106771

Tribal People Planning Framework

Skills Strengthening for Industrial Value Enhancement Skills Strengthening for Industrial Value Enhancement (STRIVE)
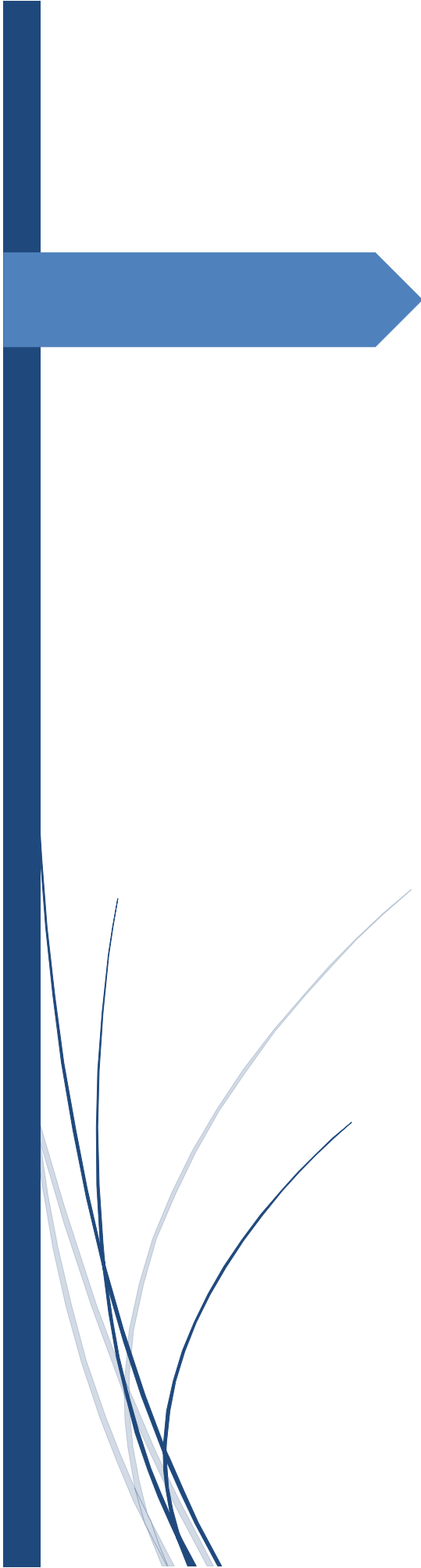
Table of Contents

Tribal People Planning Framework

Skills Strengthening for Industrial Value Enhancement

1. Introduction

India's demographic dividend, young population, with declining birth rates and improvement in life expectancy, will reach its peak by 2025 and a quarter of the world's total workforce will be in India. By 2020, the average Indian will be 29 years old, compared to 37 in China and the US, 45 in Western Europe and 48 in Japan, making India one of the youngest nations in the world. Preparing the economy to absorb the large mass of population coming into the workforce requires ensuring that they are skilled to meet the requirement of the sectors that will employ them. Globalization, advances in Information Technology and trade liberalization in India have led to a series of changes in the Indian labor market in terms of growth of skilled based work force. However, India has among the lowest proportion of trained youth in the world. The quantitative dimension of India's skill development challenge is that as high as 80 percent of new entrants to the workforce have no opportunity for skill training. It is estimated that only 5% of the workforce of the age group of 20-24 has acquired vocational skills through formal system (compared to 96% of skilled workforce in Korea, 28% in Mexico),[1] and less than 10% have access to any kind of training. Further, new business strategies, management practices and forms of work organization, which are a part of globalization has two major implications for the labor market in India – it has opened up the economy as a window of opportunity even for small enterprise and informal sector, but has led to exclusion of certain segments of the workforce such as women, unskilled workers, casual workers, workers from the backward and marginalized communities.[2]

This scenario poses a challenge for the country, given that twelve million youth enter the labor market every year in the country. This has paved way for according importance to Vocational Education and Training (VET), as an important element of the nation's education initiative. In order for Vocational Education to play its part effectively in the changing national context and for India to enjoy the fruits of the demographic dividend, it is required to redefine the critical elements of imparting vocational education and training -- flexible, contemporary, relevant, inclusive and creative. The Government of India is well aware of this and accordingly a number of important initiatives are underway. Importantly, Government of India (GOI) introduced National Policy for Skill Development and Entrepreneurship in June 2015. National Skill Development Mission (NSDM) has been set up to steer the implementation. The Mission reflects the government's commitment to skilling opportunities for economically disadvantaged/underserved communities and developing a globally competitive workforce. Accordingly, a variety of programs and projects have been drawn.

---

[1] Report of the Skills Mission, Planning Commission GoI, 2007
[2] Jeemol Unni, "Skills as a Security for Informal Sector"

2. Program Description

NSDM seeks to shift towards outcome-focused training provision and establish and enforce cross-sect oral, nationally and internationally acceptable standards for skill training by creating a sound quality assurance framework. The implementation strategy of the Mission consists of seven core sub-missions that act as building blocks to achieve the overall objectives: Institutional Training, Infrastructure, Convergence, Trainers, Overseas Employment, Sustainable Livelihoods and Leveraging Public infrastructure. The two sub-missions on *institutional training* (Sub-mission 1) and *trainers* (Sub-mission 4) include the main policy actions and activities required to improve the long-term training landscape, which is the main source of skilled labour for the industrial sector. The two sub-missions fall under the auspices of the Directorate General of Training (DGT) in the MSDE, together with the State Directorates of Training (DT). They will constitute the Program to be funded by the STRIVE Operation. The key objectives of the two sub-missions can be summarized as:

- To enhance access and quality of training provision by establishing a demand-driven and outcomes-focused system with pathways to further education and the labour market;
- To upgrade and modernize existing training institutes, including ITIs and ATIs, to make them responsive to industry demand, focusing on reforms in five key areas: (i) curriculum flexibility, (ii) training equipment and workshops, (iii) pedagogy, (iv) industry interface, and (v) financial model;
- To development further apprenticeships training
- To improve the overall quality of instruction at training institutes, through improving teachers' training opportunities, ensuring adequate availability of trainers in the skills space, and providing trainers with long-term career progression pathways

While the Government Program aims at a comprehensive overall expansion and improvement of the CTS and apprenticeship training schemes, STRIVE funding will specifically be leveraged to strengthen key drivers affecting labour market responsiveness and efficiency: focusing on results through introducing performance-based funding principles in the public skills development realm, deepening public private partnership in training delivery and supervision, introducing high quality ICT-enabled teaching and learning in long-term training programs and teachers' training and further training, promotion of inclusion in skills development, specially of female youth and youth from scheduled castes and scheduled tribes, and through strengthening the drivers of outcome-based training development (see Table A1.1 below).

