

Memorandum to Respected Tusharbhai A Chaudhary,

**the Honourable Minister of State for Adivasi/Tribal Affairs, Govt. of India,
submitted on 27th June 2009 at SHAKTI-LAHRC, Songadh,**

by Adivasi Mahamandal, Gujarat, Adivasi Sarvangi Vikas Sanghs and
SHAKTI - Legal Aid and Human Rights Centre (LAHRC), Songadh, Dt. Tapi, Gujarat.

Respected Minister saheb,

We are very glad to have you in our midst. We are happy and proud that you have been able to reach to such a position of honour through your hard and sincere works. You are our Minister but you are also our brother of our adivasi community. We have done our job of electing you and now it is left for you to do your best at the interest of all the Adivasis/Tribals all over India. We are sure that your presence in this Ministry will surely make a difference. We wish you every best in your endeavours.

1. A couple of suggestions/solutions proposed to the Honourable Minister to help the adivasis/tribals to face the challenges (problems):

1.1. At the National level:

a) Make amendment in the Constitution of India to include the word *Adivasi* that refers to Scheduled Tribes (ST). Instead of using the word ST use words like Indigenous Peoples, Tribals, Adivasis. The word Adivasi is linked to history, existence and self-dignity.

b) Effective implementation of certain Acts:

Implement effectively

- i) National Rural Employment Guarantee Act (NREGA),
- ii) Forest Tillers Rights Act,
- iii) Right to Information Act and
- iv) Adivasi/Tribal Self-rule Act (PESA) and activate the Adivasi/tribal Council under the Chairmanship of the Governor of the State.
- v) Under PESA Act, every village or for that every hamlet is entitled to have its own *gram sabha*. Insist on holding *gram sabhas* as per the convenience of the people and also in view of the integrated development of the community.
- vi) Also ensure that all the welfare schemes that have been planned for the Adivasis/tribals are implemented effectively.
- vii) Ensure a meaningful implementation of 33% reservation for women in Panchayats.
- viii) Ensure early passing of the pending bill in the Parliament with regard to women's reservation both in Parliament and Legislative Assembly. ***Give special quota for adivasi women in that bill.***
- ix) Implement the Atrocity Act effectively and punish those who misuse this law.

c) Find ways and means to promote, propagate and protect adivasi/tribal identity and rights. In this context, pay attention to the following:

- i) Create special schemes that would help to develop adivasi/tribal Languages/dialects, Art, Culture, sculpture, dances, songs, music, stories, history, entertainment and dramas like *tamasha party*, *songadiya party* etc.
- ii) For this purpose, establish Adivasi/tribal Research Centres, Special Universities and colleges in every State and in every District if possible.
- iii) 9th August is the Indigenous/Adivasi/tribal People's Day. Declare this day as a National Holiday and conduct special programmes in honour of Adivasis/tribals

who have contributed to the building of the Nation! Also conduct certain programmes that would give a positive picture of the adivasis/tribals in the history of India.

iv) Under the guidelines of Indigenous Peoples Rights that has been declared by the United Nations, commit the Nation i.e. the elected members, the bureaucracy and the judiciary to enact laws based on UN Declaration and implement them stringently.

v) Conduct special programmes to spread awareness among the people about the rights of the Indigenous peoples.

vi) Support any group or NGO that would like to run *Adivasi Samaj Wadi*. It should be established in every taluka head quarters.

vii) Erect special monuments in memory of great adivasi leaders who have inspired adivasis and served the society at large.

viii) Encourage *samuhik lagna* (mass weddings) and mix marriages which could foster adivasi unity and help to reduce expenses and many other problems.

ix) Appoint committed NGOs as well POs (*lok sangathan*) that work for the betterment of Adivasis in the Advisory Council of the Governor as per the PESA Act.

x) Allot special grant (Rs. one crore) through TSP for conducting *sanskriti melo*, *yuva melo*, competitions and museum that would help to propagate and preserve Adivasi culture.

d) For efficient, effective and people friendly Administration:

i) Where a sizable population is of adivasis/tribals make Adivasi States. This could be done in the line of Chhattisgarh, Jharkhand.

ii) The Bhils are spread out in Rajasthan, Madhya Pradesh, Gujarat and Maharashtra. Something in the line of Bhilvas could be thought of for the development of Bhil adivasis/tribals.

