities in 2015-16 as compared to about 84 % by others. This was substantially higher than a decade earlier. Correspondingly, deliveries at home declined from 82 % to a mere 31.7 %. Deliveries at home was the highest and in public facility the lowest amongst STs. Accessing private sector marginally declined over the period for STs and SCs while it increased for the rest. Institutional health has not appreciably increased in the north-east even though health infrastructure is better there. Many of the states do not show progressive results in regard to institutional childbirth, visits to health facilities for ante-natal and post-natal care or child immunisation.

Percent distribution of live births to women age 15-49 in the five years preceding the survey by place of delivery, and percentage delivered in a health facility, 2005-06 and 2015-2016							
		ST	SC	OBC	Others	Total	Source
2015-2016	Home	31.7	21.3	20.0	15.9	20.8	NFHS-4
	Public Sector	56.0	59.9	50.4	44.6	52.0	
	Private Sector	11.7	18.1	28.9	38.6	26.4	
	NGO or Trust Hospital/Clinic	0.4	0.4	0.5	0.7	0.5	
	Health Facility	68.1	78.4	79.8	83.8	79.0	
	Other	0.2	0.3	0.2	0.3	0.2	
	Total	100.0	100.0	100.0	100.0	100.0	
2005-2006	Home	82.0	66.9	62.1	47.0	61.0	NFHS-3
	Public Sector	11.9	19.3	16.2	21.7	18.0	
	Private Sector	5.7	13.4	21.0	30.5	20.4	
	NGO or Trust Hospital/Clinic	0.3	0.2	0.5	0.7	0.5	
	Health Facility	17.8	32.9	37.7	52.9	38.8	
	Other	0.1	0.2	0.2	0.1	0.2	
	Total	100.0	100.0	100.0	100.0	100.0	

**2.7.5.2 Immunisation of Babies:** Only 56 % of babies are immunised which is lower than all other social groups. Diarrhoea, acute respiratory infections and fever continues to be the most common ailments. STs are known to approach the modern health services the least, perhaps preferring folk systems instead besides issues of accessibility and affordability.

Status of Full Immunisation by Social groups And Gender of the Children							
Year	Indicators	ST	SC	OBC	Others	All	Source
2005-06	Male	31.2	42.7	42.5	54.9	45.1	NFHS 3
	Female	31.3	36.4	38.4	52.5	41.3	
	Total	31.3	40.7	40.7	53.8	43.4	
2015-16	Male	55.5	63.1	62.5	62.7	61.8	NFHS 4

	Female	56.2	63.3	61.2	64.7	61.6
	Total	55.8	63.2	61.9	64.5	61.7

2.7.5.3 *Registration of Births*: ST households registration of birth was comparable to other social groups even though they were least amongst them (STs 75.7 %, SCs 78.7 %, OBCs 77.4 % and Others 86.8 %). Amongst those registered, only 55.6 % had birth certificate as compared to 60.2 % for SCs, 59.7 % OBCs and 71.9 % Others) (2015-16 NFHS).

2.7.5.4 *Food Supplements*: Food supplements received by STs were relatively high and comparable with other social groups reflecting the reach. It reached 60.4 %, the same as for OBCs. The Others received the least covering 45.6 % reflecting their better economic status and less dependency as compared with the other social groups. (2015-16 NFHS)

2.7.5.5 *Accessing health services*: Most STs accessed government health care services for medical and health care simply because that is still what is mostly available and affordable to them. On an average, the STs incurred Rs. 14,000 on health per case of hospitalisation, half of what Others incurred.

Average medical, health and out of pocket expenditure for treatment during a stay at the hospital per case of hospitalisation in the last 365 days (Rs.): 75th Round (2017-18)						
Category	ST	SC	OBC	Others	All	Source
Health Expenditure (Rs)	14,357	17,915	20,014	28,834	22,046	NSS 75 <sup>th</sup> Round
% Out-of-pocket Expenses	75.4	82.0	83.4	78.5	80.9	

Another study<sup>14</sup> reports that STs spent the least in hospitalisation as compared to what the other social groups spent. Rs. 116,118 for SCs, Rs. 18,049 for OBCs and Rs. 26,903 for Others. However, when this is seen as share of expenditure from income and saving, for STs it is 83.2 % comparable to that of Others (83.4 %) but more than SCs (79.2 %) and OBCs (79.8 %). When looked at it from the share of expenditure from borrowing, the expenditure constitutes 13.2 % comparable to Others (12.2 %) but lesser than SCs (17.5 %) and OBCs (16.6 %). This reflects the need for borrowing and capacity for borrowing. STs were reasonably well covered under health scheme/health insurance when compared with the other social groups (30.8 % for STs, 31.1 % for SCs, 30.5 % for OBCs and 23.6 % for Others) (2015-16 NFHS).

## 2.8 Gender Equality

STs had the best sex ratio at 990 per 1,000 males amongst social groups as compared to 938 for non-STs (2011). Their sex ratio has improved over the years from 978 in 2001. ST child sex ratio was 957 as compared to 914 for non-STs. This is considered a reflection of greater gender parity. However, there is a declining trend observed for the 0 to 6 years sex ratio which could very well indicate a reversal. The ST female literacy rate (49.7 %) fell far short of the male (68.5 %) as of 2011. They had lesser schooling at all levels. The educational gap between ST women and men was far greater than the all India average. Under the general patriarchal climate in society, there has been a substantial shift from a communitarian land holding to individual land titles which is more in favour of the men. As a departure from this, the Forest Rights Act 2006, by law, requires individual titles to be jointly held. Generally, women were paid lesser wages in all categories of work than men. ST women often got lesser than women of other social groups. Their work participation was higher as compared to women in other groups. They join the work force much earlier than men. They hold less regular jobs as

<sup>14</sup> 2017-18 National Sample Survey on Social Consumption in India: Health (71st and 75th round) and National Sample Survey on Morbidity and Healthcare (60th round).

compared to the men. Half of those employed are self-employed, similar to ST men. Most of them are engaged in traditional sectors as agriculture, forest related activities, fisheries etc and much more than men. They also increasingly migrate outside, due to marriage rather than employment. Distress migration takes place, particularly when large development and infrastructural projects push them out of their resource base. Many end up in the metros as domestic workers and some are trafficked, face violence and abuse.

Traditional gender differences vary between tribal communities depending upon whether they are matrilineal or patrilineal tribes. Many ethnic tribal groups in the north-east are matrilineal where the land is inherited in the female line. The central Indian tribes are largely patrilineal. However, common to both is the political exclusion in their traditional institutions where women are not village leaders and kept away from village decision making. The ST women are relatively better placed than other social groups in the traditional structures. However, the women are often in the lead and in larger numbers than their men when it comes to raising their voice against injustice, a phenomenon across India.

## **2.9 Conflicts and militarisation**

Every state in the North-East, except Sikkim, have seen struggles, often armed struggles, for self-determination, demanding a higher level of political autonomy or even independence. This is a result of the traditionally strong territorial control and affiliation, self-governance, a threat to their territorial integrity and social space, threat to identity and desire to retain the territorial and political space that they have defended since pre-colonial period. These have resulted in militarization of the region, the declaration of 'disturbed area' which allows the enforcement of the Armed Forces (Special Powers) Act (AFSPA) that permits the army to shoot to kill the citizens with impunity. There has been sporadic ethnic violence, most often from territorial conflicts. These, and the predominantly difficult mountainous terrain, pushed the development agenda into the background. The north-east remained in the periphery of the nation.

The armed resistances have declined over the past few decades in most states. Cease fire agreements and peace accords signed. Various forms of autonomy are in place. Relative peace has descended in these States. However, there are continuing ferment especially in Assam and Manipur. The control over their territories and the natural resources propelled most of north-east (except Assam) indigenous peoples to obtain an above national average to being in the top bracket in human development indices. In recent times, the 'Act East' policy and the untapped natural resources have given focus to opening up of the north-east through infrastructure projects, especially transportation, prospecting for minerals, tapping of the rivers etc. At the same time, there has been influx from the neighbouring countries as Bangladesh and Myanmar as refugees and as illegal entrants, and migrants from the mainland or peninsular India, which have been major issues of political tensions. Demands for the repeal of AFSPA became strident especially after the December 2021 killings of civilians in Nagaland by the military mistaking them for insurgents.<sup>15</sup>

The central Indian tribal belt is by the far the richest in natural resources, especially major minerals. The region has been the target for extensive mining, dam building and industrialization that have caused millions of Adivasis to be displaced, most often without any or proper compensation and rehabilitation, and the environment ravaged. Added to these is the exclusionary fortress conservation through the creation and steady expansion of Protected Areas for wildlife protection. The result has been a region in chaos with high degree of disaffection and protests. The deployment of police forces and paramilitary to contain these

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<sup>15</sup> 2021 Nagaland killings, Wikipedia, [https://en.wikipedia.org/wiki/2021\\_Nagaland\\_killings](https://en.wikipedia.org/wiki/2021_Nagaland_killings)

resistances provide a conducive atmosphere for the Maoists. This has propelled this region to become a conflict zone. The government-identified Left Wing Extremism (LWE) affected districts increased from 76 in 2014 to 106 districts in 10 States in 2016<sup>16</sup> and declined to 90 districts in 11 States in 2019.<sup>17</sup> Majority of them are tribal dominated. Despite enactment of laws to empower grass root democracy at the village level, these are largely non-operational, either because the laws are not activated or not implemented, or the region is misgoverned.<sup>18</sup> This has led in recent times to spontaneous spread of movements of self-assertion and defiance of the State such as the *Pathalgarhi* movement<sup>19</sup> that led the State to use security laws as the Unlawful Activities (Prevention) Act 1967.

An official study<sup>20</sup> concluded that ‘the development paradigm pursued since independence has aggravated the prevailing discontent among marginalized sections of the society. This is because the development paradigm conceived by the policy makers has always been imposed on these communities, and therefore it has remained insensitive to their needs and concerns, causing irreparable damage to these sections. The benefits of this paradigm of development have been disproportionately cornered by the dominant sections at the expense of the poor, who have borne most of the costs. Development which is insensitive to the needs of these communities has invariably caused displacement and reduced them to a sub-human existence. In the case of the tribal population in particular, it has ended up in destroying their social organization, cultural identity and resource base and generated multiple conflicts, undermining their communal solidarity, which cumulatively makes them increasingly vulnerable to exploitation.’ The report points out to a systemic governance failure in the tribal areas. The creation of an accessible, effective and affordable criminal justice system by its revamping, restitution, reparation, guarantee of non-repetition of human rights violations and upholding the rule of law, and empowerment of the people for local self-governance and development are the tasks.

### 3. Governance and Legislative Framework

#### 3.1 Historical Background

Generally, the tribal regions have historically been self-governing even when they were part of various kingdoms. They remained away or in the periphery of the feudal fiefdoms. This changed with the advent of colonialism when the feudal structure was modified and extended to seek rent from the tribals and the colonial intrusion into the resource rich forests began. Persistent revolts across tribal regions led to conceding various degree of autonomy, unlike the non-tribal regions.

#### 3.2 Constitutional and Legislative Provisions

The Constitution of India<sup>21</sup> has 395 Articles and 8 schedules. Some of the important provisions are:

##### Constitutional provisions relevant to Scheduled Tribes

<i>Provision</i>	<i>Summary</i>
<i>Social</i>	
Article 14	Equality before Law

<sup>16</sup> For a list of districts in 2016 see <http://pib.nic.in/newsite/PrintRelease.aspx?relid=136706>

<sup>17</sup> For a list of districts in 2019, see <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1562724>

<sup>18</sup> Bijoy, C R. *How a History of Broken Promises Has Let Down India's Scheduled Areas*, The Wire, 9 November 2021, <https://thewire.in/rights/how-a-history-of-broken-promises-has-let-down-indias-scheduled-areas?>

<sup>19</sup> Shukla, Tejusvi. *Pathalgarhi: A Smoldering Fire?*, Issue Brief, Centre for Land Warfare Studies, No.227, May 2020, pp.1-8, [https://www.claws.in/static/IB-227\\_Pathalgarhi-A-simmering-fire-.pdf](https://www.claws.in/static/IB-227_Pathalgarhi-A-simmering-fire-.pdf)

<sup>20</sup> Planning Commission. Government of India. *Development Challenges in Extremist Affected Areas, Report of An Expert Group to Planning Commission*. New Delhi, 2008. p.29, [http://planningcommission.nic.in/reports/publications/rep\\_dce.pdf](http://planningcommission.nic.in/reports/publications/rep_dce.pdf) accessed on 11 December 2011.

<sup>21</sup> See <https://legislative.gov.in/sites/default/files/COI...pdf>.

Article 15	Prohibits discrimination on grounds of religion, race, caste, sex or place of birth
Article 15 (4)	The State to make special provisions for the advancement of any socially and educationally backward classes of citizens or for (the Scheduled Castes and) the Scheduled Tribes
Article 16	Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State
Article 16 (4)	The State to make provisions for reservation in appointment, posts in favour of any backward class citizens, which in the opinion of the State is not adequately represented in the services under the State
Article 16 (4A)	The State to make provisions in matters of promotion to any class or classes of posts in the services in favour of (the Scheduled Castes and) the Scheduled Tribes
Articles 25-28	Freedom of religion
Articles 29-30	Freedom to culture and education
Article 338 A	A National Commission for Scheduled Tribes to investigate, monitor and evaluate all matters relating to the Constitutional safeguards provided for the Scheduled Tribes
Article 339 (1)	Appointment of a Commission to report on the administration of the Scheduled Areas and the welfare of the Scheduled Tribes in the States
Article 340	Appointment of a Commission to investigate the conditions of socially and educationally backward classes and the difficulties under which they labour and to make recommendations to remove such difficulties and to improve their conditions
Article 342	To specify the tribes or tribal communities to be Scheduled Tribes
<b>Economic</b>	
Article 21A	The State to provide free and compulsory education to all children of the age of six to fourteen years
Article 46	The State, to promote with special care the educational and economic interests of the weaker sections of the people, and in particular of (the Scheduled Castes and) the Scheduled Tribes, and protect them from social injustice and all forms of exploitation.
Article 275(1)	Grants-in-Aid to be made available from the Consolidated Fund of India each year for promoting the welfare of the Scheduled Tribes and administration of Scheduled Areas
Article 335	The claims of the members of (the Scheduled Castes and) the Scheduled Tribes in the appointments to services and posts in connection with the affairs of the Union or of a State to be taken into consideration consistent with the maintenance of efficiency of administration
<b>Political</b>	
Article 330	Reservation of seats for (the Scheduled Castes and) the Scheduled Tribes in the House of the People
Article 332	Reservation of seats for (the Scheduled Castes and) the Scheduled Tribes in the Legislative Assemblies of the States
Article 243D	Reservation of seats for (the Scheduled Castes and) the Scheduled Tribes in every Panchayat
Article 243T	Reservation of seats for (the Scheduled Castes and) the Scheduled Tribes in every Municipality
Article 164(1)	Minister in charge of Scheduled Tribes in the states of Chhattisgarh, Jharkhand, Madhya Pradesh and Odisha
Article 243M(4)(b)	Extension of the Part IX - The Panchayats - to the Scheduled Areas through a law enacted by Parliament. This has been done by the Panchayats (Extension to the Scheduled Areas) Act, 1996. <sup>22</sup>
Article 243ZC (3)	Extension of the Part IX-A- The Municipalities - to the Scheduled Areas through a law enacted by Parliament. No such law has been enacted till date.
Article 244	The administration of Scheduled Areas and Scheduled Tribes to be governed by the Fifth Schedule, and that of tribal areas in Assam, Meghalaya, Tripura and Mizoram to be governed by the Sixth Schedule
Article 371 A	Special status to the State of Nagaland. The Parliament cannot legislate in matters of Naga religion or social practices, Naga customary law and procedure, administration of civil and criminal justice involving decisions according to Naga customary law, and ownership and transfer of land without concurrence of the state Assembly.

<sup>22</sup> Ministry of Tribal Affairs, Government of India. *Annual Report 2008-09, 2009*, p.29-31, <http://tribal.gov.in/writereaddata/mainlinkFile/File1155.pdf>

Article 371 B	Special provisions for the State of Assam. The President may provide for the constitution and functions of a committee of the Assembly consisting of members elected from the state's tribal areas.
Article 371 C	Special provisions for the State of Manipur. The President may provide for the constitution of a committee of elected members from the Hill areas in the Assembly, and entrust 'special responsibility' to the Governor to ensure its proper functioning.
Article 371 F	Special provisions for the State of Sikkim. The Parliament may provide for the number of seats in the Assembly, which may be filled only by candidates from those sections in order to protect the rights and interests of various sections of the population of Sikkim.
Article 371 G	Special provisions for the State of Mizoram. The Parliament cannot make laws on 'religious or social practices of the Mizos, Mizo customary law and procedure, administration of civil and criminal justice involving decisions according to Mizo customary law, ownership and transfer of land... unless the Assembly... so decides'.
Article 371 H	Special provisions for the State of Arunachal Pradesh. The Governor has a special responsibility with regard to law and order, and 'he shall, after consulting the Council of Ministers, exercise his individual judgment as to the action to be taken'.
Fifth Schedule	Provisions as to the Administration and Control of Scheduled Areas and Scheduled Tribes
Sixth Schedule	Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram

Laws were enacted to create institutional arrangements that excluded the tribal people from the application of British laws. The central Indian region was declared a non-regulated area through Regulation XIII of 1833. The Wilkinson's Rule of 1837 in Chaibasa in the Kolhan, presently the Sadar subdivision of Chaibasa, West Singhbhum and Saraikela areas of Jharkhand, legalised the traditional Manki Munda system of the Hos when they failed to subjugate them in 1834. The Inner Line Permit under the Bengal Eastern Frontier Regulation of 1873 to regulate entry of outsiders, and bar acquiring 'any interest in land' by outsiders or residents of other parts of India still continues in Arunachal Pradesh, Mizoram, hill areas of Manipur and Nagaland. This has been further extended to cover the whole of Manipur in 2019. Regional laws as the Santhal Pargana Tenancy Act of 1876<sup>23</sup> to protect the lands of the Santals and the Chotanagpur Tenancy Act of 1908<sup>24</sup> to protect the lands of Mundas and Uraons were enacted. Both these continue to be defended passionately against any dilution. The Scheduled Districts Act of 1874 formally recognised the tribal areas as falling outside the jurisdiction of British administration. Parts of the north-east region were excluded; the central Indian tract was partially excluded from the applications of the laws leaving the local self-governing institutions to function. This was reaffirmed with the Government of India Act of 1935 that introduced provincial autonomy and elected governments, empowering the Governor-General in Council to declare any area as excluded or partially excluded whereby the Governor is required to extend the application of the laws in toto or with modifications to the excluded and partially excluded areas largely inhabited by tribes. This was followed by the Government of India (Excluded and Partially Excluded Areas) Order 1936. The partially excluded areas came to be generally designated as Fifth Schedule and the excluded areas as the Sixth Schedule areas in Article 244 of the Constitution of India 1949. Newer arrangements for the north-east region, Scheduled Areas and forest regions that formed part of the ancestral domain of the tribal peoples were also incorporated in the Constitution and by enactments post-independence.

**3.2.1 The North-East:** The special Constitutional provisions under Article 371 A for Nagaland<sup>25</sup> and 371 G for Mizoram<sup>26</sup> provide exclusive power to their State Assembly on matters concerning religious or social practices and, customary law and procedure of the

<sup>23</sup> For the Act, see [https://www.indiacode.nic.in/bitstream/123456789/8120/1/santhal\\_parganas\\_tenancy\\_laws\\_full.pdf](https://www.indiacode.nic.in/bitstream/123456789/8120/1/santhal_parganas_tenancy_laws_full.pdf)

<sup>24</sup> For the Act, see <http://www.bareactslive.com/JH/JHR055.HTM>

<sup>25</sup> Article 371A in The Constitution of India 1949, <https://indiankanoon.org/doc/371998/>

<sup>26</sup> Article 371G in The Constitution of India 1949, <https://indiankanoon.org/doc/1184172/>

concerned communities, administration of civil and criminal justice in areas covered by customary law, and ownership and transfer of land and its resources. It prohibits the application of any central law regarding ownership and transfer of land and its resources unless the State assembly resolves to apply them. These states are exempted from following the panchayat raj structure and instead follow a local governance structure based on their traditional system and structures of governance. For instance, Nagaland has created Tribal council for each tribe, Area Council, Range Council and Village Council. Nagaland, through the Nagaland Tribal, Area, Range and Village Council Act of 1966, provides for the creation of a tribal council for each tribe, an Area Council for Kohima and Dimapur, a Range Council where there is a recognized range in the Mokokchung and Kohima Districts and Village Councils for one or more villages in Kohima and Mokokchung. The 16 tribes in Nagaland occupy a distinct territory along with their traditional system of self-rule which is diverse. Every village constitutes an authority. Village Councils are constituted by the villages according to customary practices for five years under the provisions of the Nagaland Village and Area Councils Act 1978. Nagaland Communitization of Public Services and Institutions Act 2002 delegated many of its functions, including control over the personnel involved with the ‘delegated services’ to Village Authorities. Mizoram has elected village councils constituted in most parts of the State replacing earlier traditions of hereditary chieftainship. Similar arrangements are a common feature in the north-east.

The Sixth Schedule Areas<sup>27</sup> under Article 244, in parts of the north-eastern states, provide for the creation of Autonomous District and Regional Councils<sup>28</sup> with a host of legislative, executive and judicial powers over a number of subjects.<sup>29</sup> The Sixth Schedule provisions within the north-east includes Assam (six of the 21 districts), Meghalaya (except for the municipality and cantonment of Shillong), Tripura (about 68% of the State) and Mizoram (three districts). Similarly, Manipur State has created Manipur District Councils in the Hill Areas through state legislation. Here too, the local governance is based on their traditional

<sup>27</sup> Sixth Schedule [Articles 244(2) and 275(1)], Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram, <https://www.mea.gov.in/Images/pdf1/S6.pdf>

<sup>28</sup> State wise Autonomous District Councils with the year of formation

1. Assam
  - i. Dima Hasao District Autonomous Council [North Cachar (1951, 1970) for Dimasa, Kuki, Hmar, Zemei and Hrangkhawls]
  - ii. Karbi Anglong Autonomous Council [Karbi Anglong (1951, 1976) for Karbis, Dimasa, Rengma, Kuki, Garos, Tiwas, Khasis, Hmars, Mizos and Chakmas]
  - iii. Bodoland Territorial Council [Bodoland (2003) for Bodos, Koch Rajbongshis and smaller tribes]
2. Meghalaya
  - i. Khasi Hills Autonomous District Council [1. Khasi Hills (1972) for Khasi and smaller tribal groups]
  - ii. Garo Hills Autonomous District Council [Garo Hills (1972, 1979) for Garos and smaller tribal groups]
  - iii. Jaintia Hills Autonomous District Council [Jaintia Hills (1972) for Pnar, Jaintia and Khasi]
3. Mizoram
  - i. Chakma Autonomous District Council [Chakma (1987) for Chakma]
  - ii. Mara Autonomous District Council [Mara (1987) for Mara]
  - iii. Lai Autonomous District Council [Lai (1987) for Lai]
4. Tripura
  - Tripura Tribal Areas Autonomous District Council [Tripura Tribal Area (1982) for Bhil, Bhutia, Chainel, Chakma, Garo, Holan, Kuki, Lepcha, Lushai, Mog, Munda, Moatia, Orang, Rieng, Santal, Tripura and Uchai].

<sup>29</sup> These Councils have legislative powers on matters relating to:

- allotment, occupation, or the setting apart of land, other than reserved forests, for the purpose of agricultural or grazing or for residential or other nonagricultural purposes or for any other purpose likely to promote the interests of the inhabitants of any village or town (Provided that nothing in such laws shall prevent the compulsory acquisition of any land, whether occupied or unoccupied for public purpose)
- management of any forest not being a Reserved Forest
- use of any canal or water course for purpose of agriculture
- regulation of the practice of jhum or any other form of shifting cultivation
- establishment of village or town committees or Councils and their powers
- any other matter relating to village or town administration, including village and town police, public health and sanitation
- appointment of succession of chiefs or headmen
- inheritance of property
- marriage and divorce, and
- social custom

system, not the panchayat raj system. Increasing demands in the region for autonomy by various ethnic tribal communities on the lines of Sixth Schedule have led Assam, Manipur and the erstwhile Jammu and Kashmir State, now the UT of Ladakh, to create Autonomous Councils through State enactments though with considerably less powers. 14 Autonomous Councils were created under State laws.<sup>30</sup> The panchayat raj system too coexists in these areas in addition to the traditional structure. The region witnesses strident demands from other tribal communities ranging from statehood to Sixth Schedule. These arise from inadequacies in the governance frames and their implementation confounded by multiplicity of structures often encroaching into each other's domain of authority besides exclusion of areas and communities. The remaining states and areas not covered by the aforementioned provisions follow the general pattern as other States other than the Fifth Schedule Areas where notified (see below).

**3.2.2 Peninsular India:** The Fifth Schedule<sup>31</sup> of Article 244 provides for the demarcation of IP inhabited areas as Scheduled Areas by the President of India. It is spread across 10 states viz. Andhra Pradesh, Telangana, Odisha, Jharkhand, Chhattisgarh, Himachal Pradesh, Madhya Pradesh, Rajasthan, Gujarat and Maharashtra. Kerala is the only other state that has proposed notification of Scheduled Areas<sup>32</sup> in 2016, a result of a political agreement emerging from *Adivasi* struggles in 2001. This is awaiting approval by the Union Government. The Fifth Schedule provides for the creation of Tribal Advisory Councils to advise on matters pertaining to the 'welfare and advancement' of STs 'as may be referred to them by the Governor'. The Governors of these states are provided extensive powers, particularly over land and money lending, and to prevent or modify any law enacted by the Parliament or the State Legislative Assembly in its application to the Scheduled Area, and submit annually a report to the President regarding the administration of Scheduled Areas. For the most part, the Governors have not exercised these powers, except in recent times in Maharashtra.<sup>33</sup> The *Gram Sabha* (the hamlet or group of hamlets level assemblies) have since been statutorily empowered to manage many of its affairs including control over land and resources through the Provisions for Panchayat Raj (Extension to Scheduled Areas) Act, 1996.<sup>34</sup> However, despite the passage of two and a half decades, this is operational only in six<sup>35</sup> out of the ten states where Rules were notified only in recent years. Some of the issues<sup>36</sup> are:

- non-compliance of the provisions of PESA in Central laws and State laws including subject laws,
- structural inconsistencies,

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<sup>30</sup> Assam: 1. Rabha Hasing Autonomous Council (South Kamrup & Goalpara districts, 1995),  
2. Sonowal Kachari Autonomous Council (Dibrugarh, Tinsukhia, Dhemaji, Lakhimpur, Sibsagar & Jorha districts, 2005),  
3. Mising Autonomous Council (Dhemaji, Sonitpur, Lakhimpur, Dibrugarh, Tinsukhia, Sibsagar, Jorhat & Golaghat districts, 1995),  
4. Lalung (Tiwa) Autonomous Council (Morigaon, Nagaon & Kamrup districts, 1995),  
5. Deori Autonomous Council (Lakhimpur, Dhemaji, Dibrugarh, Tinsukhia & Sibsagar districts, 2005) and  
6. Thengal Kachari Autonomous Council (Jorhat, Sibsagar, Dibrugarh & Lakhimpur, 2005)

Manipur: 1. Senapati Autonomous District Council,  
2. Sadar Hills Autonomous District Council,  
3. Ukhrul Autonomous District Council,  
4. Chandel Autonomous District Council,  
5. Churachandpur Autonomous District Council, and  
6. Tamenglong Autonomous District Council

Ladakh 1. Ladakh Autonomous Hill Development Council, Leh (1995)  
2. Ladakh Autonomous Hill Development Council, Kargil (2003)

<sup>31</sup> Fifth Schedule [Article 244(1)], Provisions as to the Administration and Control of Scheduled Areas and Scheduled Tribe, <https://mea.gov.in/Images/pdf1/S5.pdf>

<sup>32</sup> 31 *Grama Panchayats* and one municipality

<sup>33</sup> For the notifications issued by the Maharashtra Governor under Article 244, see <https://rajbhavan-maharashtra.gov.in/en/document-category/notifications-issued-by-honble-governor/>

<sup>34</sup> For the law, see <http://www.tribal.nic.in/actRules/PESA.pdf>

<sup>35</sup> Himachal Pradesh, Andhra Pradesh (incl. Telangana), and Rajasthan in 2011; Maharashtra in 2014 and Gujrat in 2017.