Table A1.1: Scope of STRIVE

Table 1: STRIVE Program Overview

STRIVE Overview	
	Government Program/World Bank Support through PforR
Title	Skills Strengthening for Industrial Value Enhancement (STRIVE)
Objective	*To improve the relevance and efficiency of vocational training provided through*

	ITIs and apprenticeship
Activities types	a. Incentivizing SME participation in modern apprenticeship training through grant funding of apprenticeship industry clusters b. Capacity development and advocacy for apprenticeship training c. Performance-based grant funding for upgradation of selected ITIs d. Performance-based grant funding to state governments to incentivize reforms in state management of ITIs e. Overhauling curricula and TLM in selected key CTS programs f. Enhancing distance learning in pre-employment and in-service teachers training
Geographic scope	Pan-India
Budget	USD 538.75 million

3. Environmental and Social System Assessment

The key interventions of the program relate to capacity building of the institutions and small scale infrastructure works which are expected to result in substantial social and environmental benefits to the unemployed/ unemployable youth, at large, especially, those belonging to the poor and vulnerable sections. Hence, adverse impacts that are sensitive, diverse and unprecedented on the environment and/or people are not foreseen. However, planned efforts are essential to ensure that project interventions do result in sustainable social and environmental benefits. Further, the lending instruments adopted for the program are twofold: one, Program for Results Operation which covers the bulk of the credit; and the other Investment Project Financing, meant to support the Technical Assistance component. Consequently, the social and environmental management have been planned separately for the two lending streams. This report relates to safeguard compliance with respect to the Technical Assistance Component of the Program. It may also be noted that a comprehensive assessment of the environmental and social systems (ESSA) has been carried out by the World Bank's Task Team and a separate report has been prepared.

4. Technical Assistance and Social Safeguards Management

Technical Assistance component is designed essentially to provide soft support to the main program and expected to encompass the following elements: (i) Project Management Support including external technical capacity support; (ii) Policy and other analytical as well as diagnostic studies; (iii) national as well as international Observation Study Tours (OST) including workshops, seminars etc; and (iv) Information, education and communication campaign (IEC). It is categorical that no construction activities will be supported out of this fund. Hence, the component's proposed interventions will not result in any adverse impacts on people and/ or environ. In fact, even the main program, aimed at skill development, too will not result in any adverse impacts. But, the social assessments made during the project preparation have established that there could be tribal people in the project areas and some of the analytical studies

may be specific to the tribal areas. Same time, full knowledge about the interventions likely to happen during implementation does not exists at preparation, to warrant a comprehensive planning. Given this situation, in accordance with the Indian Constitutional Provision as well as World Bank's Operational Policy (OP) on Indigenous Peoples, 4.10, a Tribal Peoples Planning Framework has been prepared.

5. TPPF Objectives

1. The objectives of the TPPF are to ensure that if indigenous peoples[3] (referred to as tribal in India) tribal are affected by a project/scheme they:
    i) are adequately and fully consulted;
    ii) receive benefits and compensation equal to that of the mainstream population:
    iii) are provided with special assistance as per laws and policies because of their vulnerabilities vis-à-vis the mainstream population; and
    iv) receive adequate protection against project adverse impacts on their culture identities.

In the present context, as the investments are all soft, focal objective would be on 'consultation' towards furthering the 'inclusion' agenda, one of the key core principle against which assessment has been made in ESSA.

6. Tribal Mapping in India

Tribals: One notable group on the periphery of economic and social progress are the tribal groups (or 'Adivasis'). These people have been identified by the constitution as 'scheduled tribes' (ST).[4] There are an estimated 84 million tribal persons, which accounts for around eight percent of India's population of 1.2 billion. The tribal situation in the country presents a varied picture: some areas have high tribal concentration while in others they form only a small portion of the total population.   While the statistics vary across and among STs, the best-available data reveal the following. Overall, in a review of poverty and development progress in India, STs

---

[3] ***Indigenous People (IP)*** *referred as tribal in India are the distinct groups identified based on their social, cultural, economic, political traditions and institution, which are distinct from the mainstream or dominant society and culture. Tribal with similar cultural characteristics are known as 'Adivasi' in Hindi and are recognized as Schedule Tribes (STs) as per the Indian Constitution.*

As per OP-4.10 definition these are Members of a distinct indigenous cultural group, collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories, Customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture, An indigenous language, often different from the official language of the country or region.

[4] There are 645 distinct tribal groups recognized as STs in India. More than half the population are concentrated in the states of Madhya Pradesh, Chattisgarh, Maharashtra, Jharkhand, and Gujarat (the 'central belt' of India). A second belt starts from the north, and comprises Jammu & Kashmir, Himachal Pradesh, Uttarakhand to the seven states in the north eastern region. The third is the southern belt with some STs in the south Indian states, as well as islands of Andaman & Nicobar and Lakshadweep.

show the slowest pace of improvements in a range of areas.[5] The proportion of STs population among the rural population living in poverty is high. It is about 15% — double that of their share in the total population of India.[6] Tribal people also fare badly in respect of human development indicators such as health and education.[7] The tribal peoples' poorer education and health indicators are attributed in the first instance to poverty, which in turn, is a result of them being physically isolated, concentrated in remote hilly and forested areas suffering from poor accessibility and practicing mostly subsistence agriculture, often dependent on forest produce. The net result is that poverty among tribals is often intergenerational: they often pass on poverty to the next generation.[8] It is also in tribal and forested areas of India where there are instances of conflict persisting, which has further impeded development.

