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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**

Additional 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)

[21 April 2008]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services

Question 3. 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?

Section 14 of the Scheduled Castes and Scheduled Tribes (Prevention and Atrocities) Act, 1989 provides that the State Governments for the purpose of speedy trial shall specify for each District a Court of Session to be Special Court to try offences under the Act. The State Governments and UT Administrations of Andhra Pradesh, Assam, Bihar, Chhatisgarh, Goa, Gujrat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Orissa, Punjab, Rajasthan, Sikkim, Tamilnadu, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, A & N Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi, Lakshdweep, Puducherry have Special Courts.

1. Following tables gives details of the no. of cases in these courts, no. of cases in which trial was completed and the no. of cases which ended in conviction.

Year	Total no. of cases	No. of cases in which trial completed	No. of cases ended in conviction
2001	152917	16203	1965 (12.13)
2002	162817	33606	3748 (11.15)
2003	147952	20638	2727 (13.21)
2004	141881	20750	3259 (15.71)
2005	126762	24511	7110 (29.01)
2006	101008	24180	6782 (28.04)

(Source: National Crime Records Bureau)

*Figures in brackets show conviction as percentage to cases in which trial completed

2. The National Commission for Scheduled Castes and Scheduled Tribes in their special report (April, 2000) on Working of Special Courts had mentioned that the factors responsible for the acquittal of accused have been as under :

- (i) Delay in lodging the First Information Report (FIR)
- (ii) Lodging false FIR due to enmity
- (iii) False reports, contradiction in the statements of complainants and witnesses, absence of proper scrutiny of the cases of prosecution before filing challan in Courts

- (iv) Witnesses and complainants turning hostile
- (v) Compromise between accused and victims outside the court

3. To bring about an overall improvement in implementation of the Act, the Ministry of Social Justice & Empowerment has been emphasizing speedy trial of cases, sensitizing of investigating officer, timely registration of cases and filing of charge-sheets, timely handling of prosecution by Special Public Prosecutors, strengthening of the institution of Special Public Prosecutors, and filing of appeals against acquittals, among others.

4. Further, the Ministry of Social Justice and Empowerment has also been impressing upon the State Governments about the need for setting up of special exclusive courts for quick disposal of cases. To encourage the State Governments, the Ministry bears 50% of the total cost on setting up of Special Exclusive Courts. So far 137 Exclusive Special Courts have been set up in States of Andhra Pradesh (12), Bihar (11), Chhatisgarh (07), Gujrat (10), Karnataka (07), Madhya Pradesh (29), Rajasthan (17), Tamilnadu (04) and Uttar Pradesh (40).

5. As a result of various measures the rate of conviction has improved from 12% in 2001 to 29% in 2005.

Question 4. What measures have been taken by the State party in response to the recommendations contained in the sixth report (1999-2001) of the National Commission for Scheduled Castes and Scheduled Tribes (NCSC/ST), on the protection, social integration and economic development of scheduled castes and tribes?

6. The Commission in its report has made a large number of recommendations on a wide range of issues concerning welfare of Scheduled Castes and Scheduled Tribes. The Government shares the concerns of the Commission on many of the issues on which it has made recommendations and has taken necessary steps.

7. For overall development of Scheduled Castes and Scheduled Tribes, the Government has adopted the strategies of Scheduled Caste Sub Plan and Tribal Sub Plan, under which the State Governments and Central Ministries/ Departments are required to earmark resources in proportion to share of SCs and STs in population and implement schemes which are of direct relevance to them. Besides, specific finance and development corporations (National Scheduled Castes Finance and development Corporation, National Safai Karmcharis Finance and development Corporation, National Scheduled Tribes Finance and development Corporation) have been set to promote self employment among the target groups. For increasing the representation of SCs and STs and to ensure their fair share in all spheres, special provisions have been made by way of reservations in their favour in services, educational institutions and legislature, including in institutions of local self government. In additions, the Ministry of Social Justice and Empowerment and Ministry of Tribal Affairs are implementing a number of schemes for social, economic and educational development of SCs and STs.