<sup>36</sup> Bijoy, C.R. *Panchayat Raj (Extension to Schedule Areas) Act of 1996: Policy Brief*, UNDP, 2012

- reluctance of the bureaucracy and elected representatives to concede power to grass root democratic structures,
- non-adoption of the Sixth Schedule pattern in the structure above the village assembly, and
- manipulations and violations of the provisions of these laws are some of the issues.

There are many tribal inhabited areas<sup>37</sup> yet to be brought within the protective purview of these special constitutional provisions resulting in the majority of the IPs being left outside these protective provisions despite being pointed out and recommended by various official bodies. However, tribal habitations within the states having Scheduled Areas that were left out have, to some extent, been included.<sup>38</sup>

Under the Constitution, the Parliament was to enact separate municipal legislation for the governance of municipal areas within Scheduled Areas. A draft Bill was introduced in 2001, nothing has since been heard of, leaving a legal vacuum in about 181-200 municipalities where the general municipal areas are applied contrary to the Constitution. More rural areas are being upgraded into municipal areas<sup>39</sup> taking them out of the legal protection available in PESA.

**3.2.3 Forest Governance:** The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (FRA)<sup>40</sup> empowered the hamlet level *Gram Sabhas* to determine and approve the individual and community rights that they have been customarily enjoying. It provided for the demarcation of the Community Forest Resource - the 'customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape' over which the hamlet level *Gram Sabhas* are to protect, preserve, regulate and manage. Currently data on implementation of FRA is available in 20 States and one UT out of 28 States and 8 UTs. Both Nagaland and Mizoram have not opted to implement FRA for lack of legislative concurrence as required by the Constitution. The stated reason is that most of the forests in these States are anyway under community control. Except for Assam and Tripura, the rest of the north-east States are yet to implement the law for similar reasons. Large tracts of forests that are community controlled are classified as 'unclassified forests' and recent Supreme Court interpretations tend to extend the domain of forest laws to community controlled forests.<sup>41</sup>

Where FRA is being implemented, the implementation has been poor and slow.<sup>42</sup> Complying with FRA, the Forest Conservation Act 1980 that regulates forest diversion for non-forestry purposes, and compensatory afforestation in lieu of such diversions, require prior completion

<sup>37</sup> Tribal habitations in Kerala, Tamil Nadu, Karnataka, West Bengal, Uttarakhand and Uttar Pradesh, and the UTs of Jammu & Kashmir, Ladakh and Lakshadweep have not been brought under the Fifth or Sixth Schedule.

<sup>38</sup> '...in August 1976 it was decided to make the boundaries of the Scheduled Areas co-terminus with the Tribal Sub-Plan areas. Accordingly, Clause (2) of the paragraph 6 of the Fifth Schedule was amended vide the Constitution (Amendment) Act, 1976 to empower the President to increase the area of any Scheduled Areas in any State. Pursuant to above the President have issued from time to time Orders specifying Scheduled Areas afresh .....presently the Tribal Sub-Plan areas (Integrated Tribal Development Projects/Integrated Tribal Development Agency areas only) are coterminous with Scheduled Areas in the States of Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa and Rajasthan. The State of Andhra Pradesh, where the Tribal Sub-Plan areas are not coterminous with Scheduled Areas, has also furnished a proposal to this effect which is under examination. 'Quoted from *Definition of Scheduled Areas*, Ministry of Tribal Affairs, Government of India available at <http://tribal.nic.in/Content/DefinitionofScheduledAreasProfiles.aspx>

<sup>39</sup> The upgradation of villages into municipality is based on the State municipal law that defines the conditions that ought to be fulfilled for such upgradation which includes the population and population density of the area, revenue generated, percentage employment in non-agricultural activities, economic importance or such other factors. In the absence of a municipal law for Scheduled Area, the general law is applied. The Courts too take the position that something is better than nothing.

<sup>40</sup> For the Act, Rules and Guidelines, see <https://tribal.nic.in/downloads/FRA/FRAActnRulesBook.pdf>

<sup>41</sup> Bijoy, C. R. *Forest Rights in the North East. Inching towards Exclusion*, Economic & Political Weekly, November 16, 2019, Vol IIV No 45, pp.17-19, <https://www.epw.in/journal/2019/45/commentary/forest-rights-north-east.html>

<sup>42</sup> Bijoy, C.R. *Democracy in The Forests: The Governance That Is To Be*, 17/0 Law, Environment and Development Journal, 2021, pp.20-39, <http://www.lead-journal.org/content/a1702.pdf>

of FRA implementation and free prior informed consent of the concerned Gram Sabhas. This has been affirmed by the Supreme Court in the much celebrated Niyamgiri case.<sup>43</sup> Large tracts of land,<sup>44</sup> both non-forest and forest lands, are identified by State government for compensatory afforestation and brought under Land Banks in order to make forest diversion faster and easier. Meanwhile cases filed in a number of High Courts by former forest officials were transferred in 2015 to the Supreme Court, clubbed with those filed by conservation groups challenging the constitutional validity of FRA.<sup>45</sup>

The Wildlife Protection Act 1972 was amended in 2006 for the creation of Tiger Reserves which too require FRA implementation, and consultation with the *Gram Sabhas*. *Gram Sabha* consent to secure livelihood oriented resettlement and rehabilitation package is mandatory in case the inhabitants in the Critical Tiger Habitat are to be relocated for the creation of inviolate areas where co-existence is not possible. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013<sup>46</sup> requires forest rights, both individual and community rights, under FRA to be compensated in kind and cash in all cases of land acquisitions by the governments. Moreover, violation of forest rights recognised under FRA is now a criminal offence under the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 vide an amendment to it in 2016. Despite all these protective provisions, compliance with these provisions are more in breach.<sup>47</sup>

**3.2.4 Land Rights:** Tribal peoples are territorial in nature that they are closely tied to the land to which they belong. Land is a communitarian asset for the purpose of living, over which life as a people is constructed. Concept of property and of titling is a phenomenon that has of recent penetrated into their realm. Large parts of the tribal regions do not have land records as survey is reportedly not done for various reasons including resistance by the communities. Where these exist, land records are often unreliable and incomplete. Being alien to them, the tribal people are unable to manage the system that creates land records as efficiently as the mainstream is able to manage. They are most susceptible to being duped and manipulated, a major reason for large scale land alienation that tribals are known to be victims of. However, where communities are politically assertive, they have been able to retain their traditional system of land holdings and management, resisting the modern land tenure norms from entering which is mostly the case in the north-east. Yet there is pressure from the formal system to adopt the common prevailing norm.

The north-eastern States have the strongest legal provisions for the protection of traditional community rights of land and natural resources in the country. Most of them outrightly prohibit land holding by non-STs. Customary law and procedure of Nagas and Mizos are recognised while prohibiting the application of any central law regarding ownership and transfer of land and its resources unless the State assembly resolves to apply them. The Sixth Scheduled under Article 244 provides a degree of control by the District or Regional Councils to make laws over land, though not covering areas notified as reserve forests, to allot, occupy or use, or the set apart land for the purposes of agriculture or grazing or for residential or other non-agricultural purposes or for any other purpose likely to promote the interests of the inhabitants of any village

<sup>43</sup> The Hindu. *The significance of Niyamgiri*, Editorial, 3 May 2003 updated 5 November 2016, <http://www.thehindu.com/opinion/editorial/The-significance-of-Niyamgiri/article12120104.ece>

<sup>44</sup> Over 2.68 million ha were identified in Andhra Pradesh, Chhattisgarh, Madhya Pradesh, Jharkhand, Odisha, Tamilnadu, Rajasthan, and Uttar Pradesh for inclusion in land banks. See, Bhasker Tripathi, *As States Create Land Banks for Private Investors, Conflicts Erupt Across India*, The Wire, 19 September 2017, <https://thewire.in/banking/statescreate-land-banks-private-investors-conflicts-erupt-acrossindia>

<sup>45</sup> Campaign for Survival and Dignity. *Court Cases*, <https://forestrightsact.com/court-cases/>

<sup>46</sup> For the law, see <https://www.indiacode.nic.in/handle/123456789/2121?locale=en>. However, 16 other specific land acquisition laws are exempted the purview of this law and from the new norm of rights recognition and consultation..

<sup>47</sup> Bijoy, C R. *How Land Diversion Laws Threaten Forests and Forest Dwellers*, 25 Sep, 2020, IndiaSpend, <https://www.indiaspend.com/how-land-diversion-laws-threaten-forests-and-forest-dwellers/>

or town. However, the government can acquire land for public purposes. But for the most part, land, including forests, is traditionally community controlled which has been steadfastly defended. Matters related to enjoyment, use and inheritance are decided by customs. However, the communal mode of resource control has come under heavy stress with the transformation brought in by modern economy that promotes privatisation of land as property.

Most of the remaining States have specific laws or government orders to regulate alienation of ST lands and provide for restoration of illegally alienated lands (See Annexure 5). The Andhra Pradesh (Scheduled Areas) Land Transfer Regulation, 1959 is by far the strongest and the government order of Tamilnadu is far too ineffective. However, land alienation is rampant in the peninsular India despite these protective regulations. At the same time, formal recognition and titling of land is relatively poor in the tribal regions. They are also subject to displacement when their lands under occupation, titled or otherwise, are acquired for developmental projects as mining, dams, infrastructure etc as well as for forest conservation and wildlife protection.

There have been attempts to weaken these land protection legislations. Amendments were made in 1991 in Kerala to further weaken the law through offer of alternate land for certain category of ST lands that were illegally alienated. Repeated attempts to weaken Regulation 1 of 1959 of Andhra Pradesh, the Chottanagpur Nagpur Tenancy Act 1908 and the Santhal Pargana Tenancy Act of 1876 were successfully resisted by mass protests.

**3.2.5 Protective Legislations:** There are a number of laws enacted by the Union and State Governments for the protection and welfare of STs. Some of the important Union legislations are:

- Protection of Civil Rights Act, 1955<sup>48</sup> prohibits the practice of untouchability and provide for instances of such practice to be prosecuted as criminal offences;
- Bonded Labour System (Abolition) Act, 1976<sup>49</sup> abolishes bonded labour system and makes it a punishable offence;
- Child Labour (Prohibition and Regulation) Act 1986<sup>50</sup> prohibits the engagement of children in certain employments and regulates the conditions of work of children in certain other employments;
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989<sup>51</sup> aims at checking and deterring atrocities against Scheduled Tribes (and Scheduled Castes);
- Protection of Human Rights Act, 1993<sup>52</sup> provides for the constitution of National Human Rights Commission, State Human Rights Commissions and Human Rights Courts for better protection of human rights and
- Article 338 was amended and a new Article 338A inserted in the Constitution in 2003 bifurcating the National Commission for Scheduled Castes and Scheduled Tribes. The National Commission for Scheduled Tribes was established in 2004 to investigate and monitor all matters relating to the constitutional and legal safeguards for STs, monitor measures for their welfare, inquire into specific complaints of atrocities and violations of rights, suggest measures to protect their resource rights and livelihoods, advise on policy issues, and submit reports to the parliament.

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<sup>48</sup> Available at <https://tribal.nic.in/actRules/PCRAAct1955.pdf>

<sup>49</sup> Available at [https://labour.gov.in/sites/default/files/TheBondedLabourSystem\(Abolition\)Act1976.pdf](https://labour.gov.in/sites/default/files/TheBondedLabourSystem(Abolition)Act1976.pdf).

<sup>50</sup> Available at <https://ncpcr.gov.in/showfile.php?lang=1&level=1&&sublinkid=261&lid=699>

<sup>51</sup> Available at <https://www.indiacode.nic.in/bitstream/123456789/1920/1/a1989-33.pdf>

<sup>52</sup> Available at [https://nhrc.nic.in/sites/default/files/PHRAAct\\_2021.pdf](https://nhrc.nic.in/sites/default/files/PHRAAct_2021.pdf)

**3.2.6 Self-Governing Regions:** 123 of the 640 administrative districts are Scheduled Areas. 104 of these districts have Fifth Schedule areas;<sup>53</sup> 36 are fully and 68 partially notified. The remaining 19 districts are in the north-east under the Sixth Schedule of which 15 are fully and 4 partially notified. The Scheduled Areas cover 13% of the total land area of the country. Of this, 11.3% falls in the Fifth Schedule and 1.7% in the Sixth Schedule. About 6.3% of India's population, both STs and non-STs, resides in the Scheduled Areas. Of them, 5.7 % reside in the Fifth Schedule and 0.6% in the Sixth Schedule Areas. Only about 39.4% of the total STs reside in the Scheduled Areas; 35.2% in the Fifth Schedule and the remaining 4.2% in the Sixth Schedule Areas. About 53% of the total population in the Fifth Schedule and about 60% in the Sixth Schedule are Scheduled Tribes.<sup>54</sup> If Nagaland's 0.5% area and 1.64% ST population and 0.02% total population were added, then the total area covered under special provisions for STs would be 13.5% where a total population of 6.32% reside but covering only 41.04% ST population. Further, 6,425,096.74 ha of forest land have been titled under FRA<sup>55</sup> out of a minimum potential of 'around 40 million ha of community forest resources' estimated by the Environment Ministry.<sup>56</sup> Most of forest rights recognised are in the central Indian tribal belt of which some fall within the Scheduled Area.

In general, overlap of subject matters and institutional structures of different laws arising due to lack of harmonising of the laws and institutional structures, contestations and conflicts amongst different power centers and institutional structures over subject domains, tendency to centralise powers running parallel or counter to decentralising and democratising governance, lack of or weak operationalisation of beneficial laws, legal vacuums in critical areas, lack of timely reforms and non-compliance with these laws have created a pervasive atmosphere of disappointment and anger.<sup>57</sup>

#### 4. Climate Change Policies and Laws

The STs largely inhabit the hilly mountain ranges and forested regions which are identified as the most susceptible to climate change. These regions are also targeted for large scale tree plantation for carbon sequestration. The central Indian tribal belt is both heavily forested and rich in minerals. Consequently, the region is targeted for large scale extractive industries, environmental pollution and deforestation contributing to huge carbon emissions. The Himalayas, Western Ghats, and northeast, besides the coastal areas, face overall warming. Sudden large precipitations are expected causing floods increasingly in the Himalayas, the Western Ghats and the northeast along with general rainfall decline in the north-eastern region and the eastern part of the Western Ghats. Higher elevations could experience longer dry periods, and moderate to extreme drought. Crop yields could get effected; the incidence of malaria in the Himalayan region, north-eastern States, the northern Western Ghats and the Eastern Ghats could increase. STs would experience climate change induced stress as well as

<sup>53</sup> For the list of State-wise Scheduled Areas, see Ministry of Tribal Affairs, Government of India. Annexure -II, *Statistical Profile of Scheduled Tribes in India 2013*, p.325-366, <https://tribal.nic.in/downloads/Statistics/StatisticalProfileofSTs2013.pdf>

<sup>54</sup> Wahi, Namita and Ankit Bhatia. *The Legal Regime and Political Economy of Land Rights in the Scheduled Areas of India*, CPR, New Delhi, 2018,

<https://cprindia.org/research/reports/legal-regime-and-political-economy-land-rights-scheduled-tribes-scheduled-areas>

<sup>55</sup> As on 31.10.2021, see Ministry of Tribal Affairs, Government of India. *Monthly Progress Report, October, 2021*,

[https://tribal.nic.in/downloads/FRA/MPR/2021/\(A\)%20MPR%20Oct%202021.pdf](https://tribal.nic.in/downloads/FRA/MPR/2021/(A)%20MPR%20Oct%202021.pdf)

<sup>56</sup> Ministry of Environment, Forest & Climate Change, Government of India, *India Forestry Outlook Study, Asia-Pacific Forestry Sector Outlook Study II*, Working Paper No. APFSOS II/WP/2009/06, 2009, P.75-6, <http://www.fao.org/3/am251e/am251e00.pdf>

<sup>57</sup> For a more detailed understanding, see Department of Administrative Reforms and Public Grievance, Ministry of Personnel, Public Grievances & Pensions, Government of India. *Second Administrative Reforms Commission, Fifteenth Report, State and District Administration*, April 2009, <https://www.darpg.gov.in/sites/default/files/sdadmin15.pdf>

Ministry of Panchayat Raj, Government of India. *Planning for the Sixth Schedule Areas and those areas not covered by Parts IX and IX-A of the Constitution, Report of the Expert Committee*, New Delhi, September 2006, <http://www.daji.org.in/images/stories/resources/ExpertReportSixthSchedule.pdf>

deprivation from climate mitigation efforts, particularly carbon sequestration greening projects.-

India signed the UN Framework Convention on Climate Change (UNFCCC) on 10 June 1992 and ratified it on 1 November 1993. The National Environment Policy 2006 provides the broad policy framework on environment and climate change. The National Action Plan on Climate Change (NAPCC) and State Action Plans on Climate Change (SAPCC) mainstreams climate change concerns in sectoral plans and policies, both at national and state level. The Ministry of Environment, Forest and Climate Change (MoEFCC) is mandated with climate change issues since 2009. Some of the national policies and programmes having a bearing on climate change action plans are the National Policy for Farmers, the National Agroforestry Policy, the *Pradhan Mantri Krishi Sinchayee Yojana* (on farm irrigation), the National Watershed Development Programme comprising Drought Prone Areas Programmes, Desert Development Programme and Integrated Wastelands Development Programme; *Neeranchal* (additional focus on watershed development), and the Mahatma Gandhi National Rural Employment Guarantee Act 2005 that provides at least one hundred days of guaranteed wage employment in a financial year to every household for improving rural infrastructure, augmenting land and water resources, and enhancing livelihood resource base of the rural poor. The laws and policies that have a bearing on climate change response are provided in Annexure 6. Climate change targets in laws and policies are given in Annexure 7.

#### **4.1 National Determined Contribution (NDC)**

India submitted its Intended National Determined Contribution (INDC) to the UNFCCC on 2 October 2015 and ratified the Paris Agreement on 2 October 2016.<sup>58</sup> The first NAPCC of 2008 and the eight National Climate Missions are tied to the INDC pledges. The State governments have their own SAPCCs. India's INDC<sup>59</sup> for the period 2021 to 2030 are:

1. To put forward and further propagate a healthy and sustainable way of living based on traditions and values of conservation and moderation;
2. To adopt a climate friendly and a cleaner path than the one followed hitherto by others at corresponding level of economic development;
3. To reduce the emissions intensity of its GDP by 33 to 35 % by 2030 from 2005 level;
4. To achieve about 40 % cumulative electric power installed capacity from non-fossil fuel based energy resources by 2030 with the help of transfer of technology and low cost international finance including from Green Climate Fund (GCF);
5. To create an additional carbon sink of 2.5 to 3 billion tonnes of CO<sub>2</sub> equivalent through additional forest and tree cover by 2030;
6. To better adapt to climate change by enhancing investments in development programmes in sectors vulnerable to climate change, particularly agriculture, water resources, Himalayan region, coastal regions, health and disaster management;
7. To mobilize domestic and new and additional funds from developed countries to implement the above mitigation and adaptation actions in view of the resource required and the resource gap; and
8. To build capacities, create domestic framework and international architecture for quick diffusion of cutting edge climate technology in India and for joint collaborative R&D for such future technologies.

India's INDC committed to create carbon sink of 2.5 million tonnes of CO<sub>2</sub> eq through additional forest and tree cover by 2030. The NAPCC, along with the state-specific SAPCCs.

<sup>58</sup> See <https://www4.unfccc.int/sites/submissions/INDC/Published%20Documents/India/1/INDIA%20INDC%20TO%20UNFCCC.pdf>

<sup>59</sup> See <https://www.climatewatchdata.org/countries/IND#ghg-emissions>

is to take measures to address the objectives of adaptation and mitigation. These are based on the principles of (a) Climate sensitive inclusive sustainable development strategy; (b) Ecologically sustainable growth that mitigates GHG gas emissions; (c) Efficient and cost-effective; (d) Appropriate technologies for adaption and mitigation of GHG; (e) New innovative market regulatory and voluntary mechanism for sustainable development; (f) Linkage with civil society, local government and public-private-partnership and (g) International cooperation for R&D, transfer of technologies by funding and a global technology transfer friendly IPR. NAPCC is to be carried out through eight National Missions: 1. Jawaharlal Nehru National Solar Mission; 2. National Mission for Enhance Energy Efficiency; 3. National Mission on Sustainable Habitat; 4. National Water Mission; 5. National Mission for Sustaining the Himalayan Ecosystems; 6. National Mission for a Green India, 7. National Mission for Sustainable Agriculture and 8. National Mission for Strategic Knowledge for Climate Change. A summary of the national adaptation and mitigation plan is provided below:

<b>Climate risks</b> <ul style="list-style-type: none"> <li>• Changing patterns of temperature and precipitation</li> <li>• Increased frequency of climate extremes across geographies such as glacier-fed river basins, semi-arid regions, and delta regions</li> </ul>		<b>Key sources of vulnerability</b> <ul style="list-style-type: none"> <li>• Large-scale dependence on climate-sensitive livelihood systems such as agriculture, fisheries, and livestock</li> <li>• Socio-political and cultural factors</li> <li>• Rapid and unplanned urbanization in many parts of the country</li> </ul>
<b>Vulnerable sectors</b>	<b>Illustrative potential impacts on vulnerable sector</b>	<b>Illustrative adaptation priority adaptation measures in each sector</b>
Agriculture	<ul style="list-style-type: none"> <li>• Reduction in crop yield; for example, grain yield of rice declined by 10% for each 1oC increase in the growing season minimum temperature.</li> </ul>	<ul style="list-style-type: none"> <li>• National Initiative on Climate Resilient Agriculture</li> <li>• Improved and efficient agricultural practices such as Climate Smart Agriculture</li> <li>• Risk-transfer mechanisms such the National Agricultural Insurance Scheme, which is the largest crop insurance scheme in the world</li> </ul>
Water	<ul style="list-style-type: none"> <li>• Decline in water quantity as well as quantity because of increased evapotranspiration and extreme weather events</li> </ul>	<ul style="list-style-type: none"> <li>• National Water Mission, as part of National Action Plan on Climate Change (NAPCC)</li> </ul>
Cities	<ul style="list-style-type: none"> <li>• Greater exposure of coastal cities to risks such as cyclones and sea-level rise, and associated risk of flooding and infrastructure damage</li> </ul>	<ul style="list-style-type: none"> <li>• National Mission on Sustainable Habitats, as part of NAPCC and ongoing Smart Cities initiatives</li> <li>• Preparation of City Resilience Strategy for many cities</li> </ul>
Health	<ul style="list-style-type: none"> <li>• Increased incidence of water-borne diseases</li> <li>• Increased incidence of vector-borne diseases such as malaria and dengue</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed National Mission on Health as part of NAPCC</li> <li>• Specific actions such as the Ahmedabad Heat Action Plan to cope with extreme heat waves.</li> </ul>
Coastal livelihoods and fisheries	<ul style="list-style-type: none"> <li>• Decline in fish catch in inland and coastal fisheries due to change in sea temperature and hydrological changes in major river systems</li> </ul>	<ul style="list-style-type: none"> <li>• Various actions under the coastal zone management plan, including livelihood support to coast-dependent communities</li> <li>• Proposed new mission on coastal resources under the NAPCC</li> </ul>
Mountain systems	<ul style="list-style-type: none"> <li>• Temperature changes will result in snow melting and glacier retreat in many parts of the Himalayas</li> </ul>	<ul style="list-style-type: none"> <li>• Specific mission on sustaining the Himalayan ecosystem and other programs</li> </ul>
<b>Particularly vulnerable regions</b>	<b>Particularly vulnerable groups</b>	<b>Status of climate governance (policies, institutions)</b>

<ul style="list-style-type: none"> <li>• Himalayas in the north and northeast regions</li> <li>• Snow- and glacier-fed river basins of the Ganges, Indus, and Brahmaputra</li> <li>• Arid and semi-arid regions, mostly those of western India</li> <li>• Coasts and coastal regions</li> <li>• Deltas</li> <li>• Island ecosystems</li> </ul>	<ul style="list-style-type: none"> <li>• Small and marginalized farmers</li> <li>• Different groups of tribal populations, who are primarily resource dependent</li> <li>• Women and children, because of existing socio-political structures</li> </ul>	<ul style="list-style-type: none"> <li>• Sector- and region-specific adaptation action plan in place since 2008</li> <li>• Highest political priority accorded to India's climate change action plan</li> <li>• Sub-national climate change action plan prepared and endorsed by the federal agency</li> <li>• Establishment of the National Adaptation Fund for Climate Change (July 2014)</li> </ul>
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Source: Patra, J. *Review of Current and Planned Adaptation Action in India*. CARIIA Working Paper no. 10. International Development Research Centre, Ottawa, Canada and UK Aid, London, United Kingdom, 2016, <https://www.iisd.org/system/files/publications/idl-55866-india.pdf>

#### 4.2 Green Climate Fund (GCF)<sup>60</sup>

The GCF was set up in 2010 under the UNFCCC's financial mechanism to channel funding from developed countries to developing countries to allow them to mitigate climate change and also adapt to disruptions arising from climate change. Four projects with a total GCF financing USD 314.8 million have been approved. These are:

- *FP164 Green Growth Equity Fund*: This finances green infrastructure in low-carbon and climate-resilient platforms across energy value chain that includes renewable energy generation, energy efficient technologies, low carbon transport and resource conservation, including water and waste management. The programme provides equity and grants to accelerate the uptake of Indian green infrastructure projects. With a total project value at USD 944.5 m of which GCF financing is USD 137 m as equity and grant and the rest is co-financed, it is expected to lead to the avoidance of 166 m tonnes of carbon emissions. Approved in 2021, it is expected to be completed in 2031.
- *FP084 Enhancing climate resilience of India's coastal communities*: This is to protect and restore the natural ecosystems of India's coastal zone such as mangroves and seagrass, to strengthen the buffering against storm surges and climate resilience of coastal communities. It also supports climate-adaptive livelihoods and value chains to increase the climate resilience of these coastal communities in 24 target ecosystems in 12 coastal districts across Andhra Pradesh, Maharashtra, and Odisha covering 14,945 hectares. Estimated at USD 130.3 m of which USD 43,418,606 is GCF financing as grant and the rest cofinancing grant and in-kind, it is intended to avoid carbon emission of 3.7 million tonnes and benefit 10 m people (directly 1,744,970 and indirectly 8,255,030). The project was approved in 2018 and is under implementation and is projected to be completed in 2025.
- *FP081 Line of Credit for Solar rooftop segment for commercial, industrial and residential housing sectors*: The project enables access to long-term affordable finance for the construction of 250 MW capacity solar rooftop installation projects in commercial, industrial and residential housing sectors, including vulnerable communities thereby reduce emissions by 5.2 million tonnes of CO<sub>2</sub> equivalent over 20 years. India has set the target of achieving 40 % cumulative electric power capacity from non-fossil fuel-based energy resources by 2030 with a target of 40 GW of rooftop solar power by 2022. The project value is USD 250 m of which USD 100 m is GCF loan and the rest from cofinancing as loan and equity.
- *FP045 Ground Water Recharge and Solar Micro Irrigation to Ensure Food Security and Enhance Resilience in Vulnerable Tribal Areas of Odisha*: This project is to enhance the

<sup>60</sup> Green Climate Fund: India, <https://www.greenclimate.fund/countries/india#documents>

resilience of vulnerable communities in Odisha through groundwater recharge and solar micro irrigation. Odisha is prone to high monsoon variability causing drought and flood affecting the food security of agriculture dependent communities. Extreme food insecurity results. Ground water recharge in the community ponds through structural adaptation measures and the use of solar pumps for micro irrigation is expected to improve water security and quality for around 5.2 million beneficiaries in vulnerable communities through the installation of groundwater recharge shafts in 10,000 tanks to recharge the underlying aquifer system, developing long-term groundwater reserves. Along with resilient crop, planning through irrigation could improve food security. The use of solar pumps for irrigation will increase energy access and contribute to the state's climate-resilient, low emission crop planning. Estimated at a cost of USD 166.3 m with GCF financing is USD 34,375,000 as grant and cofinancing of USD 131,940,000 in grant, loan and kind and an avoidance of 52.3k tonnes of carbon emission, the project is estimated to benefit 16 m (directly 5,190,000 and indirectly 10,780,000). Approved in 2017, the project is estimated to complete in 2023.