In response to the unique challenges faced by the STs, the Government of India (GoI) has undertaken a number of measures over the years. The Constitution of India recognizes the diversity of STs across India as well as other complex problems in terms of geographical isolation, socio-economic backwardness, distinctive culture, poor infrastructure facilities, language and religion, exploitation by various groups, and so on. In response, five broad categories of safeguards[9] are provided: (i) social – chiefly related to abolishing of un-touchability; (ii) economic – chiefly provision of fifth and sixth schedule areas; (iii) educational and cultural – reservations in educational institutions; (iv) political – provides for reservation of seats in legislature; and (iv) services – reservations in appointments or of posts in public employment. Thus India has both protective provisions to safeguard tribal people from social injustices, as well as developmental provisions to promote their educational and economic interests. Further, administrative provisions under the Fifth and Sixth Schedules give special powers to the state for the protection and governance of tribal areas and reservation provisions ensure due representation in legislative bodies and government jobs. The introduction of Panchayats Extension Act to the scheduled areas (PESA) was enacted by the Indian Parliament on Dec 24, 1996. This Act offers a provision for greater local control over resources and decision making to the tribal people through institutions like Gram Panchayat and Gram Sabha.

The Fifth Schedule consists of districts in the states of Andhra Pradesh, Jharkhand, Chhatisgarh, Odisha, Telangana, Himachal Pradesh, Madhya Pradesh, Gujarat, Maharashtra and Rajasthan which are dominated by tribal population. As per the constitution each of these states is expected to form a Tribal Advisory Council. The Constitution further provides that it shall be the duty of the Tribes Advisory Council to advise on such matters pertaining to the welfare and advancement of the Scheduled Tribes in the State as may be referred to them by the Governor.

---

[5]   Das, M. 'Poverty and Social Exclusion in India', Presentation at the TFESSD Seminar, Oslo: http://siteresources.worldbank.org/INTUNITFESSD/Resources/1633731-1307643226089/Olso-TFESSD-SocialExclusion-Das.pdf

[6] GoI, Report from the 11th Five Year Plan. http://planningcommission.nic.in/plans/planrel/fiveyr/11th/11_v3/11v3_ch4.pdf

[7] UNDP (2012), UNDP in India, http://www.undp.org/content/dam/india/docs/UNDP_in_india_2012_final_artwork.pdf

[8]   Mahapatra, R. 'Why poor rural tribals will remain poor for generations' http://infochangeindia.org/poverty/books-a-reports/why-poor-rural-tribals-will-remain-poor-for-generations.html

[9]   GoI, Tribal Constitutional Safeguards and Protective Measures for Tribals, http://ncsc.nic.in/files/ncsc/new6/261.pdf

The tribal majority regions of North East India, is the part of the Sixth Schedule of the Indian constitution. It has a set of legal provisions are designed especially for tribal majority regions in the North Easter hills of India. The Schedule provides for the constitutions of Autonomous District Councils (ADCs) under which all the tribal chiefs and headmen were placed. The idea was to provide a democratic voice to the tribal structures within the modern state.

Despite special position given to them under the constitution, tribals face discrimination in terms of health and education facilities. One of the reasons for this is that these areas are largely remote and are located in the hilly areas or areas covered by forests. Thus remoteness and serious institutional constraints exclude them both spatially and socially. Dispersed hamlets of the tribal areas makes it administratively difficult to monitor these areas. Education attainment has improved among tribals but still continue to be very low compared to the non tribals. Low voice of tribals in central decision-making and their alienation from land and forests are central to their continued exclusion from progress and development. All these make a strong justification for special and focused attention on tribals from 'inclusion' perspective which however, has a sound legislative support as well.

7. Tribal Legislation in India

There are several policies which provide a legal framework for ensuring dedicate attention to the tribals. Article 366(25) of the Indian constitution refers to Scheduled Tribes (STs) as those communities who are scheduled in accordance with Article 342 of the Constitution. According to Article 342 of the Constitution, STs are the tribes or tribal communities or part of or groups within these tribes and tribal communities which have been declared as such by the President through a public notification. Identification of tribes is a State subject. Thus, classification of a tribe would depend on the status of that tribe in the respective State. Further the Fifth and Sixth Schedule of the constitution provides special provision for tribals in selected regions of the country.

Fifth Schedule of Constitution (Article 244) : Provides for the administration and control of Scheduled Areas and Scheduled Tribes. Article 244(1) and Article 244 (2) of the constitution of India enables the government to enact separate laws for governance and administration of the tribal areas.

73rd Amendment of Constitution, 1992: Enables participation of Panchayat level institutions in decision-making and supporting in the preparation and implementation of development schemes.

Panchayats (Extension to Scheduled Areas) Act, 1996: The provisions of PESA Act lays down process to be followed for acquisition of land in Schedule V areas. The Act under the subsection (1) of section 4 provides for mandatory consultation with the Gram Sabhas, even if single person is affected by the proposed project.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006: The act recognizes and vests the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who has been residing in such forests for generations but whose rights could not be recorded. The act provides a framework for

recording forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARRA), 2013: Fair compensation for acquisition of movable assets; Resettlement and economic rehabilitation of displaced population due to involuntary land acquisition.

The World Bank's Operational Policy on Indigenous Peoples (OP 4.10) aims at ensuring that the development process fosters full respect for the dignity, human rights and cultures of indigenous peoples, thereby contributing to the Bank's mission of poverty reduction and sustainable development. It also recognizes that the identities, cultures, lands and resources of indigenous peoples are uniquely intertwined and especially vulnerable to changes caused by development programs hence require special measures to ensure that they are included in and benefit from these programs as appropriate.