8. In addition to the above, some of the important specific initiatives taken by the Government, among many others, are briefly mentioned below:

- (i) The Government is implementing protection of Civil Rights Act, 1955 and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for protecting the civil rights and to prevent atrocities against SCs and STs. Under the Centrally Sponsored Scheme for implementation of these Acts Central assistance is provided to State Governments and UT Administrations for measure taken by them for their effective implementation, which include legal aid, appointment of officers for exercising supervision over prosecution, setting up of Special Courts, conducting periodic surveys, identification of atrocity prone areas, and providing relief and rehabilitation to atrocity victims.
- (ii) Textbooks in mother tongue for children at the beginning of primary education, special training for non tribal teachers to work in tribal areas
- (iii) NCERT reviews textbooks regularly from the point of view of social integration and elimination of social prejudices
- (iv) Central Institute of Indian Languages, Mysore prepares textbooks in selected tribal languages through research. The Institute has worked in more than 90 tribal and border languages
- (v) Since inception till March, 2002, the total quantum of land declared surplus in the entire country as 73.73 lakh acres, out of which 65.01 lakh has been taken possession of and 53.94 lakh acres had been distributed to 576.47 lakh beneficiaries of whom 36% belong to SCs and 15% to STs.
- (vi) Reserve Bank of India has laid down that Scheduled Commercial Banks should provide credit to priority sector to the extent of 40% of their net bank credit. Priority sector includes agriculture, SSI, small business and service sector. Within the overall limit of 40%, banks have been advised to channelise 10% to economically weaker sections, which inter alia include SCs/STs.
- (vii) Under the Sampoorna Grameer Rozgar Yojana, provision has been made for special safeguards for weaker sections and women. 22.5% of the annual allocations under the first stream of SGRY has been earmarked for individual beneficiary schemes of SCs/STs. Minimum 50% of the allocation to the village panchayat has been earmarked for creation of need based village infrastructure in SC/ST habitations under the second stream of SGRY.
- (viii) Under the Swarnjayanti Gram Swarozgar Yojana, which aims at bringing poor families above the poverty line by providing them income generating assets through a mix of credit and subsidy, 50% of the Swarozgaris assisted should be from SCs/STs.
- (ix) The Government is implementing scheme for economic development of Sanitation Workers through National Safai Karmcharis Finance and Development Corporation (NSKFDC). Besides, a Central Sector Self Employment Scheme for Rehabilitation of Manual Scavengers is also under implementation for rehabilitating manual scavengers as well as their dependents into alternative occupations.

Question 6. Please provide information on the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of December 2006, and the mechanisms for its effective enforcement.

9. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 seeks to recognize and vest forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded; to provide a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

10. As per the Ministry of Tribal Affairs' Notification No. 17014/02/2007-PC&V (Vol.III) dated 31.12.2007, the provisions of the Act have come into force with effect from 31st December, 2007. Rules under the Act for recognizing and vesting the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers have also been notified on 1.1.2008.

Question 9. Please indicate the percentage of representation of Dalits in public policy making bodies.

11. Article 243 D of the Constitution of India provides for reservation of seats for marginalized sections. It stipulates that seats shall be reserved for Scheduled Castes and Scheduled Tribes in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the number of seats to be filled by direct election in that Panchayat as population of Scheduled Castes/Scheduled Tribes in that panchayat area bears to the total population of that panchayat area.

12. At the all India level SCs constituted 18.6% of the elected representatives at all level of Panchayats, as on 1.12.2006 as compared to 16.2% share of SCs in total population of country, as per Census 2001.

Question 10. Please provide detailed information on legislation and other measures designed to promote the equality of men and women in the enjoyment of economic, social and cultural rights. In this regard, please assess the generally subordinate situation of Dalit and tribal women in particular, and provide information on measures taken to enable them to overcome this situation.

13. Article 14 of the Constitution enjoins upon State not to deny any person equality before law or equal protection of law. Any discrimination on grounds of religion, caste, sex etc. is prohibited under Articles 15 (2). Women, therefore, are entitled to same rights and privileges as are available to men.

14. It is, however, a fact that the women lag behind men, when measured in terms of major development indicators such as level of literacy, representation at various levels of education, representation in work force, representation in decision making bodies etc. The same is also true for women belonging to Scheduled Castes and Scheduled Tribes.