## **5. International Treaties, Declarations and Conventions**

### **5.1 Status of Ratification of Key International Instruments**

India has not ratified the Vienna Convention on the Law of Treaties 1986 that regulates all aspects of treaty making between States. The Supreme Court however gives the treaties customary status under the Indian Constitution. As per various judicial pronouncements, international law is not considered applicable unless there exists domestic or national legislation to that effect. Ratification of an international treaty by the Parliament is required for it to be enforceable in India. Further, the Parliament has to make laws concerning international treaties and agreements under Article 51 read with Article 253 in the absence of a suitable domestic legislation as per Article 246 read with entries 14, 15 and 16 of the Union List. Any treaty or agreement that violates any of the provisions of the Constitution has no legal validity. As the Parliament has not enacted any law to regulate the procedure for entering into treaties and implementing them, it is left to the executive to enter into treaties and agreements under Article 73, and implementing them.<sup>61</sup> Often these international laws are also the basis of some of the domestic laws.<sup>62</sup> For instance, more recently, the courts took a more expansive view of international conventions as the Convention on Elimination of Discrimination Against Women, 1979 to formulate effective measures to check sexual harassment in the workplace.

Even though India is disinclined to ratify many international laws of relevance to IPs, various elements that are in international laws are found in the legal framework related to STs,<sup>63</sup> especially in matters of rights over land and natural resources, distinct habitats, customs and traditions and self-governance. Special protective legislations for STs related to proportional representation, reservation in education and public sector employment, and protection of rights have over the years expanded in scope and application.

India has signed, acceded to or ratified a number of International Covenants, Conventions, and Treaties. These are provided in Annexure 8. At the same time, India has not signed the ILO Convention 169 on Indigenous and Tribal Peoples which replaces ILO Convention 107. ILO has adopted 402 instruments consisting of 190 Conventions, 6 Protocols and 206

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<sup>61</sup> Dua, Rohan. *The International Treaties Conventions and their influence in India*, <http://www.legalservicesindia.com/article/2574/The-International-Treaties-Conventions-and-their-Influence-in-India.html>

<sup>62</sup> Bijoy, C.R, Shankar Gopalakrishnan and Shomona Khanna. *India and the Rights of Indigenous Peoples: Constitutional, Legislative and Administrative Provisions Concerning Indigenous and Tribal Peoples in India and their Relation to International Law on Indigenous peoples*, Asia Indigenous Peoples Pact (AIPP), Thailand and International Labour Organisation, Geneva, 2010, p.49-52.

<sup>63</sup> Ibid. pp.112- 8.

Recommendations. Of these, India ratified 47 Conventions and 1 Protocol. Of them, 39 are in force; 4 Conventions have been denounced and 5 instruments abrogated. Some of the instruments of direct and indirect relevance to STs and India's position on them are indicated in Annexure 9. The International Humanitarian Laws that India has signed are available at Annexure 10.

## **6 Information on Regional, National and Grassroots Organisations/Networks**

The diversity of peoples, political histories and vastness of the country along with the multiplicity of issues that the STs face results in multiplicity of formations. Formations of groups, whether small or large, exhibit certain features which indicate both their potential and limitation. Some of them are:

- IP organisations which are part of or affiliated to political parties; most mainstream national political parties have tribal organisations;
- Political parties of mostly tribals by tribals participating in electoral democracy and/or raising various political demands including issues of political autonomy;
- Popular mobilisations of IPs or mixed social groups responding to an emergent crisis or decisions by state or non-state actors, often spontaneously driven by the local context and the crisis, which dissipate once the issue is resolved or becomes unmanageable or taken over by other processes;
- Organisations of local communities, IPs or mixed social groups, consciously built up to take up issues facing the communities in a sustained manner, mostly related to rights, development and welfare, often called peoples' organisations, creating regional platforms, lasts longer, take up multiple issues, often institutionalised to varying degrees with full time activists, IP and/or non-IPs;
- Identity based formations which are specific to an ethnic community or a geographical area serving the needs of the members of the organisations, formally established or otherwise;
- National or regional platforms of mostly tribal organisations that emerge from time to time around issues of national significance that are limited in time depending upon the issue and what happens to the issue;
- IP human rights organisations, often at the state level or ethnic community based;
- IP organisations that are associations of various professional / occupational interests, government employees, public sector employees, trade unions, student bodies, independent or affiliated to other trade unions which in turn may be affiliated to political parties, formally registered or otherwise, concerned with issues as reservations and benefits and workspace rights/benefits and issues confronting them;
- Institutions created by and for IPs in the form of registered trusts or associations to carry out cultural, religious, welfare or development activities, sometimes funded by government or private donors, Indian and foreign.
- IP organisations created by non-governmental or governmental organisations as part of projects, often called Community Based Organisations (CBOs) or community organisations or Self Help Groups (SHGs) or Joint Forest Management Committees or given various other names, which are vehicles to carry out project activities and depend on the projects or the institution as its extension arm into the community carrying out activities assigned to them which may be economic, developmental, welfare or specific social or administrative functions;
- Networks of CBOs or community organisations, sometimes formally federated if their activities are economic in nature or created as a network as an extension of networked projects;

An indicative list of such organisations are provided in Annexure 11.

## 7. IFAD's Work in India with Indigenous Peoples

IFAD, since 1978, has provided USD 23.2 billion in grants and low-interest loans to projects benefitting an estimated 518 million people. The list of IFAD projects and programmes in India which are concluded, ongoing and approved are provided in Annexure 12. The Indigenous Peoples Assistance Facility (IPAF) of IFAD strengthens indigenous peoples' communities and their organizations through financing small projects built on indigenous peoples' culture, identity, knowledge and natural resources. Managed by a Board consisting of indigenous leaders, regionally it is co-managed and coordinated by regional IP organizations. The IPAF empowers IP grassroots organisations, their networks and links them to global indigenous movement and through knowledge management to improve their livelihood. IFAD has supported 32 projects in India whose total Project Cost was USD 3,896.71 million of which USD 1,224.1 million was IFAD financing benefitting an estimated 6,341,436 people. These are largely focussed on smallholder food and agricultural production systems remunerative, sustainable and resilient to climate change and price shocks. Some of these projects are with tribal communities to better their livelihoods by improving their natural resource management that increases resilience to climatic stresses and preserve biodiversity, access to land, agricultural production and vocational skills. 55 proposals, 41 % of the total proposals, was received in the 2015 IPAF cycle, was from India.

<b>Summary of IPAF projects approved in India</b>	
<b>Title</b>	<b>Empowering Tribal Youth for Nutritional Food Security and Income Enhancement in Koraput District of South Odisha</b>
Year	2019
Organization	Pragati Koraput
Project area	9 villages covering Kendar and Mahadeiput Gram Panchayats in the Koraput block of Koraput District, Odisha
IPs group(s)	Kandha, Paraja and Gadaba.
Grant amount	USD 41,651
Project description	Aims to ensure the nutrition and food security of tribal households in Kandha, Paraja and Gadaba communities in the Koraput District of Odisha by upgrading the skills of rural youth (15-30) and organizing them into a farmer producer company. Young people will learn about climate-resistant agricultural practices and the revival of millet, pulses and tubers and the nutritional value of traditional food crops. Community traditional seed banks will be created, and seed fairs will be organized to allow farmers to share and exchange seeds. Thirty producers' groups will be formed during the initial phase of the project to promote peer learning and access to information, infrastructure and markets. These groups will be registered as a farmer-producer company towards the end of the project.
<b>Title</b>	<b>Revamping livelihood of Santhal Tribe through the WADI approach</b>
Year	2015
Organization	Surul Centre for Services in Rural Areas
Project area	Mohuldanga, Chhaglakuri, Udaydihi, Amgachhi, Fulbagan, Tulsobona and Barabad villages under the Charicha Local Self Government of Birbhum District in West Bengal
IPs group(s)	Santhal tribe
Grant amount	USD 40,000
Project description	Wadi, a Gujarati word, means small orchard, which is actually a tree-based farming system that consists of fruit trees suitable to the area or a combination of trees with forestry species. This project aimed to enhance incomes and food security within Santhal tribal communities through the Wadi approach. Over 300 women from the seven participating villages created or revived 39 SHGs for the management of wadis. Through labour-intensive work with the help of ploughing and tractors, the use of traditional organic manure and compost, and the development of water systems (trenches, drip irrigation and tube wells), the project regenerated a total of 10.6 hectares of wasteland. Nearly 3,000 fruit trees (mango, guava, jackfruit, lemon and jujube) were planted and over 571 kg of

	vegetables produced (on average 116.7kg/hectare) for a total estimated value of INR 104,400 (approximately USD 1,400). Vegetables were partly used for consumption (60 per cent) and partly sold. Incomes generated were saved by women in the bank account of the SHGs. For sustainability of the Wadi, SHGs were able to link with the National Rural Livelihood Mission, a government programme to obtain subsidized credit, to improve their livelihood and microenterprise development.
<b>Title</b>	<b>Reclaiming the Commons with Women's Power: Eco-village development in Tribal Odisha</b>
Year	2011
Organization	Aragamee/Amasangathan
Project area	Rayagada District, Odisha
IPs group(s)	Kandha Paraja and Jhodia Paraja tribes
Grant amount	USD 43,500
Project description	The project enabled targeted communities to develop a model to reverse ecological degradation of their lands and commons by combining traditional knowledge systems with agro-ecological models. A key objective of the project was to build on women's role as traditional keepers of the commons, by helping them to demonstrate viable alternatives to shifting cultivation. With these objectives in view, the project was taken up in 25 villages. In the targeted areas, ecosystem services were enhanced or developed. 157 farmers from the 25 villages were provided with necessary farm inputs, such as saplings of mango, litchi and farm yard manure for their lands which covered 130 hectares. Agro-inputs were also provided to develop 40 hectares of common land. They included fencing, stone bonding and plantation of mango and litchi, along with minor millets for intercropping. The overall success of seasonal agro crops, millets, pulses and other herb culture varieties in the village following the initiative was remarkable. In addition, the levels of awareness and acceptance of issues and concepts related to eco-village and mixed cropping have increased considerably among all stakeholders.
<b>Title</b>	<b>Promoting Culture, Human Rights &amp; Socio-Economic Opportunities Of The Hmars</b>
Year	2011
Organization	Bible Hill Youth Club and Hill Tribes Mission Aid of India
Project area	Tipaimukh area, Churachandpur district, Manipur
IPs group(s)	Hmar indigenous hill tribes
Grant amount	USD 32,000
Project description	This project contributed to empowering Hmar indigenous people, particularly women and youth living in Tipaimukh area, to protect their cultural, political and socio-economic rights. By directly benefiting 8,100 women and 4,120 youth, the project facilitated alternative livelihood means for poor women and unemployed youth through broad-based weaving skill training and micro-enterprises formation. The Permanent Income Generation Programme was created to build the weaving skills and production of market-based products of indigenous women. In the programme, women and youth received free training and access information on various topics. More than 20 Women and Youth Business Groups were formed and more groups were in the process of registering with the Autonomous District Council Churachandpur after the project's completion. As for protection of Hmar political rights, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was promoted, reaching almost 90 % of the hill people in 20 villages and making them aware of their rights. At the same time, the negotiation process and the promotion of Hmar indigenous cultural rights were carried out through a series of community leader meetings on issues addressed by UNDRIP.
<b>Title</b>	<b>Building the capacity of indigenous peoples to cope, adapt or mitigate the effects of climate change on their livelihoods and environments</b>
Year	2008
Organization	Centre for Development Action (CDA)
Project area	Sundergarh district, Odisha
IPs group(s)	Kisans, Kharias and Birhors
Grant amount	USD 15,000
Project description	This project addressed indigenous peoples' vulnerability to the effects of climate change and environmental degradation in the Sundergarh district in Odisha. Drawing on the beneficiaries' traditional knowledge in coping and mitigating the effects of climate change, the project built the capacity of the targeted communities to collectively and proactively

	<p>respond to climate change related challenges. Successful demonstration of ground water recharge methods, water harvesting structures, erosion control, construction of terraces and drainage channels was undertaken, as well as training for livestock and agriculture extension, and demonstrations of eco-sanitation in local schools. Further, indigenous communities learnt to engage local administrations and authorities in order to be involved in the decision making process and express their views. The project established a committee on climate change to provide information and built indigenous capacity on the topic, benefiting 2,800 people. Men and women were equally involved in Natural Resource Management groups and equally participated in capacity building programs. The objectives (and related achievements) were to: a) Support IP's own initiatives to develop mechanisms on how to cope, adapt or mitigate the effects of climate change on their livelihoods and environments. IP's communities were engaged in vulnerability studies and developed action plans; b) Address legal and institutional barriers that prevent IPs from coping with climate change impact: members of IPs communities were encouraged to engage in dialogue with the local administration and government to consider the effects of climate change on their livelihoods and environments. It was decided to include mitigation measures for climate change impact in all future planning and budgeting development actions for local communities; c) Ensure the dissemination of information on mitigation and adaptation schemes: an IP's Committee on Climate Change impact was organized and equipped to provide information, and measures were taken to build the capacity of IPs to exercise their rights to information; d) Identify and promote best practices and lessons that could influence climate change interventions to have positive impacts on IPs: successful demonstration of ground water recharge methods, water harvesting structures, erosion control, construction of terraces and drainage channels was undertaken, as well as training for livestock and agriculture extension, and demonstrations of eco-sanitation in local schools; e) Engage in constructive dialogue with civil society organizations, especially with IPs' organizations and sectors involved in climate change, and lobby governments, institutions, and private sector to accept and adhere to the recommendations of IP. Dialogue was effectively initiated; f) Gender mainstreaming and women empowerment: men and women were equally involved in Natural Resource Management groups and equally participated in capacity building programs.</p>
<b>Title</b>	<b>Ensuring secured livelihoods for tribal communities through sustainable management of natural resources</b>
Year	2008
Organization	Liberal Association For Movement of People (LAMP)
Project area	Mayurbanj District, Odisha
IPs group(s)	Kolha, Santal community
Grant amount	USD 16,000
Project description	<p>This project contributed to improve the socio-economic situation of the tribal communities in the Mayurbanj District of Odisha, in a context where access to resources is steadily diminishing. The project benefited 500 Santals by diversifying their livelihood opportunities and building their management and organizational capacities. The objectives of the project were: a) to create alternative livelihoods through development of agricultural and non-agricultural activities: livelihood options were developed through land based activities such as farm ponds, community tanks, kitchen gardens and non-land based activities; b) to strengthen the Federation of SHGs and other institutions in preparation for taking over responsibility for continuing programmes at the local level: the federation of SHGs was trained to carry forward the programme through convergence with various government programmes and on marketing of Non-Timber forest products. Sensitization and awareness activities were also undertaken: IEC materials and information on tribal rights were made available in the Information centre that was established. At the end of the project, 268 small and marginal farmers had an additional income thanks to the selling of different products obtained through mixed cropping. The most significant change brought by the project was that women participated in the planning, identification of land and beneficiaries and other activities, whereas before women were not involved in the decision-making processes in the area.</p>
<b>Title</b>	<b>Building the capacity of the tribal community to use the Right to Information Act for solving issues related to "The Scheduled Tribes &amp; Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006</b>
Year	2008

Organization	YOJANA
Project area	Malkangiri district, Odisha
IPs group(s)	Bonda and Didai
Grant amount	USD 16,000
Project description	<p>Many IPs live in India's forest lands, but have no legal rights to them. In 2007 the Recognition of Forest Rights Act (RFRA) entered into force recognizing forest dwellers' rights, but its implementation moved slowly and the community was not able to successfully submit applications because of technical problems associated with the procedure. The project sought to build capacity and raise awareness on the RFRA and on the Right to Information Act among the Indigenous tribes of 47 villages, in order to enable them to improve their access to land and tenure security through village-level land titling. Many initiatives were deployed to this aim: a) IEC material on the rules of the acts, all in the local Odiya language, was developed and used at the village level; among these, 4 information boards were planned at the 4 target Gram Panchayats (GP) Head Quarters to display monthly progress and status of implementation; b) A cycle rally covering 32 villages was organized, and included street plays and distribution of leaflets; it showed a good response by the villagers, who became more informed. 47 Forest Rights Committees were formed; 5 lead members from each of them were trained on the issue of land settlement and on the procedure and preparation of annexure for each application under the RFRA, including the preparation of maps. Four GP level Task Force Units were formed and entrusted with carrying out liaison work with government departments regarding the implementation of the RFRA; c) Two 'paralegal workers' were selected from each of the 4 Task force units and started working in information collection and dissemination at the village level, supporting the individual beneficiaries in their application process, and settled conflicts in the community; d) Twenty PRI (grassroots local self-government institutions) members from each of the 4 GPs were trained on conflict resolution (13 conflict cases at intracommunity level were solved) and on peaceful distribution of land, and participated in the process of distribution, ensuring that land was attributed to the right persons, and the respect of women's rights; e) Also women SHGs were involved in the claim processes in every village, and verified that the names of both the husband and wife were recorded in the land applications; f) Four rounds of multi stakeholders interface workshops on RFRA and RTI were conducted between the community and the Government officials, and involved media and teachers. At the end of the project, all the target IPs of the 47 villages were made aware of the provisions and procedures of the RFRA, and all the 47 FRC had land records, land maps and occupiers' lists.</p>
<b>Title</b>	<b>Indigenous Jenukuruba community empowerment and natural farming for sustainable livelihood</b>
Year	2007
Organization	The Nisarga Foundation
Project area	Mysore District, Karnataka
IPs group(s)	Jenukuruba community
Grant amount	USD 22,000
Project description	<p>This project focused on capacity-building with the promotion of natural farming in 5 tribal habitats. This initiative simultaneously provided support to preserve identity during the transition from an economy based on hunting and gathering to one based on production and the market. The project encouraged women from this tribal group to organize and become promoters of cultural identity. The executing agency succeeded in making the local population aware of many important issues for the present and future of this people: agriculture, horticulture and the breeding of small ruminants; children's education; the capacity to negotiate with agents from outside the community; community participation and leadership; land tenure; and the reproduction of native plants. A cultural centre was created in each village involved in the intervention, with the aim of recovering indigenous culture and identity. This project, benefiting 5 tribal habitats, had 5 main objectives: 1) To create critical awareness on tribal issues: this was done through the exercise of Participatory Rural Appraisal, trainings and meetings on the 2006 Forest Rights Act and the creation of Forest Rights Committees; 2) To promote natural farming in order to achieve food security: beneficiaries were taught to farm without expensive chemical agricultural techniques, and were provided with livestock, native seeds and plants. Implementation of natural farming, land preparation, collection and treatment of seeds, herbal pesticides, land bunding (to protect the soil quality and prevent its erosion) etc were</p>

	discussed in detail; 3) To organize women as the promoters of tribal cultural identity and traditional skills: training involving both women and men were organized and focused on the status of tribal women, disparity of wages, differences between indigenous and non-indigenous women, domestic violence and women trafficking. Women participated in campaigns, networks and programmes and started pursuing higher education. They also became aware of government schemes and programmes (e.g. widow pensions) and started accessing to them. The number of early marriages was reduced; 4) To support ICBOs in mobilizing government welfare and development programs in favour of indigenous communities: memorandums for the fundamental development in the villages were submitted to the departments concerned. Officials were invited for programs held in the tribal hamlets. The government started a new program 'government to tribal hamlets', and the community started benefitting from government schemes and programs and building a relation with the department officials; 5) To create local, regional and national indigenous networks. The representatives of 5 gram sabhas in the project area have become members of a taluk level forum, which has been linked to a district level forum, and ultimately entered the state and national networks. Particularly Vulnerable Tribal Groups' Forum at the state level has been formed wherein Nisarga Foundation and members of the community have taken part and a forum with a view to protect the culture and traditions of Primitive Tribals Groups has also been formed at the national level. The intervention of the project has created awareness about the rights of IPs over their land and natural resources. It made them realize the importance of their language and culture and feel a sense of dignity in expressing their cultural identities. They have been convinced that education is an essential tool for community development; 90% of the total children are now in school or early care centres.
<b>Title</b>	<b>Participatory learning, institutional design and collective action</b>
<b>Year</b>	2007
<b>Organization</b>	The Raigarh Ambikapur Health Association (RAHA)
<b>Project area</b>	Four districts of northern Chhattisgarh
<b>IPs group(s)</b>	Oraon tribe
<b>Grant amount</b>	USD 25,000
<b>Project description</b>	Focusing on the area of capacity-building, this project supported indigenous peoples' efforts to come together in participatory learning, institutional design and collective action through the facilitation of Participatory Learning Action (PLA) exercises and analysis at the village level. The residents of 20 villages selected two representatives each, who were trained in simple PRA tools and principles of institutional design and collective action, and subsequently returned to their villages and initiated a process of participatory learning. Through this process, the project beneficiaries acquired the ability to organise around common problems, drafting purposeful activity models to solve them while determining the requisite resources, the capital and the operation, maintenance, infrastructure and coordination costs. The Participatory learning exercises were successful in initiating discussions on the problems of the village. Further, the services and opportunity map, the social map, and the seasonality calendar were very empowering, and the latter enabled the villagers to know exactly their financial positions and consequently to save money for the months when they have no income. Various collective activities were undertaken, such as organic farming and fishery, building of a drinking water facility, organizing a ferry service and small businesses, and there was a distinct visible sense of pride in the work that the villagers undertook together. The most significant changes were seen in the villagers' awakened interest in community self-organization, as proved by the broad participation in workshops and meetings. The participants also strengthened their self-confidence: now they know they can organize themselves and do something together for their own development.
<b>Title</b>	<b>Revival and revitalization of the historical heritage and cultural identity of the Santals in Jharkhand and adjacent state of West Bengal</b>
<b>Year</b>	2007
<b>Organization</b>	All India Santal Welfare and Cultural Society (AISWACS)
<b>Project area</b>	Jharkhand and West Bengal
<b>IPs group(s)</b>	Santal Tribal communities
<b>Grant amount</b>	USD 25,500

Project description	<i>Adivasi</i> communities have a rich history, culture and mythology, which is handed down from generation to generation. This project aimed at reinvigorating and promoting the cultural roots of historical heritage of the <i>Adivasis</i> as part of their present day identity, by conducting research and developing printed and audio-visual electronic media. It contributed to raise critical awareness on <i>Adivasi</i> culture and history among <i>Adivasi</i> and non- <i>Adivasi</i> communities, while developing the ability of villagers to critically analyse and identify their own historical and cultural heritage, unmask myth-based superstition and politically motivated distortion of history. A 10 days' workshop on capacity building of district level facilitators was conducted and a large public gathering was organized at Balurghat city, the headquarter of Dakshin Dinajpur district of West Bengal, to discuss about self-governance, culturally appropriate education to be imparted through mother tongue, cultural decolonization and land alienation, and a Demand charter was formulated and submitted to the district magistrate. A campaign on cultural and historical heritage was also organized, including a Heritage Rally and Public Demonstration event and workshops on popular theatre.
Source: IFAD. <i>Summary of IPAF projects approved in Asia and the Pacific</i> , <a href="https://www.ifad.org/documents/38711624/41839851/ipaf_asia_e.pdf/b5122e37-c7ba-3648-47e3-e3592ba19b42">https://www.ifad.org/documents/38711624/41839851/ipaf_asia_e.pdf/b5122e37-c7ba-3648-47e3-e3592ba19b42</a>	

## Annexure 1

### List of Presidential Orders Notifying Scheduled Tribes

Sl. No.	Name of order	Date of Notification	Name of States/ Union Territories for which applicable
1	The Constitution (Scheduled Tribes) Order 1950 (C.O.22)	6-9-1950	Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Gujarat, Goa, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Odisha, Rajasthan, Tamil Nadu, Tripura and West Bengal.
2	The Constitution (Scheduled Tribes) (Union Territories) Order, 1951 (C.O.33)	20-9-1951	Daman and Diu, Lakshadweep
3	The Constitution (Andaman And Nicobar Islands) Scheduled Tribes Order, 1959 (C.O. 58)	31-3-1959	Andaman and Nicobar Islands
4	The Constitution (Dadra & Nagar Haveli) Scheduled Tribes Order, 1962 (C.O. 65)	30-6-1962	Dadra and Nagar Haveli
5	The Constitution (Uttar Pradesh) Scheduled Tribes Order, 1967 (C.O. 78)	24-6-1967	Uttar Pradesh
6	The Constitution (Nagaland) Scheduled Tribes Order, 1970 (C.O.88)	23-7-1970	Nagaland
7	The Constitution (Sikkim) Scheduled Tribes Order, 1978 (C.O.111)	22-6-1978	Sikkim
8	The Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989 (C.O. 142)	7-10-1989	Jammu and Kashmir