8. Social Assessment

Social Assessment was carried out through extensive stakeholder consultations at various levels- national, state and IIT[10]. States wherein consultations were held include: Assam, Jharkand, Maharashtra, Odisha, Telengana, Tamil Nadu, Uttara Khand and Haryana. Of these, tribal focus was in the states of Assam, Jharkahnd, Mahrahstra, Odisha and Telengana wherein both fifth and sixth schedule areas exists. Areas of enquiry hovered around: availability of lands for civil construction; functioning and performance of training and apprentice activities as reflected in inclusion and equity; and skill development in conflict areas. Salient findings discovered are presented below.

- **Lands**. Most IIT s and/ or Department of Training and Employment in all the states have surplus lands on their campuses. So, no private lands need to be acquired involuntarily for civil construction works.
- **Inclusion.** In India, the society is quite diverse and heterogeneous comprising several sub-groups based on resource endowment, gender, caste, ethnicity, religion and geographically positioning (rural/ urban/ hill / forests/ coastal areas etc.). Ensuring inclusion of all the sub groups is a major challenge. Normally excluded sub groups are: women, Scheduled Caste (SC), Scheduled Tribes (ST), Religious Minorities, Rural Poor and Differently Abled persons. Ensuring inclusion of all these sub-groups is a major challenge, given a variety of barriers – geographical, social, economic and cultural—and other difficulties and deficiencies. Recognizing this, state and central governments have provided for discriminatory targeting provisions.
- Accordingly, certain seats are reserved for women, SCs, STs and Other Backward Communities (OBCs) in all education institutes of the country including the ITIs. The states do strive to achieve the government norm for reservations. However, the results are below expectations. Women in mainstream engineering trades are almost negligible. Their enrolment is confined to very few non-engineering trades like dress making, COPA, surface ornamentation etc. This has led to a gendered dichotomy wherein there

---

[10] As a part of the preparation of ESSA.

are some trades which have only male students and there are others, all female students. Even Women-only IIT s have not been able to sustain, begun to enroll men as well. Women participation from SC/ STs in IITs have been quite limited.

- Seats meant for SCs are normally not filled to full extent, many vacancies exists and later are filled by other categories. Likewise, ST representation in the ITIs is extremely low. There are ITI s established in tribal areas, who perform at sub-optimal levels due to: (i) choice of courses available does not match fully with the market requirements; (ii) inadequate infrastructure facility to enable proper hands on job training; and (iii) non availability of well-trained instructors. ITI s meant for minorities do not suffer from number of enrollments. But, the skills/ trades offered are not only very few but also in most cases, may not the full/ desired requirements. Consequently, many of them prefer studying at ITI s far away, which may entail travelling distances as high as 80 km one way.

- The tribal Departments of the states pays stipend to the students admitted in ITIs. However, the amount of stipend varies from state to state. In Maharashtra the Tribal Department pays a stipend of Rs. 500 per month to Tribal girls for residential courses and Rs. 600 per month for non-residential courses.

- In Maharashtra there is unique program known as *Ashram School ITIs* for tribals. These ITIs are located in the Ashram residential schools for the tribals and cater to only girls. The location of the ITI within the girls' school campus gives a level of "comfort" for the ITI students. Thus it is easy for them to mobilize students from nearby areas as the environment is "non-threatening". As a result, these Ashram School ITIs are able to achieve admission of girls.

- *Lok Seva Kendra* is another interesting innovation of Government of Maharashtra for ITIs located in the tribal areas. Under this scheme the ITIs are used as a common facility for the local youth who have received ITI training to use it as a production center with a payment of nominal fees. Though conceptualized as for the ITI students to take up self-employment with very little capital cost, the scheme has not been very successful due to lack of proper implementation.

- The ITIs are also very poor in terms of fulfilling the quota of inclusion of people with disabilities mostly due to poor and in-appropriate infrastructure.   There are very few instructors trained to train this category of persons.

- **Vacancy.** There are a large number of staff vacancies in almost all the ITI s. This has meant hiring of temporary and/ or contractual staff on a part time. It will be too much to expect the dedication and commitments from the temporary staff, especially, in developing a relation and reposing trust among the students. There are ITI s, barring the Principal, having no full time regular staff at all. Likewise, there are very few personnel at the state department level, rendering monitoring and mentoring very poor.

- **Curriculum.** The present curriculum of the ITIs has very little component of soft skills, required to enable a passing student graduating into employment and work with responsibility and responsiveness. Need for psycho social guidance/ counselling is assumes large significance. Course curriculum are generally not available in local dialect.

- **Training of Trainers**. Trainers in the ITIs are rarely trained because: one, regular staff are very few and cannot be spared; and two, temporary/ contractual staff are not considered for training. This is compounded by the lack of availability of short term

training for trainers. As a result trainings are ad hoc and without any institutional perspective development planning.

- **Involvement of Private Sector.** Active involvement of private sector in various capacities has very positive impact on the ITIs. This is visible in terms of availability of equipment and machinery in PPP ITIs as well as training quality and placement. However, these successful ventures need to be replicated widely.

- **Placement.** Efforts are required to ensure that as many students as possible who pass out of ITIs are placed in jobs. Women placements are very few and far in between. Disaggregated data on the placements are not available.

- **Apprenticeship.** The apprenticeship program is also plagued with a number of issues. Number of students securing apprenticeship varies between 20- 50%, average being 30%. However, women apprentice are very few (about 7%) and so is the case with SC/STs too. Girls are not encouraged in the industries and therefore hardly get apprenticeship opportunities. In any case, women's enrolment in engineering courses is quite limited. Students from remote areas also are left out from apprenticeship opportunities as residential failities are not available or that it is quite costly. Post placement monitoring and mentoring, by ITI and / or Regional Directorate for Apprenticeship Training (RDAT) are very rare, with the result, assessing working conditions and work satisfaction and feedback thereof remain in dark..