15. The Government has taken many pro active measures to ensure a higher representation of women in all spheres and consequently their empowerment. Increasing representation of women

in the decision making bodies at the grass roots level is one of the major tools for their empowerment. Accordingly, by way of Constitution 73rd and 74th Amendment Acts, 1993, special provisions were made in Constitution for reservation of seats in favour of women in institutions of local self government, at all levels. As per these provisions, seats shall be reserved for the Scheduled Castes and the Scheduled Tribes, in every Panchayat and municipal area and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats as the population of the Scheduled Castes/Scheduled Tribes in that Panchayat /municipal area bears to the total population of that area. Further, not less than one-third of the total number of seats reserved for SCs/STs shall be reserved for women belonging to these categories. In the aggregate also not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality and village panchayat shall be reserved for women.

Para 13. 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 (para 22 of the report).

16. As a result of the affirmative action policies of the Government, which includes reservation in post and services of the Government, the representation of Scheduled Castes and Scheduled Tribes at all levels of services of the Government of India has been increasing and was 16.52% and 6.46% respectively in the year 2003. In Public Sector Banks, SCs and STs constituted 17.75% and 5.48% of the total employment in 2005, while their share in Public Sector enterprise during the same year was 18.37% and 9.42% respectively. The reservation of posts in favour of OBCs was started in 1990. As per the information made available by Department of Banking and Department of Public Enterprises, they constituted 15.61% and 6.85% in the workforce of Public Sector Banks/Financial Institutions and Public Sector Enterprises respectively in 2005.

17. The indicators of educational development for SCs and STs also show evidence of steady improvement over time. The levels of literacy among SCs and STs have increased over time. Also the gap between the overall literacy and literacy levels among SCs/STs has been continuously declining since 1981.

Table : Literacy Rates

Year	Overall literacy	Literacy among SCs	Literacy among STs
1971	34.45	14.67	11.30
1981	43.57	21.38	16.35
1991	52.21	37.41	29.60
2001	64.84	54.69	47.10

18. Measured in terms of enrollment and drop out rates also the situation has improved.

Table: Gross Enrolment Ratio*

	Primary (classes I-V) (6-11 age group)	Upper Primary (classes VI-VIII) (11-14 age group)	Elementary (Classes I-VIII) (6-14 age group)
1986-87	84.8	40.4	68.4
1991-92	102.9	52.9	84.8
2002-03	95.6	56.3	81.1
2003-04	88.3	71.9	83.4
2004-05	115.3	70.2	98.8

(Source: Selected Educational Statistics, M/oHRD)

* Gross Enrolment Ratio (GER) is defined as the percentage of the enrolment in the Primary (Classes I-V) and Upper Primary (Classes VI-VIII) and/or I-VIII to the estimated child population in the age groups 6 to below 11 years and 11 to below 14 and/or 6 to below 14 years respectively. Enrolment in these stages includes under-age and over-age children. Hence the total percentage may be more than 100% in some cases.

Question 14. Please describe the effectiveness of the measures taken by the State party to promote employment of persons with disabilities (paras. 61 to 64 of the report). What programmes have been established to target women with disabilities, given the particular difficulties they face in obtaining employment (para. 13)?

19. In order to promote employment, The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation Act, 1995 provides for reservation of 3% for persons with disabilities in the identified posts. For this purpose, periodically a list of categories of posts is drawn up which can be held by persons with disabilities. The list was enlarged in 2007 to include 5026 categories of posts. During the year 2005, out of 5600 direct recruitments made in 47 Ministries/Departments of Govt. of India , 389 were provided to persons with disabilities. This works out to 6.94% of the total recruitments.

20. Further, a new scheme for giving incentives to the private sector by way of reimbursement of employers' contribution towards provident fund and Employees State Insurance for employing persons with disabilities has also been launched. Under the scheme, Government will provide employer's contribution under the Employees Provident Fund and Employees State Insurance, in respect of disabled employees working in the organized private sector.

21. The scheme of Aids and Appliances for the Handicapped aims at helping the disabled persons by bringing suitable and durable, scientifically manufactured modern aids and appliances within their reach to improve mobility.