Source: Ministry of Tribal Affairs, Government of India<sup>64</sup>

<sup>64</sup> Ministry of Tribal Affairs, Government of India. *Notifications for Scheduling/ De-Scheduling of STs*, <https://tribal.nic.in/Clm.aspx>

## Annexure 2

### State/Union Territory-wise list of Scheduled Tribes in India

Sl. No.	State/Union Territory	Scheduled Tribes
<b>State</b>		
1.	Andhra Pradesh	<ol style="list-style-type: none"> <li>1. Andh, Sadhu Andh</li> <li>2. Bagata</li> <li>3. Bhil</li> <li>4. Chenchu</li> <li>5. Gadabas, Bodo Gadaba, Gutob Gadaba, Kallayi Gadaba, Parangi Gadaba, Kathera Gadaba, Kapu Gadaba</li> <li>6. Gond, Naikpod, Rajgond, Koitur</li> <li>7. Goudu (in the Agency tracts)</li> <li>8. Hill Reddis</li> <li>9. Jatapus</li> <li>10. Kammara</li> <li>11. Kattunayakan</li> <li>12. Kolam, Kolawar</li> <li>13. Konda Dhoras, Kubi</li> <li>14. Konda Kapus</li> <li>15. Kondareddis</li> <li>16. Kondhs, Kodi, Kodhu, Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs, Yenity Kondhs, Kuvinga</li> <li>17. Kotia, Benthoriya, Bartika, Dulia, Holva, Sanrona, Sidhopaiko</li> <li>18. Koya, Doli Koya, Gutta Koya, Kammara Koya, Musara Koya, Oddi Koya, Pattidi Koya, Rajah, Rasha Koya, Lingadhari Koya (ordinary), Kottu Koya, Bhine Koya, Rajkoya</li> <li>19. Kulia</li> <li>20. Malis</li> <li>21. Manna Dhora</li> <li>22. Mukha Dhora, Nooka Dhora</li> <li>23. Nayaks (in the Agency tracts)</li> <li>24. Pardhan</li> <li>25. Porja, Parangiperja</li> <li>26. Reddi Dhoras</li> <li>27. Rona, Rena</li> <li>28. Savaras, Kapu Savaras, Maliya Savaras, Khutto Savaras</li> <li>29. Sugalis, Lambadis, Banjara</li> <li>30. Valmiki (Scheduled Areas of Vishakhapatnam, Srikakulam, Vijayanagram, East Godavari and West Godavari districts)</li> <li>31. Yenadis, Chella Yenadi, Kappala Yenadi, Manchi Yenadi, Reddi Yenadi</li> <li>32. Yerukulas, Koracha, Dabba Yerukula, Kunchapuri Yerukula, Uppu Yerukula</li> <li>33. Nakkala, Kurvikaran</li> <li>34. Dhulia, Paiko, Putiya (in the districts of Vishakhapatnam and Vijayanagaram)</li> </ol>
2.	Arunachal Pradesh	<p>All tribes in the State including:</p> <ol style="list-style-type: none"> <li>1. Abor</li> <li>2. Aka</li> <li>3. Apatani</li> <li>4. Nyishi</li> <li>5. Galo</li> <li>6. Khampti</li> <li>7. Khowa</li> <li>8. Mishmi, Idu, Taroan</li> <li>9. Momba</li> <li>10. Any Naga tribes</li> <li>11. Sherdukpen</li> </ol>

		<p>12.Singpho 13.Hrusso 14.Tagin 15.Khamba 16.Adi</p>
3.	Assam	<p>I. In the autonomous Districts of Karbi Anglong and North Cachar Hills.</p> <ol style="list-style-type: none"> <li>1. Chakma</li> <li>2. Dimasa, Kachari</li> <li>3. Garo</li> <li>4. Hajong</li> <li>5. Hmar</li> <li>6. Khasi, Jaintia, Synteng, Pnar, War, Bhoi, Lyngngam</li> <li>7. Any Kuki tribes, including: - (i) Biate, Biete (ii) Changsan (iii) Chongloi (iv) Doungel (v) Gamalhou (vi) Gangte (vii) Guite (viii) Hanneng (ix) Haokip, Haupt (x) Haolai (xi) Hengna (xii) Hongsungh (xiii) Hrangkhwal, Rangkhoh (xiv) Jongbe (xv) Khawchung (xvi) Khawathlang, Khothalong (xvii) Khelma (xviii) Kholhou (xix) Kipgen (xx) Kuki (xxi) Lengthang (xxii) Lhangum (xxiii) Lhoujem (xxiv) Lhouvun (xxv) Lupheng (xxvi) Mangjel (xxvii) Misao (xxviii) Rieng (xxix) Sairhem (xxx) Selnam (xxxi) Singson (xxxii) Sitlhou (xxxiii) Sakte (xxxiv) Thado (xxxv) Thangngeu (xxxvi) Uibuh (xxxvii) Vaiphei</li> <li>8. Lakher</li> <li>9. Man (Tai speaking)</li> <li>10. Any Mizo (Lushai) tribes</li> <li>11. Karbi</li> <li>12. Any Naga tribes</li> <li>13. Pawi</li> <li>14. Syntheng</li> <li>15. Lalung</li> </ol> <p>II. In the State of Assam including the Bodo land territorial Areas District and excluding the autonomous districts of Karbi Anglong and North Cachar Hills:</p> <ol style="list-style-type: none"> <li>1. Barmans in Cachar</li> <li>2. Boro, Borokachari</li> <li>3. Deori</li> <li>4. Hojai</li> <li>5. Kachari, Sonwal</li> <li>6. Lalung</li> <li>7. Mech</li> <li>8. Miri</li> <li>9. Rabha</li> <li>10. Dimasa</li> <li>11. Hajong</li> <li>12. Singpho</li> <li>13. Khampti</li> <li>14. Garo</li> </ol>
4.	Bihar	<ol style="list-style-type: none"> <li>1. Asur, Agaria</li> <li>2. Baiga</li> <li>3. Banjara</li> <li>4. Bathudi</li> <li>5. Bedia</li> <li>6. (Omitted)</li> <li>7. Binjhia</li> <li>8. Birhor</li> <li>9. Birjia</li> <li>10. Chero</li> <li>11. Chik Baraik</li> </ol>

		<p>12.Gond  13.Gorait  14.Ho  15.Karmali  16.Kharia, Dhelki Kharia, Dudh Kharia, Hill Kharia  17.Kharwar  18.Khond  19.Kisan, Nagesia  20.Kora, Mudi-Kora  21.Korwa  22.Lohara, Lohra  23.Mahli  24.Mal Paharia, Kumarbhag Paharia  25.Munda, Patar  26.Oraon, Dhangar (Oraon)  27.Parhaiya  28.Santal  29.Sauria Paharia  30.Savar  31.Kawar  32.Kol  33.Tharu</p>
5.	Chhattisgarh	<p>1. Agariya  2. Andh  3. Baiga  4. Bhaina  5. Bharia Bhumia, Bhuinhar Bhumia, Bhumiya, Bharia, Paliha, Pando  6. Bhattra  7. Bhil, Bhilala, Barela, Patelia  8. Bhil Mina  9. Bhunjia  10.Biar, Biyar  11.Binjhar  12.Birhul, Birhor  13.Damor, Damaria  14.Dhanwar  15.Gadaba, Gadba  16.Gond, Arakh, Arrakh, Agaria, Asur, Abujh Maria, Badi Maria, Bada Maria, Bhatola, Bhimma, Bhuta, Koilabhuta, Koliabhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond Gowari, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koya, Khirwar, Khirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mudia, Muria, Nagarchi, Nagwanshi, Ojha, Raj, Sonjhari Jhareka, Thatia, Thotya, Wade Maria, Vade Maria, Daroi  17.Halba, Halbi  18.Kamar  19.Karku  20.Kawar, Kanwar, Kaur, Cherwa, Rathia, Tanwar, Chhatra  21.Khairwar, Kondar  22.Kharia  23.Kondh, Khond, Kandh  24.Kol  25.Kolam  26.Korku, Bopchi, Mouasi, Nihal, Nahul Bondhi, Bondeya  27.Korwa, Hill Korwa, Kodaku  28.Majhi  29.Majhwar</p>

		<p>30.Mawasi  31.Munda  32.Nagesia, Nagasia  33.Oraon, Dhanka, Dhangad  34.Pao  35.Pardhan, Pathari, Saroti  36.Pardhi, Bahelia, Bahellia, Chita Pardhi, Langoli Pardhi, Phans Pardhi, Shikari, Takankar, Takia [In (i) Bastar, Dantewara, Kanker, Raigarh, Jashpurnagar, Surguja and Korba districts, and (ii) Katghora, Pali, Kartala and Korba tahsils of Korba district, (iii) Bilaspur, Pendra, Kota and Takhatpur tahsils of Bilaspur district, (iv) Durg, Patan Gunderdehi, Dhamdha, Balod, Gurur and Dondilohara tahsils of Durg district, (v) Chowki, Manpur and Mohala Revenue Inspector Circles of Rajnandgaon district, (vi) Mahasamund Saraipali and Basna tahsils of Mahasamund district, (vii) BindraNavagarh Rajim and Deobhog tahsils of Raipur district, and (viii) Dhamtari, Kurud and Sihava tahsils of Dhamtari district  37.Parja  38.Sahariya, Saharia, Seharla, Sehria, Sosia, Sor  39.Saonta, Saunta  40.Saur  41.Sawar, Sawara  42.Sonr</p>
6.	Goa	<p>1. Dhodia  2. Dubla (Halpati)  3. Naikda (Talavia)  4. Siddi (Nayaka)  5. Varli  6. Kunbi  7. Gawda  8. Velip</p>
7.	Gujarat	<p>1. Barda  2. Bavacha, Bamcha  3. Bharwad (in the Nesses of the forests of Alech, Barada and Gir)  4. Bhil, Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvil Bhil, Bhagaliala, Bhilalala, Pawra, Vasava, Vasave.  5. Charan (in the Nesses of the forests of Alech, Barada and Gir)  6. Chaudhri (in Surat and Valsad districts)  7. Chodhara  8. Dhanka, Tadvil, Tetaria, Valvi  9. Dhodia, Dhodi  10. Dubla, Talavia, Halpati  11. Gamit, Gamta, Gavil, Mavchi, Padvi  12. Gond, Rajgond  13. Kathodi, Katkari, Dhor Kathodi, Dhor Katkari, Son Kathodi, Son Katkari  14. Kokna, Kokni, Kukna  15. (Omitted)  16. Koli Dhor, Tokre Koli, Kolcha, Kolgha  17. Kunbi (in the Dangs district)  18. Naikda, Nayaka, Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka, Nana Nayaka  19. Padhar  20. (Omitted)  21. Pardhi, Advichincher, Phanse Pardhi (excluding Amreli, Bhavanagar, Jamnagar, Junagadh, Kutch, Rajkot and Surendranagar districts)</p>

		22.Patelia 23.Pomla 24.Rabari (in the Nesses of the forests of Alech, Barada and Gir) 25.Rathawa 26.Siddi, SiddiBadshan (in Amreli, Bhavnagar, Jamnagar, Junagadh, Rajkot and Surendranagar districts) 27. (Omitted) 28.Varli 29.Vitola, Kotwalia, Barodia 3 0.Bhil, Bhilala, Barela, Patelia 31.Tadvi Bhil, Bawra, Vasave, 32.Padvi.
8.	Himachal Pradesh	1. Bhot, Bodh 2. Gaddi 3. Gujjar 4. Jad, Lamba, Khampa 5. Kanaura, Kinnara 6. Lahaula 7. Pangwala 8. Swangla 9. Beta, Beda 10.Domba, Gara, Zoba
9.	Jharkhand	1. Asur, Agaria 2. Baiga 3. Banjara 4. Bathudi 5. Bedia 6. Binjhia 7. Birhor 8. Birjia 9. Chero 10.Chik Baraik 11.Gond 12.Gorait 13.Ho 14.Karmali 15.Kharia, Dhelki Kharia, Dudh Kharia, Hill Kharia 16.Kharwar 17.Khond 18.Kisan, Nagesia 19.Kora, Mudi-Kora 20.Korwa 21.Lohra 22.Mahli 23.Mal Paharia, Kumarbhadg Paharia 24.Munda, Patar 25.Oraon, Dhangar (Oraon) 26.Parhaiya 27.Santhal 28.Sauria Paharia 29.Savar 30.Bhumij 31.Kawar 32.Kol
10.	Karnataka	1. Adiyani 2. Barda 3. Bavacha, Bamcha 4. Bhil, Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bhilala, Pawra, Vasava, Vasave

		<p>5. Chenchu, Chenchwar  6. Chodhara  7. Dubla, Talavia, Halpati  8. Gamit, Gamta, Gavit, Mavchi, Padvi, Valvi  9. Gond, Naikpod, Rajgond  10. Gowdalu  11. Hakkipikki  12. Hasalaru  13. Irular  14. Iruliga  15. Jenu Kuruba  16. Kadu Kuruba  17. Kammara (in South Kanara district and Kollegal taluk of Mysore district)  18. Kaniyan, Kanyan (in Kollegal taluk of Mysore district)  19. Kathodi, Katkari, Dhor Kathodi, Dhor Katkari, Son Kathodi, Son Katkari  20. Kattunayakan  21. Kokna, Kokni, Kukna  22. Koli Dhor, Tokre Koli, Kolcha, Kolgha  23. Konda Kapus  24. Koraga  25. Kota  26. Koya, Bhine Koya, Rajkoya  27. Kudiya, Melakudi  28. Kuruba (in Coorg district)  29. Kurumans  30. Maha Malasar  31. Malaikudi  32. Malasar  33. Malayekandi  34. Maleru  35. Maratha (in Coorg district)  36. Marati (in south Kanara district)  37. Meda, Medara, Medari, Gauriga, Burud  38. Naikda, Nayaka, Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka, Nana Nayaka, Naik, Nayak, Beda, Bedar, and Valmiki.  39. Palliyan  40. Paniyan  41. Pardhi, Advichincher, Phanse Pardhi, Haranshikari  42. Patelia  43. Rathawa  44. Sholaga  45. Soligaru  46. Toda  47. Varli  48. Vitolia, Kotwalia, Barodia  49. Yerava  50. Siddi (in Uttar Kannada district)</p>
11.	Kerala	<p>1. Adiyan  2. Arandan, Aranadan  3. Eravallan  4. Hill Pulaya, Mala Pulayan, Kurumba Pulayan, Karavazhi Pulayan, Pamba Pulayan  5. Irular, Irulan  6. Kadar, Wayanad Kadar  7. (Omitted)  8. Kanikaran, Kanikkar  9. Kattunayakan  10. Kochuvelan</p>

		<p>11. (Omitted)  12. (Omitted)  13. Koraga  14. (Omitted)  15. Kudiya, Melakudi  16. Kurichchan, Kurichiyan  17. Kurumans, Mullu Kuruman, Mulla Kuruman, Mala Kuruman  18. Kurumbas, Kurumbar, Kurumban  19. Maha Malasar  20. Malai Arayan, Mala Arayan  21. Malai Pandaram  22. Malai Vedan, Malavedan  23. Malakkuravan  24. Malasar  25. Malayan, Nattu Malayan, Konga Malayan (excluding the areas comprising the Kasargode, Connanore, Wayanad and Kozhikode districts)  26. Malayarayar  27. Mannan  28. Marati (of the Hosdurg and Kasargod Taluks of Kasargod District)  29. Muthuvan, Mudugar, Muduvan  30. Palleyan, Palliyan, Palliyar, Paliyan  31. (Omitted)  32. (Omitted)  33. Paniyan  34. Ulladan, Ullatan  35. Uraly  36. Mala Vettuvan (in Kasargode and Kannur districts)  37. Ten Kurumban, Jenu Kurumban  38. Thachanadan, Thachanadan Moopan  39. Cholanaickan  40. Mavilan  41. Karimpalan  42. Vetta Kuruman  43. Mala Panickar</p>
12.	Madhya Pradesh	<p>1. Agariya  2. Andh  3. Baiga  4. Bhaina  5. Bharia Bhumia, Bhuihar Bhumia, Bhumiya, Bharia, Paliha, Pando  6. Bhattra  7. Bhil, Bhilala, Barela, Patelia  8. Bhil Mina  9. Bhunjia  10. Biar, Biyar  11. Binjhwar  12. Birhul, Birhor  13. Damor, Damaria  14. Dhanwar  15. Gadaba, Gadba  16. Gond; Arakh, Arrakh, Agaria, Asur, Badi Maria, Bada Maria, Bhatola, Bhimma, Bhuta, Koilabhuta, Koliabhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond Gowari, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koya, Khirwar, Khirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mudia, Muria, Nagarchi,</p>

		<p>Nagwanshi, Ojha, Raj, Sonjhari Jhareka, Thatia, Thotya, Wade Maria, Vade Maria, Daroi</p> <p>17. Halba, Halbi</p> <p>18. Kamar</p> <p>19. Karku</p> <p>20. Kawar, Kanwar, Kaur, Cherwa, Rathia, Tanwar, Chattri</p> <p>21. (Omitted)</p> <p>22. Khairwar, Kondar</p> <p>23. Kharia</p> <p>24. Kondh, Khond, Kandh</p> <p>25. Kol</p> <p>26. Kolam</p> <p>27. Korku, Bopchi, Mouasi, Nihal, Nahul Bondhi, Bondeya</p> <p>28. Korwa, Kodaku</p> <p>29. Majhi</p> <p>30. Majhwar</p> <p>31. Mawasi</p> <p>32. (Omitted)</p> <p>33. Munda</p> <p>34. Nagesia, Nagasia</p> <p>35. Oraon, Dhanka, Dhangad</p> <p>36. Panika [in (i) Chhatarpur, Panna, Rewa, Satna, Shahdol, Umaria, Sidhi and Tikamgarh districts, and (ii) Sevda and Datia tehsils of Datia district]</p> <p>37. Pao</p> <p>38. Pardhan, Pathari, Saroti</p> <p>39. (Omitted)</p> <p>40. Pardhi, Bahelia, Bahellia, Chita Pardhi, Langoli Pardhi, Phans Pardhi, Shikari, Takankar, Takia [In (i) Chhindwara, Mandla, Dindori and Seoni districts, (ii) Baihar Tahsil of Balaghat District, (iii) Betul, Bhainsdehi and Shahpur tahsils of Betul district, (iv) Patan tahsil and Sihora and Majholi blocks of Jabalpur district, (v) Katni (Murwara) and Vijaya Raghogarh tahsils and Bahoriband and Dhemerkheda blocks of Katni district, (vi) Hoshangabad , Babai, Sohagpur, Pipariya and Bankhedhi tah sils and Kesla block of Hoshangabad district, (vii) Narsinghpur district, and (viii) Harsud Tahsil of Khandwa district]</p> <p>41. Parja</p> <p>42. Sahariya, Saharia, Seharia, Sehria, Sosia, Sor</p> <p>43. Saonta, Saunta</p> <p>44. Saur</p> <p>45. Sawar, Sawara</p> <p>46. Sonr</p>
13.	Maharashtra	<p>1. Andh</p> <p>2. Baiga</p> <p>3. Barda</p> <p>4. Bavacha, Bamcha</p> <p>5. Bhaina</p> <p>6. Bharia Bhumia, Bhuinhar Bhumia, Pando</p> <p>7. Bhattra</p> <p>8. Bhil, Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bhilala, Pawra, Vasava, Vasave</p> <p>9. Bhunjia</p> <p>10. Binjhwar</p> <p>11. Birhul, Birhor</p> <p>12. (Omitted)</p> <p>13. Dhanka, Tadvi, Tetaria, Valvi</p> <p>14. Dhanwar</p>

		<p>15.Dhodia  16.Dubla, Talavia, Halpati  17.Gamit, Gamta, Gavit, Mavchi, Padvi  18.Gond, Rajgond, Arakh, Arrakh, Agaria, Asur, Badi Maria, Bada Maria, Bhatola, Bhimma, Bhuta, Koilabhuta, Koilabhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond Gowari, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koya, Khirwar, Khirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mudia, Muria, Nagarchi, Naikpod, Nagwanshi, Ojha, Raj, Sonjhari Jhareka, Thatia, Thotya, Wade Maria, Vade Maria.  19.Halba, Halbi  20.Kamar  21.Kathodi, Katkari, Dhor Kathodi, Dhor Kathkari, Son Kathodi, Son Katkari  22.Kawar, Kanwar, Kaur, Cherwa, Rathia, Tanwar, Chattri  23.Khairwar  24.Kharia  25.Kokna, Kokni, Kukna  26.Kol  27.Kolam, Mannervarlu  28.Koli Dhor, Tokre Koli, Kolcha, Kolgha  29.Koli Mahadev, Dongar Koli  30.Koli Malhar  31.Kondh, Khond, Kandh  32.Korku, Bopchi, Mouasi, Nihal, Nahul, Bondhi, Bondeya  33.Koya, Bhine Koya, Rajkoya  34.Nagesia, Nagasia  35.Naikda, Nayaka, Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka, Nana Nayaka  36.Oraon, Dhangad  37.Pardhan, Pathari, Saroti  38.Pardhi, Advichincher, Phans Pardhi, Phanse Pardhi, Langoli Pardhi, Bahelia, Bahellia, Chita Pardhi, Shikari, Takankar, Takia  39.Parja  40.Patelia  41.Pomla  42.Rathawa  43.Sawar, Sawara  44.Thakur, Thakar, Ka Thakur, Ka Thakar, Ma Thakur, Ma Thakar  45. (Omitted)  46.Varli  47.Vitolia, Kotwalia, Barodia</p>
14.	Manipur	<p>1. Aimol  2. Anal  3. Angami  4. Chiru  5. Chothe  6. Gangte  7. Hmar  8. Kabui, Inpui, Rongmei  9. Kacha Naga, Liangmai, Zeme  10.Koirao, Thangal  11.Koireng  12.Kom  13.Lamgang  14.Mao  15.Maram</p>

		<p>16.Maring  17.Any Mizo (Lushai) Tribes  18.Monsang  19.Moyon  20.Paite  21.Purum  22.Ralte  23.Sema  24.Simte  25.Suhte  26.Tangkhul  27.Thadou  28.Vaiphei  29.Zou  30.Poumai Naga  31.Tarao  32.Kharam  33.Any Kuki tribes.  34.Mate</p>
15.	Meghalaya	<p>1. Chakma  2. Dimasa, Kachari  3. Garo  4. Hajong  5. Hmar  6. Khasi, Jaintia, Synteng, Pnar, War, Bhoi, Lyngngam  7. Any Kuki tribes, including i. Biate, Biete ii. Changsan iii. Chongloi iv. DOUNGEL v. Gamalhou vi. Gangte vii. Guite viii. Hanneng ix. Haokip, Haupt x. Haolai xi. Hengna xii. Hongsungh xiii. Hrangkhwal, Rangkhohol xiv. Jongbe xv. Khawchung xvi. Khawathlang, Khothalong xvii. Khelma xviii. Kholhou xix. Kipgen xx. Kuki xxi. Lengthang xxii. Lhangum xxiii. Lhoujem xxiv. Lhouvun xxv. Lumpheng xxvi. Mangjel xxvii. Misao xxviii. Rieng xxix. Sairhem xxx. Selnam xxxi. Singson xxxii. Sitlhou xxxiii. Sukte xxxiv. Thado xxxv. Thangngeu xxxvi. Uibuh xxxvii. Vaiphei  8. Lakher  9. Man (Tai Speaking)  10. Any Mizo (Lushai) tribes  11. Mikir  12. Any Naga tribes  13. Pawi  14. Synteng  15. Boro Kacharis  16. Koch  17. Raba, Rava</p>
16.	Mizoram	<p>1. Chakma  2. Dimasa (Kachari)  3. Garo  4. Hajong  5. Hmar  6. Khasi and Jaintia, (Including Khasi, Synteng or Pnar, War, Bhoi or Lyngngam)  7. Any Kuki tribes, including: - (i) Baite or Beite (ii) Changsan (iii) Chongloi (iv) DOUNGEL (v) Gamalhou (vi) Gangte (vii) Guite (viii) Hanneng (ix) Haokip or Haupt (x) Haolai (xi) Hengna (xii) Hongsungh (xiii) Hrangkhwal or Rangkhohol (xiv) Jongbe (xv) Khawchung (xvi) Khawathlang or Khothalong (xvii) Khelma (xviii) Kholhou (xix) Kipgen (xx) Kuki (xxi) Lengthang (xxii) Lhangum (xxiii) Lhoujem (xxiv) Lhouvun (xxv) Lumpheng (xxvi) Mangjel (xxvii) Missao (xxviii) Rieng (xxix) Sairhem (xxx)</p>

		<p>Selnam (xxxi) Singson (xxxii) Sitlhou (xxxiii) Sakte (xxxiv) Thado (xxxv) Thangngeu (xxxvi) Uibuh (xxxvii) Vaiphei</p> <p>8. Lakher</p> <p>9. Man (Tai-speaking)</p> <p>10. Any Mizo (Lushai) tribes</p> <p>11. Mikir</p> <p>12. Any Naga tribes.</p> <p>13. Pawi</p> <p>14. Synteng.</p> <p>15. Paite</p>
17.	Nagaland	<p>1. Naga</p> <p>2. Kuki</p> <p>3. Kachari</p> <p>4. Mikir</p> <p>5. Garo</p>
18.	Odisha	<p>1. Bagata, Bhakta</p> <p>2. Baiga</p> <p>3. Banjara, Banjari</p> <p>4. Bathudi, Bathuri</p> <p>5. Bhottada, Dhotada Bhotra, Bhatra, Bhattara, Bhotora, Bhatara</p> <p>6. Bhuiya, Bhuyan</p> <p>7. Bhumia</p> <p>8. Bhumij, Teli Bhumij, Haladipokhria Bhumij, Haladi Pokharia Bhumija, Desi Bhumij, Desia Bhumij, Tamaria Bhumij</p> <p>9. Bhunjia</p> <p>10. Binjhal, Binjhwar</p> <p>11. Binjhia, Binjhoa</p> <p>12. Birhor</p> <p>13. Bondo Paraja, Bonda Paroja, Banda Paroja</p> <p>14. Chenchu</p> <p>15. Dal</p> <p>16. Desua Bhumij</p> <p>17. Dharua, Dhuruba, Dhurva</p> <p>18. Didayi, Didai Paroja, Didai</p> <p>19. Gadaba, Bodo Gadaba, Gutob Gadaba, Kapu Gadaba, Ollara Gadaba, Parenga Gadaba, Sano Gadaba</p> <p>20. Gandia</p> <p>21. Ghara</p> <p>22. Gond, Gondo, Rajgond, Maria Gond, Dhur Gond</p> <p>23. Ho</p> <p>24. Holva</p> <p>25. Jatapu</p> <p>26. Juang</p> <p>27. Kandha Gauda</p> <p>28. Kawar, Kanwar</p> <p>29. Kharia, Kharian, Berga Kharia, Dhelki Kharia, Dudh Kharia, Erenga Kharia, Munda Kharia, Oraon Kharia, Khadia, Pahari Kharia</p> <p>30. Kharwar</p> <p>31. Khond, Kond, Kandha, Nanguli Kandha, Sitha Kandha, Kondh, Kui, Buda Kondh, Bura Kandha, Desia Kandha, Dungaria Kondh, Kutia Kandha, Kandha Gauda, Muli Kondh, Malua Kondh, Pengo Kandha, Raja Kondh, Raj Khond</p> <p>32. Kisan, Nagesar, Nagesia</p> <p>33. Kol</p> <p>34. Kolah Loharas, Kol Loharas</p> <p>35. Kolha</p> <p>36. Koli, Malhar</p> <p>37. Kondadora</p> <p>38. Kora, Khaira, Khayara</p>

