



PERMANENT MISSION OF  
INDIA  
TO THE UNITED NATIONS OFFICE  
GENEVA

STATEMENT MADE BY MR. PRABHU DAYAL  
ON BEHALF OF THE DELEGATION OF INDIA  
IN THE WORKING GROUP ON INDIGENOUS POPULATIONS

31 JULY 1991

Madam Chairman,

Since this is the first time that I am speaking here allow me to congratulate you for your able guidance of this Working Group and for the democratic manner in which you have conducted its proceedings. My delegation would also like to felicitate you and the members of the Working Group for your enormous contribution to the on-going process of developing international standards concerning the rights of indigenous populations. It is my delegation's view that this exercise should continue in harmony with existing international instruments. In this regard, I must state that my delegation is impressed with the progress made during this session of the Working Group in regard to the Draft Declaration on the Rights of Indigenous Peoples. The preamble adopted at the first reading is indeed comprehensive.

We would also like to express our appreciation for the excellent preliminary report on treaties which has been prepared by Mr. Alfonso Martinez, a distinguished member of this Working Group. In para 98 of this study, he has alerted us to the difference between the Indigenous Peoples and minorities of various other types. We share his view that the question of minorities should not be confounded with that of Indigenous Populations.

Yesterday some NGOs made statements regarding the scheduled tribes and scheduled castes of India. I would like to reiterate what we have said in earlier years, that according to the understanding of our delegation, in the Indian context, the term 'Indigenous Peoples' cannot be equated with the scheduled tribes and scheduled castes. The specific categories of scheduled tribes and scheduled castes have been created in our Constitution in order to promote the development and upliftment of certain sections of our populations in favour of whom a system of positive discrimination is followed by the Government in order to secure for them special privileges and ensure their accelerated progress.

Madam Chairman, in his statement delivered yesterday on behalf of the Indian Council of Indigenous and Tribal Peoples, Professor Kisku argued at great length that the scheduled tribes constitute the indigenous peoples of India. Since this conceptual issue has been so emphatically raised here by Professor Kisku, may I, Madam Chairman, seek your indulgence to elaborate upon what I have just said. Professor Andre Betaille, an eminent sociologist, in an important study on the definitional aspect of this question published in 1960 had stated as follows:

"In the beginning, nobody bothered to give a precise meaning to the term tribe. This did not create

very much confusion so long as the groups which were dealt with could be easily located and differentiated from groups of other types. By and large, this was the case in Australia, Melanania and in North America.

In India, and also to a certain extent in Africa the situation is conspicuously different. In this country, groups which correspond closely to the anthropologists' conception of tribes have lived in long association with communities of an entirely different type. Except in a few areas, it is very difficult to come across communities which retain all their pristine tribal character. In fact, most such tribal groups show in varying degrees elements of continuity with the larger society of India".

Professor Andre Betaille, went on to state that in India hardly any of the tribes exists as a separate society and that they have all been absorbed, in varying degrees, into the wider society of India. The on-going process of absorption is not recent but dates back to the most ancient times.

In short, the situation as it has evolved is that ethnically speaking, most of the tribes in present day India share their origins with the neighbouring non-tribal population. India has been a melting point of races and ethnic groups, and historians and anthropologists find it difficult to arrange the various distinct cul-

tural, ethnic and linguistic groups in the chrnological sequence of their appearance in the sub-continent. For example, it has been claimed that the basic substratum of India's racial structure is Negrito, supplanted later by proto-Australoids. The analysis of India's tribal population shows that Negritos are negligible and proto-Australoids pre-dominate, exacly as reflected in the rest of the population. If the linguistic criteria is applied, there is even greater confusion; the Bhils, a tribe numbering over 5 million which lives in Central India speak a language which has 80% of its words in Sanskrit, an Indo-Aryan language.

Without extending this academic debate any further, I would like to reiterate for the record that according to the understanding of our delegation, in the Indian context the term indigenous people cannot be equated with the scheduled tribes. These two terms are not synonamous or congruent. The same is true for scheduled castes.

Distinctiveness on grounds of religious, cultural, ethnic, linguistic or other predominant characteristics could apply to several other categories of people in India, not only to tribals. In case the various criteria of indigenous populations were to be selectively applied to the Indian context, at least 300 - 400 million people could come within its ambit. I would therefore reiterate my Government's view that tribals in India

do not constitute what is understood here by the term indigenous populations.

Madam Chairman, certain N.G.O.s misused this forum yesterday to make baseless allegations that the Government of India is violating the human rights of the scheduled tribes and the scheduled castes. Nothing could be farther from the truth. The Government of India is, in fact, extremely aware that the scheduled tribes, scheduled castes and other weaker sections of society are vulnerable to human rights violations and it devotes special attention to their problems and their welfare. The administrative machinery as well as the judicial system takes remedial action in all cases of human rights violations.

References were also made by Professor Kisku to an agitation launched against the Narmada Valley Project. The underlying theme of this allegation was that in the name of development, the Government is invading the land and territories of the tribal people. The reality is that from time to time land has been acquired by the Government of India for developmental projects of national importance from all sections of the Indian people. Therefore, it is completely incorrect to give an impression that the scheduled tribes or the scheduled castes are being subjected to special privation.

Professor Kisku also alleged that the Indian Government's attitude towards the tribal people has been colonial. Members of the Working Group are aware of the political and social diversity of India. From the distinguished representatives of the Council present here it was difficult to expect such a sweeping generalisation. Professor Kisku who spoke on behalf of the Council, has himself been a former minister in the Central Government. The other representative, Dr. Ram Dayal Munda is a former Vice-Chancellor and presently Head of the Department of Tribal and Regional Languages in the University of Ranchi in India. In different States of India, governments of all shades and ideological opinions enjoy power. As Professor Kisku himself acknowledged, in the north-eastern States, i.e. Meghalaya, Arunachal Pradesh, Mizoram, Tripura, Manipura and Nagaland where the population is predominantly tribal, the tribals themselves are running the government and administration. Therefore, it is a travesty of facts to say that the attitude of the Government of India towards the tribal people has been colonial. I submit to the Working Group that far from being colonial, in actual fact a system of positive discrimination for the tribal people and the scheduled castes is followed by the Indian Government in order to ensure their accelerated progress.

In conclusion, I would like to state that during the last 44 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.

Thank you.