22. Under the National Policy for Persons with Disabilities, announced by the Government of India in 2006 it has been recognized that women with disabilities require protection against exploitation and abuse. Special programmes will be designed for education, employment and for provision of other rehabilitation services to women with disabilities keeping in view their special needs.

Question 18. Please provide detailed information on the enforcement of the 1993 Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, which directly affects Dalits in particular.

23. Sanitation is a State subject. Accordingly, based on resolutions passed by State Legislatures of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal for Central Legislation, a Central Act, known as "The Employment of Manual Scavengers and Construction of Dry Latrines (prohibition) Act 1993", was enacted by Parliament for adoption by State Legislatures. The Act provides for prohibition of employment of manual scavengers as well as construction or continuance of dry latrines. So far the Act has been adopted by 20 States and all UTs. Arunachal Pradesh, Kerala, Manipur, Mizoram, Nagaland, and Sikkim have reported that there are no dry latrines or they are scavenger free. Govt. of Rajasthan have enacted their own Employment of Manual Scavengers and Construction of Dry Latrines (prohibition) Act in 1997 and Himachal Pradesh also have their own Act.

24. The Employment of Manual Scavengers and Construction of Dry Latrines (prohibition) Act, 1993 is being implemented by Ministry of Housing and Urban Poverty Alleviation (HUPA). As per information furnished by M/o HUPA, in Uttar Pradesh more than 17,669 offenders have been prosecuted/being prosecuted under different Sections of the Act. Similarly, penal action has been initiated against defaulters in Bihar and Haryana also.

25. Further, in order to rehabilitate the liberated scavengers into alternative occupation, the Government has been implementing schemes for economic rehabilitation of manual scavengers, as well as their eligible dependents. Earlier a scheme- National Scheme for Liberation and Rehabilitation of Scavengers – was implemented by The Government. In January 2007 Government has launched a new scheme-Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)- which contains liberal provisions for loans and training. Under the scheme the beneficiaries are eligible for capital subsidy, loans at subsidized rates of interest. There is a strong training component in the scheme to enhance employability, with stress on placement linkages.

26. National Safai Karmchari Finance & Development Corporation, which is an Apex Corporation, under the aegis of the Ministry of Social Justice & Empowerment, also implements schemes for socio-economic upliftment of Sanitation workers/Scavengers and their dependents. . The Corporation provides financial assistance, through its State Channelising Agencies, to the target group on concessional rates of interest for any viable income generating activity, besides assistance for training for skill enhancement and education.

Question 20. Please elaborate on the non-contributory social security scheme mentioned in paragraph 181 of the report, i.e. access to the social security system by persons that have little or no financial resources and are therefore not covered by the contributory social security system.

Question 22. Please provide information on whether the formal and informal pension schemes and other income support schemes enable older persons to live in dignity.

27. In response to questions 20 and 22, the Government of India had introduced the National Social Assistance Programme comprising of National Old Age Pension Scheme (NOAPS), National Family Benefit Scheme (NFBS) and National Maternity Benefit Scheme (NMBS). These programmes were meant for providing social assistance benefit to the aged, the BPL households in the case of death of the primary breadwinner and for maternity and aimed to ensure minimum national standards.

28. The scale of benefit and eligibility for various schemes of NSAP are as under :

- (i) National Old Age Pension Scheme (NOAPS): Rs 75 per month was provided per beneficiary for destitutes. The scheme initially covered destitutes above 65 years, having little or no regular means of subsistence from his / her own sources of income or through financial support from family members or other sources. In the year 2007 the scheme was modified to covers all persons who are 65 years or higher belonging to a household below the poverty line. The amount of pension was also increased to Rs. 200 per month.
- (ii) The Ministry of Rural Development has also been requesting all the State Governments to make an equal contribution from their resources so that a pensioner would get at least Rs. 400 per month. At present some State Governments are giving higher contribution. The State Govt. of Goa is disbursing pension of Rs.1000/- per month whereas the Govts. of Pondicherry and NCT of Delhi are providing Rs.600 per month. The Union Territory of A&N Islands is disbursing pension of Rs.500 per month per beneficiary. The State of Punjab is disbursing pension of Rs.450 per month per beneficiary. The State Govts. of Gujarat, Karnatka, Rajasthan, Sikkim, Tamilnadu, Utrakhand and West Bengal are disbursing Rs. 400 per month per beneficiary. The State Govts. of Chhattisgarh, Haryana, Kerala, Madhya Pradesh, Maharashtra, Uttar Pradesh, Assam, Mizoram, Tripura, Lakshadweep are providing pension between Rs.200 and Rs. 400 per month. Other States are disbursing pension of Rs.200 per month per beneficiary.
- (iii) National Family Benefit Scheme (NFBS): Under this scheme a grant of Rs 10000 is provided to the bereaved poor household in case natural or accidental death of the "primary breadwinner".
- (iv) National Maternity Benefit Scheme (NMBS): Under the scheme, Rs 500 per pregnancy upto the first two live births is provided to beneficiary belonging to a Below the Poverty Line (BPL) household.. Subsequently, the scheme has been subsumed under the Janani Suraksha Scheme.

