

Nomadic tribes: Move to grant Constitutional protection gathers pace

Social Justice Ministry invites feedback on panel recommendation

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THE MINISTRY of Social Justice and Empowerment has invited comments from 22 ministries, commissions, and government think tanks on the recommendations of the National Commission for Denotified Nomadic and Semi Nomadic Tribes (DNT/ NT/ SNT), as part of its move to grant Constitutional protection to these communities under a separate third schedule after Scheduled Castes and Scheduled Tribes.

A separate schedule would pave the way for bringing them under the cover of reservation in jobs and education and the protection of Prevention of Atrocities Act.

The Commission, headed by Bhiku Ramji Idate, had in its report submitted to the ministry in January 2018 recommended that these “most deprived” communities be recognised as Scheduled DNT/ NT/ SNT. A ministry official said, “The Idate Commission has made a total of 20 recommendations which concern the various ministries and departments we have written to this week. We have also sent letters to the Chief Secretaries of all States as the state-specific issues faced by these communities may vary.”

Those whose comments have been sought include the ministries of Home, Health, Law,

HRD, Culture, Housing Affairs, and Rural Development among others. Some of the issues raised by the report with regard to these ministries involve the repealing of the Habitual Offenders Act (which still results in harassment of the community by the police), provision of PDS cards, special housing schemes for the largely landless community, establishment of a separate academy to preserve their art and culture, special education and health schemes.

The ministry has also written to existing commissions such as National Human Rights Commission and National Commission for Women regarding establishment of dedicated cells for these communities within these bodies, and to the Census Commissioner regarding “a proper systematic caste-based census in respect of DNT/NT communities” in the 2021 Census.

The University Grants Commission and the Indian Council of Social Science Research have been asked if they would provide more research fund for studying DNT/NT, while NITI Aayog is being consulted regarding setting up a Working Group for framing Vision 2030 for development of these communities as per the Sustainable Development Goals.

Social Justice MoS Ramdas Athawale had told *The Indian Express* that the government would implement the report

and bring in the required Constitutional amendment as the condition of DNT/ NT/ SNT communities is worse than that of Dalits and Adivasis in the country. In addition to the steps required to be taken by others, the Ministry of Social Justice and Empowerment would have to implement some of the major recommendations, including establishing a Permanent DNT/ NT/ SNT Commission, reclassifying those that have been wrongly put in the SC, ST, OBC categories, and also classifying the 94 DNT, 171 NT, and 2 SNT communities that have not been included under any of the scheduled categories.

Denotified tribes or Vimuktajatis are all those communities notified under the Criminal Tribes Acts enforced during British Rule, whereby entire populations were branded criminals by birth. In 1952, the Act was repealed and the communities were de-notified. The Nomadic tribes are the ones who maintain constant geographical mobility, while semi-nomads are those who are on the move but return to a fixed habitation once a year mainly for occupational reasons. The latest Idate Commission report has noted that post-independence policies for these communities have been mostly “symbolic reparations”, with post-liberalisation policies alienating them further from their land and occupations.