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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLE 16 OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Replies by the Government of India to the list of issues (E/C.12/Q/5) to be taken up in connection with the consideration of the fifth periodic report of India (E/C.12/IND/5)

[15 February 2008]

I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED

Question 1: Please indicate how many, out of all states and union territories, have established the special courts provided for under the 1989 Scheduled Castes and Scheduled Tribes (Prevention and Atrocities) Act and the number of cases considered by these courts over the past five years. What, in the view of the State party, accounts for the low rate of prosecution under the Act, and what measures are being taken to address the situation.

1. According to the latest statistics available, the number of cases registered under the 1989 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has declined from 30,315 in the year 2000 to 23,629 in the year 2004. For ensuring early prosecution of cases under the Act, 137 exclusive special courts have been set up in the States of Andhra Pradesh (12), Bihar (11), Chhatisgarh (7), Gujarat (10), Karnataka (7), Madhya Pradesh (29), Rajasthan (17), Tamil Nadu (4) and Uttar Pradesh (40). Further, all state governments except Arunachal Pradesh, Mizoram and Nagaland, which are predominantly tribal area states, have notified the existing courts of sessions as special courts for the trial of offences under the Act. Of the cases with the courts, including cases pending from earlier years, 19.34 per cent were concluded during 2005 (against 14.62 per cent in 2002) and of such cases disposed of, 71 per cent (against 84.29 per cent in 2002) ended in acquittal of all and only 29 per cent (against 15.71 per cent in 2002) resulted in conviction.

II. ISSUES RELATING TO THE SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6

Question 2: In addition to the statistical information provided in paragraphs 14 to 18 of the report covering the period up to the year 2000, please provide updated statistical data on unemployment and underemployment.

1. Replace paragraph 14 of the report (E/C.12/IND/5) by the following paragraph:

"In Table 6.3 below, it is observed that, compared to 1999-2000, during 2004-05, the unemployment rate in terms of the usual principal status (PS), which is the standard measure of open employment, remained almost same in rural and urban areas for males, but increased around 2 per cent for females. However, no significant change in these rates in terms of current weekly status (CWS) is noticeable, except for urban females for whom the rate has increased by about 2 per cent when compared to 1999-2000. India has

relatively high incidence of underemployment, which is measured by the CWS. Among urban females, the underemployment rate decreased by about 2 per cent during the 1993-94 to 1999-2000 period, and decreased further by about 1 per cent during the 1999-2000 to 2004-05 period. The underemployment problem is more serious among usually employed females than among employed males, and more in rural areas than in urban areas. During 2004-05, underemployment among usually employed females was 17 per cent in rural India and nearly 9 per cent in urban India. The corresponding rates for usually employed males were just 4 and 2 per cent".

- 2. Replace table 6.3 of the above report by the statement in Annex 1 below.
- 3. Replace table 6.4 of the report by the statement in annex 2 below.
- 4. Table 6.5 of the report **is** not needed.
- 5. Paragraphs 15 and 16 of the report remain unchanged.
- 6. Replace paragraph 17 of the report by the following paragraph:

In India, according to the National Sample Survey Organisation (NSSO), underemployment is measured by current weekly status. At the aggregate level, table 6.6 shows that the underemployment rate declined gradually during the period 1987-88 to 2004-05 for females, the decline being less between the period 1993-94 and 2004-05. For males, however, the rate remained almost the same between 1993-94 and 2004-05, after having declined between 1987-88 and 1993-94. This problem of underemployment is seen to be more serious among usually employed females then among employed males and more in rural than in urban areas. During 2004-05, underemployment among usually employed females was 17 per cent in rural India and 9 per cent in urban India. The corresponding percentages for usually employed males were 4 and 2 per cent only. Most of the usually employed females who were currently not working had withdrawn from the labour force and did not report themselves as currently unemployed.

- 7. Replace table 6.6 of the report by the statement in annex 3.
- 8. Paragraph 18 of the report can remain unchanged.