29. A new Scheme known as Annapurna Scheme was launched in the year 2000. The Scheme aims at providing food security to meet the requirement of those senior citizens who, though eligible, had remained uncovered under the NOAPS. Under the Annapurna Scheme 10 kgs of food grains per month is provided free of cost to the beneficiary.

30. NSAP and Annapurna were transferred to the State Plan from the year 2002-03. After the total combined allocation for the Schemes is decided by the Planning Commission, the State-wise allocation is made by the Ministry of Rural Development and Planning Commission and the

funds are being released by the Ministry of Finance / Ministry of Home Affairs as Additional Central Assistance (ACA) to the States / UTs. The Ministry of Rural Development also monitors the progress of the Schemes and recommends the release of ACA to the States to the Ministry of Finance.

State Run Schemes

31. Several State Governments have formulated their own social assistance programmes, apart from implementing the schemes under NSAP. For example, widow pension is granted in the States of Andhra Pradesh, Bihar, Chhatisgarh, Himachal Pradesh, Karnatka, Madhya Pradesh, Maharashtra, Rajasthan, Tamilnadu, Pondicherry, Utrakhand and West Bengal. Similarly disabled persons are granted pension in the States of Andhra Pradesh, Bihar, Daman and Diu, Himachal Pradesh, Karnatka, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamilnadu, Utrakhand and West Bengal. The States of Arunachal Pradesh, Bihar, Chhatisgarh, Haryana, Goa Gujarat, Jharkhand, Orissa, Rajasthan, Tamilnadu, Uttar Pradesh, Utrakhand, West Bengal, UT of Andman and Nicobar, Chandigath, Daman and Diu, Lakshadweep and NCT of Delhi are giving pension for persons of 60 years and above. The eligibility criteria, categories of beneficiaries and the amount of pension vary depending on the specific scheme of the State.

Question 29. Please provide detailed information and statistics concerning poverty levels among the scheduled castes and tribes and forest dwellers throughout the country.

32. The table below gives the incidence of overall poverty and poverty levels among SCs and STs:

Year	Total Population		Scheduled Castes		Scheduled Tribes	
	Rural	Urban	Rural	Urban	Rural	Urban
1993-1994	37.27	32.36	48.11	49.48	51.94	41.14
1999-2000	27.11	23.65	36.25	38.47	45.86	34.75
2004-2005	28.30	25.70	36.80	39.9	47.3	33.3

33. As can be seen, in sync with the overall trend of reduction in poverty, the poverty among Scheduled Castes has also declined during 1993-94 to 1999-2000. The extent of decline has been faster in rural areas, where majority of the population lives. Gap in the poverty levels of the total population and Scheduled Castes has also narrowed. After 1999-2000, however, the incidence of poverty among SCs/and STs has marginally increased.

Question 33. Please provide statistics on the displacement of persons as a result of development projects, including urban renewal, city beautification, large dams, infrastructure development (such as the Mumbai Urban Infrastructure Project) and sports events (such as the Commonwealth Games). What concrete steps are being taken to ensure that the rights to land, housing and livelihood, especially of agricultural and peasant communities, are being protected in the case of such displacement?

34. The National Urban Housing & Habitat Policy (NUHHP), 2007 recognizes that It is of critical importance that the strategy of in-situ slum upgradation is adopted for preponderant proportion of the slum dwellers, since they provide valuable services to residents living close to their own dwelling places.