- **Conflict /LWE Areas.** There are areas beset with conflicts in India, commonly known as Left wing Extremism (LWE) areas. However, the Project will not result in exacerbating conflicts. Rather, special interventions will be planned for developing appropriate skills in such areas, thus contributing towards harmonious development. LWE areas characteristically suffer from inaccessibility (remote area due to forests, rugged mountains, inhospitable mountains, extreme climate) making the region rather excluded, but are beset with the strength of separate social identity of its population (predominantly inhabited by tribals). Inaccessibility of an area inhibits economic development and causes a sense of relative deprivation among the population. At the same time, large scale migration from these areas is impeded by the people's attachment to their ancestral lands, thereby insulating the area from social transformation. Due to lack of the state's penetration into these inaccessible areas, the population develops a strong sense of social/ cultural identity. This in turn is very helpful to the insurgents as it provides them an opportunity to attract the target population by providing higher social control. Left Wing Extremism areas in India include about 100 districts spread across 10 states – Andhra Pradesh, Telangana, Bihar, Chattisgarh, Maharashtra, Jharkand, Odisha, Madhya Pradesh, Uttar Pradesh and West Bengal. The List of districts in affected by LWE are given in Annexure 5.

In order to holistically address the LWE problem in an effective manner, Government has formulated National Policy and Action Plan adopting four pronged strategy in the areas of security, development, ensuring rights & entitlement of local communities and management of public perception. The focus of the Government currently is to address security, development and governance deficits in 106 LWE districts Of these, higher focus is on 35 severely affected LWE districts spread in 7 States. Major areas of development intervention are in the spheres of : security related infrastructure, road connectivity including bridges, GIS mapping, school, post

offices, health facilities, mobile towers, PDS services and other security related activities. Two important skill training programme are targeted specifically to the LWE areas.

Skill Development in 34 Districts affected by Left Wing Extremism: This Scheme is being implemented by Ministry of Skill Development and Entrepreneurship. The Scheme was formulated in the year 2011 to create Skill Development infrastructure in 34 districts of 9 LWE affected States closer to the people of Left Wing Extremism (LWE) affected districts. The objective of the scheme is to establish one ITI & two Skill Development Centers (SDCs) in each of 34 districts and to run demand driven vocational training courses both long term and short term to meeting the requirement of skilled manpower of various sectors of economy in and around these areas, on the one hand and on the other, provide youth opportunities of decent livelihood;

Ministry of Rural Development has initiated a new skill development initiative within the Aajeevika Skills (Placement Linked Skill Development Scheme) called "Roshni" for youth from 27 most critical LWE affected districts; and The Ministry of Tribal Affairs also implements schemes applicable universally on pan India basis including for LWE affected areas which are for the economic, educational and social development of the tribal population of the country.

There are good overlap in terms of tribal and conflict areas. These areas suffer from geographical isolation, difficult terrain, poor connectivity, low social and economic development, and lack of local level employment opportunities. Apart from the inadequate infrastructure and lack of trained full time staff, relevance and utility of the courses offered needs a thorough re-visit.

9. Tribal People Planning Framework (TPPF)

The TPPF sets out a framework to be adopted during implementation so as to ensure that tribal communities are informed, consulted, and mobilized to participate in the program activities. The Framework is intended to guide selection and preparation of, as well as contribute towards undertaking policy and other analytical studies as well as in the conduction of diagnostic as well as exploratory enquiries. Thus this will provide a frame work of participation, as well as management modalities, in the tribal and / or LWE areas in the preparation of a Tribal People Plan during implementation.

If any TA activity is undertaken in the fifth schedule areas, it will be mandatory to conduct systematically consultations with tribal leaders (both official and traditional) at village as well as district levels and other agencies as well as with Panchayat Raj institutions, and other government departments. Protocols for: selection of persons/ agencies to be consulted, venue and timing for consultations, setting of agenda, making available relevant documents in local languages, conduction of the consultative meeting as well as recording the proceedings and subsequently disseminating the same. Bi-annual monitoring through local participation (tribal leaders and other department) shall also be done.

The Sixth Schedule provides for administration of certain tribal areas as autonomous entities. The administration of an autonomous district is to be vested in a District Council and of an autonomous region, in a Regional Council. These Councils are endowed with legislative, judicial, executive and financial powers. These constitutionally mandated Councils oversee the traditional bodies of the local tribes. Currently, there are ten Autonomous Councils functioning in the 4 north east states. So, it is mandatory that consultations are held with both village as well as district / regional councils whenever an intervention is planned in their areas of jurisdiction. In the Sixth Schedule areas, apart from the tribal leaders and government agencies, consultations should be held with Autonomous District Councils (ADC).

As a part of the TA, two analytical activity will be planned, one in the Fifth Schedule Areas and another as related to LWE areas. Purpose of this enquiry would be to undertake an analytical exercise and provide external technical help to the candidate ITI s in these areas so as to enable: (i) identifying skill interventions required to enable primarily local employment, taking into account, both local community perspectives as well as future developments; (ii) assess the adequacy of the existing facilities available currently so as to bring to the fore issues/ gaps.

MSDE will deploy an institutional development specialist at the national level who will be responsible for steering all inclusion related activities of the project, including, technical assistance program in the tribal areas. Progress reports will be prepared and disseminated widely across the stakeholders on a quarterly basis.

Activities of the STRIVE Operation, Implementation Arrangements and Finance Triggers

<u>**Activities of the Operation**</u>

The program is complemented by a technical assistance component that aims at: Strengthened capacity in project management, advocacy, monitoring and evaluation by MSDE and state governments. There are 8 Disbursements Linked Indicators (DLIs) specific to the Project. These are: (i) Increase in the number of students participating in cooperative apprenticeship training; (ii) Increase in the number of women and ST participants in ITIs; (iii) Number of trades with repository of ICT-supported T&L packages; (iv) Increased focus on performance in supported ITI s; (v) Increased number of pass-outs from supported ITI s; (vi) Improvement of state support to ITI operations; (vii) Number of ITI teaching staff participating in distance education CITS and CPD programs; and (viii) Increased capacity of MSDE to facilitate the reform of skills development system.