Question 3: Please assess the effectiveness of the measures taken to implement affirmative action legislation and initiatives in the field of employment and education with regard to members of scheduled castes and tribes, including the reservation of 27 per cent of the seats in government services, as mentioned in paragraph 22 of the report.

1. At the end of paragraph 22, add the following:

The status of education and employment among members of SC, ST and other backward classes according to the National Sample Survey (NSS) on the employment and unemployment situation among social groups in India in 2004-05 revealed that the literacy rate is the lowest among the STs (52 per cent) with 42 per cent for females and 62 per cent for the male population of STs. Among the SCs, the literacy rate is 57 per cent, with 46 per cent for females and 68 per cent for males. In other backward classes, the literacy rate is 64 per cent, with 54 per cent for females and 75 per cent for males. For all these social groups, the literacy percentage in urban areas is almost 18 per cen higher than in rural areas for SC and Other Backward Classes, whereas it is about 24 per cent higher for the ST population. According to the NSS 2004-05, the number of persons currently attending educational institutions per 1,000 population of various social groups and age groups was much higher among the children and the youth belonging to the "Others" category (other than SC, ST and OBC) of households. However, among the urban male youths of age 20-24 years, the current attendance rate was highest among the STs (32 per cent) followed by others (28 per cent). India, the current attendance rate among the OBCs was higher than that among the STs and SCs. Between the SC and ST population of rural India, the current attendance rate of both males and females excepting the age group 20-24 years, were higher among the households belonging to the SCs than that among the STs. Contrary to this, in urban India, current attendance rates were much higher for STs than for SCs for both males and females. In urban India, though, the current attendance rate among the STs were higher than OBCs for the age group 15 years and above, the rates were lower for the age group 5 to 14 years. It may further be observed that the school attendance rates, in general, had steadily increased during the period 1999-2000 to 2004-05. The increase has been faster in rural areas than in urban areas.

Article 7

Question 4: Please provide comparative data on the gender gap in relation to equal pay for work of equal value and on measures taken by the State/Union Territory governments to enforce the 1976 Equal Remuneration Act (para. 116 of the report). What remedies are available to female employees to challenge such discrimination and how effective are these remedies in practice?

Paragraph 117 can be merged with paragraph 116, and the following may be inserted as a new paragraph 117:

According to NSS data for the year 2004-05, the gender gap in average wage/salary earnings per day received by regular wage/salaried employees of ages 15-59 varies from state to state and between rural and urban areas. The gap in rural India is of the order of Rs 60 per day against Rs 50 per day in urban India. The gap in average daily wages for rural casual workers aged 15-59 years engaged in public works was about Rs 16, and that for casual workers aged 15-59 years engaged in works other than public works was Rs 20."

Question 5: Please provide updated information on the extent to which bonded labour exists in the State party, and measures taken to address the situation, including the enforcement of the 1976 Bonded Labour (system) Abolition Act (para. 25 of the report). Please provide statistical information on the number of cases filed under the Act and their judicial outcomes.

1. Replace paragraph 26 of the report by the following paragraph:

"The Apex Court, in its order dated 11 November 1997 in PUCL Vs. State of Tamil Nadu & Others has directed the National Human Rights Commission (NHRC) to be involved in the supervision of the issues relating to bonded labour. In pursuance to the above order, a Central Action Group has been constituted in the NHRC. This group, with the collaboration of the Ministry of Labour and Employment, is holding sensitization workshops on bonded labour at State Headquarters to sensitize the District magistrates and other functionaries dealing with identification, release and rehabilitation of bonded labour. According to official reporting, the incidence of bonded labour has steadily declined from 6,000 cases in 1997-98 to 397 in 2005-06 and then to 58 as of 30 November 2006. Since the operation of a Centrally Sponsored Scheme in May 1978, under which the state governments are provided Central assistance on a matching-grants (50:50) basis till 31 March 2006, as many as 2,860,612 bonded labourers have been identified, out of which 2,660,680 have been rehabilitated and a sum of Rs 686.88 million has been released as Central assistance to various state governments/ Union Territories for their rehabilitation during that period. This is in addition to Rs 42 million which had been provided to these state governments for conducting District –wise survey of bonded labour, evaluation studies and awareness generation as of 31 March 2006.