35. For this purpose, specially designed slum improvement programmes will also be encouraged, which focus on upgrading of basic services and environment improvement of urban slums with a participative, in-situ slum rehabilitation approach. Inner-city slum redevelopment programmes for creating a better environment would be encouraged with cross subsidization and special incentives.

36. Only in cases, where relocation is necessary because of severe water pollution, safety problems on account of proximity to rail track or other critical concerns, relocation of slum dwellers will be undertaken. In such cases, special efforts will be made to ensure fast and reliable transportation to work sites.

Question 34. What is the State party doing to address the problem of housing for people affected by forced evictions following court orders?

37. The NUHHP 2007 seeks to create a Supportive Environment by developing capacity building at the local level to design and take up inner-city development scheme, in-situ slum upgradation projects etc. through suitable training programme. At the same time, growth of unauthorized colonies, new slums, unauthorized constructions, extensions of existing properties and commercialization of residential areas would be checked to obviate the need for corrective measures viz. forced evictions both by executive and courts.

Question 35. Please indicate, with statistical information, the extent of homelessness in the State party. Please also provide information on the results of the measures taken by the State party under the 1998-1999 Plan of Action on Housing and the revised 1998 National Housing and Habitat Policy, described in paragraph. 412 of the report. Please also provide information on the number of state-run shelters for the homeless and their capacity (para. 455 of the report).

38. At the end of the 10th Plan, there is an estimated housing shortage 24.71 million dwelling units in urban areas, out of which 24.67 million (99.84%) pertains to the Economically Weaker Sections (EWS) and /Low Income Group (LIG). During the 11th Plan period the total housing requirement, including the backlog and additional requirement of 1.82 million dwelling units during the 11th Plan period, is estimated as 26.653 million dwelling units.

39. The erstwhile National Housing & Habitat Policy, 1998 has been replaced with National Urban Housing & Habitat Policy (NUHHP), 2007, which focuses on urban areas. Given the magnitude of the housing shortage and budgetary constraints of both the Central and State Governments, the Policy focuses the spotlight on multiple stake-holders namely, the Private Sector, the Cooperative Sector, the Industrial Sector for labour housing and the

Services/Institutional Sector for employee housing and seeks to build various models of public-private partnerships.

40. The policy initiatives are being dovetailed with various schemes like :

- (v) Jawaharlal Nehru National Urban Renewal Mission (JNNURM) that supports 63 cities across the country in terms of perspective plan called City Development Plans (CDPs) for specifying infrastructure gaps relating to water, sanitation, sewerage, drainage on one hand and deficiencies in housing and basic services on the other hand. The Basic Services for the Urban Poor (BSUP) programme covers these seven entitlements/services - security of tenure, affordable housing, water, sanitation, health, education and social security in low-income segments in the 63 Mission Cities while Integrated Housing & Slum Development Programme (IHSDP) seeks to provide the said seven entitlements/services in towns/cities other than the Mission Cities. The Mission aims to cover construction of 1.5 m houses for urban poor during the Mission period (2005- 2012).
- (vi) Interest Subsidy scheme of housing for the urban Poor is being conceived for providing interest subsidy on housing urban poor to make the housing affordable and within the repaying capacity of EWS/LIG. The scheme once approved will encourage poor sections to avail of loan facilities through Commercial Banks/HUDCO for the purposes of construction of houses and avail 5% subsidy in interest payment. It is aimed at providing 0.4 m dwelling Units during the 11th Five Year Plan.
- (vii) Building Centre Scheme is aimed at facilitating transfer of technology for spreading awareness among construction workers and artisans and for dissemination of low cost technology amongst various stakeholders. The scheme is likely to address the problem of housing shortage by providing cost-effective technology options for those who intend to construct houses.

41. As regards the erstwhile scheme of Night Shelter for the Urban Footpath Dwellers, the scheme has been transferred to State Sector for implementation as per the needs of the concerned State/Union Territory.

Question 36. According to a recent census of the Ministry for Housing and Urban Poverty Alleviation of 2006, the number of slum dwellers rose from 27.9 million in 1991 to 61.8 million in 2001. In view of this, please assess the effectiveness of the National Slum Development Programme (NSDP), mentioned in paragraph. 454 of the report.