iii) The Districts could be divided into smaller units, talukas could be divided into smaller units and big group gram panchayat could be divided into smaller units to help in better administration and availability of funds for development.

iv) Every District Head Quarter should be provided with full pledged officials of all Departments as in other Districts and related facilities so that they could administer the District independently. The same could be with all the talukas (blocks) and village panchayats.

v) Every District, taluka and village panchayat should have the following facilities:

- Courts including *gram Niyayalaya*,
- Police Stations,
- Roads connecting all interior parts,
- Railways in many places,
- Health Centres,
- 24 hours Electricity,
- Educational Institutions,
- Irrigation facilities,
- Drinking water facilities through out the year,
- Regular Public and Private Transport facilities,
- Dairy Development Projects,
- Agricultural and Animal husbandry Projects,
- Land Development Projects,

- Banks,
 - Marketing yards etc.
- vi) The Tribal Sub Plan (TSP) Centres could be increased and brought closer to the talukas so that people could benefit from them well.
 - vii) The Public Distribution System (PDS) should be revamped in order to do away with all the corrupt practices and irregularities.
 - viii) There should be more Ration shops and Kerosine distribution centres so that people need not travel to distant places. These shops should be closer to the people.
 - ix) Let the Ration shops and Kerosene distribution centres be run by Milk Cooperatives or any other *mandlies*. First preference should be given to *mahila mandals*.
 - x) Ensure at least 20% of profit sharing for those who get displaced because of mines or industries or any other developmental projects. Those who gain from such projects must share with the losers (of land, properties, culture, kith and kin etc.).
 - xi) Provide a comprehensive compensation and rehabilitation package including job opportunities for the project affected people (*PAP*).
 - xii) Develop Adivasi/tribal areas in such a way that **they get easy access to various types of basic amenities as well as jobs that would help them to have a decent living.**
 - xiii) Make the Administration people friendly and free from corruption and religious prejudices.
 - xiv) Suspend or dismiss any bureaucrat/politician/judiciary members who misuse their power to entertain divisive forces or communalist forces.
 - xv) Conduct special programmes to create communal harmony.
 - xvi) Conduct special programmes to integrate all the different communities of adivasi/tribals of India.
 - xvii) Plan out various programmes that could help to bring the adivasis/tribals stage by stage into the main stream which could lead to National Integration.
 - xviii) Take immediate actions against any persons/organizations that are communal.
 - xix) Have special grants to upgrade the forest villages and also turn the forest villages into revenue villages.
 - xx) Let the adivasis/tribals of one State be given the same status in other States and let them enjoy the privileges and reservation facilities every where as adivasis/tribals.
 - xxi) **Stop demanding *jatino dakhlo* (caste certificate) every year** from students and make it mandatory to obtain caste certificate once in life time.
 - xxii) **Make it mandatory to fill all vacant seats both for education and jobs that are reserved for adivasis/tribals by them only. Do not turn them into general category finding some lame excuses.**
 - xxiii) Conduct special programmes to capacitate adivasis/tribals to be qualified for any type of jobs.
 - xxiv) **Create job opportunities like industries, agro forest industries, educational institutions, animal husbandry and allied activities** in their own vicinity to reduce migration for work.
 - xxv) The present standard of fixing BPL and APL status is outmoded. **Change the present BPL definition** that could enable many **deserving poor adivasis** to benefit.
 - xxvi) Plan and implement special afforestation programmes in all the talukas.
 - xxvii) **Give Legal recognition to Para Legals** who have passed through Para Legal Training from various Institutions like SHAKTI-LAHRC, Songadh and appoint them as *gram mitra* and also as counselors in the upcoming *gram nyayalaya* Act in the village panchayats.

e) Quality Education that would capacitate them to face the competitive world.