Article 10

Question 6: Please provide updated information on domestic violence in the State party, including statistical data on the number of victims, perpetrators, convictions, and the types of sanctions imposed. To what extent has the enactment of the Protection of Women from Domestic Violence Act in 2005 (para. 233 of the report) effectively contributed to the rate of prosecution for cases of domestic violence?

1. Add the following to paragraph 233:

In the National Family Health Survey III conducted for the reference year 2005-06, domestic violence is defined to include violence by spouses as well as by other members of the household. Experience of domestic violence by women of age group 15-49 includes physical violence only; sexual violence only; physical and sexual violence; and physical or sexual violence. All the forms of violence other than "sexual violence only"

are experienced mostly by women in the 30-39 age group. Twenty-seven (27) per cent of women aged 15-49 experienced physical violence only, whereas 35 per cent of women experienced physical or sexual violence. Sexual violence alone and physical and sexual violence together account for about 8.5 per cent of domestic violence cases. The perpetrators of sexual violence committed against married women of ages 15-49 are, in about 95 per cent of cases, their current or former husbands. Never-married women who have experienced sexual violence have most often been abused by a relative (27 per cent), a friend/acquaintance (23 per cent), a boyfriend (19 per cent), a stranger (16 per cent) or a family friend (8 per cent). Women's experience of the different types of violence varies greatly from one state to another. However, physical violence alone tends to be the most common form of violence. Sexual violence rarely occurs without physical violence. The incidence of any sexual violence (with or without physical violence) ranges from 1 per cent in Himachal Pradesh and Meghalaya to 16 per cent in Tripura, 17 per cent in Bihar and Rajasthan and 18 per cent in West Bengal. Violence of any kind is most common in Bihar (56 per cent), followed by Rajasthan, Madhya Pradesh, and Tripura (45-47 per cent). Conviction of perpetrators of domestic violence is very rare, as few cases are reported to any institutional source such as police, medical personnel, or social service organizations; 72 per cent of women who experienced only physical violence and 58 per cent of women who experienced only sexual violence sought help from their family members. The second most common source of help for women who experienced physical violence is the husband's family (28 per cent). Among women who experienced sexual violence and sought help, friends are the second most common source of help (34 per cent)".

Question 7: Please provide updated information on the incidence of HIV/AIDS infections, in particular where it concerns child prostitutes.

1. Add the following after paragraph 543:

Results of the National Family Health Survey-III indicate that 0.28 per cent of adults aged 15-49 are infected with HIV. This translates into 1.7 million HIV-positive persons in the 15-49 age group in India at the midpoint of the survey period in April 2006. The HIV prevalence rate is 0.22 per cent for women and 0.36 per cent for men in this age group. The female-to-male infection ratio of 0.61 per cent is consistent with NACO's estimate of 0.62 per cent for adults living with HIV in 2005. The NFHS-III female to male ratio is somewhat higher in urban areas (0.71) than in rural areas (0.56). The HIV prevalence rate is 40 per cent higher in urban areas than rural areas (61 per cent higher in urban women than in rural women and 28 per cent higher for urban men than for rural men. HIV prevalence rate are higher for men than women in every age group except the 15-19 group, where the rates are very low. The incidence of HIV is heavily prevalent in the high-risk groups with 2.2 per cent of women who had higher risk intercourse and

0.33 per cent men who had higher-risk intercourse are HIV positive. However, similar statistics for children could not be captured.

Article 11

Question 8: Please provide detailed information and statistics concerning poverty levels among the scheduled castes and tribes and forest dwellers throughout the country.

1. In paragraph 346, replace the sentence "The national poverty line at 1999-2000 prices in Rupees 327.56 per capita per month in rural areas and Rupees 454.11 per capita per month in the urban areas" by the sentence "The national poverty line at 2004-05 prices in Rs 356.30 per capita per month in rural areas and Rs 538.80 per capita per month in the urban areas.