Implementation Arrangements

Multi-level approach. STRIVE is a national program representing a multi-level approach that reflects the complex structure of the skills development eco-systems with its different layers of action and responsibilities. To improve relevance and quality of long-term training and apprenticeship, a key focus of the program are improved operations at the level of skills development delivery. However, improvements in the space of skills development hinges on enabling regulatory structures and an appropriate resource base. Consequently, relevant institutions at central and state level will be responsible for implementation of regulatory reforms, and improvement of support systems. The table below shows the actors responsible for the implementation of activities at different levels. The implementing organizations are responsible for the prudent implementation of planned activities and adherence to environmental and social standards as laid down in the GoI's program document and the program's OP.

Implementation Responsibilities for Major Activities	Central level	State level	Level of training delivery
Result Area 1: Apprenticeship training			
Capacity Building at central, regional and state-level offices; Advocacy, awareness raising; Grant funding to apprenticeship clusters	Central APP Council/Advisor; Regional Directorates of APP Training		
Support to apprenticeship clusters		State APP	

		Council/Advisor	
Development and delivery of revised and new apprenticeship programs			APP clusters
Result Area 2: Performance of it is			
Grant funding support to ITIs	MSME (PMU)		
Activities to increase performance and relevance of ITI training			ITIs
Cluster formation and support; IT infrastructure development in ITIs; Improved human resource management		State DT	
Development of ICT-enabled teaching and learning resources	NIMI		
Pilot implementation of new TL resources and related assessment procedures			Selected pilot institutions
Result Area 3: Teachers Training			
ICT-based reform of CITS programs; Development of online and e-learning based CPD system for instructors: Upgradation of ATI to multi-functional resource centres	NCVT		

To support <u>state level activities</u> (e.g. cluster support, ICT infrastructure for ITIs, ITI monitoring), the MSDE will disburse annually to state DTs funds based on defined financing triggers. Initial inclusion of states into the funding scheme is contingent upon proof of specified reforms and baseline achievements, including

State DT eligible for inclusion in the scheme in accordance with these criteria will conclude a performance contract with the MSDE, which includes indicators that serve as financing triggers in the course of program implementation.

Management and funding of <u>grants to selected ITIs</u> under the performance-based grant agreement (PBGA) scheme will be done directly by the MSDE. While participating ITIs are selected by the states, the ministry will sign performance contracts with the IMC of the

benefitting ITIs and disburse funds annually based on the achievement of performance indicators (financing triggers) defined in the Institutional Strategic Plans (ISP). ISPs represent five-year strategic plan for the development of the ITI. ISPs will follow a standard format that identifies a range of potential objectives and targets, to which the ITI commits itself in the plan. While indicators are standardised over all participating ITIs, each ITI will individually quantify the indicators in line with institutional strategies and potentials.

The MSDE is also responsible for managing and funding grant agreements with apprenticeship clusters (AC). Benefitting ACs will be identified in a competitive selection process according to rule stipulated in the OP. Two calls for proposal are envisaged during the life-span of STRIVE. Selection criteria will refer to the relevance of the suggested programs, number of benefitting apprentices, cost effectiveness of

Responsibility to coordinate and facilitate the implementation of STRIVE at the ministerial level rests with the existing National Program Implementation Unit (NPIU), originally established to facilitate the implementation of VTIP. The NPIU has a total strength of 21 posts. To ensure success in the achievement of state level activities, including monitoring and facilitation tasks, each state government will form State Program Implementation Units (SPIU) dedicated for STRIVE implementation. The VTIP implementation revealed considerable capacity constraints both at central and state levels for the implementation of large-scale reform programs in the skills development sector. Under STRIVE, national and state PIUs will therefore be supported through a dedicated Program Support Team (PST) directly funded through technical assistance funds. The PST is a consultancy team comprising key experts in project management, monitoring and evaluation, skills development and apprenticeship training. It will assist the national and state PIUs in their tasks of project management, facilitation of support, supervision of program implementation as well as monitoring and evaluation. For assisting the monitoring of progress in the implementation of PBGA at ITI level, an independent verification agency will be hired.

Government of India's Special Types of Safeguards to the Tribal Communities

<u>FIFTH SCHEDULE</u>

Article 244(1)of The Constitution of India

Provisions as to the Administration and Control of Scheduled Areas and Scheduled Tribes

PART A

GENERAL

1. **Interpretation**.—In this Schedule, unless the context otherwise requires, the expression "State" does not include the States of Assam, Meghalaya, Tripura and Mizoram.

2. **Executive power of a State in Scheduled Areas.**—Subject to the provisions of this Schedule, the executive power of a State extends to the Scheduled Areas therein.

3. **Report by the Governor to the President regarding the administration of Scheduled Areas.**—The Governor of each State having Scheduled Areas therein shall annually, or whenever so required by the President, make a report to the President regarding the administration of the Scheduled Areas in that State and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the said areas.

PART B

ADMINISTRATION AND CONTROL OF SCHEDULED AREAS AND SCHEDULED TRIBES

4. Tribes Advisory Council

(1) There shall be established in each State having Scheduled Areas therein and, if the President so directs, also in any State having Scheduled Tribes but not Scheduled Areas therein, a Tribes Advisory Council consisting of not more than twenty members of whom, as nearly as may be, three-fourths shall be the representatives of the Scheduled Tribes in the Legislative Assembly of the State:
Provided that if the number of representatives of the Scheduled Tribes in the Legislative Assembly of the State is less than the number of seats in the Tribes Advisory Council to be filled by such representatives, the remaining seats shall be filled by other members of those tribes.

(2) It shall be the duty of the Tribes Advisory Council to advise on such matters pertaining to the welfare and advancement of the Scheduled Tribes in the State as may be referred to them by the Governor.

(3) The Governor may make rules prescribing or regulating, as the case may be,—
(*a*) the number of members of the Council, the mode of their appointment and the appointment of the Chairman of the Council and of the officers and servants thereof;
(*b*) the conduct of its meetings and its procedure in general; and
(*c*) all other incidental matters.