Keeping this in mind:

- i) Run the present educational institutions efficiently
- ii) Start many English Medium Schools that would teach them science and maths which could help them to face the competitive world.
- iii) Give grant to Educational Institutions (from Primary Schools to Universities and Research Centres) that are run by NGOs or other Organizations which work to capacitate the Adivasis/tribals. Also give grant to NGOs and other Organizations that run hostels for Adivasis/tribals.
- iv) Give grant to NGOs and other Organizations like SHAKTI-LAHRC, Adivasi Sarvangi Vikas Sanghs that conduct Non Formal Trainings which help to empower the Adivasis/tribals.
- v) Conduct special training programmes to foster adivasi/tribal leadership.
- vi) Conduct special programmes for adivasi youth both educated and uneducated so that they could equip themselves to find jobs and avoid becoming handmaids of anti social and communal elements.
- vii) Include in the syllabus of schools and Universities lessons that portray the adivasis in a positive perspective and give the adivasis a sense of pride of being adivasis.
- viii) Start many Vocational Institutions in the areas that could equip the adivasis with the latest technology to compete with the modern world.
- ix) Start many Colleges that deal with subjects like Science, Arts, Commerce, Laws, Fine Arts, Electronics, Engineering, Medical, Agriculture, Forest Management, Textile, Religious Studies, Social Work, Aeronautical Engineering, Defense Studies, etc.
- x) Stop burdening the teachers with many works. Let them concentrate on the quality education of the students.

1.2. At State level (Gujarat):

1. Ensure strict implementation of PESA Act.
2. Ensure conducting of *gram sabhas* as per PESA Act in which the people are taken into confidence to develop their villages.
3. Stop making *gram sabhas* an insipid, routine programme of the Gujarat Government. Make it the programme of the people in which the needs of the people are taken into consideration, resolutions are passed and implemented strictly.
4. Those resolutions that are passed in the *gram sabhas* should be taken up for due consideration at various levels – Taluka, Jilla Panchayats and also at the Secretary cum your Ministerial level.
5. Give Panchayats more grant for its development.
6. Stop the many corrupt practices done by Govt. servants like Talities, Gram Sevaks, Health Workers, Electricity metre readers.
7. Stop burdening the teachers with many works. Let them concentrate on the quality education of the students.
8. Let the projects like *Nirmal gram, Hariyali kranti* be implemented after taking the people in to confidence so that the grant may not be wasted.
9. Stop the middle men/contractor system in the implementation of Government welfare schemes like *Indira awas*, giving of milk cattle, etc.
10. Take back the GRs
 - ❖ that removes the restriction of 8 kms distance for owning agricultural lands and

- ❖ that invites the adivasis to pay premium to turn their new tenure land into old tenure. This will only help the rich and non adivasis to grab the lands of poor adivasis.
11. Bring definite laws to protect the interest of the seasonal migrant unorganized labourers who move from adivasi areas to non adivasi areas as farm labourers, sugar cane cutters, as brick makers etc.
 12. Give them better wages, living conditions, medical care, ration facilities, education facilities, health and hygiene facilities, electricity etc. at the camp site.
 13. Give them Insurance facilities and also Identity Card. Let their payment be made through Nationalized Banks which will provide ATM facilities.
 14. Appoint a Regular Commission to look into the needs and demands of the migrant and unorganized labourers and also appoint a Wages Board.
 15. Provide hostel facilities at the zonal level for the children of migrant workers so that they could study better while their parents are away.
 16. Stop corrupt practices in the selection of government staff, Judiciary staff like Government pleaders, Notaries, Judges, and Panchayat servants. Give importance to duly qualified and deserving adivasis.
 17. Support any group or NGO that would like to run *Adivasi Samaj Wadi*. It should be established in every taluka head quarters.
 18. Make the sugar Factories work effectively for the betterment not only of its members but specially the migrant adivasi labourers.
 19. Make special schemes for the development of *adim juths* and ensure its proper implementation for the benefit of the poor and needy.
 20. Create job opportunities in the adivasi belt to avoid their exploitation by vested interest.
 21. Work out Pension schemes for the old, orphaned, widows, widower, physically and mentally challenged persons.
 22. Work out special allowance for unemployed.
 23. Convert the forest villages into revenue and give them all benefits.
 24. Plan and implement special afforestation programmes in all the talukas.
25. **Give Legal recognition to Para Legals** who have passed through Para Legal Training from various Institutions like SHAKTI-LAHRC, Songadh and appoint them as *gram mitra* and also as counselors in the upcoming *gram nyayalaya* Act in the village panchayats.
- SHAKTI-LAHRC has the legal expertise to train. It ***has trained more than 821 men and women Para Legals.***
26. Encourage *samuhik lagna* (mass weddings) and mix marriages which could foster adivasi unity and help to reduce expenses and many other problems.
 27. Appoint committed NGOs as well POs (*lok sangathan*) that work for the betterment of Adivasis in the Advisory Council of the Governor as per the PESA Act.
 28. Allot special grant (Rs. one crore) per year through TSP for conducting *sanskriti melo*, *yuva melo*, competitions and museum that would help to propagate and preserve adivasi culture.
 29. **Take immediate steps to eradicate/prevent the dangerous disease called sickle cell anemia which is wiping our the adivasi population in large scale.**
 30. Take sufficient measures to face the challenges of drought due to the failure of monsoon.