2. Replace paragraph 347 by the following:

The incidence of poverty declined from 55 per cent in 1973-74 to 36 per cent in 1993-94 and further to 27.5 per cent in 2004-05. During the intervening period, poverty estimates for the year 1999-2000 were also released, which were not strictly comparable with the earlier estimates and those of 2004-05 due to differences in the recall period followed for the consumer-expenditure survey of the NSSO. Pursuant to the estimates for the year 1999-2000, incidence of poverty was 26 per cent. The estimate of poverty ratio for the year 2004-05 by a method roughly comparable with that of 1999-2000 is however, 21.8 per cent. The reduction of proportion of people living below poverty line has been marked with interesting features in the last decade, when there has been an 8.5 per cent decline between 1993-94 and 2004-05, estimated by comparable uniform recall period (URP) consumption distribution for both the years. As per the alternative mixed recall period (MRP)² consumption distribution the decline is 4.3 per cent from 1999-2000 to 2004-05. Despite a reduction in the proportion of people living in poverty by over 50 per cent between 1973-74 and 2004-05, the absolute number of poor continued to be in excess of 301 million (URP) in 2004-05 due to huge incremental population of India. This number was over 320 million in 1993-94. Of the 301 million persons, 221 million persons lived in rural areas. Going by the MRP-based estimates, the number of poor has declined to 238 million in 2004-05, down from 260 million in 1999-2000.

The overall poverty ratio for the rural areas was 37.3 per cent in 1993-94 and it declined to 28.3 per cent by 2004-05. The corresponding ratios for the urban population were 32.4 and 25.7 per cent, respectively. The poverty ratios for SCs and STs were significantly higher than the national poverty ratio, both in 1993-94 and 2004-05; this compared to 37.3 per cent of the total population living below the poverty line in rural

¹ For Uniform Recall Period consumption, data for all items are collected from the consumers for 30-day recall period.

² For Mixed Recall Period consumption, data for five non-food items, namely, clothing, footwear, durable goods, education and institutional medical expenses are collected for 365-day recall period and data for remaining items are collected for 30-day recall period.

areas in 1993-94. Forty-eight (48) per cent of the SC population and 52 per cent of the ST population live below the poverty line. In 2004-05, the decline in poverty ratio, as compared to 1993-94, was 24 per cent for the whole population whereas the decline is 23 per cent for SCs and only 9 per cent for STs. In urban areas, the poverty ratio in 2004-05 has declined by almost the same rate for SCs and STs as that for the whole population. Thus, it is evident that the decline in poverty is much lower in case of rural STs. The proportion of the SC population living in poverty is higher in urban areas than in rural areas. The urban population below the poverty line has declined from 32.4 per cent in 1993-94 to 25.7 per cent in 2004-05. The SC population below the poverty line in urban areas has declined from 49.5 per cent in 1993-94 to 39.9 per cent in 2004-05."

Table 1														
Perce	Percentage of population below poverty lines ³ by URP-based estimates													
		1987-88 1993-94 2						2004-05						
STATES/UTS	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL					
Andhra Pradesh	20.92	40.11	25.86	15.92	38.33	22.19	11.20	28.00	15.8					
Arunachal Pradesh	39.35	9.94	36.22	45.01	7.73	39.35	22.30	3.30	17.6					
Assam	39.35	9.94	36.21	45.01	7.73	40.86	22.30	3.30	19.7					
Bihar	52.63	48.73	52.13	58.21	34.50	54.96	42.10	34.60	41.4					
Chhatisgarh							40.80	41.20	40.9					
Delhi	1.29	13.56	12.41	1.90	16.03	14.69	6.90	15.20	14.7					
Goa	17.64	35.48	24.52	5.34	27.03	14.92	5.40	21.30	13.					
Gujarat	28.67	37.26	31.54	22.18	27.89	24.21	19.10	13.00	16.8					
Haryana	16.22	17.99	16.64	28.02	16.38	25.05	13.60	15.10	14.0					
Himachal Pradesh	16.28	6.29	15.45	30.34	9.18	28.44	10.70	3.40	10.0					
Jammu & Kashmir	25.70	17.47	23.82	30.34	9.18	25.17	4.60	7.90	5.4					
Jharkhand							46.30	20.20	40.3					
Karnataka	32.82	48.42	37.53	29.88	40.14	33.16	20.80	32.60	25.0					
Kerala	29.10	40.33	31.79	25.76	24.55	25.43	13.20	20.20	15.0					
Madhya Pradesh	41.92	47.09	43.07	40.64	48.38	42.52	36.90	42.10	38.3					
Maharashtra	40.78	39.78	40.41	37.93	35.15	36.86	29.60	32.20	30.7					