5. Law applicable to Scheduled Areas

(1) Notwithstanding anything in this Constitution, the Governor may by public notification direct that any particular Act of Parliament or of the Legislature of the State shall not apply to a Scheduled Area or any part thereof in the State or shall apply to a Scheduled Area or any part thereof in the State subject to such exceptions and modifications as he may specify in the notification and any direction given under this sub-paragraph may be given so as to have retrospective effect.

(2) The Governor may make regulations for the peace and good government of any area in a State which is for the time being a Scheduled Area.

In particular and without prejudice to the generality of the foregoing power, such regulations may—
(*a*) prohibit or restrict the transfer of land by or among members of the Scheduled Tribes in such area;
(*b*) regulate the allotment of land to members of the Scheduled Tribes in such area;
(*c*) regulate the carrying on of business as money-lender by persons who lend money to members of the Scheduled Tribes in such area.

(3) In making any such regulation as is referred to in sub-paragraph (2) of this paragraph, the Governor may repeal or amend any Act of Parliament or of the Legislature of the State or any existing law which is for the time being applicable to the area in question.

(4) All regulations made under this paragraph shall be submitted forthwith to the President and, until assented to by him, shall have no effect.

(5) No regulation shall be made under this paragraph unless the Governor making the regulation has, in the case where there is a Tribes Advisory Council for the State, consulted such Council.

PART C

SCHEDULED AREAS

6. Scheduled Areas

(1) In this Constitution, the expression "Scheduled Areas" means such areas as the President may by order1 declare to be Scheduled Areas.

(2) The President may at any time by order:

(*a*) direct that the whole or any specified part of a Scheduled Area shall cease to be a Scheduled Area or a part of such an area;

(*aa*) increase the area of any Scheduled Area in a State after consultation with the Governor of that State;

(*b*) alter, but only by way of rectification of boundaries, any Scheduled Area;

(*c*) on any alteration of the boundaries of a State or on the admission into the Union or the establishment of a new State, declare any territory not previously included in any State to be, or to form part of, a Scheduled Area;

(*d*) rescind, in relation to any State or States, any order or orders made under this paragraph, and in consultation with the Governor of the State concerned, make fresh orders redefining the areas which are to be Scheduled Areas;

and any such order may contain such incidental and consequential provisions as appear to the President to be necessary and proper, but save as aforesaid, the order made under sub-paragraph (1) of this paragraph shall not be varied by any subsequent order.

See the Scheduled Areas (Part A States) Order, 1950 (C.O. 9), the Scheduled Areas (Part B States) Order, 1950 (C.O.26), the Scheduled Areas (Himachal Pradesh) Order, 1975 (C.O. 102) and the Scheduled Areas (States of Bihar, Gujarat, Madhya Pradesh and Orissa) Order, 1977 (C.O. 109).

See the Madras Scheduled Areas (Cessor) Order, 1950 (C.O. 30) and the Andhra Scheduled Areas (Cessor) Order, 1955 (C.O. 50).

Article 238 The Constitution of India

PART D
AMENDMENT OF THE SCHEDULE

7. Amendment of the Schedule

(1) Parliament may from time to time by law amend by way of addition, variation or repeal any of the provisions of this Schedule and, when the Schedule is so amended, any reference to this Schedule in this Constitution shall be construed as a reference to such Schedule as so amended.

(2) No such law as is mentioned in sub-paragraph (1) of this paragraph shall be deemed to be an amendment of this Constitution for the purposes of article 368.

THE PROVISIONS OF THE PANCHAYATS (EXTENSION TO THE SCHEDULED AREAS) ACT, 1996No.40 OF 1996

An Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.

Be it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:

Short title (PESA)
This Act may be called the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996
Definition
In this Act, unless the context otherwise requires, "Scheduled Areas" means the Scheduled Areas as referred to in Clause (1) of Article 244 of the Constitution.

Extension of part IX of The Constitution
The provision of Part IX of the Constitution relating to Panchayats are hereby extended to the Scheduled Areas subject to such exceptions and modifications as are provided in section 4.

Exceptions and modifications to part IX of The Constitution
Notwithstanding anything contained under Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the following features, namely:
   a) a State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources;
   b) a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;
   c) every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level;
   d) every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;
   e) every Gram Sabha shall approve of the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level; ii. be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes;
   f) every Panchayat at the village level shall be required to obtain from the Gram Sabha a certification of utilisation of funds by that Panchayat for the plans, programmes and projects referred to in clause (e)

g) the reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution;
Provided that the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats;
Provided further that all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes;

h) the State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level:
Provided that such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat;

i) the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-setling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level;

j) planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;

k) the recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;

l) the prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction;

m) while endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self-government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with:
  i. the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;
  ii. the ownership of minor forest produce
  iii. the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe;
  iv. the power to manage village markets by whatever name called;
  v. the power to exercise control over money lending to the Scheduled Tribes;
  vi. the power to exercise control over institutions and functionaries in all social sectors;
  vii. the power to control over local plans and resources for such plans including tribal sub-plans;

n) the State Legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha;

o) the State Legislature shall endeavour to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas.

Continuance of existing laws on panchayats:
Notwithstanding anything in Part IX of the Constitution with exceptions and modifications made by this Act, any provision of any law relating to Panchayats in force in the Scheduled Areas, immediately before the date on which this Act receives the assent of the President, which is inconsistent with the provisions of Part IX with such exceptions and modifications shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from the date on which this Act receives the assent of the President;

Provided that all the Panchayats existing immediately before such date shall continue till the expiration of their duration unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having Legislative Council, by each House of the Legislature of that State.