2.3. At Bardoli Constituency level:

1. Divide the present Surat district into two. Make Umarpada, Mangrol, Mandvi, Bardoli, Kamrej and Mahuva where majority are adivasis, into another adivasi district.
2. Divide the present Songadh taluka into two. Make it for the development of adivasis who are living in remote areas.
3. Make *Adivasi Samaj Wadi* in every taluka head quarters of Bardoli constituency.
4. Make special provisions to protect the interests of stone quarry workers, sugar cane cutters, poor farmers and landless workers.
5. Implement special Insurance schemes for the above categories.
6. Get the clearance from the Forest Department and implement the Ukai Right Canal plan without any delay.
7. Ensure proper implementation of Lift Irrigation Schemes for the Ukai dam displaced people in Uchchhal and Nizar talukas.
8. Plan out special irrigation programmes for dry/monsoon dependent talukas like Umarpada, Uchchhal, Nizar, Songadh, Mangrol, Vyara, etc.
9. Give voting rights for the Village panchayat elections for the people who have not got this right so far specially in Uchchhal and Songadh talukas.
10. Allot permanent places for the adivasi vegetable vendors at Songadh and Mandvi who have been harassed for long by others.
11. Develop all the roads even in the interior areas. Develop the State High Way like SH. No. 88.
12. Ensure proper transport facilities for the people living in the remote areas. Give license to private operators so that they could operate in such areas as in other States of India.
13. Ensure conducting of *gram sabhas* as per PESA Act in which the people are taken into confidence to develop their villages.
14. Ensure better functioning of all WASMO schemes so that people get water all through the year.
15. Ensure that all government staff serve the people better and are corrupt free.
16. Ensure in every taluka
 - ❖ Courts,
 - ❖ Police Stations,
 - ❖ Bus stand and Bus Depot,
 - ❖ Markets,
 - ❖ Post Office,
 - ❖ Treasury
 - ❖ Govt. Hospital
 - ❖ Information Centre,
 - ❖ *Visamo* (rest house) Centres for the travelers
 - ❖ Telephone Exchanges
 - ❖ Colleges, Professional Courses and Hostels for students and working class
 - ❖ Sports Centres
 - ❖ Old Age Homes for men and women
 - ❖ Veterinary Hospitals
 - ❖ Agriculture Training Centres
 - ❖ Fisheries
 - ❖ Training Centres to prepare students to become Doctors, IT experts, Engineers, IPS, IAS, IFS Officers, Entrepreneurs, Leaders and Professionals

17. Have special Land development and Irrigation schemes for all the villages.
18. Support NGOs and other Organizations that work for the empowerment of the adivasis specially in the Non-formal educational sector.
19. Plan and implement special afforestation programmes in all the talukas.
20. Start Schools, Colleges in all the talukas that make the adivasis competent to compete with the world at large.
21. Start a Law College for Tapi District.
22. Give Legal recognition to those who have passed through Para Legal Training and appoint them as *gram mitra* in the village panchayats. SHAKTI-LAHRC has the legal expertise to train such people. It has trained 821 Para Legals.
23. Encourage *samuhik lagna* (mass weddings) and mix marriages which could foster adivasi unity and help to reduce expenses and many other problems.
24. Start Backward Region Grant Fund (BRGF) programme in the adivasi talukas of Surat and Tapi Districts as they are also Backward areas.
25. Start Intercity Trains between Surat to Nandurbar for the easy movement of the labourers.
26. Start many more trains in Tapi Ganga Railway line including Fast Trains like Garib Rath in order to enable comfortable journey.
27. Give stoppage at Vyara and Songadh Railway Stations for all the trains for the convenience of the passengers.
28. Run more buses that would connect all the interior parts of all talukas with Songadh and Vyara. Run more buses between Madvi and Songadh.
29. Put traffic points/traffic islands at crossings like Otta Char Rasta at Songadh, Unai Naka at Vyara and at Bardoli and put police in all the points.
30. **Take immediate steps to eradicate/prevent the dangerous disease called sickle cell anemia which is wiping out the adivasi population in large scale.**
31. Take sufficient measures to face the challenges of drought due to the failure of monsoon.
32. Put the POs (*lok sangathan*) and SHAKTI-LAHRC in the Advisory Body of all Departments that work for the welfare of Adivasis/tribals. SHAKTI-LAHRC has the expertise for it.
33. Start a special scheme in memory of the Late Shri Amarsingh B. Chaudhry, our great Adivasi Chief Minister to help out the very poor adivasis.
34. Also start a Leadership Academy in order to make the adivasis great leaders like Late Shri Amarsingh B. Chaudry.
35. Start many professional colleges and Institutions in the name of Late Shri Amarsing B. Chaudhry.
36. A few Scholarships could be started in his memory to encourage the top ranking students from the Bardoli Constituency