³Source: Planning Commission, Government of India.

Table 1 Percentage of population below poverty lines ³ by URP-based estimates												
Percenta	ge of pop	oulation	below po	verty lir	ies³ by U	RP-base	d estima	tes				
		1987-88			1993-94			2004-05				
STATES/UTS	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL	RURAL	URBAN	TOTAL			
Manipur	39.35	9.94	31.35	45.01	7.73	33.78	22.30	3.30	17.30			
Meghalaya	39.35	9.94	33.92	45.01	7.73	37.92	22.30	3.30	18.50			
Mizoram	39.35	9.94	27.52	45.01	7.73	25.66	22.30	3.30	12.60			
Nagaland	39.35	9.94	34.43	45.01	7.73	37.92	22.30	3.30	19.00			
Orissa	57.64	41.63	55.58	49.72	41.64	48.56	46.80	44.30	46.40			
Punjab	12.60	14.67	13.20	11.95	11.35	11.77	9.10	7.10	8.40			
Rajasthan	33.21	41.92	35.15	26.46	30.49	27.41	18.70	32.90	22.10			
Sikkim	39.35	9.94	36.06	45.01	7.73	41.43	22.30	3.30	20.10			
Tamil Nadu	45.80	38.64	43.39	32.48	39.77	35.03	22.80	22.20	22.50			
Tripura	39.35	9.94	35.23	45.01	7.73	39.01	22.30	3.30	18.90			
Uttar Pradesh	41.10	42.96	41.46	42.28	35.39	40.85	33.40	30.60	32.80			
Uttarakhand							40.80	36.50	39.60			
West Bengal	48.30	35.08	44.72	40.80	22.41	35.66	28.60	14.80	24.70			
Andaman & Nicobar Islands	45.80	38.64	43.89	32.48	39.77	34.47	22.90	22.20	22.60			
Chandigarh	14.67	14.67	14.67	11.35	11.35	11.35	7.10	7.10	7.10			
Dadra & Nagar Haveli	67.11		67.11	51.95	39.93	50.84	39.80	19.10	33.20			
Daman & Diu				5.34	27.03	15.80	5.40	21.20	10.50			
Lakshadweep	29.10	40.33	34.95	25.76	24.55	25.04	13.30	20.20	16.00			
Pondicherry	45.80	38.64	41.46	32.48	39.77	37.40	22.90	22.20	22.40			
Small states & UTs												
India	39.09	38.20	38.86	37.27	32.36	35.97	28.30	25.70	27.50			