		<p>39.Korua  40.Kotia  41.Koya, Gumba Koya, Koitur Koya, Kamar Koya, Musara Koya  42.Kulis  43.Lodha, Nodh, Nodha, Lodh  44.Madia  45.Mahali  46.Mankidi  47.Mankirdia, Mankria, Mankidi  48.Matya, Matia  49.Mirdhas, Kuda, Koda  50.Munda, Munda Lohara, Munda Mahalis, Nagabanshi Munda, Oriya Munda  51.Mundari  52.Omanatya, Omanatyo, Amanatya  53.Oraon, Dhangar, Uran  54.Parenga  55.Paroja, Parja, Bodo Paroja, Barong Jhodia Paroja, Chhelia Paroja, Jhodia Paroja, Konda Paroja, Paraja, Ponga Paroja, Sodja Paroja, Sano Paroja, Solia Paroja  56.Pentia  57.Rajuar  58.Santal  59.Saora, Savar, Saura, Sahara, Arsi Saora, Based Saora, Bhima Saora, Bhimma Saora, Chumura Saora, Jara Savar, Jadu Saora, Jati Saora, Juari Saora, Kampu Saora, Kampa Soura, Kapo Saora, Kindal Saora, Kumbi Kancher Saora, Kalapithia Saora, Kirat Saora, Lanjia Saora, Lamba Lanjia Saora, Luara Saora, Luar Saora, Laria Savar, Malia Saora, Malla Saora, Uriya Saora, Raika Saora, Sudda Saora, Sarda Saora, Tankala Saora, Patro Saora, Vesu Saora  60.Shabar, Lodha  61.Sounti  62.Tharua, Tharua Birdhani</p>
19.	Rajasthan	<p>1. Bhil, Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bhilala, Pawra, Vasava, Vasave  2. Bhil Mina  3. Damor, Damaria  4. Dhanka, Tadvi, Tetaria, Valvi  5. Garasia (excluding Rajput Garasia)  6. Kathodi, Katkari, Dhor Kathodi, Dhor Katkari, Son Kathodi, Son Katkari  7. Kokna, Kokni, Kukna  8. Koli Dhor, Tokre Koli, Kolcha, Kolgha  9. Mina  10.Naikda, Nayaka, Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka, Nana Nayaka  11.Patelia  12.Secharia, Sehria, Sahariya.</p>
20.	Sikkim	<p>1. Bhutia (including Chumbipa, Dophapa, Dukpa, Kagatey, Sherpa, Tibetan, Tromopa, Yolmo)  2. Lepcha  3. Limboo  4. Tamang</p>
21.	Tamil Nadu	<p>1. Adiyar  2. Aranadan  3. Eravallan  4. Irular  5. Kadar</p>

		<p>6. Kammara (excluding Kanyakumari district and Shenkottah taluk of Tirunelveli district)</p> <p>7. Kanikaran, Kanikkar (in Kanyakumari district and Shenkottah and Ambasamudram taluks of Tirunelveli district)</p> <p>8. Kaniyan, Kanyan</p> <p>9. Kattunayakan</p> <p>10.Kochu Velan</p> <p>11.Konda Kapus</p> <p>12.Kondareddis</p> <p>13.Koraga</p> <p>14.Kota (excluding Kanya kumari district and Shenkottah taluk of Tirunelveli district)</p> <p>15.Kudiya, Melakudi</p> <p>16.Kurichchan</p> <p>17.Kurumbas (in the Nilgiris district)</p> <p>18.Kurumans</p> <p>19.Maha Malasar</p> <p>20.Malai Arayan</p> <p>21.Malai Pandaram</p> <p>22.Malai Vedan</p> <p>23.Malakkuravan</p> <p>24.Malasar</p> <p>25.Malayali (in Dharmapuri, North Arcot, Pudukottai, Salem, South Arcot and Tiruchirapalli districts)</p> <p>26.Malayekandi</p> <p>27.Mannan</p> <p>28.Mudugar, Muduvan</p> <p>29.Muthuvan</p> <p>30.Palleyen</p> <p>31.Palliyan</p> <p>32.Palliyar</p> <p>33.Paniyan</p> <p>34.Sholaga</p> <p>35.Toda (excluding Kanya kumari district and Shenkottah Taluk of Tirunelveli district)</p> <p>36.Uraly</p>
22.	Telangana	<p>1. Andh, Sadhu Andh</p> <p>2. Bagata</p> <p>3. Bhil</p> <p>4. Chenchu</p> <p>5. Gadabas, Bodo Gadaba, Gutob Gadaba, Kallayi Gadaba, Parangi Gadaba, Kathera Gadaba, Kapu Gadaba</p> <p>6. Gond, Naikpod, Rajgond, Koitur</p> <p>7. Goudu (in the Agency tracts)</p> <p>8. Hill Reddis</p> <p>9. Jatapus</p> <p>10.Kammara</p> <p>11.Kattunayakan</p> <p>12.Kolam, Kolawar</p> <p>13.Konda Dhoras, Kubi</p> <p>14.Konda Kapus</p> <p>15.Kondareddis</p> <p>16.Kondhs, Kodi, Kodhu, Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs, Yenity Kondhs, Kuvinga</p> <p>17.Kotia, Benthoriya, Bartika, Dulia, Holva, Sanrona, Sidhopaiko</p> <p>18.Koya, Doli Koya, Gutta Koya, Kammara Koya, Musara Koya, Oddi Koya, Pattidi Koya, Rajah, Rasha Koya, Lingadhari Koya (ordinary), Kottu Koya, Bhine Koya, Rajkoya</p> <p>19.Kulia</p>

		<p>20.Manna Dhora  21.Mukha Dhora, Nooka Dhora  22.Nayaks (in the Agency tracts)  23.Pardhan  24.Porja, Parangiperja  25.Reddi Dhoras  26.Rona, Rena  27.Savaras, Kapu Savaras, Maliya Savaras, Khutto Savaras  28.Sugalis, Lambadis, Banjara  29.Thoti (in Adilabad, Hyderabad, Karimnagar, Khammam, Mahbubnagar, Medak, Nalgonda, Nizam abad and Warangal districts)  30.Yenadis, Chella Yenadi, Kappala Yenadi, Manchi Yenadi, Reddi Yenadi  31. Yerukulas, Koracha, Dabba Yerukula, Kunchapuri Yerukula, Uppu Yerukula  32.Nakkala, Kurvikaran</p>
23.	Tripura	<p>1. Bhil  2. Bhutia  3. Chaimal  4. Chakma  5. Garoo  6. Halam, Bengshel, Dub, Kaipeng, Kalai, Karbong, Lengui, Mussum, Rupini, Sukuchep, Thangchep  7. Jamatia 8. Khasia  9. Kuki, including the following sub-tribes: (i) Balte (ii) Belalhut (iii) Chhalya (iv) Fun (v) Hajango (vi) Jangtei (vii) Khareng (viii) Khephong (ix) Kuntei (x) Laifang (xi) Lentei (xii) Mizel (xiii) Namte (xiv) Paitu, Paite (xv) Rangchan (xvi) Rangkhole (xvii) Thangluya  10.Lepcha  11.Lushai  12.Mag  13.Munda, Kaur  14.Noatia, Murashing  15.Orang  16.Riang  17.Santal  18.Tripura, Tripuri, Tippera  19.Uchai.</p>
24.	Uttarakhand	<p>1. Bhotia  2. Buksa  3. Jaunsari  4. Raji  5. Tharu</p>
25.	Uttar Pradesh	<p>1. Bhotia  2. Buksa  3. Jaunsari  4. Raji  5. Tharu  6. Gond, Dhuria, Nayak, Ojha, Pathari, Raj Gond (in the districts of Mehrajanj, Sidharth Nagar, Basti, Gorakhpur, Deoria, Mau, Azamgarh, Jonpur, Balia, Gazipur, Varanasi, Mirzapur and Sonbhadra)  7. Kharwar, Khairwar (in the districts of Deoria, Balia, Ghazipur, Varanasi and Sonbhadra)  8. Saharya (in the district of Lalitpur)  9. Parahiya (in the district of Sonbhadra)  10. Baiga (in the district of Sonbhadra)  11. Pankha, Panika (in the districts of Sonbhadra and Mirzapur)</p>

		13. Agariya (in the district of Sonbhadra) 14. Patari (in the district of Sonbhadra) 15. Chero (in the districts of Sonbhadra and Varanasi) 16. Bhuiya, Bhuinya (in the district of Sonbhadra)
26.	West Bengal	1. Asur 2. Baiga 3. Bedia, Bediya 4. Bhumij 5. Bhutia, Sherpa, Toto, Dukpa, Kagatay, Tibetan, Yolmo 6. Birhor 7. Birjia 8. Chakma 9. Chero 10. Chik Baraik 11. Garo 12. Gond 13. Gorait 14. Hajang 15. Ho 16. Karmali 17. Kharwar 18. Khond 19. Kisan 20. Kora 21. Korwa 22. Lepcha 23. Lodha, Kheria, Kharia 24. Lohara, Lohra. 25. Magh 26. Mahali 27. Mahli 28. Mal Pahariya 29. Mech 30. Mru 31. Munda 32. Nagesia 33. Oraon 34. Parhaiya 35. Rabha 36. Santal 37. Sauria Paharia 38. Savar 39. Limbu (Subba) 40. Tamang
<b>Union Territory</b>		
1.	Andaman & Nicobar Islands	1. Andamanese, Chariar, Chari, Kora, Tabo, Bo, Yere, Kede, Bea, Balawa, Bojigiyab, Juwai, Kol 2. Jarawas 3. Nicobarese 4. Onges 5. Sentinelese 6. Shompens
2.	Dadra and Nagar Haveli	1. Dhodia 2. Dubla including Halpati 3. Kathodi 4. Kokna 5. Koli Dhor including Kolgha 6. Naikda or Nayaka 7. Varli
3.	Daman and Diu	Throughout the Union territory: 1. Dhodia

		2. Dubla (Halpati) 3. Naikda (Talavia) 4. Siddi (Nayaka) 5. Varli.
4.	Lakshadweep	Throughout the Union territory: - Inhabitants of the Laccadive, Minicoy and Aminidivi Islands who, and both of whose parents, were born in those islands. 'Provided that the children who are born to inhabitants of Lakshadweep in any other place in the mainland of India shall be deemed to be inhabitants born in the islands if such children settle permanently in the islands'. Explanation: The term "settle permanently" shall have the same meaning as defined under Clause 3(I)(d) of the Lakshadweep Panchayat Regulation, 1994. Note: In case of any discrepancies in the spelling of the community in above list is found, the concerned original notification will be final & authenticated
5.	Jammu & Kashmir (Formerly a State, Jammu & Kashmir has been bifurcated as two UTs, Jammu & Kashmir and Ladakh, by the Jammu & Kashmir Reorganisation Act, 2019. <sup>65</sup>	1. Balti 2. Beda 3. Bot, Boto 4. Brokpa, Drokpa, Dard, Shin 5. Changpa 6. Garra 7. Mon 8. Purigpa 9. Gujjar 10. Bakarwal 11. Gaddi 12. Sippi

Source: Ministry of Tribal Affairs, Government of India<sup>66</sup>

### Annexure 3

#### States/UT wise List of Particularly Vulnerable Tribal Groups (PVTGs)

Sl. No	State/Union Territory	Name of PVTG
1.	Andhra Pradesh including Telangana	Chenchu
2.		Bodo Gadaba
3.		Gutob Gadaba
4.		Dongria Khond
5.		Kultia Khond
6.		Kolam
7.		Konda Reddi
8.		Kondasavara
9.		Bondo Porja
10.		Khond Porja
11.		Parengi Porja
12.		Thoti
13.	Bihar including Jharkhand	Asur
14.		Birhor
15.		Birjia
16.		Hill Kharia
17.		Korwa
18.		Mal Paharia
19.		Parhaiya
20.		Sauria Pahariya
21.		Savar

<sup>65</sup> The State of Jammu & Kashmir was bifurcated into two Union Territories, viz. Jammu & Kashmir and Ladakh, see <https://www.thc.nic.in/Central%20Governmental%20Acts/Jammu%20and%20Kashmir%20Reorganisation%20Act,%202019.pdf>.

<sup>66</sup> Ministry of Tribal Affairs, Government of India. *State/Union Territory-wise list of Scheduled Tribes in India*, <https://tribal.nic.in/downloads/statistics/LatestListofScheduledtribes.pdf>

22.	Gujarat	Kathodia
23.		Kotwalia
24.		Padhar
25.		Siddi
26.		Kolgha
27.	Karnataka	Jenu Khurba
28.		Koraga
29.	Kerala	Cholanaickan
30.		Kadar
31.		Kattunayakan
32.		Koraga
33.		Kurumbas
34.	Madhya Pradesh (including Chhattisgarh)	Abujh Maria
35.		Baiga
36.		Bharia
37.		Hill Korwa
38.		Kamar
39.		Sahariya
40.		Birhor
41.	Maharashtra	Katakaria (Kathodi)
42.		Kolam
43.		Maria Gond
44.	Manipur	Maram Naga
45.	Odisha	Birhor
46.		Bondo
47.		Chuktia Bhunjia
48.		Didayi
49.		Dongria-Khond
50.		Juang
51.		Kharia
52.		Kutia Khond
53.		Lanjia Saura
54.		Lodha
55.		Mankirdia
56.		Paudi Bhuyan
57.		Saura
58.	Rajasthan	Saharia
59.	Tamilnadu	Kattunaickan
60.		Kota
61.		Kurumba
62.		Irula
63.		Paniyan
64.		Toda
65.	Tripura	Reang
66.	Uttar Pradesh including Uttarakhand	Buksa
67.		Raji
68.	West Bengal	Birhor
69.		Lodha
70.		Toto
71.	Andaman & Nicobar Islands	Great Andamanese
72.		Jarawa
73.		Onge
74.		Sentinelse
75.		Shompen

Source: Ministry of Tribal Affairs, Government of India<sup>67</sup>

<sup>67</sup> Ministry of Tribal Affairs, Government of India. *State/Union Territory-wise list of Scheduled Tribes in India*, <https://tribal.nic.in/downloads/statistics/LatestListofScheduledtribes.pdf>

## Annexure 4

### Share of ST population in States / UTs

States / UTs	Total population (in '000)	ST population (in '000)	% of STs in the State population	% of STs in the State to total ST population of India
<b>Eastern and Central Region</b>				
Bihar	104099	1337	1.3	1.3
Chhattisgarh	25545	7823	30.6	7.5
Jharkhand	32988	8645	26.2	8.3
Madhya Pradesh	72627	15317	21.1	14.7
Odisha	41974	9591	22.8	9.2
West Bengal	91276	5297	5.8	5.1
Sub-total				46.1
<b>Western Region</b>				
Dadra & Nagar Haveli	344	179	52.0	0.2
Daman & Diu	243	15	6.3	0.0
Goa	1459	149	10.2	0.1
Gujarat	60440	8917	14.8	8.5
Maharashtra	112374	10510	9.4	10.1
Rajasthan	68548	9239	13.5	8.8
				27.7
<b>North-Eastern Region</b>				
Arunachal Pradesh	1384	952	68.8	0.9
Assam	31206	3884	12.4	3.7
Manipur	2856	1167	4.9	1.1
Meghalaya	2967	2556	86.1	2.4
Mizoram	1097	1036	94.4	1.0
Nagaland	1979	1711	86.5	1.6
Sikkim	611	206	33.8	0.2
Tripura	3674	1167	31.8	1.1
				12.0
<b>Northern Region</b>				
Himachal Pradesh	6865	392	5.7	0.4
Jammu & Kashmir	12267	1275	10.4	1.2
Ladakh	274	218	79.5	0.2
Uttar Pradesh	199812	1134	0.6	1.1
Uttarakhand	10086	292	2.9	0.3
				3.2
<b>Southern Region</b>				
Andhra Pradesh	49387	2631	5.3	2.5
Karnataka	61095	4249	7.0	4.1
Kerala	33406	485	1.5	0.5
Tamilnadu	72147	795	1.1	0.8
Telangana	35194	3287	9.3	3.1
				11.0
<b>Island Region</b>				
Andaman & Nicobar Islands	381	29	7.5	0.0
Lakshadweep	64	61	94.8	0.1
				0.1

Source: Census of Indian, 2011

## Annexure 5

### Legislations for Protection of Tribal Land

No.	State	Legislation in force	Main features
1.	All India	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989	Applies to the whole of India (including the UT of Jammu and Kashmir and Ladakh). Section 3(1)(f) of this Act makes it a punishable offence to wrongfully occupy or cultivate any land owned by or allotted to a member of a ST, or gets land allotted to him, transferred. S. 3(1)(g) makes it an offence to dispossess a forest dweller from their forest right or interfere in the enjoyment of such forest right.
2.	Andaman & Nicobar Islands	Andaman and Nicobar islands (protection of aboriginals' tribes) regulation, 1956.	Mandated to protect the STs in the four tribal reserves, this Regulation empowers the government to prohibit and regulate the entry of outsiders, and restricts the transfer of lands to non-tribals in the Reserve.
2	Andhra Pradesh	(a) The Andhra Pradesh (Scheduled Areas) Land Transfer Regulation, 1959, amended by The Andhra Pradesh (Scheduled Areas) Land Transfer (Amendment) regulation, 1970, 1971, and 1978.	Prohibits all transfer of land to non-tribes in Scheduled Areas. Authorizes government to acquire land in case a tribal purchaser is not available. There is, however, no legal protection to ST land outside the Scheduled Areas.
3.	Assam	The Assam Land and Revenue Regulations 1886, amended in 1981.	Chapter X of regulation prohibits alienation of land in tribal belts and blocks.
4.	Arunachal Pradesh	Bengal Eastern Frontier Regulation, 1873, as amended.	Prohibits transfer of tribal land.
5.	Chhattisgarh	(a) Sec 165 & 170 of Madhya Pradesh Land Revenue Code, 1959. (b) Madhya Pradesh Land Distribution Regulation Act, 1964.	Sections 165 and 170B of the code protect STs against land alienation. The 1964 Act is in force in the scheduled areas.
6.	Dadra & Nagar Haveli	Dadra & Nagar Haveli Land Reform Regulation, 1971.	Protects tribal interest in lands.
7.	Gujarat	Bombay Land revenue Code as amended by Bombay Land Revenue (Gujarat Second Amendment) Act, 1980.	Sections 73A, 73AA, 73AB, 73AC and 73AD prohibit transfer of tribal lands and provide for restoration of alienated land, in entire State of Gujarat.
8.	Himachal Pradesh	The Himachal Pradesh Transfer of Land (Regulation) Act, 1968.	Prohibits transfer of land from tribes to non-tribes.
9.	Jharkhand	(a) Chhota Nagpur Tenancy Act, 1908 (applies to old Ranchi district, mostly comprising Mundas and Uraons) (b) Santhal Parganas Tenancy (Supplementary Provision) Act, 1940 (c) Bihar Scheduled Areas Regulation, 1969 (d) Wilkinson's Rule, 1837 (applies to Hos of Singhbhum)	Prohibits alienation of tribal land and provide for restoration of alienated land
10.	Karnataka	The Karnataka Scheduled Caste and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1975.	Prohibits transfer of land assigned to SCs and STs by government. No provision to safeguard SC/ST interest in other lands.
11.	Kerala	The Kerala Scheduled Tribes (Regulation of Transfer of Land and Restoration of Alienated land) Act, 1975.	Act of 1975 made applicable with effect from 1 June, 1982 by notification of January, 1986, prohibits transfer of land of tribes and provides for its restoration. However, by yet another law in 1999, restoration of illegally alienated land in the case of agricultural land was substituted with provision of alternate land.
12.	Lakshadweep	The Laccadive Islands and Minicoy Regulation I of 1912;	Prohibits transfer of tribal land in entire Union Territory of Lakshadweep.

		Lakshadweep(Protection of Scheduled Tribes) Regulation, 1964	
13.	Madhya Pradesh	(a) Sec 165 & 170 of Madhya Pradesh Land Revenue Code, 1959. (b) Madhya Pradesh Land Distribution Regulation Act, 1964.	Sections 165 and 170B of the code protect STs against land alienation. The 1964 Act is in force in the Scheduled Area of Madhya Pradesh.
14.	Maharashtra	(a) The Maharashtra Land Revenue Code, 1966, as amended in 1974. (b) The Maharashtra (Restoration of Lands to Scheduled Tribes) Act, 1974.	Prohibits alienation of tribal land and provides for restoration of both illegally and legally transferred lands of a ST. District Collector can permit transfer only with Gram Sabha consent as notified by the Governor under Fifth Schedule powers.
15.	Manipur	The Manipur Land Revenue and Land Reforms Act, 1960.	Section 153 forbids transfer of land of STs to non-STs without permission of District Commissioner. Act has not been extended to hill areas and hill area tribes not covered.
16.	Meghalaya	Meghalaya Transfer of Land (Regulation) Act, 1971.	Prohibits alienation of tribal land.
17.	Nagaland	Bengal Eastern Frontier Regulation, 1873 and Assam Land and Revenue Regulation, 1866, as amended vide Nagaland Land and Revenue Regulation (Amendment) Act 1978.	Prohibits transfer of land of tribes.
18.	Odisha	The Odisha Scheduled Areas Transfer of Immovable Property (STs) Regulation, 1956. The Odisha Land Reforms Act, 1960.	Prohibits transfer of ST land and provides for its restoration both in Scheduled Areas (1956 Regulation) as well as non-Scheduled Areas (1960 Act).
19.	Rajasthan	The Rajasthan Tenancy Act, 1955, The Rajasthan Land Revenue Act, 1956.	Section 175 and 183B specifically protects the interest of tribals on land and provides for restoration of alienated land to them.
20.	Sikkim	Revenue Order no. 1 of 1917 The Sikkim Agricultural Land Ceiling and Reform Act, 1977	Order of 1917 still in force. Chapter 7 of 1977 restricts alienation of lands by STs but is not in force.
21.	Tamil Nadu	Standing Orders of the Revenue Board BSO 15-40. Law against land alienation not enacted.	BSO 15-40 applies only to Malayali and Soliga tribes. Prohibits transfer of assigned land without approval of District Collector.
22.	Tripura	Tripura Land Revenue and Land Reform Act, 1960, as amended in 1974.	Prohibits transfer of ST land to others without permission of Deputy Commissioner/District Collector. Only land transfers after 1.1.1969 are covered under restoration provision.
23.	Uttar Pradesh/ Uttarakhand	Uttar Pradesh Zamindari Abolition and Land Reforms act, 1950 as amended by U.P. Land Laws (Amendment) Act, 1981.	Provide protection of tribal land. But amending act is not applied and stayed by Allahabad High Court in Swaran Singh Vs State Govt 1981.
24.	West Bengal	West Bengal Land Reforms Act, 1955, as amended	Chapter II-A prohibits alienation of tribal land and provides for restoration.

Source: Department of Land Resources, Ministry of Rural Development, Government of India. *Report of the Committee on State Agrarian Relations and Unfinished Task of Land Reforms*, New Delhi, 2009, <http://dolr.nic.in/agrarian.htm>

## Annexure 6

### List of laws and policies Relevant to Climate Change

<i>Legislative actions</i>		
1	Factories Act, 1948	Deals with the working environment of the workers, environmental and hazardous processes.

2	River Boards Act, 1956	Enables the states to enrol the central government in setting up an Advisory River Board to resolve issues in inter-state cooperation..
3	Merchant Shipping Act, 1970	Deals with waste arising from ships along the coastal areas within a specified radius.
4	Wildlife Protection Act 1972	Provides for the protection of birds and animals, lists out prohibited acts and penalties, and creates a protected area regime..
5	Water (Prevention and Control of Pollution) Act, 1974	Establishes an institutional structure to prevent and abate water pollution, sets standards for water quality and effluent, permits and regulates polluting industries discharge of waste into effluent bodies through the Central and State Pollution Control Boards.
6	Water (Prevention and Control of Pollution) Cess Act, 1977	Provides for the levy and collection of cess or fees on water consuming industries and local authorities.
7	Forest (Conservation) Act 1980	Regulates forest diversion and provides procedures for forest diversion and compensatory afforestation.
8	Air (Prevention and Control of Pollution) Act, 1981	Provides for the control and abatement of air pollution and makes the central and state pollution control boards the enforcement authority.
9	Environment (Protection) Act, 1986	<p>Obligates the central government to protect and improve environment, control and reduce pollution from various sources, and prohibit or restrict the setting and /or operation of any industrial facility on environmental grounds.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The Environment (Protection) Rules, 1986 lay down procedures for setting standards of emission or discharge of environmental pollutants.</li> <li><input type="checkbox"/> The Hazardous Waste (Management and Handling) Rules, 1989 controls the generation, collection, import, storage, handling and treatment of hazardous waste.</li> <li><input type="checkbox"/> The Manufacture, Storage, and Import of Hazardous Rules, 1989 constitutes an authority to inspect the industrial activity connected with hazardous chemicals and its storage facilities.</li> <li><input type="checkbox"/> The Coastal Regulation Zone Notification, 1991 regulates various activities, including construction to protect the backwaters and estuaries.</li> <li><input type="checkbox"/> The Environment (Siting for Industrial Projects) Rules, 1999 details provisions of areas to be avoided for siting of industries, precautionary measures to be undertaken for site selection and environmental protection that are to be incorporated during the implementation of the industrial development projects.</li> <li><input type="checkbox"/> The Municipal Solid Wastes (Management and Handling) Rules, 2000 apply to every municipal authority responsible for the collection, segregation, storage, transportation, processing, and disposal of municipal solid wastes.</li> <li><input type="checkbox"/> The Ozone Depleting Substances (Regulation and Control) Rules, 2000</li> </ul> <p>Regulates the production and consumption of ozone depleting substances.</p>
10	National Environmental Tribunal Act, 1995	Awards compensation for damages to persons, property, and the environment arising from any activity involving hazardous substances.
11	National Environment Appellate Authority Act, 1997	Hear appeals with respect to restrictions of areas in which classes of industries etc. are carried out or prescribed subject to certain safeguards under the Environment Protection Act.
12	Energy Conservation Act, 2001	Requires large energy consumers to adhere to energy consumption norms; new buildings to follow the Energy Conservation Building Code; and appliances to meet energy performance standards and to display energy consumption labels. Grants energy savings certificates to consumers whose consumes lesser energy than the prescribed norms which can be purchased by consumers who consumes more energy than the prescribed norms.
13	Biological Diversity Act, 2002	Provides for the conservation of biological diversity, their sustainable use and fair and equitable sharing of the benefits arising out of its use and knowledge associated with them.
14	Electricity Act 2003	Provides a comprehensive framework for power development consolidating laws relating to generation, transmission, distribution, trading and the use of electricity; promoting competition in the industry; and promoting efficient and environmentally benign policies. Recognises the role of renewable energy in National Energy Policy and tariff policy and optimal utilisation of resources such as coal, natural gas, nuclear substances or materials, hydro and renewable sources of energy.

