



PERMANENT MISSION OF
INDIA
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GENEVA

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ON BEHALF OF THE DELEGATION OF INDIA
IN THE WORKING GROUP ON INDIGENOUS POPULATIONS
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GENEVA

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Madam Chairman,

Since this is the first time that my delegation is taking the floor, permit me to congratulate you on your re-election as Chairman of the Working Group. I would like to compliment you for your very able stewardship of this Working Group and for the democratic manner in which you have always conducted its proceedings. My delegation would also like to congratulate you and the members of the Working Group for the enormous contribution which has been made here to the on-going process of the development of international standards concerning the rights of indigenous populations.

Madam, a few statements have been made earlier during this meeting which focussed on some of the problems faced by the Scheduled Tribes of India. At the meetings of this very Working Group in earlier years my delegation has repeatedly clarified that the term Adivasis used commonly in India to designate the Scheduled Tribes cannot be equated with the term indigenous peoples. The specific designation of Scheduled Tribes in India has been made in keeping with the developmental requirements of certain sections of our population in favour of whom a system of positive discrimination is followed by the Government in order to secure for them special privileges and to ensure their accelerated progress.

The Constitutional order of 1950 has declared 212 tribes located in 14 States as Scheduled Tribes. This number has since grown. It is noteworthy that no single criteria has existed in India for distinguishing the tribal from the non-tribal populations. Anthropologists, social reformers, Census Commissioners etc. have pointed out how religion, occupation, or racial features have proved inadequate when attempting to distinguish the tribal from the non-tribal population in India. Therefore to say which section of India's population is indigenous and which is not would be an even more difficult task. Sociological studies on the definitional aspect of the question have shown that in India hardly any of the tribes exist as a separate society and that they have all been absorbed, in varying degrees into the wider society of India. The on-going process has not been recent but dates back to the most ancient times. No tribe in India has a completely separate political boundary. Without extending this academic debate any further I wish to reiterate for the record that the term indigenous population, according to the understanding of our delegation, cannot be equated with the tribal or Scheduled Tribe population in India.

The statement by the Indian Council of Indigenous and Tribal Peoples also mentioned that a section of the tribal population of India was aggrieved because it did not have its home-land. I would submit that India is the home-land of its Scheduled Tribes as much as it is the home-land of all other

Indians. In India peoples of many different faiths, religions and ethnic groups have over a period of time joined together in building the world's largest democracy where social and political rights are guaranteed to all without any discrimination. On account of this the demand for a separate home-land is difficult to comprehend.

Madam Chairman, the statement by the Indian Council of Indigenous and Tribal Peoples also highlighted the fact that the tribal people have lagged behind in the field of education and economic development. Let me point out that the fact that the tribal communities have not kept pace with the rest of Indian society in terms of their development is openly acknowledged. It is to deal with this disparity in their development that Pandit Jawaharlal Nehru the first Prime Minister of India paid particular attention to tribal welfare programmes. This particular emphasis on tribal welfare has been continued and strengthened in recent years. The Constitution itself prescribes protection and safeguards for the Scheduled Tribes and other weaker sections either specially or by way of insisting on their general rights as citizens with the object of promoting their educational and economic interests and removing the social disabilities.

Madam, I would briefly like to draw the attention of the eminent Experts and NGO Observers present here to the great

importance which the Government of India has always attached to the welfare of the tribal population of India. For example, the Indian Constitution provides for a Commissioner for Scheduled Tribes who is responsible for safeguarding the welfare of the tribal people of India. He submits an annual report on the subject to our Parliament, the country's highest political forum, where it is intensely debated. At the centre and in our States we have special departments looking after the welfare of our tribal people and it is recognised that we have established appropriate administrative structures and institutions to safeguard the rights of our tribal populations and to ensure that they are not exploited. . We do recognise that the mere existence of laws by itself is no guarantee that the rights of our tribal people are fully protected. However, I would like to assure this meeting that the Government of India is taking every possible step to protect the rights and interests of the tribal people of India. I may add-as this meeting is undoubtedly aware- that India was among the first few countries to ratify the 1957 ILO Convention on Indigenous and Tribal Populations, doing so in 1958 itself. Since then the Government of India has constantly sought to fulfil its obligations under this Convention.

The statement by the Indian Council on Indigenous and Tribal Peoples also argued that the impact of the development programmes and projects in India has resulted in the ousting of the tribal peoples from their lands. I would like to clarify that land has been acquired by Government for such developmental projects of national importance and in the general public interest from all sections of the Indian people; it is not that the tribal population alone has been subjected to special difficulties. Moreover as an effect of industrialisation and the expanding national economy, large sections of the tribal population have been entering into a productive system which tends to break down traditional ties again not only within tribal communities alone but among all traditional social groups in India. The problems of social deprivation are not linked to a tribal or non-tribal identity; these are common problems for which there can be only common solutions even if they may be specially tailored to take care of a special situation.

Finally, Madam Chairman some NGOs focussed on problems such as the ^{alleged} torture of Scheduled Tribes and Scheduled Castes in India or their exploitation. I would submit that administrative Machinery which exists in India for looking after the welfare of the tribal people as well as the judicial system have been taking remedial action in all such cases. In its statement here, Amnesty International itself acknowledged this when it referred to an observation made by Bombay High Court on 21 April

1989 in regard to alleged beatings of members of a tribal community. My delegation agrees that members of the Scheduled Tribes or any other weaker sections of society can be easy targets for victimisation. However, all economic and socially backward sections of Indian society like any other society are vulnerable, and the Government of India continues to devote special attention to the problems of Scheduled Tribes.

In conclusion, I would like to state that during the last 42 years progress in the upliftment of Scheduled Castes and Scheduled Tribes and other disadvantaged groups is considerable when compared to their conditions at the time of independence. The existing pace of development has to be assessed against the background of social and economic backwardness, reinforced by centuries of apathy and India's recent history of colonial rule as also the inherent constraints on the resources of a developing economy.

I thank you Madam Chairman.