3. Paragraph 348 can remain unchanged. The table below paragraph 348 can, however, be replaced by the following:

4.7: level of living over time for different social groups														
Percentage share in population							Average MPCE (Rs.)							
Social Group 55th round				l st round	l	55 th round 61 st roun					d			
rural	urban	all	rural	urban	a11	rural	urban	a11	rural	เมชิสก	a11			
10.49	3.40	8.7	10.57	2.92	8.6	386.69	608.79	417.42	426.19	857.46	463.15			
20.42	14.35	18.9	20.92	15.64	19.6	418.51	690.52	454.85	474.72	758.38	532.07			
37.52	30.38	35.7	42.75	35.60	40.9	473.65	734.82	529.50	556.72	870.93	625.89			
31.41	51.70	36.5	25.71	46.00	30.8	577.22	1004.75	729.45	685.31	1306.10	919.09			
100	100	100	100	100	100	485.88	854.70	578.62	558.78	1052.36	683.75			
	5: rural 10.49 20.42 37.52 31.41	55 th round rural urban 10.49 3.40 20.42 14.35 37.52 30.38 31.41 51.70	Percentage share 55th round rural urban all 10.49 3.40 8.7 20.42 14.35 18.9 37.52 30.38 35.7 31.41 51.70 36.5	Percentage share in possible rural urban all rural 10.49 3.40 8.7 10.57 20.42 14.35 18.9 20.92 37.52 30.38 35.7 42.75 31.41 51.70 36.5 25.71	Percentage share in population 55 th round rural urban all rural urban 10.49 3.40 8.7 10.57 2.92 20.42 14.35 18.9 20.92 15.64 37.52 30.38 35.7 42.75 35.60 31.41 51.70 36.5 25.71 46.00	Percentage share in population 55 th round rural urban all rural urban all 10.49 3.40 8.7 10.57 2.92 8.6 20.42 14.35 18.9 20.92 15.64 19.6 37.52 30.38 35.7 42.75 35.60 40.9 31.41 51.70 36.5 25.71 46.00 30.8	Percentage share in population 55 th round rural urban all rural urban all rural 10.49 3.40 8.7 10.57 2.92 8.6 386.69 20.42 14.35 18.9 20.92 15.64 19.6 418.51 37.52 30.38 35.7 42.75 35.60 40.9 473.65 31.41 51.70 36.5 25.71 46.00 30.8 577.22	Percentage share in population 55th round 61st round 70rural urban all rural urban all rural urban 10.49 3.40 8.7 10.57 2.92 8.6 386.69 608.79 20.42 14.35 18.9 20.92 15.64 19.6 418.51 690.52 37.52 30.38 35.7 42.75 35.60 40.9 473.65 734.82 31.41 51.70 36.5 25.71 46.00 30.8 577.22 1004.75	Percentage share in population 55th round 61st round 55th round rural urban all rural urban all rural urban all 10.49 3.40 8.7 10.57 2.92 8.6 386.69 608.79 417.42 20.42 14.35 18.9 20.92 15.64 19.6 418.51 690.52 454.85 37.52 30.38 35.7 42.75 35.60 40.9 473.65 734.82 529.50 31.41 51.70 36.5 25.71 46.00 30.8 577.22 1004.75 729.45	Percentage share in population Average MPCE (I 55th round 10.49 3.40 8.7 10.57 2.92 8.6 386.69 608.79 417.42 426.19 20.42 14.35 18.9 20.92 15.64 19.6 418.51 690.52 454.85 474.72 37.52 30.38 35.7 42.75 35.60 40.9 473.65 734.82 529.50 556.72 31.41 51.70 36.5 25.71 46.00 30.8 577.22 1004.75 729.45 685.31	Percentage share in population Average MPCE (Rs.) 55th round 10.49 3.40 8.7 10.57 2.92 8.6 386.69 608.79 417.42 426.19 857.46 20.42 14.35 18.9 20.92 15.64 19.6 418.51 690.52 454.85 474.72 758.38 37.52 30.38 35.7 42.75 35.60 40.9 473.65 734.82 529.50 556.72 870.93 31.41 51.70 36.5 25.71 46.00 30.8 577.22 1004.75 729.45 685.31 1306.10			

Article 12

Question 9: Please provide detailed information on measures taken by the State party to realize, in practice, its policy goal of reducing maternal mortality, which is estimated by UNFPA to be 540 maternal deaths for every 100,000 live births (as of March 2006), and to improve the sexual and reproductive health of women and girls, in view of the high incidence of unsafe abortion and the resulting maternal deaths (para. 567 of the report)