15	The Disaster Management Act, 2005	Organises response to manmade and natural disasters, capacity-building, preparedness and mitigation of disasters.
16	The Finance Bill 2010-11 and the Clean Energy Cess Rules, 2010	Proposes to create the National Clean Energy Fund to invest in entrepreneurial ventures and research in the field of clean energy technologies to be approved by an Inter-Ministerial Group. The Central Board of Excise & Customs notified the Clean Energy Cess Rules, 2010.
17	Compensatory Afforestation Fund Act, 2016	Creates National Compensatory Afforestation Fund Management and Planning Authority (CAMPA) with funds notably from Net Present Value of forest lands diverted for non-forestry purposes for compensatory afforestation. In 2020, the government announced allocation of Rs 6,000 crore to create jobs among indigenous tribes through afforestation.
<b>Executive actions</b>		
1	National Electricity Policy, 2005	Promotes non-conventional energy sources, reduction of capital cost of projects based on non-conventional and renewable sources of energy; promotes competition among renewable projects; proposes progressively the share of non-conventional resources through competitive bidding process; emphasizes development of hydro-power, make thermal power cleaner by using low-ash coal, improving lignite mining, and through increased use of natural gas and nuclear power; promotes efficient technologies and more funding for R&D; emphasises the need for conservation and demand-side management including a national awareness campaign.
2.	Tariff Policy 2006	Includes provisions regarding renewable energy and cogeneration.
3	Integrated Energy Policy, 2006	Addresses all aspects of energy, including energy security, access and availability, affordability and pricing, efficiency and the environment. Requires power regulators to encourage utilities to integrate wind, small hydro, cogeneration and so on into their systems, link incentives to energy generated as opposed to capacity created.
4	National Action Plan On Climate Change, 2008	Identifies measures that simultaneously advance development and climate change-related objectives of adaptation and mitigation. Creates eight national missions as the core of the National Action Plan for achieving key goals of climate change : 1) National solar mission; 2) National mission for enhanced energy efficiency; 3) National mission on sustainable habitat; 4) National water mission; 5) National mission for sustaining the Himalayan ecosystem; 6) National mission for a Green India; 7) National mission for sustainable agriculture; 8) National mission on strategic knowledge for Climate Change.
5	National Policy on Biofuels, 2009	Proposes a target of 20% blending of biofuels by 2017, both for bio-diesel and bio-ethanol.
6	National Afforestation Program - Revised Operational Guidelines - 2009	Decentralise the project to expedite fund transfer to the Joint Forest Management Committees and Eco-Development Committees and promote livelihoods of its members with value addition and marketing of forest products. Promotes sustainable development and management of forest resources; increase Forest and Tree Cover; rehabilitate degraded forests through decentralized/participatory forest management.
7	National Electricity Plan (Generation), 2012	To ensure reliable access to electricity with initiatives and measures for GHG mitigation, and aims to keep CO2 intensity declining while massively expanding rural access and increasing power generation to meet the demands of a rapidly growing economy.
8	National Mission for Electric Mobility Plan 2020 of 2012	Provides the vision and the roadmap for the adoption of EVs (full range of hybrid and electric vehicles) and their manufacturing in the country.
9	National Auto Fuel Policy (2003) and Auto Fuel Vision and Policy 2025 of 2014	The National Auto Fuel Policy (2003) mandated that all new four-wheeled vehicles in 11 cities meet Bharat Stage III emission norms for conventional air pollutants (similar to Euro III emission norms) and comply with Euro IV standards by 2010. The Auto Fuel Vision and Policy 2025 makes fuel and emissions standards more stringent.
10	National Urban Transport Policy, 2014	Makes recommendations to Indian cities to "bring about comprehensive improvements in urban transport services and infrastructure". Encourages public transport, cycling, walking, energy efficiency and clean fuels to mitigate sectoral greenhouse gas emissions.

11	National Agroforestry Policy 2014	Sets up a National Agroforestry Mission or an Agroforestry Board to coordinate various agroforestry activities of various agencies to improve productivity; employment, income and livelihood opportunities of rural households; meeting increasing demand of timber, food, fuel, fodder, fertilizer, fibre, and other agroforestry products; conserving natural resources and forest; protecting and increasing the forest / tree cover.
12	Union Budget 2019-2020	Provides incentives for battery operated electric vehicles.
13	Notification S.O. 4259(E) creating the Apex Committee for Implementation of Paris Agreement, 2020	Ministry of Environment, Forest and Climate Change creates the Apex Committee for Implementation of Paris Agreement

Source: Compiled from (a) Wasnik, Jitendra G. *Climate Change and Challenges in India*, International Journal of Politics and Good Governance, Volume 5, No. 5.2, Quarter II 2014, and (b) Grantham Research Institute on Climate Change and the Environment. *Climate Change Laws of the World*, [https://climate-laws.org/legislation\\_and\\_policies?geography%5B%5D=](https://climate-laws.org/legislation_and_policies?geography%5B%5D=)

## Annexure 7

### Climate Change Targets in Laws and Policies

	Sector	Targets type		Targets	National laws and policies with targets available for India for the sector
1.	Adaptation	Targets in Submitted NDC	Target type not defined	Capacity Building and Knowledge Transfer To provide skill training in various sectors including sustainable development to about 400 million people by 2022	There are no adaptation targets found in laws and policies.
2.	Agriculture	-		There are no agriculture targets found in the NDC.	There are no agriculture targets found in laws and policies.
3.	Buildings	-		There are no buildings targets found in the NDC.	There are no buildings targets found in laws and policies.
4.	Coastal Zones	-		There are no coastal-zones targets found in the NDC.	There are no coastal-zones targets found in laws and policies.
5.	Cross Cutting Area	-		There are no cross-cutting-area targets found in the NDC.	There are no cross-cutting-area targets found in laws and policies.
6.	Disaster Risk Management	-		There are no disaster-risk-management-drm targets found in the NDC.	There are no disaster-risk-management-rm targets found in laws and policies.
7.	Economy wide	Targets in Submitted NDC	Intensity target	Economy wide 33% to 35% reduction in the emissions intensity of its GDP by 2030 compared to 2005 level.	There are no economy-wide targets found in laws and policies.

8.	Energy	Targets in Submitted NDC	Target type not defined	Renewable Energy: Wind 60 GW by 2022	2 national laws and policies with targets available for India for the selected sector. 1. Tariff Policy 2006 2. National Policy on Biofuels, 2009
		Targets found in Tariff Policy 2006	Fixed level target	Renewable Energy: Waste Mandatory percentage of energy from Waste-to-Energy plants by distribution licensees by 2017 against a 2016 baseline.	
			Base year target	Energy Efficiency Objectives of smart meters mandates by 2017, 2019 against a 2016 baseline.	
		Targets found in National Policy on Biofuels	Fixed level target	Renewable Energy: Biofuels An indicative target of 20% blending of biofuels, both for bio-diesel and bio-ethanol by 2017.	
9.	Environment	-		There are no environment targets found in the NDC.	There are no environment targets found in laws and policies.
10	Finance	-		There are no finance targets found in the NDC.	There are no finance targets found in laws and policies.
11	Health	Targets in Submitted NDC	Target type not defined	Disease Surveillance and Control.  Eliminate malaria by 2030	
12	Industry	-		There are no industry targets found in the NDC.	There are no industry targets found in laws and policies.
13	Land use, land-use change, and forestry (LULUCF)	Target type not defined	Target type not defined	Lulucf/Forestry: General  Additional carbon sink of 2.5 to 3 billion tonnes of CO2e by 2030 with forest and tree covers.	There are no lulucf targets found in laws and policies.
14	Other	-		There are no other targets found in the NDC.	There are no other targets found in laws and policies.
15	Public Sector	-		There are no public-sector targets found in the NDC.	There are no public-sector targets found in laws and policies.
16	Residential and commercial	-		There are no residential-and-commercial targets found in the NDC.	There are no residential-and-commercial targets

				found in laws and policies.	
17	Rural	-		There are no rural targets found in the NDC.	There are no rural targets found in laws and policies.
18	Social Development	-		There are no social-development targets found in the NDC.	There are no social-development targets found in laws and policies.
19	Tourism	-		There are no tourism targets found in the NDC.	There are no tourism targets found in laws and policies.
20	Transport	-		There are no transport targets found in the NDC.	There are no transport targets found in laws and policies.
21	Transportation	-		There are no transportation targets found in the NDC.	There are no transportation targets found in laws and policies.
22	Urban	-		There are no urban targets found in the NDC.	There are no urban targets found in laws and policies.
23	Waste	-		There are no waste targets found in the NDC.	There are no waste targets found in laws and policies.
24	Water	Targets in Submitted NDC	Target type not defined	Water Conservation and Reuse Enhance water use efficiency by 20%.	There are no water targets found in laws and policies.

Source: climatewatchdata.org: India <https://www.climatewatchdata.org/countries/IND?sector=water#climate-vulnerability>

## Annexure 8

### International Covenants, Conventions and Treaties

<i>UN Declarations</i>		<i>Signed</i>	-
1.	Universal Declaration of Human Rights <sup>68</sup>	10 December 1948	-
2	United Nations Declaration on the Rights of Indigenous Peoples <sup>69</sup>	13 September 2007	-
<i>Human Rights</i>		<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
1.	Convention on the Prevention and Punishment of the Crime of Genocide (Paris, 9 December 1948)	29 Nov 1949	27 Aug 1959
2.	International Convention on the Elimination of All Forms of Racial Discrimination (New York, 7 March 1966)	2 Mar 1967	3 Dec 1968

<sup>68</sup> Available at <http://www.un.org/en/documents/udhr/>

<sup>69</sup> Available at [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

2.a	Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (New York, 15 January 1992)	-	-
3.	International Covenant on Economic, Social and Cultural Rights (New York, 16 December 1966)	-	10 Apr 1979 a
3.a	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (New York, 10 December 2008)	-	-
4.	International Covenant on Civil and Political Rights (New York, 16 December 1966)	-	10 Apr 1979 a
5.	Optional Protocol to the International Covenant on Civil and Political Rights (New York, 16 December 1966)	-	-
6.	Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity (New York, 26 November 1968)	-	12 Jan 1971 a
7.	International Convention on the Suppression and Punishment of the Crime of Apartheid (New York, 30 November 1973)		22 Sep 1977 a
8.	Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979)	30 Jul 1980	9 Jul 1993
8.a	Amendment to article 20, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women (New York, 22 December 1995)	-	-
8.b	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 6 October 1999)	-	-
9.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, 10 December 1984)	14 Oct 1997	-
9.a	Amendments to articles 17 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, 8 September 1992)	-	-
9.b	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, 18 December 2002)	-	-
10.	International Convention against Apartheid in Sports (New York, 10 December 1985)	-	12 Sep 1990 a
11.	Convention on the Rights of the Child (New York, 20 November 1989)	-	11 Dec 1992 a
11.a	Amendment to article 43 (2) of the Convention on the Rights of the Child (New York, 12 December 1995)	-	-
11.b	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict (New York, 25 May 2000)	15 Nov 2004	30 Nov 2005
11.c	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (New York, 25 May 2000)	15 Nov 2004	16 Aug 2005
12.	Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (New York, 15 December 1989)	-	-
13.	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (New York, 18 December 1990)	-	-
14.	Agreement establishing the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean (Madrid, 24 July 1992)	-	-
15.	Convention on the Rights of Persons with Disabilities (New York, 13 December 2006)	30 Mar 2007	1 Oct 2007
15.a	Optional Protocol to the Convention on the Rights of Persons with Disabilities (New York, 13 December 2006)	-	-
16.	International Convention for the Protection of All Persons from Enforced Disappearance (New York, 20 December 2006)	6 Feb 2007	-
<b><i>Refugees and Stateless Persons</i></b>			
1.	Constitution of the International Refugee Organization (New York, 15 December 1946)	-	-
2.	Convention relating to the Status of Refugees (Geneva, 28 July 1951)	-	-

3.	Convention relating to the Status of Stateless Persons (New York, 28 September 1954)	-	-
4.	Convention on the Reduction of Statelessness (New York, 30 August 1961)	-	-
5.	Protocol relating to the Status of Refugees (New York, 31 January 1967)	-	-
<b><i>Narcotic Drugs and Psychotropic Substances</i></b>			
1.	Protocol amending the Agreements, Conventions and Protocols on Narcotic Drugs, concluded at The Hague on 23 January 1912, at Geneva on 11 February 1925 and 19 February 1925, and 13 July 1931, at Bangkok on 27 November 1931 and at Geneva on 26 June 1936 (Lake Success, New York, 11 December 1946)	-	11 Dec 1946 s
2.	International Opium Convention (The Hague, 23 January 1912)	-	-
3.	Agreement concerning the Suppression of the Manufacture of, Internal Trade in, and Use of, Prepared Opium (Geneva, 11 February 1925 and Lake Success, New York, 11 December 1946)	-	11 Dec 1946 s
4.	Agreement concerning the Suppression of the Manufacture of, Internal Trade in, and Use of, Prepared Opium (Geneva, 11 February 1925)	-	17 Feb 1926 (Ratified)
5.	International Opium Convention (Geneva, 19 February 1925 and Lake Success, New York, 11 December 1946)	11 Dec 1946	-
6.a	International Opium Convention (Geneva, 19 February 1925)	-	17 Feb 1926 (Ratified)
6.b	Protocol to the International Opium Convention (Geneva, 19 February 1925)	-	17 Feb 1926 (Ratified)
7.	Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs (Geneva, 13 July 1931 and Lake Success, New York, 11 December 1946)	11 Dec 1946	-
8.a	Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs (Geneva, 13 July 1931)	-	14 Nov 1932 (Ratified)
8.b	Protocol of Signature (Geneva, 13 July 1931)	-	11 April 1933 a
9.	Agreement concerning the Suppression of Opium Smoking (Bangkok, 27 November 1931 and Lake Success, New York, 11 December 1946)	-	11 Dec 1946 A
10.	Agreement concerning the Suppression of Opium Smoking (Bangkok, 27 November 1931)	-	4 Dec 1935 (Ratified)
11.	Convention for the Suppression of the Illicit Traffic in Dangerous Drugs (Geneva, 26 June 1936 and Lake Success, New York, 11 December 1946)	11 Dec 1946	-
12.a	Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs (Geneva, 26 June 1936)	-	4 Aug 1937 (Ratified)
12.b	Protocol of Signature (Geneva, 26 June 1936)	-	4 Aug 1937 (Ratified)
13.	Protocol Bringing under International Control Drugs Outside the Scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol signed at Lake Success, New York, on 11 December 1946 (Paris, 19 November 1948)	19 Nov 1948	10 Nov 1950 A
14.	Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and use of Opium (New York, 23 June 1953)	23 Jun 1953	30 Apr 1954 (Ratified)
15.	Single Convention on Narcotic Drugs, 1961 (New York, 30 March 1961)	30 Mar 1961	13 Dec 1964 (Ratified)
16.	Convention on psychotropic substances (Vienna, 21 February 1971)	-	23 Apr 1975 a
17.	Protocol amending the Single Convention on Narcotic Drugs, 1961 (Geneva, 25 March 1972)	-	14 Dec 1978 a
18.	Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961 (New York, 8 August 1975)	14 Dec 1978	-
19.	United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988)	-	27 Mar 1990 a

<b><i>International Trade and Development</i></b>			
4.	Agreement establishing the Asian Development Bank (Manila, 4 December 1965)	4 Dec 1965	20 Jul 1966
7.	Convention on the Limitation Period in the International Sale of Goods (New York, 14 June 1974)	-	-
8.	Agreement establishing the International Fund for Agricultural Development (Rome, 13 June 1976)	21 Jan 1977	28 Mar 1977
9.	Constitution of the United Nations Industrial Development Organization (Vienna, 8 April 1979)	16 Nov 1979	21 Jan 1980
10.	United Nations Convention on Contracts for the International Sale of Goods (Vienna, 11 April 1980)	-	-
11.	Charter of the Asian and Pacific Development Centre (Bangkok, 1 April 1982)	-	25 Apr 1983 s
12.	United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 9 December 1988)		
13.	United Nations Convention on the Liability of Operators of Transport Terminals in International Trade (Vienna, 19 April 1991)	-	-
15.	United Nations Convention on Independent Guarantees and Stand-by Letters of Credit (New York, 11 December 1995)	-	-
17.	United Nations Convention on the Assignment of Receivables in International Trade (New York, 12 December 2001)		
<i>Others</i>			
1.	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	-	20 July 1976 (Ratified)18 Oct 1976 (Date of entry into force)
2.	Berne Convention for the Protection of Literary and Artistic Works	-	1 April 1928
3.	WIPO Copyright Treaty	-	4 July 2018
4.	General Agreement on Tariffs and Trade		8 July 1948 (Signed)
5.	WIPO Performers and Phonograms Treat		4 July 2018
<b><i>Traffic in Persons</i></b>			
1.	Protocol signed at Lake Success, New York, on 12 November 1947, to amend the Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, and the Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933 (Lake Success, New York, 12 November 1947)	-	12 Nov 1947 s
2.	International Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, as amended by the Protocol signed at Lake Success, New York, on 12 November 1947 (Lake Success, 12 November 1947)	12 Nov 1947	-
3.	International Convention for the Suppression of the Traffic in Women and Children (Geneva, 30 September 1921)	-	28 June 1922 (Ratified) Reserves the right at its discretion to substitute the age of 16 years or any greater age that may be subsequently decided upon for the age-limit prescribed in paragraph ( b ) of the Final Protocol of the

			Convention of May 4th, 1910, and in Article 5 of the present Convention.
4.	International Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933, as amended by the Protocol signed at Lake Success, New York, on 12 November 1947 (Lake Success, 12 November 1947)	-	-
5.	International Convention for the Suppression of the Traffic in Women of Full Age (Geneva, 11 October 1933)	-	-
6.	Protocol amending the International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, and the International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910 (Lake Success, New York, 4 May 1949)	12 May 1949	28 Dec 1949 A
7.	International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, amended by the Protocol signed at Lake Success, New York, 4 May 1949 (Lake Success, New York, 4 May 1949)	28 Dec 1949	-
8.	International Agreement for the suppression of the 'White Slave Traffic' (Paris, 18 May 1904)	-	The Agreement was declared applicable to the listed colonies, dominions and protectorates that included India
9.	International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910, amended by the Protocol signed at Lake Success, New York, 4 May 1949 (Lake Success, New York, 4 May 1949)	28 Dec 1949	-
10.	International Convention for the Suppression of the White Slave Traffic (Paris, 4 May 1910)	-	The Convention was declared applicable to the listed colonies, dominions and protectorates that included India
11.a	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (Lake Success, New York, 21 March 1950)	9 May 1950	9 Jan 1953 (Ratified)
11.b	Final Protocol to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (Lake Success, New York, 21 March 1950)	9 May 1950	9 Jan 1953 (Ratified)
10.	International Convention for the Suppression of the White Slave Traffic (Paris, 4 May 1910)	-	The Convention was declared applicable to the listed colonies, dominions and protectorates that included India

11.a	Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (Lake Success, New York, 21 March 1950)	9 May 1950	9 Jan 1953 (Ratified)
11.b	Final Protocol to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (Lake Success, New York, 21 March 1950)	9 May 1950	9 Jan 1953 (Ratified)
<b>Status of Women</b>			
1.	Convention on the Political Rights of Women (New York, 31 March 1953)	29 Apr 1953	1 Nov 1961
2.	Convention on the Nationality of Married Women (New York, 20 February 1957)	15 May 1957	-
3.	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (New York, 10 December 1962)	-	-
<b>Freedom of Information</b>			
1.	Convention on the International Right of Correction (New York, 31 March 1953)	-	-
<b>Navigation</b>			
1.	Convention on the International Maritime Organization (Geneva, 6 March 1948)	6 Mar 1948	6 Jan 1959 A
1.a	Amendments to articles 17 and 18 of the Convention on the International Maritime Organization (London, 15 September 1964)	-	17 Mar 1965 A
1.b	Amendment to article 28 of the Convention on the International Maritime Organization (London, 28 September 1965)		13 Oct 1966 A
1.c	Amendments to articles 10, 16, 17, 18, 20, 28, 31 and 32 of the Convention on the International Maritime Organization (London, 17 October 1974)	-	16 Jan 1976 A
1.d	Amendments to the title and substantive provisions of the Convention on the International Maritime Organization (London, 14 November 1975 and 9 November 1977)	-	1 May 1978 A
1.e	Amendments to the Convention on the International Maritime Organization relating to the institutionalization of the Committee on Technical Co-operation in the Convention (London, 17 November 1977)	-	22 Jan 1979 A
1.f	Amendments to articles 17, 18, 20 and 51 of the Convention on the International Maritime Organization (London, 15 November 1979)	-	5 May 1980 A
1.g	Amendments to the Convention on the International Maritime Organization (institutionalization of the Facilitation Committee) (London, 7 November 1991)	-	31 Oct 1995 A
1.h	Amendments to the Convention on the International Maritime Organization (London, 4 November 1993)	-	28 Nov 1995 A
2.	Convention regarding the Measurement and Registration of Vessels Employed in Inland Navigation (Bangkok, 22 June 1956)	-	-
3.	Convention relating to the unification of certain rules concerning collisions in inland navigation (Geneva, 15 March 1960)	-	-
4.	Convention on the registration of inland navigation vessels (Geneva, 25 January 1965)	-	-
5.	Convention on the measurement of inland navigation vessels (Geneva, 15 February 1966)	-	-
6.	Convention on a Code of Conduct for Liner Conferences (Geneva, 6 April 1974)	27 Jun 1975	14 Feb 1978
7.	United Nations Convention on Conditions for Registration of Ships (Geneva, 7 February 1986)	-	-
8.	International Convention on Arrest of Ships, 1999 (Geneva, 12 March 1999)	-	-
<b>Educational and Cultural Matters</b>			
1.	Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character (Lake Success, New York, 15 July 1949)	-	-

2.	Agreement on the Importation of Educational, Scientific and Cultural Materials (Lake Success, New York, 22 November 1950)	-	-
3.	International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, 26 October 1961)	26 Oct 1961	-
4.	Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (Geneva, 29 October 1971)	29 Oct 1971	1 Nov 1974
5.	Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials of 22 November 1950 (Nairobi, 26 November 1976)	-	-
6.	International Agreement for the Establishment of the University for Peace (New York, 5 December 1980)	-	3 Dec 1981 s
7.	Statutes of the International Centre for Genetic Engineering and Biotechnology (Madrid, 13 September 1983)	13 Sep 1983	9 Jul 1985 [Notification under article 21 (1) 22 Dec 1992] Governments of Italy and India are to host the Centre.
7.a	Protocol of the Reconvened Plenipotentiary Meeting on the Establishment of the International Centre for Genetic Engineering and Biotechnology (Vienna, 4 April 1984)	-	4 Apr 1984 s
7.b	Amendments to Articles 6 (6) and 7 (1) of the Statutes of the International Centre for Genetic Engineering and Biotechnology (Trieste, Italy, 3 December 1996)	-	-
7.c	Protocol to the Statutes of the International Centre for Genetic Engineering and Biotechnology on the Seat of the Centre (Trieste, Italy, 24 October 2007)	-	- Entry into force : 29 May 2008
<b>Penal Matters</b>			
1.	Protocol amending the Slavery Convention signed at Geneva on 25 September 1926 (New York, 7 December 1953)	12 Mar 1954	-
2.	Slavery Convention signed at Geneva on 25 September 1926 and amended by the Protocol (New York, 7 December 1953)	12 Mar 1954	-
3.	Slavery Convention (Geneva, 25 September 1926)	-	18 June 1927 The signature of the Convention is not binding in respect of Article 3 in so far as that article may require India to enter into any convention whereby vessels, by reason of the fact that they are owned, fitted out or commanded by Indians, or of the fact that one half of the

			crew is Indian, are classified as native vessels, or are denied any privilege, right or immunity enjoyed by similar vessels of other States signatories of the Covenant or are made subject to any liability or disability to which similar ships of such other States are not subject.
4.	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (Geneva, 7 September 1956)	7 Sep 1956	23 Jun 1960
5.	International Convention Against the Taking of Hostages (New York, 17 December 1979)	-	7 Sep 1994 a
6.	International Convention Against the Recruitment, Use, Financing and Training of Mercenaries (New York, 4 December 1989)	-	-
7.	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 14 December 1973)	-	11 Apr 1978 a
8.	Convention on the Safety of United Nations and Associated Personnel (New York, 9 December 1994)	-	-
8.a	Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel (New York, 8 December 2005)	-	-
9.	International Convention for the Suppression of Terrorist Bombings (New York, 15 December 1997)	17 Sep 1999	22 Sep 1999
10.	Rome Statute of the International Criminal Court (Rome, 17 July 1998)	-	-
10.a	Amendment to article 8 of the Rome Statute of the International Criminal Court (Kampala, 10 June 2010)	-	-
10.b	Amendments on the crime of aggression to the Rome Statute of the International Criminal Court (Kampala, 11 June 2010)	-	-
10.c	Amendment to article 124 of the Rome Statute of the International Criminal Court (The Hague, 26 November 2015)	-	-
10.d	Amendment to article 8 of the Rome Statute of the International Criminal Court (Weapons which use microbial or other biological agents, or toxins) (New York, 14 December 2017)	-	-
10.e	Amendment to article 8 of the Rome Statute of the International Criminal Court (Weapons the primary effect of which is to injure by fragments undetectable by x-rays in the human body) (New York, 14 December 2017)	-	-
10.f	Amendment to article 8 of the Rome Statute of the International Criminal Court (Blinding laser weapons) (New York, 14 December 2017)	-	-
10.g	Amendment to article 8 of the Rome Statute of the International Criminal Court (Intentionally using starvation of civilians) (The Hague, 6 December 2019)	-	-
11.	International Convention for the Suppression of the Financing of Terrorism (New York, 9 December 1999)	8 Sep 2000	22 Apr 2003