Conclusion:

In short, we would like you to plan and implement effectively all that helps the adivasi community to take charge of its lives and become leaders to lead India.

You are a person who has endeared the adivasis by your actions. Your well planned actions will not only strengthen the UPA Government but also enrich and empower the adivasi community at large and help to integrate all the adivasis/tribals.

We wish you ALL the BEST. May you enjoy your work and make the adivasi community strong and confident to lead India! We wish you many more fruitful years in different capacities as Minister and as a Politician of whom the adivasis would feel proud of.

Appendix:

1. Introduction:

The dream of Gandhiji was:" Indian Independence must begin at the bottom. Thus, every village will be a republic or panchayat, having full powers. It follows, therefore, that every village has to be self-sustained and capable of managing its affairs, even to the extent of defending itself against the whole world..."

LAHRC has been making efforts to make this dream to come true.

SHAKTI Trust was registered on 8th December 2006 as a Public and Charitable Trust under Bombay Public Trusts Act as well as Societies Registration Act. It was started to reach out to the people of Surat and Tapi Districts through Legal and Human Rights Education/awareness programmes. Also render support to other parts of Gujarat and India.

1.1. VISION:

To evolve a system where the Adivasis could live with dignity in all aspects of life: socio-economical, cultural, educational, political and religious.

1.2. MISSION:

To organize the Adivasis/marginalized, to promote, support and strengthen the

- i. People's Organizations (POs),*
- ii. People's Movements (PMs), and*
- iii. Grass root Groups (GGs)*

in order to fight against injustice/discrimination, to claim and enjoy their Human Rights and also work for its promotion, propagation and protection.

1.3. 1.BROAD STRATEGIES:

1. Human Rights Education, Training, Advocacy and Legal Intervention
2. Promoting and Strengthening of POs, PMs and GGs
3. Evolving and Strengthening Adivasi leadership at all levels and
4. Venturing into Developmental and relief works when needed.

1.3.2. Major activities of SHAKTI-LAHRC:

1. Legal literacy programme
2. Out of court settlements
3. Legal Aid for court litigations
4. Paralegal Training
5. Training - students to become advocates
6. Legal, social cum leadership training – including children
7. Human Rights education
8. Legal intervention – advocacy, campaigns for Rights
9. Dissemination of information with regard to government welfare schemes
10. Organizing - helping groups to form POs, PMs, GGs
11. Networking

12. Developmental and relief works

SHAKTI-LAHRC is actively doing legal work in **783 villages** of Nizar, Uchchhal, Songadh and Vyara talukas of Tapi District and also in Mandvi, Mangrol and Umarpada talukas of Surat District. ***The POs have 26,123 members.***

LAHRC's Intervention:

LAHRC has tried to reach out to the adivasi/tribal people at two levels:

1. Strengthening POs and Leadership Development: Efforts have been made to strengthen the seven POs in the Districts of Surat and Tapi. This has been done through different trainings for the members of the POs, representatives and the Executive members. Through these trainings they have been helped to face their daily challenges.

2. Legal Awareness and Legal Action: In order to bring legal awareness among the disadvantaged people and enable them to get justice, LAHRC has been making efforts. For this purpose, LAHRC has established networks both locally as well as around the world.

**** Jago Adivasi - Jai Adivasi ****