1. Add the following at the end of paragraph 567:

Based on the study carried out by the Registrar General of India, it is estimated that maternal mortality for the period 1997-2003 has been much lower than the earlier estimates of the UNFPA. The study showed that overall MMR, which was in the vicinity of 400 in 1997-98, has come down to about 300 in 2001-03, thus registering a decline of 24 per cent during this period based on SRS data. Nearly two-thirds of the maternal deaths in the country are reported to occur in the EAG States and in Assam. The retrospective MMR surveys under the study for 1997-1998 gives the all-India estimate of MMR during 1997-98 as 398 against 407, as per the earlier estimate for 1998. The overall average rate of MMR decline during the period 1997-2003 has been 16 points per year.

Question 10: In addition to the information provided in paragraphs 271 to 273 and 461 to 463 of the report, please indicate, including up-to-date statistical data, to what extent the right to access to safe drinking water is enjoyed by the population in different parts of the country.

1. Add the following at the end of paragraph 271:

According to census data, 62 per cent of total households in the country could use safe drinking water in 1991. By 2001, this proportion had increased to 85 per cent. There has been substantial increase in the rural India, the percentage having increased from 55.5 per cent in 1991 to 86.8 per cent in 2001 and to 90 per cent in 2005".

Articles 13 and 14

Question 11: Please provide information, including statistics, concerning vocational and technical education, and the extent to which vulnerable and marginalized communities, including Dalits and tribal groups, benefit.

1. Add the following at the beginning of paragraph 607:

Statistics based on NSS of status of education and vocational training in India in 2004-05 revealed that the proportion of persons who received formal vocational training was highest among the unemployed and also that, among unemployed females, it was as high as 12 per cent in rural areas and 17 per cent in urban areas as compared to 7 per cent among rural unemployed males and 12 per cent among urban unemployed males. The proportion is around 2 per cent for persons not in the labour force and 2 to 3 per cent for the employed. As regards non-formal vocational training received through hereditary sources or otherwise, the survey revealed that the proportion is 9 per cent for males and 5 per cent for females, being around 9 per cent for both rural and urban males but around 6 per cent for rural females and 5 percent for urban females. The NSS on employment and unemployment situation among social groups in India in 2004-05 revealed that literacy rate is the lowest (52 per cent) among the Scheduled Tribes (STs) against 57 per cent for Scheduled Castes (SCs) and 64 per cent among other backward classes (OBCs). By the level of current attendance in educational institutions the proportion of rural ST males of age group 15 to 24 years have gone up to 47 per cent in 2004-05 from 45 per cent in 1999-2000 as revealed by the same NSS. It is also observed that this proportion for rural SC males aged 15-24 years was 49 per cent in 2004-05 as compared to 46 per cent in 1999-2000. The corresponding proportion for rural ST females in 2004-05 was 30 per cent against 25 per cent in 1999-2000 and for rural SC females was 32 per cent in 2004-05 against 24 per cent in 1999-2000. The corresponding proportion among urban ST males has found to have improved from 83 per cent in 1999-2000 to 85 per cent in 2004-05 and among urban SC males from 66 to 67 per cent. There was significant improvement among urban ST females: from 61 per cent in 1999-2000 to 87 per cent in 2004-05, while for urban SC females the increase was just marginal: from 50 per cent in 1999-2000 to 51 per cent in 2004-05.

Article 15

Question 12: Para 48. Please provide detailed information regarding the management of the Bodha Gaya temple in Bihar.

1. Reply: the Buddhagaya Temple Management Committee came into existence with the passing of the bill to this effect by the Bihar Legislative Assembly in 1949. The

Act which got assent of the Governor of Bihar on June 19, 1949 came to be known as Bodhgaya Temple Act (Bihar XVII of 1949).

The Act aimed to make provision for:

- (a) The upkeep and repair of the temple;
- (b) The improvement of the temple land;
- (c) The welfare and safety of the pilgrims;
- (d) The proper performance of worship at the temple.