12	United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)	12 Dec 2002	5 May 2011
12.a	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)	12 Dec 2002	5 May 2011
12.b	Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)	12 Dec 2002	5 May 2011
12.c	Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (New York, 31 May 2001)	12 Dec 2002	5 May 2011
13.	Agreement on the Privileges and Immunities of the International Criminal Court (New York, 9 September 2002)	-	-
14.	United Nations Convention against Corruption (New York, 31 October 2003)	9 Dec 2005	9 May 2011
15.	International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13 April 2005)	24 Jul 2006	1 Dec 2006
<b>Commodities</b>			
7.	Agreement establishing the Asian Coconut Community (Bangkok, 12 December 1968)	12 Dec 1968	18 Jun 1969
8.	Agreement establishing the International Pepper Community (Bangkok, 16 April 1971)	21 Apr 1971	29 Mar 1972
11 .	Agreement establishing the Asian Rice Trade Fund (Bangkok, 16 March 1973)	29 Jun 1973	28 Nov 1974 A Date of Acceptance: 24 Jun 1980
20.	International Natural Rubber Agreement, 1979 (Geneva, 6 October 1979) Entry into force: provisionally on 23 October 1980, and definitively on 15 April 1982,	-	-
21 .	Agreement establishing the Common Fund for Commodities (Geneva, 27 June 1980)	18 Sep 1981	22 Dec 1981 A
29.	Terms of Reference of the International Nickel Study Group (Geneva, 2 May 1986) Entry into force: 23 May 1990	-	-
30.	International Agreement on olive oil and table olives, 1986 (Geneva, 1 July 1986) Entry into force: provisionally on 1 January 1987, and definitively on 1 December 1988,	-	-
30.a	Protocol of 1993 extending the International Agreement on Olive Oil and Table Olives, 1986 (Geneva, 10 March 1993) Entry into force: provisionally on 26 January 1994 and definitively on 25 March 1994,	-	-
30.b	International Agreement on Olive Oil and Table Olives, 1986, as amended and extended, 1993 (Geneva, 1 July 1986) Entry into force: provisionally on 26 January 1994, and definitively on 25 March 1994,	-	-
35.	Terms of Reference of the International Copper Study Group (Geneva, 24 February 1989)	-	30 Jul 1997
37.	International Sugar Agreement, 1992 (Geneva, 20 March 1992)	31 Dec 1992	20 Jan 1993
39.	International Tropical Timber Agreement, 1994 (Geneva, 26 January 1994) Entry into force: provisionally on 1 January 1997	-	-
41.a	Grains Trade Convention, 1995 (London, 7 December 1994)	22 Jun 1995	27 Jun 1995
41.c	Food Aid Convention, 1999 (London, 13 April 1999) Entry into force: 1 July 1999	-	-

42.	International Natural Rubber Agreement, 1994 (Geneva, 17 February 1995) Entry into force: provisionally on 6 February 1997 and definitively on 14 February 1997	-	-
44.	International Cocoa Agreement, 2001 (Geneva, 2 March 2001) Entry into force: provisionally on 1 October 2003, and definitively on 2 November 2005	-	-
46.	International Tropical Timber Agreement, 2006 (Geneva, 27 January 2006) Entry into force: Definitively on 7 December 2011	23 Apr 2008	25 Jul 2008
47.	International Cocoa Agreement, 2010 (Geneva, 25 June 2010)	-	-
48.	Food Assistance Convention (London, 25 April 2012) Entry into force: 1 January 2013	-	-
49.	International Agreement on Olive Oil and Table Olives, 2015 (Geneva, 9 October 2015)	-	-
<b>Law of The Sea</b>			
1 .	Convention on the Territorial Sea and the Contiguous Zone (Geneva, 29 April 1958)	-	-
2 .	Convention on the High Seas (Geneva, 29 April 1958)	-	-
3 .	Convention on Fishing and Conservation of the Living Resources of the High Seas (Geneva, 29 April 1958)	-	-
4 .	Convention on the Continental Shelf (Geneva, 29 April 1958)	-	-
5 .	Optional Protocol of Signature concerning the Compulsory Settlement of Disputes (Geneva, 29 April 1958)	-	-
6 .	United Nations Convention on the Law of the Sea (Montego Bay, 10 December 1982)	10 Dec 1982	29 Jun 1995
6 .a	Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (New York, 28 July 1994)	29 Jul 1994	29 Jun 1995
7 .	Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (New York, 4 August 1995)	-	19 Aug 2003 a
8 .	Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea (New York, 23 May 1997)	-	14 Nov 2005 a
9 .	Protocol on the Privileges and Immunities of the International Seabed Authority (Kingston, 27 March 1998)	-	14 Nov 2005 a
<b>Commercial Arbitration and Mediation</b>			
1.	Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 10 June 1958)	10 Jun 1958	13 Jul 1960
2.	European Convention on International Commercial Arbitration (Geneva, 21 April 1961) Entry into force: 7 January 1964,	-	-
3.	United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (New York, 10 December 2014) Entry into force: 18 October 2017	-	-
4.	United Nations Convention on International Settlement Agreements Resulting from Mediation (New York, 20 December 2018)	7 Aug 2019	-
1.	Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 10 June 1958)	10 Jun 1958	13 Jul 1960
<b>Law of Treaties</b>			
1 .	Vienna Convention on the Law of Treaties (Vienna, 23 May 1969) Entry into force: 27 January 1980	-	-
2.	Vienna Convention on succession of States in respect of treaties (Vienna, 23 August 1978)	-	-
3.	Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations (Vienna, 21 March 1986)	-	-
<b>Outer Space</b>			

1.	Convention on registration of objects launched into outer space (New York, 12 November 1974)	-	18 Jan 1982 a
2.	Agreement governing the Activities of States on the Moon and Other Celestial Bodies (New York, 5 December 1979)	18 Jan 1982	-
<b>Telecommunications</b>			
1.	Convention relating to the distribution of programme-carrying signals transmitted by satellite (Brussels, 21 May 1974)	-	-
2.	Constitution of the Asia-Pacific Telecommunity (Bangkok, 27 March 1976)	28 Oct 1976	26 Nov 1976
2.a	Amendment to article 11, paragraph 2 (a), of the Constitution of the Asia-Pacific Telecommunity (Bangkok, 13 November 1981)	-	15 Jul 1983
2.b	Amendments to articles 3 (5) and 9 (8) of the Constitution of the Asia-Pacific Telecommunity (Colombo, 29 November 1991)	-	-
2.c	Amendments to the Constitution of the Asia-Pacific Telecommunity (New Delhi, 23 October 2002)	-	-
3.	Agreement establishing the Asia-Pacific Institute for Broadcasting Development (Kuala Lumpur, 12 August 1977)	20 May 1980	25 Feb 1986
3.a	Amendments to the Agreement establishing the Asia-Pacific Institute for Broadcasting Development (Islamabad, 21 July 1999)	-	-
4.	Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations (Tampere, 18 June 1998)	29 Nov 1999	29 Nov 1999
<b>Disarmament</b>			
1.	Convention on the prohibition of military or any other hostile use of environmental modification techniques (New York, 10 December 1976)	15 Dec 1977	15 Dec 1978
2.	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III) (Geneva, 10 October 1980)	15 May 1981	1 Mar 1984
2.a	Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol IV, entitled Protocol on Blinding Laser Weapons) (Vienna, 13 October 1995)	-	Consent to be bound(P), Succession(d) 2 Sep 1999 P
2.b	Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Geneva, 3 May 1996)	-	Consent to be bound(P), Succession(d) 2 Sep 1999 P
2.c	Amendment to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Geneva, 21 December 2001)	-	Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification, Consent to be bound(P) 18 May 2005 a
2.d	Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol V) (Geneva, 28 November 2003)	-	Succession(d), Consent to be bound(P) 18 May 2005 P
3.	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Geneva, 3 September 1992)	14 Jan 1993	3 Sep 1996 (Ratified)
4.	Comprehensive Nuclear-Test-Ban Treaty (New York, 10 September 1996)	-	-

5.	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Oslo, 18 September 1997)	-	-
6.	Convention on Cluster Munitions (Dublin, 30 May 2008)	-	-
7.	Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly (Kinshasa, 30 April 2010)	-	-
8.	Arms Trade Treaty (New York, 2 April 2013)	-	-
9.	Treaty on the Prohibition of Nuclear Weapons (New York, 7 July 2017)	-	-
<b>Environment</b>			
1.	Convention on Long-range Transboundary Air Pollution (Geneva, 13 November 1979)	-	-
1.a	Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) (Geneva, 28 September 1984)	-	-
1.b	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent (Helsinki, 8 July 1985)	-	-
1.c	Protocol to the 1979 Convention on long-range transboundary air pollution concerning the control of emissions of nitrogen oxides or their transboundary fluxes (Sofia, 31 October 1988)	-	-
1.d	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Geneva, 18 November 1991)	-	-
1.e	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Further Reduction of Sulphur Emissions (Oslo, 14 June 1994)	-	-
1.f	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals (Aarhus, 24 June 1998)	-	-
1.g	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants (Aarhus, 24 June 1998)	-	-
1.h	Protocol to the 1979 Convention on Long-range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg (Sweden), 30 November 1999)	-	-
1.i	Amendments to the Text and to Annexes I, II, III, IV, VI and VIII to the 1998 Protocol on Persistent Organic Pollutants (Geneva, 18 December 2009)	-	-
1.j	Amendments to Annexes I and II to the 1998 Protocol on Persistent Organic Pollutants (Geneva, 18 December 2009)	-	-
2.	Vienna Convention for the Protection of the Ozone Layer (Vienna, 22 March 1985)	-	18 Mar 1991 a
2.a	Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal, 16 September 1987)	-	19 Jun 1992 a
2.b	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (London, 29 June 1990)	-	19 Jun 1992 a
2.c	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (Copenhagen, 25 November 1992)	-	3 Mar 2003 a
2.d	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer adopted by the Ninth Meeting of the Parties (Montreal, 17 September 1997)	-	3 Mar 2003 a
2.e	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (Beijing, 3 December 1999)	-	3 Mar 2003 a
3.	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel, 22 March 1989)	15 Mar 1990	24 Jun 1992

3.a	Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Geneva, 22 September 1995)	-	-
3.b	Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal (Basel, 10 December 1999)	-	-
4.	Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, Finland, 25 February 1991)	-	-
4.a	Amendment to the Convention on Environmental Impact Assessment in a Transboundary Context (Sofia, 27 February 2001)	-	-
4.b	Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Kiev, 21 May 2003)	-	-
4.c	Amendment to the Convention on Environmental Impact Assessment in a Transboundary Context (Cavtat, 4 June 2004)	-	-
5.	Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Helsinki, 17 March 1992)	-	-
5.a	Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (London, 17 June 1999)	-	-
5.b	Amendments to Articles 25 and 26 of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Madrid, 28 November 2003)	-	-
6.	Convention on the Transboundary Effects of Industrial Accidents (Helsinki, 17 March 1992)	-	-
7.	United Nations Framework Convention on Climate Change (New York, 9 May 1992)	10 Jun 1992	1 Nov 1993
7.a	Kyoto Protocol to the United Nations Framework Convention on Climate Change (Kyoto, 11 December 1997)	-	26 Aug 2002 a
7.b	Amendment to Annex B of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (Nairobi, 17 November 2006)	-	18 Nov 2008 A
7.c	7. c Doha Amendment to the Kyoto Protocol (Doha, 8 December 2012)	-	8 Aug 2017 A
7.d	Paris Agreement (Paris, 12 December 2015)	22 Apr 2016	2 Oct 2016
8.	Convention on Biological diversity (Rio de Janeiro, 5 June 1992)	5 Jun 1992	18 Feb 1994
8.a	Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Montreal, 29 January 2000)	23 Jan 2001	17 Jan 2003
8.b	Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (Nagoya, 29 October 2010)	11 May 2011	9 Oct 2012
8.c	Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety (Nagoya, 15 October 2010)	11 Oct 2011	19 Dec 2014
9.	Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (New York, 17 March 1992)	-	-
9.a	Amendment to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (Esbjerg, 22 August 2003)	-	-
10.	United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (Paris, 14 October 1994)	14 Oct 1994	17 Dec 1996
11.	Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora (Lusaka, 8 September 1994)	-	-
12.	Convention on the Law of the Non-Navigational Uses of International Watercourses	-	-
13.	Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus, Denmark, 25 June 1998)	-	-

13.a	Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Kiev, 21 May 2003)	-	-
13.b	Amendment to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Almaty, 27 May 2005)	-	-
14.	Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam, 10 September 1998)	-	24 May 2005 a
15.	Stockholm Convention on Persistent Organic Pollutants (Stockholm, 22 May 2001)	14 May 2002	13 Jan 2006
16.	Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes and to the 1992 Convention on the Transboundary Effects of Industrial Accidents (Kiev, 21 May 2003)	-	-
17.	Minamata Convention on Mercury (Kumamoto, 10 October 2013)	30 Sep 2014	18 Jun 2018
18.	Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú, 4 March 2018)	-	-
<b>Fiscal Matters</b>			
1.	Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties (Madrid, 13 December 1979)	-	31 Jan 1983 a
<b>Miscellaneous</b>			
1.	Agreement on Succession Issues (Vienna, 29 June 2001)	-	-
<b>Others</b>			
1.	MOU between India and the United Nations Entity for Gender Equality and The Empowerment of Women	19 April 2017	
2.	Host Country Agreement between India and Permanent Court of Arbitration	19 September 2008	22 June 2009 a Date of Entry into Force: 06 September 2013
3.	Agreement Establishing the Global Development Network	28 October 2005	-
4.	Optional Protocol on the Involvement of Children in Armed Conflict	15 November 2004	30 November 2005 a
5.	International Coffee Agreement 2001	10 August 2001	10 September 2001a
6.	International Labour Conference Convention 122 concerning Development Policy	26 September 1998	-
7.	Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988	10 March 1998,	21 October 1999a
8.	Protocol for the Suppression Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf	10 March 1988	21 October 1999a
9.	MOU Between India and International Committee of the Red Cross (ICRC)	22 June 1995	-
10.	Convention on Nuclear Safety	20 September 2005	21 March 2005a
11.	International Convention on Civil Liability for Oil Pollution Damage	27 January 1987	23 March 1987a

12.	Protocol Relating to An Amendment to the Convention on International Civil Aviation	6 October 1980	-
13.	Agreement for the Establishment of the Intergovernmental Organisation for Marketing and Technical Advisory for Fishery Products	-	25 August 1986a
14.	Universal Copyright Convention as Revised at Paris	-	6 August 1987a
15.	International Sugar Agreement, 1987	-	12 December 1987a
16.	Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency	-	5 January 1988a
17.	Convention on Early Notification of a Nuclear Accident	-	5 January 1988
18.	International Labour Conference	-	29 August 1988
19.	Protocol of 1988 Relating to the International Convention on Load Lines 1966	-	26 July 2000a
20.	Budapest Treaty on the International Recognition of the Deposit of Micro-Organisms for the Purpose of Patent Procedure	-	10 August 2001a
21.	Cartagena Protocol on Biosafety to the Convention on Biological Diversity	-	24 December 2002a
22.	Agreement for the Implementation of the Provisions of UNCLOS of 10 Dec 1982 Relating to Conservation & Management of Straddling Fish Stocks and Highly Migratory Fish Stocks	-	1 August 2003a
23.	Protocol to the Nightwork (Women) Convention (revised) 1948	-	16 October 2003a
24.	Protocol on Privileges and Immunities of International Seabed Authority	-	14 November 2005a
25.	C 142 Human Resources Development Convention 1975	-	25 March 2009a
26.	C-127 Maximum Weight Convention, 1967	-	16 December 2009a

Source: Compiled from *Multilateral Treaties Deposited with the Secretary-General, United Nations Treaty Collection*, [https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=\\_en](https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=_en) and *Documents, Treaty / Agreement, Treaty list by subject, agreement type and /or country*, Ministry of External Affairs, Government of India, <https://www.mea.gov.in/TreatyList.htm?1>

## Annexure 9

### Ratifications of ILO Conventions

Convention	Date	Status	Note
<b>Freedom of association, collective bargaining, and industrial relations</b>			
C011 - Right of Association (Agriculture) Convention, 1921 (No. 11)	11 May 1923	In Force	-
C141 - Rural Workers' Organisations Convention, 1975 (No. 141)	18 Aug 1977	In Force	-
<b>Forced labour</b>			
C029 - Forced Labour Convention, 1930 (No. 29)	30 Nov 1954	In Force	-
C105 - Abolition of Forced Labour Convention, 1957 (No. 105)	18 May 2000	In Force	-
<b>Elimination of child labour and protection of children and young persons</b>			
C005 - Minimum Age (Industry) Convention, 1919 (No. 5)	09 Sep 1955	In Force	-

C006 - Night Work of Young Persons (Industry) Convention, 1919 (No. 6)	14 Jul 1921	In Force	-
C015 - Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)	20 Nov 1922	Not in force	Abrogated Convention - By decision of the ILC at its 106 <sup>th</sup> Session (2017)
C090 - Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)	27 Feb 1950	In Force	-
C123 - Minimum Age (Underground Work) Convention, 1965 (No. 123) Minimum age specified: 18 years	20 Mar 1975	In Force	-
C138 - Minimum Age Convention, 1973 (No. 138) Minimum age specified: 14 years	13 Jun 2017	In Force	-
C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	13 Jun 2017	In Force	-
<b>Equality of opportunity and treatment</b>			
C100 - Equal Remuneration Convention, 1951 (No. 100)	25 Sep 1958	In Force	-
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	03 Jun 1960	In Force	-
<b>Tripartite consultation</b>			
C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	27 Feb 1978	In Force	-
<b>Labour administration and inspection</b>			
C081 - Labour Inspection Convention, 1947 (No. 81) Excluding Part II	07 Apr 1949	In Force	-
C160 - Labour Statistics Convention, 1985 (No. 160) Acceptance of Article 8 of Part II has been specified pursuant to Article 16, paragraph 2, of the Convention.	01 Apr 1992	In Force	-
<b>Employment policy and promotion</b>			
C002 - Unemployment Convention, 1919 (No. 2)	14 Jul 1921	Not in force	Denounced on 16 Apr 1938
C088 - Employment Service Convention, 1948 (No. 88)	24 Jun 1959	In Force	-
C122 - Employment Policy Convention, 1964 (No. 122)	17 Nov 1998	In Force	-
<b>Vocational guidance and training</b>			
C142 - Human Resources Development Convention, 1975 (No. 142)	25 Mar 2009	In Force	-
<b>Wages</b>			
C026 - Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	10 Jan 1955	In Force	-
<b>Working time</b>			
C001 - Hours of Work (Industry) Convention, 1919 (No. 1)	14 Jul 1921	In Force	-
C004 - Night Work (Women) Convention, 1919 (No. 4)	14 Jul 1921	Not in force	Abrogated Convention - By decision of the ILC at its 106 <sup>th</sup> Session (2017)

C014 - Weekly Rest (Industry) Convention, 1921 (No. 14)	11 May 1923	In Force	-
C041 - Night Work (Women) Convention (Revised), 1934 (No. 41)	22 Nov 1935	Not in force	Abrogated Convention - By decision of the International Labour Conference at its 106 <sup>th</sup> Session (2017)
C089 - Night Work (Women) Convention (Revised), 1948 (No. 89) P089 - Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948 ratified on 21 Nov 2003 (In Force), Has ratified the Protocol of 1990	27 Feb 1950	In Force	-
C001 - Hours of Work (Industry) Convention, 1919 (No. 1)	14 Jul 1921	In Force	-
C089 - Night Work (Women) Convention (Revised), 1948 (No. 89) P089 - Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948 ratified on 21 Nov 2003 (In Force), Has ratified the Protocol of 1990	27 Feb 1950	In Force	-
<b>Occupational safety and health</b>			
C045 - Underground Work (Women) Convention, 1935 (No. 45)	25 Mar 1938	In Force	-
C115 - Radiation Protection Convention, 1960 (No. 115)	17 Nov 1975	In Force	-
C127 - Maximum Weight Convention, 1967 (No. 127)	26 Mar 2010	In Force	-
C136 - Benzene Convention, 1971 (No. 136)	11 Jun 1991	In Force	-
C174 - Prevention of Major Industrial Accidents Convention, 1993 (No. 174)	06 Jun 2008	In Force	-
<b>Social security</b>			
C018 - Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)	30 Sep 1927	In Force	-
C019 - Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	30 Sep 1927	In Force	-
C042 - Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42)	13 Jan 1964	In Force	-
C118 - Equality of Treatment (Social Security) Convention, 1962 (No. 118), Has accepted Branches (a) to (c)	19 Aug 1964	In Force	-
<b>Migrant workers</b>			
C021 - Inspection of Emigrants Convention, 1926 (No. 21)	14 Jan 1928	Not in force	Abrogated Convention - By decision of the ILC at its 107 <sup>th</sup> Session (2018)
<b>Seafarers</b>			
C016 - Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)	20 Nov 1922	Not in force	Abrogated Convention - By decision of the International Labour Conference at its 109 <sup>th</sup> Session (2021)
C022 - Seamen's Articles of Agreement Convention, 1926 (No. 22)	31 Oct 1932	Not in force	Automatic Denunciation on 08 Oct 2016 by convention MLC, 2006

C108 - Seafarers' Identity Documents Convention, 1958 (No. 108)	17 Jan 2005	Not in force	Automatic Denunciation on 08 Oct 2016 by convention C185
C147 - Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)	26 Sep 1996	Not in force	Automatic Denunciation on 08 Oct 2016 by convention MLC, 2006
C185 - Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185)	09 Oct 2015	In Force	-
Amendments of 2016 to the Annexes of the Convention No. 185	08-Jun-2017	In Force	-
MLC, 2006 - Maritime Labour Convention, 2006 (MLC, 2006) In accordance with Standard A4.5 (2) and (10), the Government has specified the following branches of social security: maternity benefit; invalidity benefit and survivors' benefit.	09 Oct 2015	In Force	-
Amendments of 2014 to the MLC, 2006	18-Jan-2017	In Force	-
Amendments of 2016 to the MLC, 2006	08-Jan-2019	In Force	-
Amendments of 2018 to the MLC, 2006	26-Dec-2020	In Force	-
<b>Dockworkers</b>			
C027 - Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)	07 Sep 1931	In Force	-
C032 - Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)	10 Feb 1947	In Force	-
<b>Indigenous and tribal peoples</b>			
C107 - Indigenous and Tribal Populations Convention, 1957 (No. 107)	29 Sep 1958	In Force	-
<b>Final Articles Conventions</b>			
C080 - Final Articles Revision Convention, 1946 (No. 80)	17 Nov 1947	In Force	-
C116 - Final Articles Revision Convention, 1961 (No. 116)	21 Jun 1962	In Force	-

Source: Ratification for India, Labour Standards, ILO.

[https://ilo.org/dyn/normlex/en/f?p=1000:11200:6616485510468:::P11200\\_INSTRUMENT\\_SORT:2](https://ilo.org/dyn/normlex/en/f?p=1000:11200:6616485510468:::P11200_INSTRUMENT_SORT:2)

## Annexure 10

### International Humanitarian Law: India

<b>Victims of Armed Conflicts</b>	
Final Act of the Geneva Conference, 1949	Signature:12.08.1949
Geneva Conventions, 1949	Ratification / Accession:09.11.50
Final Act of the Diplomatic Geneva Conference, 1974-1977	Signature:10.06.77
Convention on the Rights of the Child, 1989	Ratification / Accession:11.12.92 Reservation / Declaration: 11.12.92
Optional Protocol on the involvement of children in armed conflict, 2000	Ratification / Accession:30.11.2005 Reservation / Declaration: 30.11.2005
<b>Methods and Means of Warfare</b>	

Geneva Protocol on Asphyxiating or Poisonous Gases, and of Bacteriological Methods, 1925	Ratification / Accession:09.04.1930 Reservation / Declaration: 09.04.1930
Convention on the Prohibition of Biological Weapons, 1972	Ratification / Accession:15.07.74 Reservation / Declaration: 15.07.74
Convention prohibiting Certain Conventional Weapons (CCW), 1980	Ratification / Accession:01.03.84
CCW Protocol (I) on Non-Detectable Fragments, 1980	Ratification / Accession:01.03.84
CCW Protocol (II) prohibiting Mines, Booby-Traps and Other Devices, 1980	Ratification / Accession:01.03.84
CCW Protocol (III) prohibiting Incendiary Weapons, 1980	Ratification / Accession:01.03.84
Convention prohibiting Chemical Weapons, 1993	Ratification / Accession:03.09.96
CCW Protocol (IV) on Blinding Laser Weapons, 1995	Ratification / Accession:02.09.99
CCW Protocol (II) prohibiting Mines, Booby-Traps and Other Devices, amended, 1996	Ratification / Accession:02.09.99
Convention prohibiting Certain Conventional Weapons (CCW), amended Article 1, 2001	Ratification / Accession:18.05.2005
CCW Protocol (V) on Explosive Remnants of War, 2003	Ratification / Accession:18.05.2005
<b>Naval and Air Warfare</b>	
London Treaty on Limitation and Reduction of Naval Armaments, 1930	Ratification / Accession:27.10.1930
Procès-verbal on Submarine Warfare of the Treaty of London, 1936	Signature:06.11.1936
<b>Cultural Property</b>	
Final Act on the Protection of Cultural Property, The Hague, 1954	Signature:14.05.54
Hague Convention for the Protection of Cultural Property, 1954	Ratification / Accession:16.06.58
Hague Protocol for the Protection of Cultural Property, 1954	Ratification / Accession:16.06.58
<b>Criminal Repression</b>	
Charter of the Nuremberg Tribunal, 1945	Ratification / Accession:22.12.1945
Convention Statutory Limitations to War Crimes, 1968	Ratification / Accession:12.01.71
<b>Other Treaties Relating to International Humanitarian Law</b>	
Convention on the Prevention and Punishment of Genocide, 1948	Ratification / Accession:27.08.59 Reservation / Declaration: 27.08.59
Convention prohibiting environmental modification techniques (ENMOD), 1976	Ratification / Accession:15.12.78
Convention for the Protection of all Persons from Enforced Disappearance, 2006	Signature:06.02.2007

Source: International Committee of the Red Cross (ICRC). Treaties, States Parties and Commentaries, <http://www.icrc.org/ihl.nsf/Pays?ReadForm&c=IN>

## Annexure 11

### Regional, National and Grassroots Organisations/Networks

<i>Affiliated to political parties</i>	<i>Remarks</i>
Adivasi Adhikar Rashtriya Manch, Communist Party of India-Marxist (CPM)	-
All-India Adivasi Mahasabha, Communist Party of India (CPI)	-
BJP ST Morcha, Bharatiya Janata Party	-
<b>Political parties / Groups</b>	
Jharkhand Mukti Morcha	-
Gondwana Ganatantrik Party (Madhya Pradesh, <u>Chhattisgarh</u> , <u>Jharkhand</u> , and <u>Maharashtra</u> )	-
Chhattisgarh Mukti Morcha	-
Autonomous State Demand Committee, Assam	-
Krishak Mukti Sangram Samiti (KMSS), Assam	-
North East Peoples Alliance (NEPA)	-