42. As per the Town & Country Planning Organisation estimates ('A Compendium on Indian Slums, 1996), estimated number of slum dwellers was 27.9 million in 1981, 46.3 million in 1991 and 61.8 million in 2001. However, as per Census of India – 2001 (Volume-II) figures, total slum population in cities/towns having population of 20,000 or more, the slum population is 52.4 million. In so far as the question of assessment of effectiveness of National Slum Development Programme (NSDP) is concerned, this scheme has been subsumed in the Integrated Housing & Slum Development Programme (IHSDP) w.e.f. 03.12.2005 for an integrated approach for

ameliorating the conditions of the urban slum dwellers who do not possess adequate shelter and reside in dilapidated conditions.

Question 45. 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.

43. The participation of SCs in total higher education, technical/professional educational and vocational education has shown significant improvement during 1991-2001.

Table: Participation of SCs in Higher Education

Stages of Higher Education	Course/Stream	1991		2001	
		Male	Female	Male	Female
A. Total Higher Education		9.0	4.5	11.1	8.8
B. Graduate Technical/Professional		6.4	6.9	7.4	13.6
	B.E./B.Sc.(Engg.)/ B.Arch.	5.7	5.5	7.4	7.5
	M.B.B.S.	8.9	8.1	11.0	10.8
C. Post Matric Diploma		10.9	3.8	10.6	12.2
	Polytechnic	8.7	8.5	10.2	11.4
	Teachers Training Schools	14.3	1.4	17.0	14.2
	Technical and Industrial Crafts	12.0	12.5	10.2	11.7

(Source: Selected Educational Statistics, 1991 & 2001)

44. As can be seen, percentage participation of Scheduled Castes has increased in all streams of higher technical education and vocational education. More remarkable has been increase in the participation of SC females.

Question 47. What educational or cultural measures has the State party undertaken to eliminate discrimination against Dalits and tribal groups?

45. Specific provisions have been made in the Constitution of India for promoting with special care the educational interests of Scheduled Castes and Scheduled Tribes. These include :

- (i) Articles 15 (4) and 15 (5) - Special provision for advancement of SCs and STs for their admission to educational institutions, other than minority institutions.
- (ii) Article 46 : with special care the educational and economic interests of the Scheduled Castes and Scheduled Tribes to protect them from social injustice and all forms of exploitation

46. In pursuance of the above there is reservation for Scheduled Castes and Scheduled Tribes @ 15% and 7.5% in the educational institutions under the control of the Central Government.

47. Besides, the Ministry is also implementing various schemes for educational development of Scheduled Castes at different levels of education. Some of the important initiatives of the Ministry in this direction include :

- (i) Pre Matric scholarship
- (ii) Post Matric scholarship
- (iii) Dr. Ambedkar National Scholarship
- (iv) National Overseas Scholarship
- (v) Rajiv Gandhi National Fellowship
- (vi) Construction of Hostels
- (vii) Coaching and Allied Scheme

Question 49. Please provide information regarding the protection and promotion of the traditional arts and crafts, such as stone carving, mirror-work, weaving and embroidery, which are some of the traditional professions and sources of livelihood of the scheduled castes and tribes.

48. Majority of weavers/artisans belong to the SC/ST population. These groups are normally linked to hereditary or subsistence-based occupations and that too in the unorganized sector. The Handlooms Sector employs over 65 lakh persons in weaving and allied Activities. It is estimated that, of the total workforce, women constitute 62.40% and SC/STs category constitute 32% (as per the joint census of handlooms & powerlooms 1995- 96). To assist Handloom Weavers, including SC/ST and women weavers, the Government of India implements various developmental Schemes through State Governments with the objectives of (i) Employment Generation, (ii) Modernization and upgradation of technology, (iii) Input support, (iv) marketing support, (v) Publicity & Exhibition, (vi) Infrastructural support, (vii) Welfare measures, (viii) Development of Exportable Products (ix) Research & Development.

49. Of the total workforce engaged in handicrafts, 47.42% are women, of which 37.11% belong to SC/ST category (Source: NCAER survey, 1995-96). In this sector, about 22.5% of the outlay in respect of identified Central Sector Schemes is earmarked for the benefit of the Scheduled Castes and Scheduled Tribes.