K.L. MOHANPURIA,
Secy. To the Govt. of India

Fifth Schedule Areas

State	Areas
Andhra Pradesh	Visakhapatnam, East Godavari, West Godavari, Adilabad, Srikakulam, Vizianagaram, Mahboobnagar, Prakasam (only some mandals are scheduled mandals)
Jharkhand	Dumka, Godda, Devgarh, Sahabgunj, Pakur, Ranchi, Singhbhum (East&West), Gumla, Simdega, Lohardaga, Palamu, Garwa, (some districts are only partly tribal blocks)
Chattisgarh	Sarbhuja, Bastar, Raigad, Raipur, Rajnandgaon, Durg, Bilaspur, Sehdol, Chindwada, Kanker
Himachal Pradesh	Lahaul and Spiti districts, Kinnaur, Pangi tehsil and Bharmour sub-tehsil in Chamba district
Madhya Pradesh	Jhabua, Mandla, Dhar, Khargone, East Nimar (khandwa), Sailana tehsil in Ratlam district, Betul, Seoni, Balaghat, Morena
Gujarat	Surat, Bharauch, Dangs, Valsad, Panchmahl, Sadodara, Sabarkanta (parts of these districts only)
Maharashtra	Thane, Nasik, Dhule, Ahmednagar, Pune, Nanded, Amravati, Yavatmal, Gadchiroli, Chandrapur (parts of these districts only)
Orissa	Mayurbhanj, Sundargarh, Koraput (fully scheduled area in these threedistricts), Raigada, Keonjhar, Sambalpur, Boudhkondmals, Ganjam, Kalahandi, Bolangir, Balasor (parts of these districts only)
Rajasthan	Banswara, Dungarpur (fully tribal districts), Udaipur, Chittaurgarh, Siroi (partly tribal areas)

List of Schedule Areas

Fifth Schedule

State	Areas
Andhra Pradesh	Vishakapatanam, East Godavari, West Godavari, Adilabad,Srikakulam, Vizianagaram, Mahboobnagar, Prakasam (only some mandals are scheduled mandals)
Jharkhand	Dumka, Godda, Devgarh, Sahabgunj, Pakur, Ranchi, Singhbhum (East&West), Gumla, Simdega, Lohardaga, Palamu, Garwa, (some districts are only partly tribal blocks)
Chattisgarh	Sarbhuja, Bastar, Raigad, Raipur, Rajnandgaon, Durg, Bilaspur, Sehdol,

	Chindwada, Kanker
Himachal Pradesh	Lahaul and Spiti districts, Kinnaur, Pangi tehsil and Bharmour sub-tehsil in Chamba district
Madhya Pradesh	Jhabua, Mandla, Dhar, Khargone, East Nimar (khandwa), Sailana tehsil in Ratlam district, Betul, Seoni, Balaghat, Morena
Gujarat	Surat, Bharauch, Dangs, Valsad, Panchmahl, Sadodara, Sabarkanta (partsof these districts only)
Maharashtra	Thane, Nasik, Dhule, Ahmednagar, Pune, Nanded, Amravati, Yavatmal, Gadchiroli, Chandrapur (parts of these districts only)
Odisha	Mayurbhanj, Sundargarh, Koraput (fully scheduled area in these threedistricts), Raigada, Keonjhar, Sambalpur, Boudhkondmals, Ganjam, Kalahandi, Bolangir, Balasor (parts of these districts only)
Rajasthan	Banswara, Dungarpur (fully tribal districts), Udaipur, Chittaurgarh, Siroi (partly tribal areas)

Sixth Schedule

State	Schedule Areas
Assam	Bodoland Territorial Council
	Karbi Anglong Autonomous Council
	Dima Hasao Autonomous District Council
Meghalaya	Garo Hills Autonomous District Council
	Jaintia Hills Autonomous District Council
	Khasi Hills Autonomous District Council
Tripura	Tripura Tribal Areas Autonomous District Council
Mizoram	Chakma Autonomous District Council
	Lai Autonomous District Council
	Mara Autonomous District Council

List of Left Wing Affected Districts

State	District
Andhra Pradesh	1. Anantapur 2. East Godavari 3. Guntur 4. Kurnool 5. Prakasam 6. Srikakulam 7. Visakhapatnam 8. Vizianagaram
Telangana	9. Adilabad 10. Karimnagar 11. Khammam 12. Medak 13. Mehboobnagar 14. Nalgonda 15. Warangal 16. Nizamabad
Bihar	17. Arwal 18. Aurangabad 19. Bhojpur 20. East Champaran 21. Gaya 22. Jamui 23. Jehanabad 24. Kaimur 25. Munger 26. Nalanda 27. Nawada 28. Patna 29. Rohtas 30. Sitamarhi 31. West Champaran 32. Muzaffarpur 33. Sheohar 34. Vaishali 35. Banka 36. Lakhisarai 37. Begusarai 38. Khagaria
Chattisgarh	39. Bastar

	40. Bijapur 41. Dantewada 42. Jashpur 43. Kanker 44. Korea (Baikunthpur) 45. Narayanpur 46. Rajnandgaon 47. Sarguja 48. Dhamtari 49. Mahasamund 50. Gariyaband 51. Balod 52. Sukma 53. Kondagaon 54. Balrampur
Jharkhand	55. Bokaro 56. Chatra 57. Dhanbad 58. East Singhbhum 59. Garhwa 60. Giridih 61. Gumla 62. Hazaribagh 63. Koderma 64. Latehar 65. Lohardagga 66. Palamu 67. Ranchi 68. Simdega 69. Saraikela-Kharaswan 70. West Singhbhum 71. Khunti 72. Ramgarh 73. Dumka 74. Deoghar 75. Pakur
Madhya Pradesh	Balaghat
Maharashtra	77. Chandrapur 78. Gadchiroli 79. Gondia 80. Aheri
Odisha	81. Gajapati 82. Ganjam 83. Keonjhar 84. Koraput 85. Malkangiri

	86. Mayurbhanj 87. Navrangpur 88. Rayagada 89. Sambhalpur 90. Sundargarh 91. Nayagarh 92.Kandhamal 93.Deogarh 94.Jajpur 95.Dhenkanal 96. Kalahandi 97. Nuapada 98. Bargarh 99. Bolangir
Uttar Pradesh	100. Chandauli 101. Mirzapur 102. Sonebhadra
West Bengal	103. Bankura 104. West Midnapore 105. Purulia 106. Birbhum