According to provision of the Act, the Committee shall consist of the Chairman and eight members nominated by the state government, all of whom shall be Indian. The management of Buddhagaya Temple was formally handed over by Mahant Shri Harihar Giri to Dr. Radhakrishnan, the former Vice President of India, on 23 May 1953. Additional information in this regard can be accessed at http://www.mahabodhi.com/home.htm

ANNEXES

Annex1

Statement 6.2: Unemp loyment rates (per 1000 persons in the *labour force*) according to usual status, current weekly status (cws) and current daily status (cds) during 1972-73 to 2004-05

all-India round unemployment rate female (year) male usual us CWS cds usual us cws cds status (adj.) status (adj.) (ps) (ps) (1) (4) (5)(9) (2)(3) (6) (7) (8) rural 61st (2004-05) 55th (1999-00) 50th (1993-94)43rd (1987-88)38th (1983)32nd (1977-78) 27^{th} (1972-73)urban 61 (2004-05) 55 (1999-00) 50 (1993-94) 43 (1987-88) (1983)32 (1977-78) 27 (1972-73)

Source: Page 154, NSS report No. 515: Employment and Unemployment Situation in India, 2004-05

Annex 2

Statement 6.4: Unemployment rate (per 1000 persons in the *labour force*) among the youth (15 -29 years) according to usual status, current weekly status (cws) and current daily status (cds) during 1993-94, 1999-2000 and 2004-2005

all-India

											cta	ппии
age-	unemployment rate											
groups		1993	-94		1999-	-2000		2004-2005				
(year)	usual	us	cws	cds	usual	us	cws	cds	usual	us	cws	cds
	status	(adj.)			status	(adj.)			status	(adj.)		
	(ps)				(ps)				(ps)			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
		•			ru	ral male	•	•				
15-19	47	33	56	90	65	55	91	131	79	59	93	150
20-24	67	49	72	103	62	52	79	117	62	47	80	129
25-29	32	23	44	77	32	26	56	92	23	16	42	88
15-29	48	35	58	90	51	43	73	111	52	39	69	120
rural female												
15-19	33	19	51	83	31	32	91	128	67	36	72	126
20-24	45	28	59	82	49	35	82	121	93	57	92	149
25-29	19	9	35	65	24	16	40	77	52	32	60	107
15-29	32	19	48	76	37	27	68	106	70	42	75	127
		•			urt	oan male	•	•				
15-19	134	119	134	162	154	142	162	190	140	121	146	184
20-24	139	126	146	170	139	128	146	171	125	111	131	158
25-29	67	57	73	93	75	72	85	103	58	49	72	95
15-29	108	96	114	137	115	108	124	147	100	88	110	137
					urb	an femal	e	•				
15-19	168	128	157	186	155	132	153	180	156	111	130	164
20-24	277	217	258	285	226	194	231	259	258	196	235	273
25-29	129	97	129	155	115	93	111	131	158	126	156	181
15-29	194	150	185	212	166	139	166	191	199	149	183	215
											-	

Source: Page 160, NSS report No. 515: Employment and Unemployment Situation in India, 2004-05

Annex 3

Statement 7.1: Per 1000 distribution of usually employed (principal and subsidiary status taken together) by their broad current weekly status during 1993-94, 1999-2000 and 2004-2005

all-India

current			n	ıral			urban					
weekly	male				female			male		female		
status	1993	1999	2004	1993	1999	2004	1993	1999	2004	1993	1999	2004
	-	-	-	-	-	-	-	-	-	-	-	-
	1994	2000	2005	1994	2000	2005	1994	2000	2005	1994	2000	2005
(1)	(2)	(3)	(4)	(5)	(6)	(7).	(8)	(9)	(10)	(11)	(12)	(13)
employed	957	956	958	807	832	833	976	977	977	884	900	914
unemp loyed	15	22	22	14	21	20	11	11	14	9	9	15
not in labour force	28	22	21	179	148	147	12	12	9	107	91	71
a11	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

Source: Page 183, NSS report No. 515: Employment and Unemployment Situation in India, 2004-05