50. Recently, the Parliamentary Standing Committee on Welfare of Scheduled Castes and Scheduled Tribes had reviewed NSFDC on the subject "Provision of financial assistance and protection of traditional SC & ST artisans" and in its recommendations contained in 10th Report (14th Lok Sabha) had desired that Scheduled Caste artisans need to be provided raw material and marketing support and other extension facilities in consultation with the concerned Government agencies engaged in the field. NSFDC has, therefore, taken initiatives to collect information on the subject by contacting the Development Commissioner (Handicrafts), Ministry of Textiles, Government of India.

51. Based on the information obtained from the Office of Development Commissioner (Handicrafts) and State Channelising Agencies (SCAs) of NSFDC, an all India map on crafts being pursued by SC artisans throughout the country has been prepared. The Office of Development Commissioner (Handicrafts) has been requested to include compilation of following specific information on SC artisans in the coming handicraft census to be conducted by them:

- a) The name of Scheduled Caste community engaged in the craft;
- b) Identification of specific crafts and crafts location;
- c) Number of families engaged in each such clusters.

52. NSFDC has also taken up the matter with Development Commissioner (Handicrafts) to sponsor the cases of SC artisans trained by them under their "Ambedkar Hastashilp Vikas Yojana" (AHVY) for credit linkages under the schemes of NSFDC and its SCAs. SCAs have been provided with the list of field level "Marketing & Service Extension Centres" of Handicraft Development Commissioner for local liaison for funding through NSFDC.

53. A unique fair to showcase the products of handicraft and folk artisans belonging to the disadvantaged sections- SCs, OBC, Handicapped- was organized during September, 2007 at New Delhi. More than 200 artisans drawn from all over the country participated in the fair. The fair was organized by a collective of apex organizations of the Ministry, which included National Backward Classes Finance and Development Corporation, National Scheduled Castes Finance and Development Corporation, National Handicapped Finance and Development Corporation, National Safai Karmcharis Finance and Development Corporation, National Institute of Social Defence and National Trust.

54. The Ministry is separately considering setting up of a permanent marketing place in Delhi, which will provide the artisans belonging to disadvantaged sections an opportunity and a platform to exhibit their products to a much wider spectrum of population. This will also help them fetch better prices for their products.

Question 50. Please provide information on the measures taken to protect, preserve and promote the cultural heritage of the scheduled castes and other tribes in the State party.

55. Article 29 of the Constitution provides that any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

56. The Government have taken special measures to promote the tribal culture. Tribal Research Institutes (TRIs) set up jointly by Central Government and State Governments, besides being engaged in the work of providing planning inputs to the State Government, conducting research and evaluation studies, collection of data, conduct of training, seminars and workshops etc also undertake documentation of customary laws, setting up of tribal museum, for exhibiting tribal artifacts, and other related activities. So far 17 Tribal Research Institutes (TRI's) have

been set up in the States of Andhra Pradesh, Assam, Chhattisgarh, Jharkhand, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, West Bengal, Uttar Pradesh, Manipur, Tripura and Andaman & Nicobar Islands.

57. As part of the research activities of the Tribal Research Institutes (TRIs), the Ministry also supports construction of tribal museums within the premises of the TRIs, to preserve the tribal art, craft and material culture.

58. The Ministry of Tribal Affairs had also got produced films/documentaries on various aspects of tribal life, including *inter alia* their cultures and traditions, with the idea to document the tribes in a scientific and well researched manner and also to disseminate the information for general public. The Documentaries produced by the Ministry are being telecast by Doordarshan on a weekly basis.

59. A Tribal Festival of the performing arts, entitled 'PRAKRITI' was organized jointly by the two Ministries of Tribal Affairs and Culture at New Delhi from 10th -13th November 2006. Over 400 artists comprising 20 cultural troupes across the country performed various dances, music and other arts. TRIFED, under the Ministry of Tribal Affairs also participated by putting up stalls and displayed tribal paintings. The programme concluded with an instrumental ensemble in which all the traditional musical instruments of the different Scheduled Tribes were played together to produce a captivating musical performance.