<u>Bharatiya Tribal Party (BTP), Gujarat</u>	-
<u>Bodoland People's Front, Assam</u>	-
<u>Hill State People's Democratic Party, Meghalaya</u>	-
<u>Indigenous People's Front of Tripura, Tripura</u>	-
<u>Mizo National Front, Mizoram</u>	-
<u>Mizoram People's Conference, Mizoram</u>	-
<u>Naga People's Front, Nagaland and Manipur</u>	-
<u>Nationalist Democratic Progressive Party, Nagaland</u>	-
<u>People's Party of Arunachal, Arunachal Pradesh</u>	-
<u>United Democratic Party, Meghalaya</u>	-
<u>Zoram People's Movement, Mizoram</u>	-
<u>Plains Tribals Council of Assam</u>	-
<u>Tribal Nationalists Liberation Front, Assam</u>	-
<b><i>Popular mobilisations and Struggle Groups / regional platforms of organisations</i></b>	
Adivasi Moolvaasi Asthithva Raksha Manch, Jharkhand	-
Niyamgiri Suraksha Samiti, Odisha	Against Odisha Mining Corporation (OMC) and Vedanta Aluminium in WP (C) NO. 180 OF 2011 Orissa Mining Corporation Vs Ministry of Environment & Forest & Others
Jharkhand Ulgulan Manch, Jharkhand	Land and forest rights, self-rule
Mahan Sangharsh Samiti, Madhya Pradesh	Essar-Hindalco coal mining project
Adivasi Mazdoor Sangh, Chhattisgarh	An alleged frontal organisation of Maoists
Adivasi Samrakshana Sangham, Kerala	Coca-Cola pollution in Plachimada
Narmada Bachao Andolan, primarily Madhya Pradesh	Sardar Sarovar dam, displacement
Vyavasayikal Thozhilalarkal Munnetra Sangham, Tamilnadu	Land and forest rights
Bhu Adhikara Samrakshana Samithy, Kerala	Land rights
Adivasi Gothra Mahasabha, Kerala	Land rights and self-rule
Adivasi Mahasabha, Gujarat	Forest rights
Shoshit Jan Andolan, Maharashtra	Land and Forest rights
Adivasi Moolvasi Astitva Raksha Manch. Jharkhand	Land and forest rights, self-rule
Jal Jangal Jameen Andolan, Rajasthan	Forest, land and water rights
Jharkhand Visthapan Virodhi Jan Vikas Andolan	Anti-displacement
Jharkhand Van Adhikar Manch	Forest rights
Bharat Jan Andolan, Jharkhand and Maharashtra	Village self-rule and forest rights
Adivasi Mukti Sangathan, Madhya Pradesh	Land and forest rights, self-rule
Adivasi Janjati Adhikari Manch, Odisha	A platform of PVTGS
Adiwasi Ekata Mancha, Odisha	-
Khedut Muzduru Chetana Sangathan, Madhya Pradesh	-
Sahariya Jan Gath Bandhan Sanghthan, Madhya Pradesh	-
Jangal Adhikar Sangharsh Samiti, Maharashtra	-
Adivasi Jangal Janjeevan Andolan, Dadra & Nagar Haveli	Forest rights
Jangal Jameen Jan Andolan, Rajasthan	Land and forest rights
Madhya Pradesh Jangal Jeevan Adhikar Bachao Andolan	-
Jan Shakti Sanghatan, Chhattisgarh	-
Peoples Alliance for Livelihood Rights, Chhattisgarh	-
Orissa Jan Sangharsh Morcha	-
Orissa Jan Adhikar Morcha	-
Adivasi Aikya Vedike, Andhra Pradesh	-
<b><i>National and multi-State Platforms of IP and non-IP mass organisations</i></b>	
National Front for Tribal Self Rule	Self-rule, led to Panchayat (Extension to Scheduled Areas) Act 1996
Campaign for Survival and Dignity	Forest rights, led to Scheduled Tribes and Other Traditional Forest

		Dwellers (Recognition of Forest Rights) Act , 2006
	Adivasi Ektha Parishad	Alliance in the western region
	National Alliance of Peoples Movements	Multiple issues and multiple social groups
	All India Forum of Forest Movements	Forest rights
	All India Union of Forest Working People	Forest and forest workers' rights
	Bhumi Adhikar Andolan	Forest and land rights
	Vistapan Virodhi Jan Vikas Andolan	Anti-displacement
<b>Advocacy Groups</b>		
	Indian Confederation of Indigenous and Tribal Peoples	Advocacy group engaged with international processes on IP rights
	Chhattisgarh Tribal Peoples Forum (CTPF)	-
	Indigenous Peoples Forum (IPFO), Odisha	-
	Jharkhand Indigenous and Tribal Peoples for Action (JITPA)	-
<b>Student Unions</b>		
	All Arunachal Pradesh Students' Union	-
	Jaintia Students' Union	-
	Meghalaya Students Union	-
	Naga Students' Federation	-
	Khasi Students' Union, Meghalaya	-
	All Assam Garo Students' Union	-
	All Bodo Students' Union	-
	Twipra Students' Federation, Tripura	-
<b>Human Rights Organisations-</b>		
	Naga Peoples Movement for Human Rights	-
	Borok Peoples Human Rights Organisation, Tripura	-
	Sinlung Indigenous Peoples Human Rights organization	-
	Karbi Human Rights Watch, Assam	-
	Meghalaya Peoples Human Rights Council	-
	Zo Indigenous Forum, Mizoram	-
	Zomi Human Rights Foundation	-
	Centre for Research and Advocacy (CRA), Manipur	-
<b>IP Women's Organisations</b>		
	Naga Women's Union	-
	Naga Mothers Association	-
	Ka Lympung ki Seng Kynthei, Meghalaya	-
	Bodo Women's Justice Forum, Assam	-
	Indigenous Women's Forum of Northeast India	Regional network
<b>Networks of Community Based Organisations</b>		
	National Adivasis Alliance	-
<b>IP Non-government Organisations</b>		
	Adivasi Women's Network (AWN), Jharkhand	-
	Jashpur Jan Vikas Sanstha (JJVS), Chhattisgarh	-
	Adiwasi Samta Manch, Chhattisgarh	-
	ANGNA (Adivasi Navjeevan Gathan Navjyoti Agua), Odisha	-
	Samajik Sewa Sadan, Odisha	-
	Adivasi Jan Man Manch, Chhattisgarh	-
	Indigenous Centre for Land Resource and Governance (BIRSA), Jharkhand.	-
	Sustainable Development Forum Nagaland,	-
	Rongmei Naga Baptist Association, Manipur	-
	Grassroots, Meghalaya	-
	Krishak Shramik Sangha, Assam	-
	Center for Cultural Research and Documentation, Arunachal Pradesh	-
	Voices of Teesta, Sikkim,	-

## Annexure 12

### IFAD Projects and Programmes in India

IFAD projects:

<https://www.ifad.org/en/web/operations/w/country/india>

IPAF projects:

[https://www.ifad.org/documents/38711624/41839851/ipaf\\_asia\\_e.pdf/b5122e37-c7ba-3648-47e3-e3592ba19b42](https://www.ifad.org/documents/38711624/41839851/ipaf_asia_e.pdf/b5122e37-c7ba-3648-47e3-e3592ba19b42)

	Title	Project	Approval date and project cost
<b>Approved</b>			
1	Rural Enterprise Acceleration Project (REAP)	-	30 December 2021 Total Project Cost: USD 378.05 m IFAD Financing USD 105 m
<b>Ongoing</b>			
1.	Chhattisgarh Inclusive Rural & Accelerated Agriculture Growth Project (CHIRAAG)	To improve income opportunities and the availability of nutritious foods in the targeted households of the tribal-dominated areas of Chhattisgarh across 25 blocks in 14 districts: Bastar, Narayanpur, Kanker, Bijapur, Sukma, Kondagaon and Dantewada in the southern region; Mungeli and Baloda Bazar in the central region; and Surguja, Koriya, Surajpur, Balrampur and Jashpur in the northern region.	10 May 2021 Total Project Cost USD 238.69 m IFAD Financing USD 67 m
2.	Maharashtra Rural Women's Enterprise Development Project (Nav Tejaswini)	To enable one million poor rural households overcome poverty sustainably while improving rural women's capacity to develop sustainable enterprises, engage in remunerative employment, and access markets. The project will support all existing nano and microenterprise clusters, as well as developing new commodity clusters. Target beneficiaries are marginal farmers, livestock/fisheries micro-entrepreneurs, producers of non-farm products, workers in the service sector, and agricultural labourers. This project builds on the success of the Tejaswini Rural Women's Empowerment Programme.	03 December 2020 Total Project Cost USD 413.28 m IFAD Financing USD 51.4 m
3.	Fostering Climate Resilient Upland Farming Systems in the North East (Mizoram and Nagaland States)	To provide farmers with better jhum cultivation practices that will be both more productive and more sustainable, thus creating an ecological balance, enhancing resilience to climate change, and raising farmers' incomes, assist jhumia households to adopt alternative farming systems, particularly settled farming, support improved market access and value chain development as	11 December 2017 Total Project Cost USD 161.71 m IFAD Financing USD 69.75 m

		farmers move to more market-oriented production. The project will focus on communities in the hills of both Mizoram and Nagaland. A total of 201,500 households will directly benefit from the project, most of these being members of tribal villages.	
4.	Odisha Particularly Vulnerable Tribal Groups Empowerment and Livelihoods Improvement Programme	To achieve better living conditions and to reduce poverty for the most vulnerable in Odisha's heavily forested Eastern Ghats and Northern Plateau regions; Build the capacity of target households; Secure entitlements to land and forest Improve agricultural practices; Promote income-generating microenterprises; Ensure access to services such as education and health; Improve community infrastructure; Improve the livelihoods and food and nutrition security for over 62,000 households.	22 April 2015 Total Project Cost USD 130.4 m IFAD Financing USD 51.21 m
5.	Livelihoods and Access to Markets Project	LAMP has been designed to be fully aligned and integrated with state government plans for river basin development in Meghalaya. Directly supports the strategic objectives of the results-based country strategic opportunities programme (RB-COSOP): Increased access to agricultural technologies and natural resources; Increased access to financial services and value chains; Covers the entire State of Meghalaya, with enterprise facilitation centres (EFCs) in all of its 39 blocks (subdistricts) supporting around 47,400 enterprises over the eight-year project period. A total of 54 clusters for development of natural resources, food security and marketable crops will be established in 18 blocks, with about 75 villages (about half of all villages) in each block, making a total of 1,350 villages. Target groups includes tribal communities, which form nearly the total population to be covered by the project; women, particularly those in remote areas; rural young people; and households living below the poverty line within selected areas. The project will adopt specific targeting strategies for each of these groups to ensure that those most vulnerable and marginalized are not left out of project coverage.	08 April 2014 (o) Total Project Cost USD 169.9 m IFAD Financing USD 50.06 m
<b>Status: Closed</b>			
1.	Andhra Pradesh Drought Mitigation Project	To improve farmers' capacity to adapt to drought through more efficient crop water management and income diversification into livestock management of existing water resources, through building Gram Panchayat's capacity regarding water planning and	14 December 2016 Total Project Cost USD 107.34 million IFAD Financing USD 34 million

		<p>monitoring activities; Improve farmers' practices in using and producing drought-tolerant crop varieties, as well as in managing soil fertility and moisture; Assist in accessing weather information, crop advisories and field schools, with the goal of helping them shift toward less water-intensive and more diversified and profitable cropping systems; Improve livestock production systems by helping sheep producers access better housing, feeding and breeding, as well as through a backyard poultry scheme targeted at the poorest women; and Strengthen farmers' organizations.</p>	
2.	Jharkhand Tribal Empowerment and Livelihoods Project	<p>To improve the living conditions of tribal communities, especially PVTGs, across Jharkhand; Empower and enable 136,000 tribal households, including 10,000 PVTG households, to take up livelihood options based on sustainable and equitable use of natural resources; and involve community empowerment, integrated natural resource management and livelihoods support. The project will be implemented in 14 districts in the state, focusing on approximately 30 sub-districts that have a rural tribal population of more than 50 % and at least half the population living below the poverty line.</p>	<p>21 September 2012 Total Project Cost USD 104.09 m IFAD Financing USD 39.5 m</p>
3.	Integrated Livelihoods Support Project	<p>To support poverty reduction in Uttarakhand, a predominantly rural hill state, by promoting sustainable livelihood opportunities for 143,400 rural households with focus on small rural producers, women, scheduled-caste households and young people; Support crop and livestock production, higher-value cash crops and other forms of economic development products – such as rural tourism – to provide cash incomes; Participatory watershed development using processes that have been established through a series of development projects in the state; Financing of livelihoods through social-venture capital invested in rural enterprises coordination and monitoring, with individual project management units and project directors at the partner agencies implementing each component; Support vocational training linked to job placement, with a target of 10,000 training slots, to improve access to employment in the non-farm sector.</p>	<p>13 December 2011 Total Project Cost USD 258.79 m IFAD Financing USD 89.91 m</p>
4.	Convergence of Agricultural Interventions in Maharashtra's Distressed Districts Programme	<p>The project area includes 1,200 villages in the districts of Akola, Amravati, Buldhana, Wardha, Washim and Yavatmal. Aims to reduce distress with</p>	<p>30 April 2009 Total Project Cost USD 118.65 m IFAD Financing</p>

		<p>the national and state governments providing emergency packages to affected households and shifting the focus of agricultural development towards low input production systems; Improve household incomes through diversified farming and off-farm activities; Make farming systems resilient by introducing low external input and organic farming; Help farmers' groups become involved in primary processing, quality improvement and marketing; Empower women by improving their access to microfinance and to activities as micro entrepreneurs; Ensure convergence with ongoing government projects so that all projects are aligned with the common objective of restoring agricultural profitability; Achieve increased productivity through water conservation and organic farming and sustainable, low external input agriculture. Combined with a reduction in production costs, this is expected to result in increased household incomes and improved food security. Diversification into fruit, vegetable and livestock products will contribute to better nutrition. Increased carbon content will enhance soil fertility and increase moisture retention, allowing higher cropping intensity. To foster pro-poor partnerships with the private sector using the instrument of contract farming for production of organic cotton and other crops introducing an end-to-end subproject approach.</p>	USD 41.11 m
5.	Mitigating Poverty in Western Rajasthan Project	<p>The project targets poor households headed by landless agricultural labourers and small and marginal farmers, owners of marginal land or wastelands, traditional artisans, women, and young people who are without the skills they need to become employed. To ensure empowerment of the poorest people; Benefit those living under the poverty line, even though activities will also include some other people who are not quite so poor but are eligible for support; Organize and empower poor people through community-based organizations such as self-help groups, marketing groups, producers' organizations and village development committees; Promote income and employment opportunities while reinforcing strategies that mitigate risks; Provide access to financial services and markets; and Build grass-roots institutions promoting and securing access of marginalized groups</p>	<p>24 April 2008  Total Project Cost  USD 62.34 m  IFAD Financing  USD 30.97 m</p>

		to resources promoting the diversification of on-farm and off-farm livelihood opportunities. The project will initially cover one area in each of the state's six districts. On the basis of the project's performance, the government will scale up activities and replicate the model across the state.	
6.	Women's Empowerment and Livelihoods Programme in the Mid-Gangetic Plains	The programme will operate in the Bahraich, Shravasti, Sultanpur and Rae Bareli districts of Uttar Pradesh and in the Madhubani and Sitamarhi districts of Bihar. The areas are part of the mid-Gangetic plains, where the largest concentration of poor people in India is found. To empower women and adolescent girls by helping them establish sustainable grass-roots institutions and by ensuring that they have access to microfinance and business development services; Promote diversification of women's opportunities for livelihoods, both on-farm and off-farm; Supports development of a sustainable livelihood base for women that will be integrated into the wider economy; Introduce market-linked enterprises form sustainable grass-roots institutions including self-help groups, producers' groups and community service centres: Support increased participation by women in local government; and Build the capacity of civil society organizations enhance the capacity of financial institutions and the private sector to operate in the targeted areas.	14 December 2006 Total Project Cost USD 29.55 m IFAD Financing USD 7.25 m
7.	Tejaswini Rural Women's Empowerment Programme	This programme focuses on women's development, building on lessons learned from earlier projects that demonstrated women's SHGs are an effective means of improving the living conditions of poor households. It ensures that poor rural women have a wider range of opportunities and support and strengthens women's SHGs and provides access to financial services. To improve income generation by developing participants' skills, and providing market and policy support; Increase women's access to functional literacy and labour-saving infrastructure, and boosts their participation in local governance; and Support government policies that empower women. The project will directly benefit 1,120,000 households.	13 December 2005 Total Project Cost USD 228.16 m IFAD Financing USD 54.45 m
8.	Post-Tsunami Sustainable Livelihoods Programme for the Coastal Communities of Tamil Nadu	To enable thousands of tsunami victims living in the coastal areas of Tamil Nadu to return to a stable and productive way of life. Targets include people who live	19 April 2005 Total Project Cost USD 113.45 m IFAD Financing

		in coastal areas, including fishers, wage workers in the fisheries sector, farmers and agricultural labourers. There is a specific focus on marginalized groups such as women who are heads of households and members of scheduled castes. To improve the livelihoods of people affected by the disaster; Promote community participation and planning; Support sustainable resource management in coastal areas, access both to rural financial services and to a social safety net in the form of insurance, and community-based sea-safety and disaster management; Provide employment generation and skills training, and assistance in programme management; and Empower women to improve their incomes from marketing fish.	USD 52.84 m
9.	Livelihoods Improvement Project in the Himalayas	To help vulnerable groups in the rugged highlands of the Himalayas improve their livelihoods and develop broader alternatives for income-generating activities. The area of operations includes the most remote and underdeveloped districts in the states of Meghalaya and Uttaranchal. It is expected that poor people in an estimated 1,730 villages in those areas will benefit directly from expanded livelihood opportunities, increased income and greater economic security. To provide access to financial services such as credit, savings and insurance; Develop livelihoods and strengthen local institutions; Assist poor rural people in managing new technologies and establishing sustainable cultivation systems, and in organizing business development services that enable them to market products on a larger scale.	18 December 2003 Total Project Cost USD 84.29 m IFAD Financing USD 39.92 m
10.	Orissa Tribal Empowerment and Livelihoods Programme	To build the capacity of poor people and their institutions so that vulnerable groups, particularly women, can plan and manage their own development and negotiate improved entitlements; Improved access and management of natural resources; Improved access to financial services and markets and the development of non-farm enterprises; and Offer a wide range of options to meet diverse needs, including wage employment, microfinance services and short-term and medium-term investments in agriculture and related activities, as well as a flexible fund for creating community infrastructure.	23 April 2002 Total Project Cost USD 116.98 m IFAD Financing USD 35 m
11.	Livelihood Security Project for Earthquake-Affected Rural Households in Gujarat	Targeted 200,000 households in 400 villages affected by a January 2001 earthquake to enable rural poor people	12 September 2001 Total Project Cost

		develop strategies to cope with natural disasters and achieve greater livelihood security. Activities include assisting villagers in building wells and rainwater harvesting tanks and reconstructing village ponds; Encourage villagers to diversify their sources of livelihood through farm and non-farm activities such as crafts, gum collection and salt production; Promote access to microfinance, including insurance and credit; and Introduce earthquake-resistant construction and improved health services for women.	USD 23.96 m IFAD Financing USD 14.98 m
12.	National Microfinance Support Programme	To directly support financial institutions under the guarantee of the central government; Improve and expand access to microfinance services for poor people in both rural and urban areas; and Help develop a more formal, extensive and effective microfinance sector on a national scale to support the development of sustainable microfinance institutions. This programme also takes an innovative approach towards commercializing the microfinance sector.	04 May 2000 Total Project Cost USD 134.03 m IFAD Financing USD 21.96 m
13.	Jharkhand-Chhattisgarh Tribal Development Programme	The programme focuses on tribal people in Jharkhand and Chhattisgarh, two of the states that have the highest proportion of tribal people, who are among the poorest people in India. It targets marginal households, women, landless people, hill cultivators and tribal people. To empower tribal people to participate in their own development through local self-government; and Promote increased production and productivity of land and water resources, alternative sources of income and sustainable management of natural resources. Among the project's innovative features are autonomous tribal development societies, a fund for legal defence of tribal people's rights, and watershed management as part of an overall approach towards protecting and managing natural resources.	29 April 1999 Total Project Cost USD 31.12 m IFAD Financing USD 23 m
14.	North Eastern Region Community Resource Management Project for Upland Areas	To improve the livelihoods of vulnerable groups sustainably through improved management of their resource base, so as to contribute to preservation and restoration of the environment; Help the poorest rural people in several hill districts in the region improve their livelihoods through environmentally sound management of their resource base; Strengthen the capacity of local communities and participating agencies; Support livelihood development activities, natural resource management	29 April 1997 Total Project Cost USD 73.42 m IFAD Financing USD 42.9 m

		and biodiversity conservation, social-sector development activities, infrastructure development and project management.	
15.	Rural Women's Development and Empowerment Project	This project builds on the Tamil Nadu Women's Development Project, which targeted women exclusively and introduced microfinance schemes as a principal instrument for women's empowerment. To promote women's economic development, while creating an environment favourable to social change as a way of improving women's living conditions. Support project activities that establish self-help groups and improve their access to and control over resources; and Promote the development of income-generating activities and access to basic financial services, as well as access to health care, education and other services in 35 districts in Bihar, Gujarat, Haryana, Karnataka, Madhya Pradesh and Uttar Pradesh states,.	05 December 1996 Total Project Cost USD 53.51 m IFAD Financing USD 19.21 m
16.	Mewat Area Development Project	To improve living conditions in the Mewati community, promote self-reliance on a sustainable basis and broaden the range of livelihood opportunities available to the community; Increase participants' perception of the importance of resource conservation increasing the potential of women's SHGs to bring about change and heighten women's self-confidence involving non-governmental organizations in community development reaching a 100 percent rate of loan repayment among SHGs.	12 April 1995 Total Project Cost USD 22.28 m IFAD Financing USD 14.96 m
17.	Andhra Pradesh Participatory Tribal Development Project	To improve incomes, food security and living conditions within a traditional tribal context; Promote women's self-reliance: Reduce and reverse environmental degradation; Promote participatory implementation that involved communities directly in small-scale construction activities; Participation and empowerment through SHGs and a federation of groups; Introduction of village liaison workers to help people create savings and credit groups; Promote a participatory approach to health and education services; and Support value-added harvesting and marketing approaches to non-timber forest products.	19 April 1994 Total Project Cost USD 50.3 m IFAD Financing USD 26.72 m
18.	Maharashtra Rural Credit Project	In eight districts in Maharashtra state, this project aimed to reduce rural poverty and promote rural development by improving financial services, including savings, among rural poor people. The	06 April 1993 Total Project Cost USD 48.35 m IFAD Financing USD 29.2 m

		project improved the services of formal financial institutions and built reception capacity. About 9,000 SHGs and 1,500 village development councils were formed. They demonstrated financial discipline and showed an excellent repayment rate. Through the project's activities, women were empowered to improve their status both inside and outside the household.	
19.	Andhra Pradesh Tribal Development Project	To foster self-reliant household food security; Increase food production and raise the incomes of tribal families in four districts in the state of Andhra Pradesh, while pursuing a community-based participatory and cooperative approach; Focus on community and women's development, health care, education and natural resource development; and Provide support for credit, marketing and project management. As a result, in the context of natural resource management, more than 26,000 farmers were able to halt soil erosion on their land. Dams and drains reduced environmental degradation, and irrigation facilities led to increased food security and reduced farm-labour costs. More than 27,000 acres were planted, and demonstration plots were created as part of training activities.	04 April 1991 Total Project Cost USD 46.52 m IFAD Financing USD 19.98 m
20.	Tamil Nadu Women's Development Project	Women were the exclusive target, and they passed the benefits on to their families in terms of improved living conditions. The project introduced microfinance schemes as the principal tool for empowering women through income-generating activities. To promote dynamic, cohesive women's groups was a major component of the project. The formation of federations of groups was a key to sustainability. Repayment rates for revolving credit were good, and women were eventually able to obtain credit from formal sources. More than half of the loans were used to finance livestock activities. Participating women gained confidence and awareness. Through collective action, groups were able to negotiate and obtain improved services and access to drinking water, electricity, health care and education. The project demonstrated that loans based on group collateral can be commercially viable.	26 April 1989 Total Project Cost USD 30.6 m IFAD Financing USD 17 m
21.	Orissa Tribal Development Project	Tribal people were the primary target of this project, which included broad-based activities in natural resource management and rural infrastructure. An important achievement of the project was	03 December 1987 Total Project Cost USD 24.4 m IFAD Financing USD 12.2 m

		the survey and land settlement of the hill areas, which had been occupied by people without legal right. The resulting sense of ownership led to a significant improvement in natural resource management, demonstrating that tribal people are willing to take up agroforestry and renounce the podu system, a specific method of shifting cultivation, if they see that the returns can be greater. The project formed the foundation upon which the Orissa Tribal Empowerment and Livelihoods Programme was built.	
22.	Second Uttar Pradesh Public Tube wells Project	To reduce poverty and create rural employment through improved agricultural production. To construct and upgrade public tube well systems to provide reliable, timely and equitable irrigation services. The tube well construction was part of a comprehensive agricultural development programme to help farmers transform local agriculture. The best results were achieved where farmers already had experience with irrigation, the social structure was fairly homogeneous and the supply of utilities was reliable.	21 April 1983 Total Project Cost USD 176.99 m IFAD Financing USD 30.09 m
23.	Madhya Pradesh Medium Irrigation Project	To promote successful irrigation agriculture; support construction of a number of medium-scale irrigation projects; Provided technological and management-oriented support activities focusing on irrigation as a key to agricultural development; Improve the livelihoods and living conditions of small farmers and their families; Reduce poverty among rural poor people.	17 December 1981 Total Project Cost USD 232.1 m IFAD Financing USD 25 m
24.	Sundarban Development Project	To improve agricultural production potential in the south-east part of West Bengal state during the wet and dry seasons. Supported activities focused on improving drainage and water control for wet season crops, expanding irrigation facilities for dry season crops and initiating pilot schemes for forestry development. Included agricultural credit for farmers, training and cooperatives and improved transportation facilities and marketing infrastructure. The Sundarban project achieved 91 percent of its drainage and irrigation targets.	03 December 1980 Total Project Cost USD 36.21 m IFAD Financing USD 15.91 m
25.	Rajasthan Command Area Development and Settlement Project	Part of the largest irrigation project in India at that time, the Indira Gandhi Nahar Project, consisting of a 445 km main canal and the associated distribution systems. To develop the area and the villages within it, home to about 39,000 households; and Irrigate settled land in north-west Rajasthan state, where	19 December 1979 Total Project Cost USD 103.58 m IFAD Financing USD 47.98 m

		37 per cent of the land was desert. Despite a series of problems that led to revised targets, the project was particularly successful in impeding erosion along the banks of canals through forestation. Introduced the first accurate measurements of groundwater level and quality.	
26.	Bhima Command Area Development Project	This project in the Solapur district of Maharashtra state brought 50,000 ha of land under irrigation. Works included the construction of the Ujjani Dam and 300 km of link roads. Yields of crops such as jowar (Indian millet) more than doubled, and the production of groundnut tripled. Farmers joined organizations to run and maintain the irrigation networks, and a system of rotational water-supply management distributed water in an equitable and timely manner. To reduce poverty by increasing agricultural production and generating employment; and Social and economic development of scheduled castes and tribal people, the poorest people in the region.	18 September 1979 Total Project Cost USD 93.66 m IFAD Financing USD 43.66 m

Source: IFAD, <https://www.ifad.org/en/web/operations/projects-and-programmes?mode=search&catCountries=39090793>

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